



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE PLACING PROPOSED *TAX CODE* (5 HCC § 10) OUT FOR FORTY-FIVE DAY PUBLIC COMMENT RESOLUTION 07-06-10 C

- WHEREAS,** the Ho-Chunk Nation (“Nation”) is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- 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,** 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(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(e) of the Constitution grants the Legislature the power to raise revenue, including the power to levy and collect taxes and license fees; 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 Ho-Chunk Nation Legislature passed the *Legislative Organization Act* (2 HCC § 11); and
- WHEREAS,** Section 31, subparagraph d (1) (a) of the *Legislative Organization Act* provides that the Public Review period for consideration of proposed laws will typically be forty-five days; and
- WHEREAS,** the Ho-Chunk Nation Legislature adopted resolution 4-20-10 O Scheduling Public Hearing on Tax Code/Placing Tax Code Out for Additional Public Comment Period that ended June 21, 2010; and

WHEREAS, the Ho-Chunk Nation Legislature scheduled and convened a public Hearing on June 19, 2010 at Ho-Chunk Casino Hotel & Convention Center, Wisconsin Dells, WI; and

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, places the proposed *Tax Code* (5 HCC § 10) out for forty-five day public comment.

BE IT FURTHER RESOLVED that the Legislative Counsel's Office shall post on the Legislative webpage and mail copies upon request, with forty-five (45) Day Public Review period starting the day it is posted on webpage.

CERTIFICATION

I, the undersigned, as Tribal Secretary, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom 7 constituting a quorum were present at a meeting duly called and convened and held on the 6th day of July, 2010, that the foregoing resolution was adopted at said meeting by an affirmative vote of 6 members, 1 **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.

Hope B. Smith July 6, 2010
Hope B. Smith, Tribal Secretary Date