



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE HO-CHUNK NATION POLICE DEPARTMENT RECOGNITION RESOLUTION 04-05-11 J

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 is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, the Legislature of the Ho-Chunk Nation ("Legislature") is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Nation; and

WHEREAS, Article V, Section 2 (a) of the Ho-Chunk Nation Constitution ("Constitution") authorizes the Legislature, to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2 (i) of the Constitution authorizes the Legislature to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2 (4) of the Constitution authorizes the Legislature 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 Ho-Chunk Nation; and

WHEREAS, Article V, Section 2 (u) of the Constitution authorizes the Legislature to enact laws to regulate domestic relations of persons 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 adopted the Law Enforcement Commission Establishment and Organization Act ("Act") on January 08, 2008; and

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WHEREAS, in Resolution 11-3-10 C, the Legislature authorized the establishment and implementation of a Ho-Chunk Nation Police Department to promote the safety of all Tribal members and all residents of Ho-Chunk-owned properties; and

WHEREAS, the Legislature intends to have the Tribal Police Officers enforce the laws of the State of Wisconsin on Ho-Chunk trust lands; and

WHEREAS, in addition to enforcing laws of the State of Wisconsin on Ho-Chunk trust lands, the Ho-Chunk Police Department may also engage in mutual aid with county or municipal law enforcement agencies.

THEREFORE BE IT RESOLVED, that the Legislature hereby waives the Nation's sovereign immunity only to the extent necessary to allow the enforcement in state courts of its liability pursuant to Wisconsin Statute §165.92 (3m)(a)(2)(a) regarding s. 66.0513 (attached).

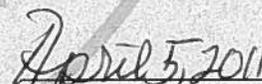
NOW BE IT FURTHER RESOLVED, that this resolution shall be effective upon its adoption and approval of said resolution.

CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of-whom 7 constituted a quorum were present at a meeting duly called and convened this 5th day of April 2011, and that the foregoing resolution was duly adopted by an affirmative vote of 5 members, 0 opposed, and 2 abstaining, pursuant to the authority of Article V, Section 2 (a) and (x) of the Ho-Chunk Nation Constitution 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 copy of resolution.



Hope Smith, Tribal Secretary



Date