



# HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
AMENDMENT TO HOME OWNERSHIP AND BENEFIT  
HOUSING PROGRAM FOR THE GENERAL WELFARE  
OF NON-ELDERS ACT (8 HCC § 5)  
RESOLUTION 8-05-08 E**

- 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(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(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(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(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; and

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- WHEREAS,** Article V, Section 2(p) of the Constitution grants the Legislature the power to enact laws to create and regulate a system of property including but not limited to use, title, deed, estate, inheritance, transfer, conveyance, and devise; 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(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 has been considering Amendments to the *Home Ownership and Benefit Housing Program for the General Welfare of Non-Elders Act* (8 HCC § 5) (hereinafter "ACT"); and
- WHEREAS,** pursuant to the requirements of the *Legislative Organization Act* (2 HCC § 11), the Legislature held two Off-Sites to consider the Amendments to the ACT; and
- WHEREAS,** numerous Ho-Chunk Nation officials participated in the Off-Sites; and
- WHEREAS,** these officials included individuals from the Legislature, Department of Housing, Department of Housing Board of Directors, Ho-Chunk Housing and Community Development Agency, Department of Justice, Department of Treasury, Office of the President, and other Executive Branch officials; and
- WHEREAS,** pursuant to the requirements of the *Legislative Organization Act* (2 HCC § 11) the Legislature placed the ACT out for forty-five day public comment; and
- WHEREAS,** a copy of the ACT incorporating all approved Amendments is attached to this Resolution for consideration by the Legislators.

**NOW THEREFORE, BE IT RESOLVED** that the Legislature Amends the Home Ownership and Benefit Housing Program for the General Welfare of Non-Elders Act (8 HCC § 5).

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **10 members**, of whom **6** constituting a quorum were present at a meeting duly called and convened and held on the **5<sup>th</sup> day of August, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **4 members, 1 opposed, and 1 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

8-5-08  
\_\_\_\_\_  
Date