



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AMENDMENTS TO THE HO-CHUNK TRIBAL AGING UNIT ADVISORY BOARD ESTABLISHMENT AND ORGANIZATION ACT

RESOLUTION 5-08-12E

- 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 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 Constitution grants the 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; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and
- WHEREAS,** 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; and
- WHEREAS,** the Legislature, in special recognition of the importance of the Nation's Elders, established the Tribal Aging Unit ("TAU") Advisory Board; and
- WHEREAS,** the TAU Advisory Board performs the duties and functions of a Commission on Aging pursuant to Wisconsin Statute, Section 46.82(4)(a) that requires that a federally recognized American Indian tribe that has established a tribal aging unit shall appoint a governing and policy-making body; and
- WHEREAS,** the TAU Advisory Board has reviewed extensively the Establishment and Organization Act at several duly called meetings; and

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WHEREAS, the Department of Justice provided an attorney for legal counsel to the TAU Advisory Board and Legislators were in attendance at said TAU Advisory Board meetings duly called meetings; and

WHEREAS, the Legislature supports the TAU Advisory Board and understands the attached amendments, as proposed, to include the following:

- Paragraph 4. Tribal Aging Unit Program. Strike the words “Health and ...”
- Paragraph 6. Powers and Duties. On line two, after the words “with state law,” add the words “Ho-Chunk Nation NPD funding ...”
- Paragraph 7. TAU Advisory Board. In subsection a. Composition, make the following change: “The TAU Board shall consist of two (2) members from each of the elder meal sites and two (2) members from District 5.
- Paragraph 7. TAU Advisory Board. In subsection d. Quorum, add “2/3 of the entire board” to the beginning of the sentence and strike the words “Six (6) members.”
- Paragraph 7. TAU Advisory Board. In subsection f. Voting, clarify that each Board member has a vote, but that the Chair votes when there is a tie; strike the second sentence addressing the maximum and minimum number of votes.
- Paragraph 7. TAU Advisory Board. In subsection l. Bylaws, strike the entire provision.
- Paragraph 8. Order of Business. Add the words “Ho-Chunk Nation Open Meetings Act (last amended November 2, 2004) after the words “according to the ...” on line 2, and strike the words “following agenda outline” from the last words of that paragraph. Also, strike the list of agenda items, a through k, in the last part of paragraph 8.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its constitutional authority, hereby adopts the proposed amendments to the Ho-Chunk Nation Tribal Aging Unit Advisory Board Establishment and Organization Act as Section 11 to Title 1 (Establishment Acts) of the Ho-Chunk Nation Code (HCC).

CERTIFICATION

I, the undersigned, as Tribal Secretary of the Ho-Chunk Nation Legislature, 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 on the **8th day of May, 2012**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 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.

Hope B Smith
Hope B Smith, Tribal Secretary

May 8, 2012
Date

