



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE PLACING HO-CHUNK NATION CLASS II INTERNAL CONTROL MANUAL OUT FOR FORTY-FIVE DAY COMMENT

RESOLUTION 09-17-13J

WHEREAS, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and

WHEREAS, Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and

WHEREAS, Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; and

WHEREAS, Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands within the jurisdiction of the Nation; and

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W9814 Airport Road • P.O. Box 667 • Black River Falls, WI 54615
(715)294-9343 • Fax (715)284-3172

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, the Legislature adopted an *Amended and Restated Gaming Ordinance* (5 HCC §1) (hereinafter "*Gaming Ordinance*"); and

WHEREAS, the most recent amendments to the *Gaming Ordinance* were adopted by Legislative Resolution 1-28-08 D; and

WHEREAS, the *Gaming Ordinance* provides that the Nation may provide additional regulations as part of the Nation's Class II Internal Control Manuals; and

WHEREAS, the National Indian Gaming Commission in Title 25, Part 542 "establishes the minimum internal control standards for gaming operations on Indian land."; and

WHEREAS, 25 Code of Federal Regulations §542.3(c) requires that "each Tribal gaming regulatory authority shall, in accordance with the Tribal gaming ordinance, establish and implement tribal internal control standards."; and

WHEREAS, the National Indian Gaming Commission has issued updated regulatory requirements for Class II gaming that tribal gaming regulatory authorities must implement; and

WHEREAS, further amendments are necessary in order to conform with relatively recent changes to federal regulations (25 CFR Parts 543 and 547) by the National Indian Gaming Commission; and

WHEREAS, revisions to the Nation's Class II Internal Control Manual are reviewed and approved by the Legislature; and

WHEREAS, the Gaming Commission has been diligently working to amend the Nation's Class II Internal Control Manuals to conform deadlines required by the National Indian Gaming Commission, while also providing gaming management an opportunity to review prior to adoption; and

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, and the Legislative Organization Act, hereby places the Class II Internal Control Manual out for forty-five day public review and comment, running from the date said document is placed on the Nation's website.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **8** constituting a quorum were present at a meeting duly called and convened and held on the **17th day of September, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

9.17.13
Date

