



**HO-CHUNK NATION CODE (HCC)
TITLE 1 – ESTABLISHMENT ACTS
SECTION 11 – HO-CHUNK TRIBAL AGING UNIT ADVISORY
BOARD ESTABLISHMENT AND ORGANIZATION ACT**

ENACTED BY LEGISLATURE: APRIL 19, 2005

CITE AS: 1 HCC § 11

This Act supersedes the Ho-Chunk Nation Tribal Aging Unit Advisory Board Bylaws approved by Wisconsin Winnebago Business Committee Resolution 7/11/87B, amended by Legislative Resolution 6/30/97, 11/9/99C and most recently amended by Legislative Resolution 5-08-12E.

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1. Authority.

a. Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes.

b. Article V, Section 2(f) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions.

c. Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation.

d. Wisconsin Statute, Section 46.82(4)(a) requires that a federally recognized American Indian tribe that has established a tribal aging unit shall appoint a governing and policy-making.

e. The Wisconsin Winnebago Business Committee established the Tribal Aging Unit (“TAU”) Advisory Board on July 11, 1987.

2. **Purpose.** The purpose of this Act is to establish the Ho-Chunk Tribal Aging Unit (TAU) Advisory Board (TAU Board) in accordance with Wisconsin Statute, Section 46.82(4)(a), which requires that the elected tribal governing body of a federally recognized American Indian Tribe, that has established a Tribal Aging Unit, shall also establish an advisory and policy development body.

3. **Establishment.** The Ho-Chunk Nation Legislature, in recognition of the importance of its Elders and pursuant to its powers, hereby establishes and organizes the Ho-Chunk Nation Tribal Aging Unit Advisory Board. The Board shall constitute the Nation’s Commission on Aging with the commensurate powers and duties as required by Wisconsin Statute, Section 46.82(4).

4. **Tribal Aging Unit Program.** The Nation’s Tribal Aging Unit (TAU) is organized under the Department of Social Services and functions pursuant to Wisconsin Statute, Section 46.82, which requires such an agency for an American Indian Tribe to administer programs for older individuals that are funded under 42 U.S.C. § 3001-3057n, 42 U.S.C. § 5001, and 42 U.S.C. § 5011(b).

a. Area. The Tribal Aging Unit (“TAU”) Program serves Tribal members living throughout the entire United States. However, the geographic area in which the TAU provides services to the Elders of the Nation consists of primarily 15 counties: Adams, Clark, Columbia, Crawford, Eau Claire, Jackson, Juneau, La Crosse, Marathon, Monroe, Sauk, Shawano, Vernon, and Wood Counties in Wisconsin and Houston County in Minnesota.

b. Location. The TAU program office is located at P.O. Box 430, Indian Mission, Black River Falls, WI 54615 and this office shall serve as a contact point for the TAU Board.

5. **Purpose of the TAU Advisory Board.** The TAU Board shall ensure that Tribal members, age sixty (60) and over, have the opportunity to realize their full potential and to actively participate in and have access to all areas of community life. It shall be the body within the Nation that represents the view, interests, and concerns of the Elders. It shall be responsible for identifying and promoting ways in which Elders can contribute to the community’s general welfare by:

a. Assisting the TAU program office with the planning, development, maintenance, and coordination of aging programs, which focus on providing the Elders with access to services, benefits, and opportunities available in the community, to ensure a coordinated and comprehensive effort.

b. Developing a mutually supportive relationship with the Area Agency on Aging.

c. Reviewing and making recommendations to the President and the Legislature on matters affecting the Nation's Elders.

6. Powers and Duties. The Board, pursuant to Wis. Stats. § 46.82(4)(d), shall plan and develop administrative and program policies in accordance with state law, Ho-Chunk Nation Net Profit Distribution ("NPD") funding and within the limits established by the Wisconsin Department of Health and Family Services for programs funded by the federal or state government for administration by the Tribal Aging Unit. As such the Board shall:

a. Promote the views, needs, and concerns of the Elders in tribal, county, state, and federal policies and decisions.

b. Provide information and personal support to individual Elders.

c. Promote opportunities for Elders to contribute to their own welfare and to the welfare of the total community.

d. Assist the TAU in the development and implementation of an annual comprehensive and coordinated Tribal Aging Plan including but not limited to Title III, Title V, Title VI, and Tribal NPD Funds for Elders.

e. Review and make recommendations on proposals relating to matters affecting programs and benefits addressing Elder needs and welfare prior to approval by the Legislature.

f. Assist the TAU in its efforts to organize and develop, modify, and expand available services and programs for Elders utilizing all resources.

g. Review reports the TAU is required to submit to funding agencies and such other reports as the TAU Board may deem appropriate

h. Advocate for and report to their respective area Elders.

i. Coordinate with the Legislature and the TAU Program for the use and expenditures of the Nation's charitable contributions, which are granted to Tribal Elders pursuant to the *Charitable Request Act* (4 HCC § 8).

