



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ESTABLISHMENT OF HO-CHUNK NATION GAMING ORDINANCE WORKGROUP

RESOLUTION 12-03-13D

- WHEREAS,** on November 1, 1994, the United States Secretary of Interior approved a new Constitution of the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation; 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 Constitution of the Ho-Chunk Nation grants the Legislature the authority to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(h) of the Constitution authorizes the Legislature 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(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 Ho-Chunk Nation *Legislative Organization Act*, 2 HCC §11, ("LOA") provides in Section 10 that an internal Work Group or Task Force may be established in order to assist the Legislature by providing information necessary to carry out Legislative law-making and oversight functions; and
- WHEREAS,** the Nation's *Open Meetings Act*, 2 HCC §2, contemplates that a Work Group or Task Force will be used as a temporary, short-term ad hoc body established by a governmental entity for a focused effort on a specific issue; and
- WHEREAS,** the LOA does not restrict Legislator(s) participation in a Ho-Chunk government task force(s) as an ex officio member when appointed by the Legislature; and
- WHEREAS,** the Legislature previously established a tribal Gaming Commission to carry out the functions and duties required under the Indian Gaming Regulatory Act, federal regulations promulgated by the National Indian Gaming Commission, and the regulatory requirements of the Nation's Gaming Compact with the State of Wisconsin; and

Executive Offices

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

WHEREAS, the Nation's Gaming Commission has functioned successfully for many years, being the primary regulators for the Nation's Class II and Class III gaming facilities and licensing functions; and

WHEREAS, the Nation's Gaming Commission also applies and enforces the Nation's Gaming Ordinance, which was most recently amended by the Legislature in January 2008 and approved by the National Indian Gaming Commission on February 7, 2008; and

WHEREAS, the Legislature placed the Gaming Ordinance out for forty-five day review and public comment in Session on September 17, 2013, and the comment period has since elapsed; and

WHEREAS, the Gaming Commission has continued to review and consider potential improvements to the Gaming Ordinance; and

WHEREAS, the Legislature finds it appropriate to establish a Workgroup to foster a collaborative discussion between the Legislature, Gaming Commission, Compliance Department, Surveillance Department, Department of Justice, Business Department, and Executive Branch in order to consider amendments to the Gaming Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature, pursuant to its authority under the Constitution and tribal law, hereby establishes the Gaming Ordinance Workgroup, consisting of: any interested Legislators, or other Legislative employees or staff designated by Legislators; the Gaming Commission, including the Commissioners and any staff they designate; any Executive Branch employees or staff so authorized to participate; also, staff from the Nation's Justice (including Compliance and Surveillance) and Business Departments so designated; and

BE IT FURTHER RESOLVED that the workgroup shall report on their activity and progress to the Legislature or Development Committee; and

BE IT FURTHER RESOLVED, that the workgroup created herein shall not be considered a Public Body under the Nation's Open Meetings Act and shall be not be required to adhere to Quorum or meeting posting requirements; and

BE IT FURTHER RESOLVED, that the Gaming Ordinance Workgroup is authorized to begin meeting after adoption of this resolution.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **11** constituting a quorum were present at a meeting duly called and convened and held that on the **3rd day of December, 2013**, adopted the foregoing resolution at said meeting by an affirmative vote of **11 members, 0 opposed, and 0 abstaining**, pursuant to the 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 the foregoing 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

12.3.13
Date