

**HO-CHUNK NATION
ETHICS REVIEW BOARD
BYLAWS**

Adopted: May 10, 2013, revised December 8, 2014

ARTICLE I – Identification

Section 1. Name.

The name of this organization shall be the Ethics Review Board of the Ho-Chunk Nation (hereinafter “ERB” or “Board”).

Section 2. Mailing Address

Ho-Chunk Nation
Ethics Review Board
1935 W. County Road B2, Suite 460
St. Paul, MN 55113

Section 3. Authority, Statutory Requirements, other Laws and Policies

The ERB shall comply with all applicable laws, including, but not limited to, the Ho-Chunk Nation Constitution, the Ho-Chunk Nation Codes of Ethics Act (2 HCC § 1 *et seq.*), the Ho-Chunk Nation Open Meetings Act (2 HCC § 2 *et seq.*), and the Ho-Chunk Nation Discovery Act (2 HCC § 3 *et seq.*).

ARTICLE II – Mission Statement

The Mission of the Ho-Chunk Nation Ethics Review Board is to practice and promote the highest standards of ethical behavior in the Ho-Chunk Nation government and its Public Officials.

In order to accomplish the Mission of the Ho-Chunk Nation Ethics Review Board, the Board shall:

- a. clearly inform Public Officials and Tribal Members of existing Ho-Chunk Nation ethics laws and rules;
- b. actively enforce all Ho-Chunk Nation ethics laws and rules;
- c. recommend new laws, rules, and programs that will lead to ethics compliance; and
- d. adhere to the Ho-Chunk Nation Code of Ethics.

ARTICLE III – Members

- a. The Ethics Review Board shall consist of fourteen (14) members and an Ethics Review Board Chairperson (“Chairperson”). To be a member of the Ethics Review Board or Chairperson an individual must meet the following qualifications:
 1. Be a member of the Ho-Chunk Nation;
 2. Be at least twenty-five (25) years of age.
 3. Consent to a satisfactory background investigation. Any felony conviction shall prohibit any person from serving on the Ethics Review Board.
 4. Not be an employee of the Legislature, the Presidential staff, or an Executive Director of an Executive Department.
- b. Subject to confirmation by the Legislature, the fourteen (14) ERB Members shall be nominated by each District as follows:
 1. District 1 will have two (2) initially nominated at the Black River Falls Area Meeting.
 2. District 2 will have four (4) members. The four(4) will initially be nominated at the Tomah, La Crosse, Wisconsin Dells, and Madison Area Meetings with Tomah Area Meeting nominating one (1) member, the La Crosse Area Meeting nominating one (1) member, the Wisconsin Dells Area Meeting nominating one (1) member, and the Madison Area Meeting nomination one(1) member.
 3. District 3 will have four (4) members. The four (4) members will each initially be nominated at the Green Bay, Wittenberg, Wisconsin Rapids and Indian Heights Area meetings with Green Bay Area Meeting nominating one (1) member, the Wittenberg Area Meeting nominating one (1) member, the Wisconsin Rapids Area Meeting nominating one (1) member, and Indian Heights area Meeting nominating one (1) member.
 4. District 4 will have two (2) members initially nominated at the Milwaukee Area Meeting.
 5. District 5 will have two (2) members. The two (2) members will each initially be nominated at the Chicago and Minneapolis/St Paul Area Meetings with the Chicago Area Meeting nominating one (1) member and the Minneapolis/St Paul Area Meeting nominating one (1) member.
- c. Upon a district nominating an individual to serve on the ERB and (prior to the Legislature voting on whether to confirm that individual), a satisfactory background investigation shall be conducted by the Compliance Division within the Ho-Chunk

Nation Department of Justice.

- d. A member shall serve on the ERB for a term of four (4) years from the date of appointment by the Legislature.
- e. The Oath of Office shall be administered by the Chairperson/Presiding Officer to the new ERB Member at his or her first meeting. The Oath shall read as follows:

I, (read Member's name), do solemnly swear that I will truly, faithfully, and impartially discharge and perform all duties incumbent upon me as a Member of the Ethics Review Board according to the best of my ability and understanding, so help me God.

Once the Oath of Office has been administered, a confidentiality agreement shall be signed by the Member to be on file with the ERB.

- f. The nomination or re-nomination process will begin three (3) months prior to the expiration of an ERB Member's term.
- g. An incumbent member may continue to serve on the ERB until the Legislature reappoints the incumbent member or confirms the appointment of a new ERB Member to take the place of the incumbent.
- h. Vacancies
 - 1. The ERB Chairperson shall notify the President and Legislature of any ERB Member vacancies.
 - 2. The ERB Chairperson shall make all best efforts to notify the Nation's Members of ERB vacancies including, but not limited to, notice in the Nation's official newspaper.
 - 3. The ERB Chairperson or the Secretary shall conform with the above within 14 calendar days of any resignation and/or vacancy.
- i. Resignation
 - 1. ERB Members who wish to resign from the Board must submit a written letter to the ERB Chairperson. The letter shall identify the effective date of said resignation.
 - 2. Letters of resignation must be delivered to the ERB Chairperson to be valid and binding.

