



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
DELINQUENT LEASE PAYMENT
ON HOMESTEAD PARCEL
RESOLUTION 1-28-08 C**

- 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(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(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; and
- WHEREAS,** Article V, Section 2(m) of the Constitution grants the Legislature the power to enact laws to prevent the sale, disposition, or encumbrance of Ho-Chunk lands, or other Ho-Chunk assets; and
- WHEREAS,** 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; 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 may contribute to the social advancement of the members of the Ho-Chunk 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 *Charitable Contributions Act* (4 HCC §8) defines an Elite Elder as "any person who is seventy (70) years of age or more and has been an enrolled member of the Ho-Chunk Nation for a minimum of five (5) years."; and
- WHEREAS,** The *Charitable Contributions Act* (4 HCC §8) creates the Elder Assistance Fund; and

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WHEREAS, The *Charitable Contributions Act* (4 HCC §8) provides that “[t]he Elder Assistance Fund shall be reserved to only fund grants and other types of assistance benefiting the Nation’s Elders.”; and

WHEREAS, The *Charitable Contributions Act* (4 HCC §8) provides that “[a]ll reasonable requests necessary for the health and welfare of Elite Elders shall be honored as a matter of policy.”; and

WHEREAS, The Ho-Chunk Nation Elderly Advisory Board passed a motion “to approve Land Lease payments for Ho-Chunk Nation Elders age 70 and over.”; and

WHEREAS, The Legislature passed a motion “to approve the delinquent lease payments on homestead parcels for three Ho-Chunk Nation Elite Elders (Adelaide Gauthier, Janette Smoke, and Anabelle Lowe) who received homes from the Ho-Chunk Nation Home Ownership Program, in the amount of \$2,228.00 per the existing supporting documentation.”; and

WHEREAS, Article X, Section 1(a), subsection (8) of the Ho-Chunk Nation Constitution provides that “[t]he Ho-Chunk Nation, in exercising its powers of self-government, shall not: . . . deny to any person within its jurisdiction the equal protection of its laws.”; and

WHEREAS, Lorena Coffey is an Elite Elder; and

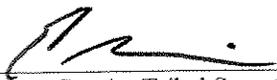
WHEREAS, Lorena Coffey has delinquent lease payments in the amount of \$255.83.

NOW THEREFORE BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, shall pay the delinquent lease payments in the amount of \$255.83 to the Bureau of Indian Affairs on behalf of Elite Elder Lorena Coffey.

BE IT FURTHER RESOLVED, that the \$255.83 shall come out of the Elder Assistance Fund.

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 **9** constituting a quorum were present at a meeting duly called and convened and held on the **28th day of January, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 2 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

1-28-08
Date