



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
RESCISSION OF RESOLUTION 01-19-21K  
REGARDING CONTRACT SIGNATURE AUTHORITY  
AND  
AFFIRMATION OF RESOLUTION 5/11/99J**

**RESOLUTION 06-28-22 A**

- WHEREAS,** on November 1, 1994, the United States Secretary of Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation; 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(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(h) of the Constitution authorizes the Legislature 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(l) of the Constitution grants the Legislature the authority to enact laws to manage, lease, permit, or otherwise deal with the Nation’s lands, interests in lands or other assets; 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

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**WHEREAS,** Article III, Section 3 of the Constitution states that no branch of the Nation's government shall exercise the powers or functions delegated to another branch; 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 and delegated authority was adopted pursuant to Resolution 01-19-21k; and

**WHEREAS,** Resolution 01-19-21K delegated some contract signature authority to the President, under limited circumstances and dollar amounts, while also preserving the role of the Nation's Department of Justice and Treasury Department in the review and administration of contracts described in Resolution 5/11/99J; and

**WHEREAS,** the Legislature finds that the Nation's Department of Justice has used a contract database management system to review, track and approve of contracts for signature by the President or Vice President; and

**WHEREAS,** the Legislature finds and determines that the current process used by the Department of Justice adequately satisfies Legislative Resolution 5/11/99J; and

**WHEREAS,** the Legislature finds it necessary to rescind Resolution 01-19-21K, in order to preserve the contract signature authority of the Legislative Branch under the Nation's Constitution, consistent with current needs;

**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, rescinds Resolution 01-19-21K and delegates no authority to the President to sign or execute any contracts, agreements, or grants, whatsoever;

**BE IT FURTHER RESOLVED** that the Legislature affirms Resolution 5/11/99J; and

**BE IT FURTHER RESOLVED** that, in the absence of any delegation to the President, contract signature authority remains with the Legislative Branch, and is hereby delegated to the Vice-President. If the Vice President 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 Commission, on the condition that the Office of Legislative Counsel have reviewed said contract; and

**BE IT FURTHER RESOLVED,** and provided, that the Legislature shall have read-only access to the Department of Justice contract database and the authority to review any actions taken on contracts, as a function of the Legislature's authority under Article V of the Constitution.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **11** constituting a quorum were present at a meeting duly called and convened and held on the **28<sup>th</sup> of June, 2022**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **11 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) through (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.

  
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Rep. Stephanie Begay, Tribal Secretary

06.28.22  
Date