



**MENOMINEE NATION**

**THE MENOMINEE TRIBAL LEGISLATURE**

**TRIBAL ORDINANCE NO. 23-70**

**AMENDMENT TO THE CODE OF THE MENOMINEE INDIAN- TRIBE OF WISCONSIN**

**CHAPTER 44**

**DEBT COLLECTION**

**FINAL APPROVAL:**

**BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:**

Tribal Ordinance 23-70 is hereby enacted. Tribal Ordinance 23-70 amends Chapter 44, "Debt Collection" of the Code of the Menominee Indian Tribe of Wisconsin as attached hereto and incorporated herein as if fully reproduced here.

**CERTIFICATION**

We, the undersigned Officers of the Menominee Tribal Legislature, do hereby certify that the foregoing Ordinance 23-70 Amendment to Chapter 44 – "Debt Collection" was **DULY ADOPTED** at a regular meeting of the Tribal Legislature held January 18, 2024, at which a quorum was present, by a vote of **8** for, **0** opposed, **0** abstentions and **0** absent.

The undersigned also certify that the foregoing amendment to Code of the Menominee Indian Tribe of Wisconsin has been posted in accordance with the Menominee Constitution and Bylaws.

A handwritten signature in blue ink, appearing to read "Gena Kakkak", written over a horizontal line.

**GENA KAKKAK, CHAIRWOMAN  
MENOMINEE INDIAN TRIBE OF WISCONSIN**

**DATE: JANUARY 18, 2024**

A handwritten signature in blue ink, appearing to read "Spencer Gauthier", written over a horizontal line.

**SPENCER GAUTHIER, SECRETARY  
MENOMINEE INDIAN TRIBE OF WISCONSIN**

**TRIBAL ORDINANCE 23-70**  
**AMENDMENT TO CHAPTER 44 – DEBT COLLECTION**

1. Purpose. The purpose of this Amendment is to modify Chapter 44 to provide a mechanism for appeals of tax intercepts if the Tribe chooses to enter into a tax intercept agreement with the State of Wisconsin.

2. Amendment to § 44-3. Section 44-3.D is deleted in its entirety and replaced by the following:

D. The person has not disputed the debt, in writing, within 35 days of the date the letter in Subsection **C** above was mailed, or paid the debt in full, or made acceptable arrangements to pay the debt, or the person has disputed the debt but has been determined to owe money to the Tribe pursuant to § **44-4** of this chapter.

3. Amendment to § 44-4. Section 44-4 is deleted in its entirety and replaced with the following:

**§ 44-4 Review of disputed amounts.**

Any person who disputes the amount of money alleged to be owed to the Tribe pursuant to § **44-3B** through D of this chapter may ask the Loan Fund Committee to review the disputed amount and make a determination as to the amount of money owed the Tribe, if any. The person disputing the debt may bring any relevant evidence to the attention of the Loan Fund Committee and may request a hearing before the Loan Fund Committee for the purpose of presenting his or her argument. The employee or agent of the Tribe who signed the statement in regard to the debt, or any Tribal employee familiar with the issues surrounding the outstanding debt shall attend this hearing.

4. Amendment to Create § 44-14. Section 44-14 is created to read as follows:

**§44-14 Tax refund interception**

A department or division of the Tribe, or Tribal Court may seek repayment of a debt from any person on the list of debtors through interception of debtor's State of Wisconsin tax refund if the Tribe has entered into an agreement with the State of Wisconsin regarding the interception of tax refunds. At least thirty (30) days prior to seeking repayment through interception of debtor's State of Wisconsin tax refund, the debtor must be notified of the intent to seek such interception. Such notice shall be mailed with first class postage to debtor(s) last known address and shall contain the information related to the debt consistent with § 44-3 A along with notice that debtor may appeal the decision to seek such intercept to the Loan Fund Committee pursuant to § 44-4.

5. Effect on Remaining Provisions of Chapter. The remaining provisions of Chapter 44 are unchanged.

6. Effective Date. This amendment shall be effective upon Final Approval by the Tribal Legislature.