

HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ADOPTION OF LAW ENFORCEMENT COMMISSION ESTABLISHMENT AND ORGANIZATION ACT (1 HCC §14) RESOLUTION 1-08-08 B

- 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(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(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,** Article VI, Section 2(a) of the Constitution grants the President the power to execute and administer the laws of the Ho-Chunk Nation; and
- WHEREAS,** Article VI, Section 2(d) of the Constitution grants the President the power to administer all Departments, boards, and committees created by the Legislature; and
- WHEREAS,** Title 18 U.S.C. Section 1162(a) and Title 28 U.S.C. Section 1360(a) (collectively known as Public Law 83-280) grants the State of Wisconsin complete criminal and some civil jurisdiction over Indian reservations in Wisconsin except the Menominee Reservation; and

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WHEREAS, Wisconsin Statute, Section 165.90 authorizes any county that has one or more federally recognized Indian reservations to enter into an agreement to establish a cooperative county - tribal law enforcement program; and

WHEREAS, pursuant to Wis. Stat. § 165.90, the Ho-Chunk Nation has entered into County-Tribal Cooperative Law Enforcement Agreements with the counties of Jackson, Monroe, Wood, Shawano, Sauk, and Juneau; and

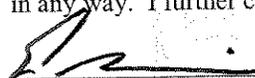
WHEREAS, the proposed Law Enforcement Commission Establishment and Organization Act will establish the Ho-Chunk Nation Law Enforcement Commission; and

WHEREAS, the Law Enforcement Commission shall serve in an advisory capacity to the Attorney General, President, and Legislature to assist with law enforcement policy and budget development.

NOW THEREFORE BE IT RESOLVED, that the Legislature pursuant to its Constitutional authority hereby adopts the attached Law Enforcement Commission Establishment and Organization Act (1 HCC §14).

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 **11** constituting a quorum were present at a meeting duly called and convened and held on the **8th day of January, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 0 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

1-8-08
Date