



HO-CHUNK NATION CODE (HCC)
TITLE 7 - CULTURE AND NATURAL RESOURCES
SECTION 5 - FLAG OBSERVATION ORDINANCE

ENACTED BY LEGISLATURE: January 18, 2022

CITE AS: 7 HCC § 5

1. AUTHORITY.

- a. Article V, Section 2(a) of the Constitution grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes.
- b. 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.
- c. Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets.
- d. Article V, Section 2(o) of the Constitution grants the Legislature the power to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation.
- e. Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions.
- f. 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.

2. SHORT TITLE.

- a. This Act may be cited as the “Navy Veteran Thomas E. Hopinkah Ho-Chunk Nation Flag Observance Ordinance of 2022”.

3. PURPOSE.

- a. To authorize the President to order that the Ho-Chunk Nation and/or United States flags be flown at half-staff at all Ho-Chunk Nation facilities in the event of the death of a Ho-Chunk Nation tribal member.

4. FINDINGS.

- a. Members of the Armed Forces of the United States defend the freedom and security of the United States which includes the Ho-Chunk Nation.

- b. The Ho-Chunk Nation honors and respects the contributions and sacrifices made by its veterans, elected officials, and members.
- c. The Nation wishes to display that honor and respect through an appropriate, consistent flag observance ordinance setting forth the times and places where it is appropriate to lower the flags of the Nation to half staff after the death of a veteran, elected official, or member of the Nation.

5. FLAG OBSERVANCES.

- a. The President of the Nation shall have the authority to order the lowering of flags at all Ho-Chunk Nation facilities consistent with the following:
 - i. Veterans: Following the death of a tribal member of the Armed Forces who dies while serving on active duty, or following the death of a Ho-Chunk Nation veteran, all flags (including the United States' flag) shall be lowered to half-staff for a period of four days, including the day of their interment.

Other Elected Officials and Tribal Members: Following the death of either a Ho-Chunk Nation elected official or a Ho-Chunk Nation tribal member, who is not a veteran, Ho-Chunk Nation flags shall be lowered to half-staff on the day of their interment.

Legislative History:

01.18.22 Legislature adopts Resolution 01-18-22 G, via quick passage, Procedure to Enact the Flag Observation Ordinance.