7. TAU Advisory Board.

a. Composition. The TAU Board shall consist of two (2) members from each of the elder meal sites and two (2) members from District 5.

b. Selection/Appointment. The members of the TAU Board shall be selected by the Elders from each of their respective Districts. Each District shall choose its member selection process.

c. Attendance. Each member will officially attend meetings when called by the Chairperson, Vice Chairperson, or Secretary.

d. Quorum. 2/3 of the entire board shall constitute a quorum. A quorum is required to conduct business.

e. Officers. The TAU Board shall select from its members a Chairperson, a Vice-Chairperson, and a Secretary.

f. Voting. Each member, including the Chairperson shall have one (1) vote.

g. Terms. Board members shall serve for a three (3) year term and may serve more than one (1) term.

h. Removal. A Board member may submit charges for the removal of a Board member in accordance with the Nation's *Code of Ethics Act* (2 HCC § 1).

i. Code of Ethics. The Board and its member's conduct and actions shall be subject to the *Code of Ethics Act*.

j. Ex Officio Member. To ensure coordinated and consistent services to Elders, the Director of the TAU Program shall serve as a non-voting member of the Board.

k. Delegates. The TAU Board shall appoint delegates to the following organizations listed hereafter. The duties of the delegates shall be to attend regular and special meetings of the respective organizations and to give regular written reports on the actions and activities of the organizations. Delegates shall receive compensation as provided in Section 9, below.

(1) The Age Advantage Board of Directors and other meetings.

(2) The Great lakes Native American Elders Association (GLNAEA).

(3) The Coalition of Wisconsin Aging Groups (CWAG).

8. **Order of Business**. Unless otherwise amended during the course of a meeting, all business conducted by the TAU Board shall be conducted according to the Ho-Chunk Nation Open Meetings Act (last amended November 2, 2004).

9. **Compensation**. Members of the TAU Board shall be paid stipends and reimbursement in accordance with Section 27 of the Nation's *Finance Manual* (5 HCC § 5). The Director, TAU Program is responsible for preparation and submission of payment vouchers.

10. **Meetings.** All Board Members are subject to the Nation's *Open Meetings Act* (2 HCC § 2) and the Board shall conduct its meetings in accordance with that Act.

a. Regular Meetings. Regular meetings of the TAU Board shall be held on the third Wednesday of each month. The time and place of such meetings shall be determined by the members. A change in the time and date of a specific meeting may be made upon the agreement of a majority of the members.

b. Special Meetings. Special meetings of the TAU Board may be called by the Chairperson or Vice Chairperson.

c. Minutes. Meeting minutes shall be prepared for each meeting. The minutes shall be submitted by the Secretary to the President, Legislature, and each elder meal site.

11. **Annual Report to the Nation.** The TAU Advisory Board shall submit through the President to the Legislature a final annual written report on the state of the Nation's Elders within thirty (30) days of the end of each fiscal year.

Legislative History:

7/11/87	Wisconsin Winnebago Business Committee establishes the TAU.
6/30/97	Legislature amends By-Laws.
11/9/99	Legislature amends By-Laws by increasing stipend from \$50/day to \$100/day for all meetings over four (4) hours in duration.
2/22/01	TAU Advisory Board recommends approval of revised By-Laws.
11/24/04	Draft Ho-Chunk Tribal Aging Unit Advisory Board Establishment and Organization Act submitted to the Office of the President as a Proposed Bill for Executive Review.
4/19/05	TAU Board presents a draft TAU Board Establishment and Organization Act to the Legislature.
4/19/05	Legislature adopts the Ho-Chunk Tribal Aging Unit Advisory Board Establishment and Organization Act as 1 HCC § 11 by Legislative Resolution 4/19/05C.
5/08/12	Legislature adopts Resolution 5-08-12E that adopts proposed amendments to the Ho-Chunk Tribal Aging Unit Advisory Board Establishment and Organization Act that amends: Powers and Duties, Board Composition, Quorum, Voting, and striking Bylaws and part of Order of Business.