



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE GENERAL COUNCIL AGENCY LIMITED CONTRACT SIGNATURE RESOLUTION 09-07-10 D

- 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, through its various branches of government, operations and departments, 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 contract process; and
- WHEREAS,** in order to improve the efficiency of tribal government, the Legislature finds it necessary to update said parameters consistent with current needs; and
- WHEREAS,** the Ho-Chunk Nation General Council met on September 12, 2009 and adopted By-Laws for the General Council Agency in Resolution 9-12-09A, and those By-Laws give the Chair of the General Council Agency the authority to enter into contracts with vendors and service providers for General Council meetings in accordance with the Agency's approved budget (See Article Four, Section 2 of said By-Laws); and

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WHEREAS, the General Council Agency has multiple contracts pending for the upcoming September 18, 2010 meeting of the Ho-Chunk Nation General Council and related services to support the General Council function;

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

(1). The Chairperson of the General Council Agency shall have the authority to enter into contracts with vendors and service providers for the General Council meetings, in accordance with the approved budget for the Agency, subject to sub. (3) and (4) below;

(2) The Chairperson of the General Council Agency shall have the authority to enter into contracts or service provider agreements to carry out its responsibility to employ staff, subject to the sub (3) and (4) below;

(3). Provided, that any agreements or contracts to be funded from a contract service line item which exceeds \$10,000.00 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 Council 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 a process for Department of Justice review and Treasury Department confirmation*).

CERTIFICATION

I, the undersigned, as Tribal Secretary of the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **8** constituting a quorum were present at a meeting duly called and convened and held that on the **7th** day of **September**, 2010 adopted the foregoing resolution at a meeting by an affirmative vote of **8** members **0** opposed, **1** abstaining, pursuant to 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 foregoing resolution has not been rescinded or amended in any way. I further certify this is a verified copy of said resolution.



Hope B. Smith, Tribal Secretary



Date