



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE CONTRACT SIGNATURE AUTHORITY**

#### **RESOLUTION 07-06-10 K**

- 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives 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; 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 the power 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,** the Nation enters into a large number of contracts to assist tribal government operations, tribal membership, and the Nation's enterprises; and, further, that the efficient execution of such contracts requires a feasible method of delegating signature authority for such contracts; and
- WHEREAS,** the Legislature has adopted various resolutions over the years in an effort to delegate some signature authority to the President of the Nation, yet retain a degree of oversight over the contract process; and
- WHEREAS,** the Legislature's last resolution establishing contract signature parameters was in 1997 (Resolution 7/15/97C); and that in order to improve the efficiency of tribal government, the Legislature finds it necessary to update said parameters consistent with current needs;

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#### **Executive Offices**

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**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, establishes this contract signature policy and delegates signature authority as follows:

(1) the President of the Nation may execute all contracts for goods and services funded by a legislatively-approved annual departmental budget, subject to sub (3) below;

(2) the President may execute all grant requests and agreements which the Legislature has approved or budgeted any financial commitment that may be required of the Nation, subject to sub (3) below;

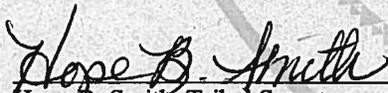
(3) provided, that any agreements or contracts to be funded from a contract services line item which exceed \$10,000 per fiscal year, per vendor, must be signed by the Vice President of the Nation;

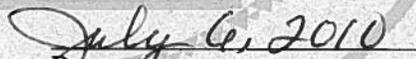
(4) provided, further, that if the Vice President of the Nation is unavailable or unable to execute any contract reserved to their authority, said contract may be executed by either of the Presiding Officers of the Legislative Finance Committee, on the condition that the Attorney General and Office of Legislative Counsel have reviewed said contract; and

**BE IT FURTHER RESOLVED** that the provisions of this Resolution do nothing to replace or alter the terms of Legislative Resolution 5/11/99J Contract Administration Responsibility (setting forth the process for Department of Justice review and Treasury Department confirmation).

#### CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 10 constituting a quorum were present at a meeting duly called and convened and held that on the 6<sup>th</sup> day of July, 2010, adopted the foregoing resolution at said meeting by an affirmative vote of 6 members, 0 opposed, and 4 abstaining, pursuant to the 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 the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

  
Hope B. Smith, Tribal Secretary

  
Date