3. The ERB shall vote to acknowledge the resignation at the next duly called meeting after the letter is submitted.

ARTICLE IV – Officers

Section 1. Officers and Election of Officers.

- a. The Chairperson shall be selected by the ERB in accordance with quorum requirements and will serve for a two (2) year term and until the Chairperson’s replacement is selected. If at any time the ERB is unable to select a Chairperson within thirty (30) calendar days after a vacancy in the office of the Chairperson occurs, the Legislature shall select a Chairperson from among present ERB members to serve until such time the ERB is able to select a Chairperson.
- b. A Vice-Chairperson shall be selected from among the appointed ERB members by a majority vote of members present and shall serve for a term of (2) year concurrent to that of the Chairperson.
- c. A Secretary/Treasurer shall be selected from among the ERB members by a majority vote of members present and shall serve for a term of two (2) year.

Section 2. Duties of Officers.

- a. Chairperson. The ERB Chairperson shall preside over all meetings and proceedings. The Chairperson shall oversee all administrative and financial business of the ERB.
- b. Vice-Chairperson. The ERB Vice-Chairperson shall serve in the Chairperson’s capacity if the Chairperson is unable to perform his/her duties.
- c. Secretary/Treasurer. The ERB Secretary/Treasurer shall have authority to complete all administrative and business duties of the ERB.

ARTICLE V – Removal of Ethics Review Board Members and Officers

Removal of ERB members shall be in accordance with the following procedures:

- a. Any ERB Member found to be in violation of the Constitution, Codes, Bylaws or any other applicable law shall constitute just cause for removal after a two-thirds majority vote of the entire ERB and a subsequent two-thirds majority vote of the entire Legislature.
 1. All removal procedures will be in compliance with the Ho-Chunk Nation Code of Ethics Act.
 2. Three (3) consecutive unexcused absences from duly called ERB meetings shall constitute grounds for removal.

ARTICLE VI – Duties, Obligations, and Responsibilities

The ERB shall adhere to all duties, obligations, and responsibilities as outlined in the Code of Ethics Act, the Ho-Chunk Nation Constitution, and any other Ho-Chunk laws, ordinances, resolutions, and/or statutes.

ARTICLE VII – Meetings

Section 1. Quorum.

A majority of the confirmed Ethics Review Board members shall constitute a quorum. A quorum shall be necessary to transact official business of the Ethics Review Board. Each meeting of the ethics Review Board shall require a quorum.

Section 2. Meeting Minutes.

- a. Minutes shall be taken, in conformance with the Ho-Chunk Nation Open Meetings Act, at every ERB meeting and shall be approved by a majority vote of the ERB. The ERB shall keep a correct and complete record of all Board meetings and proceedings, which shall be attested by the signature of the Secretary, or delegated representative, after such time as the minutes have been officially adopted by the Board.
- b. The approved minutes shall include a record of all motions, proposals, resolutions, or any other formal matter voted upon, including the results of the vote. The approved minutes of any regular meeting shall be made available to the public.
- c. Executive session minutes shall not be made available to the public without approval of the Board. Executive session minutes shall be taken in accordance with the Ho-Chunk Nation Open Meetings Act, 2 HCC § 2.

Section 3. Calling of Meetings.

- a. The regular meetings of the ERB shall be held at least monthly at the time, date, and place designated by the ERB. There will be a 15 minute grace period to receive a full stipend.
- b. Special meetings of the ERB shall be called by the Chairperson or by a majority vote of the ERB.

Section 4. Meeting Participation.

- a. All ERB Members are highly encouraged to attend meetings in person and actively participate ERB meetings.
- b. ERB Members who are not physically present at a duly called meeting may actively participate by telephone and/or video conference.

Section 5. Mileage, Stipends, and Hotel.

- a. Mileage to and from ERB meetings will be paid to each Member in attendance according to the Nation’s policies and procedures.
- b. It shall be the responsibility of the ERB Members to cancel previously arranged hotel reservations, in accordance with the hotel’s cancellation policy, in the event the Member is unable to attend. ERB Members who fail to cancel reservation shall be responsible for the cost of the hotel room.
- c. Stipends for meeting attendance shall be paid in accordance with Nation policies and procedures.

ARTICLE VIII – Voting

At all Board meetings, each Board member shall have one vote with the exception of the Chairperson. The Chairperson will only be allowed to vote in order to break a tie vote of the ERB. No proxy shall be permitted by any ERB Member. The majority vote of the ERB at which quorum is established shall present an action of the ERB.

ARTICLE VIII – Bylaw Amendments

These bylaws shall be reviewed annually or as necessary. They may be amended at any regular meeting of the Board by majority vote of those present.

ARTICLE IX – Fiscal Year

The ERB’s fiscal year shall be July 1 to June 30.