



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AMENDMENT TO HO-CHUNK NATION CLASS II INTERNAL CONTROL MANUAL RESOLUTION 4-08-08 A

- 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, organized pursuant to the Indian Reorganization Act of 1934; 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(d) of the Constitution grants the Legislature to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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 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(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(t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands 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 adopted an *Amended and Restated Gaming Ordinance* (5 HCC §1) (hereinafter "Gaming Ordinance"); and
- WHEREAS,** the most recent Amendment to the *Gaming Ordinance* was adopted by Legislative Resolution 1-28-08 D; and
- WHEREAS,** the *Gaming Ordinance* provides that the Nation may provide additional regulations as part of the Nation's Class II Internal Control Manuals; and
- WHEREAS,** the Legislature last approved revisions to the Ho-Chunk Nation's Class II Internal Control Manual by Resolution 08-28-01B; and

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- WHEREAS,** the National Indian Gaming Commission in Title 25, Part 542 “establishes the minimum internal control standards for gaming operations on Indian land.”; and
- WHEREAS,** 25 Code of Federal Regulations §542.3(c) requires that “each Tribal gaming regulatory authority shall, in accordance with the Tribal gaming ordinance, establish and implement tribal internal control standards.”; and
- WHEREAS,** on March 25, 2008 the Gaming Commission submitted Amendments to the Nation’s Class II Internal Control Manual to the Development Committee; and
- WHEREAS,** the Development Committee passed a motion to send the Amendments to the Legislature for its approval; and
- WHEREAS,** the Amendments are necessary in order to conform with the recent changes to the *Gaming Ordinance* and the National Indian Gaming Commission's current Minimum Internal Control Standards.

NOW THEREFORE BE IT RESOLVED that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby amends the Ho-Chunk Nation’s Class II Internal Control Manual.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **11** constituting a quorum were present at a meeting duly called and convened and held on the **8th day of April, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 4 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.



Elliott Garvin, Tribal Secretary

4-8-08

Date