



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
SCHEDULING PUBLIC HEARING FOR *TAX CODE (5 HCC § 10)*  
AND PLACING *TAX CODE (5 HCC § 10)* OUT FOR  
ADDITIONAL PUBLIC COMMENT PERIOD  
RESOLUTION 4-20-10 O**

- 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(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(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(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 has been studying the possibility of enacting a proposed *Tax Code (5 HCC § 10)*; and
- WHEREAS,** substantial internal and external review by outside law firms of the proposed *Tax Code (5 HCC § 10)* has been completed and the Legislature adopted Resolution 02 – 09 – 10 – L, which placed the proposed *Tax Code (5 HCC § 10)* out for forty-five day public comment; and
- WHEREAS,** during the forty-five day public comment period, the La Crosse District Meeting adopted a motion to have the Ho-Chunk Nation Legislature hold a public hearing during non-business hours for the general Ho-Chunk public regarding the *Tax Code (5 HCC § 10)*; and
- WHEREAS,** section 31, subparagraph d. (2) of the *Legislative Organization Act (2 HCC § 11)* provides procedures for holding public hearings on proposed legislation; and

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**WHEREAS,** prior to the date of the public hearing, in order to facilitate further opportunity for Tribal Members to be aware of the provisions of this *Tax Code* (5 HCC § 10) it makes sense to place the *Tax Code* (5 HCC § 10) out for an additional public comment period; and

**WHEREAS,** placing the latest version of the *Tax Code* (5 HCC § 10) out for public comment will enable Tribal Members to see how their respective comments and motions made at District Meetings regarding the *Tax Code* (5 HCC § 10) have been incorporated into it.

**NOW THEREFORE BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional authority, schedules a public hearing on Saturday June 19, 2010 at 10:00 a.m. at the Ho-Chunk Nation Hotel and Convention Center; and

**BE IT FURTHER RESOLVED,** that the Legislature, pursuant to its Constitutional authority and section 31, subparagraph d. (2) of the *Legislative Organization Act* (2 HCC § 11), shall:

- Place notice of the public hearing in two consecutive issues of the *Hocak Worak*;
- Place a notice of the public hearing on the Legislative Section of the Nation's website;
- Inform Ho-Chunk Nation Members of the public hearing at the District Meetings that occur prior to the date of the public hearing.

**BE IT FURTHER RESOLVED,** that the Legislature, pursuant to its Constitutional authority, shall place the current version of the *Tax Code* (5 HCC § 10) out for additional public comment until Monday June 21, 2010.

#### CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 10 constituting a quorum were present at a meeting duly called and convened and held that on the 20th day of April, 2010, that the foregoing resolution was adopted at said meeting by an affirmative vote of 9 members, 1 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.

  
Hope B. Smith, Tribal Secretary

  
Date