



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE ADOPTION OF AMENDMENTS TO THE *GAMING ORDINANCE (5 HCC § 1)*

#### RESOLUTION 07-12-22 B

**WHEREAS,** on November 1, 1994, the 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 and established pursuant to the Indian Reorganization Act of 1934; and

**WHEREAS,** the Ho-Chunk Nation Legislature (“Legislature”) is the duly constituted governing body of the Nation to the Ho-Chunk Nation Constitution (“Constitution”); and

**WHEREAS,** Article V, Section 2 (a) of the Constitution of the Ho-Chunk Nation (“Constitution”) grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; 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 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 Legislature passed the *Legislative Organization Act* (2 HCC § 11), which was last amended on March 25, 2020; and

**WHEREAS,** the *Legislative Organization Act* provides the procedures for enacting or amending a Ho-Chunk Nation Law; and

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**WHEREAS**, section 44, subparagraph d(1)(a) of the *Legislative Organization Act* provides that the Public review period of a law will typically be forty-five (45) day; and

**WHEREAS**, the Legislature enacted the *Ho-Chunk Nation Gaming Ordinance* (“*Gaming Ordinance*”) and codified it into the Nation’s Code as 5 HCC § 1 on May 11, 1999, which was last updated and amended on January 28, 2008, then approved by the National Indian Gaming Commission on February 7, 2008; and

**WHEREAS**, the Gaming Ordinance, which is required by the Indian Gaming and Regulatory Act (“IGRA”) provides a statutory basis for the operation of gaming by the Nation as a means of promoting tribal economic development, self-sufficiency and a strong Tribal government, while also providing for the regulation of gaming by the Nation to ensure gaming is shielded from organized crime and other corrupting influences, while also providing that the Nation is the primary beneficiary of gaming operations that are conducted in a fair and honest manner by both operators and players; and

**WHEREAS**, the Legislature has continued to review the Gaming Ordinance and seek ways to improve the law, consistent with the needs of the Nation and advancements in the gaming regulatory environment; and

**WHEREAS**, the Legislature utilized a Legislative Workgroup to review the Gaming Ordinance and draft potential amendments; and

**WHEREAS**, the Legislature placed proposed amendments to the *Gaming Ordinance* (5 HCC § 1) out for public comment through Resolution 04-21-22 E; and

**WHEREAS**, the Legislature has reviewed and considered all comments received on the proposed amendments to the *Gaming Ordinance* (5 HCC § 1); and

**WHEREAS**, Resolution 07-06-22 G, Adoption of Amendments to the Gaming Ordinance, was defeated; and

**WHEREAS**, the Legislature has now made revisions to the proposed amendments concerning the terms of Gaming Commissioners; and

**WHEREAS**, the Legislative procedure for drafting legislation has been met and the amendments to the *Gaming Ordinance* (5 HCC § 1) are ready for adoption;

**NOW THEREFORE, BE IT RESOLVED**, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby adopts the attached amendments to the *Gaming Ordinance* (5 HCC § 1);

**BE IT FURTHER RESOLVED**, that the attached amendments to the *Gaming Ordinance* (5 HCC § 1) are not effective until approved by the Chairman of the Nation Indian Gaming Commission.

**CERTIFICATION**

I, the undersigned, as Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **12** constituting a quorum were present at a meeting duly called and convened and held on the **12<sup>th</sup> day of July, 2022** that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 0 opposed, and 2 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.

  
Rep Stephanie Begay, Tribal Secretary

07.12.22  
Date