



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION TO PLACE PROPOSED AMENDMENTS TO THE *CODE OF ETHICS ACT* (2 HCC § 1) OUT FOR FORTY-FIVE DAY PUBLIC COMMENT

DEFEATED RESOLUTION 05-08-12B

- 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(g) of the Constitution grants the Legislature the authority to set its own procedures, select its officers, and to enact laws governing attendance of its members, including penalties for absences; 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(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 enacted the Code of Ethics Act (2 HCC § 1) in November 2001 by Legislative Resolution 10/16/01C: and
- WHEREAS,** since its enactment, the Legislature has amended the Code of Ethics Act several times to promote and strengthen the faith and confidence of the people of the Ho-Chunk Nation in their government; and

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WHEREAS, the Legislature wishes to further the goals of the Code of Ethics Act by including language requiring members of the Legislature to file statements disclosing information about the member's financial and economic interests on an annual basis; and

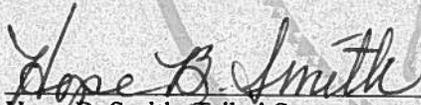
WHEREAS, the *Legislative Organization Act* (2 HCC § 11) controls the process for amendments to the laws of the Nation; and

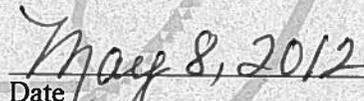
WHEREAS, section 31, subparagraph d (1) (a) of the Legislative Organization Act provides that the public review period will typically be forty-five days.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, places the proposed amendments to the Code of Ethics Act (2 HCC § 1), which would require members of the Legislature to file statements of economic interests on an annual basis, out for forty-five day public comment, to run from the date the proposed amendments are placed on the Nation's website.

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 8th day of May, 2012, adopted the foregoing resolution at said meeting by an affirmative vote of 2 members, 8 opposed, and 1 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.


Hope B. Smith, Tribal Secretary


Date