DEFEATED RESOLUTION

HO-CHUNK NATION LEGISLATURE
HO-CHUNK NATION CHILD & FAMILY SERVICES
REIMBURSEMENT FROM PARENTS FOR CARE IN
CHILD PROTECTION CASES
RESOLUTION 3-03-09 A

WHEREAS, on November 1, 1994, the 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(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as many contribute to the social advancement of the members of the Nation; and

WHEREAS, there are Ho-Chunk children at risk of being abused, neglected or exploited due to a multitude of economic, social and psychological factors; and

WHEREAS, Child & Family Services ("CFS") works with the Nation's children and their families in the planning, implementation and evaluation of effective strategies designed to meet protective needs, provides supportive services to families at risk, and works toward complete and effective reunification of children back with their families or individuals cited in the Order of Preference of the Hocak Nation Childrens and Family Act ("Act"), 4 HCC § 3; and

WHEREAS, the Act states that the Legislature shall provide adequate funding support, as determined by the needs of CFS to ensure the health, safety, and welfare of the Nation's children; and

WHEREAS, the Act states such funding shall include but is not limited to providing for emergency foster homes and emergency secure and non-secure shelter care facilities; and

WHEREAS, CFS shall seek reimbursement from the parent(s) or guardian(s) per capita distribution and/or other forms of income, as a debt owed to the Nation, when CFS makes expenditures from tribal monies to cover the cost of out of home care; and

WHEREAS, a restricted line item is needed to collect and replace these costs associated with out of home care; and

WHEREAS, this line item will not be able to cover the total costs because of the extra monies needed to care for special needs children, but it will assist and support the current needs.

NOW THEREFORE BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional, authority finds that all parents should financially support their children who are in out of home placement.

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, finds that it is in the best interest of the Nation's children to permit reimbursements for expenditures related to child placement to be directed into a restricted line item in CFS' budget.

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 6 constituting a quorum were present at a meeting duly called and convened and held on the **3rd day of March, 2009**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **2 members, 4 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.

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Elliott Garvin, Tribal Secretary Date