



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
PLACING CONTRACT AUTHORITY CODE (5 HCC §10)  
OUT FOR FORTY-FIVE DAY REVIEW  
RESOLUTION 3 -19-08 H**

- 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(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(j) of the Constitution grants the Legislature the power to authorize and appropriate funds to employ legal counsel in accordance with applicable law; 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 has been working on enacting a *Contract Authority Code* (5 HCC §10); and
- WHEREAS,** the purpose of the *Contract Authority Code* is “to establish procedures and rules to govern contracts entered into by Ho-Chunk Nation and provide clear guidance to officials of the Nation regarding the process necessary for the Nation to enter into contracts with outside vendors and other entities and to provide an efficient mechanism for the Nation to conduct business with outside vendors and other entities.”; and
- WHEREAS,** if the Legislature enacts the *Contract Authority Code* it will be necessary to amend the *Materials Management Policies & Procedures Manual* (5 HCC §9); and
- WHEREAS,** the *Legislative Organization Act* (2 HCC §11) “is enacted to establish procedures and rules to govern individual and collective actions of members of the Legislature and to establish uniformity in the proceedings of legislative business; thereby increasing the efficiency of the Legislature.”; and

### **Executive Offices**

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**WHEREAS,** on January 3, 2008 the Legislature held an Off-Site to review provisions of the *Contract Authority Code*; and

**WHEREAS,** Chapter III of the *Legislative Organization Act* controls the Nation's Bill Process; and

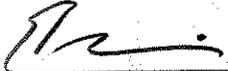
**WHEREAS,** pursuant to Chapter III, Section 31 of the *Legislative Organization Act*, unless waived or modified the "public review period shall be forty-five (45) days."

**NOW THEREFORE BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional authority, places the *Contract Authority Code* (5 HCC §10) out for forty-five day review.

**BE IT FURTHER RESOLVED,** that the Legislature, pursuant to its Constitutional authority, places the *Materials Management Policies & Procedures Manual* (5 HCC §9) out for forty-five day review.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **7** constituting a quorum were present at a meeting duly called and convened and held on the **19<sup>th</sup> day of March, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 0 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

**3-19-08**  
\_\_\_\_\_  
Date