

Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (414) 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEH: Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

RESOLUTION # 9-7-94A

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, it is important that Public Hearings be held on time, as scheduled in order to generate the largest possible audience of persons wishing to comment on proposed laws and policies of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, there have been times when Public Hearings have been cancelled because of conflicts in schedules and inability to have three Oneida Business Committee Members attend, and

WHEREAS, because of the business schedules of the Oneida Business Committee and the need for their attendance at various functions for political reasons,

NOW THEREFORE BE IT RESOLVED: that the following portions of the Oneida Administrative Procedures Act, adopted by the Oneida General Tribal Council, shall be amended in the following manner, and that such amendments shall be emergency amendments adopted under Article VI(A) of the Oneida Administrative Procedures Act.

NOW THEREFORE BE IT RESOLVED: that the amendments shall be as follows:

Article V. Notice of Intent to Adopt Ordinance/Rule and Opportunity to Submit Data and Public Hearing

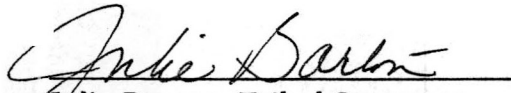
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B(5)(a). A minimum of three ~~(3)~~ *one (1) Business Committee member, and a preference to have more than one (1) Business Committee member attend, shall be present at the public hearing as part of the legislative sub-committee to listen to oral testimony, take written testimony, and conduct the meetings. Further, the Business Committee member, of the majority of those attending, shall officially call the Public Hearing to order at the*

arranged time, and call the Public Hearing closed if no registered persons arrive, or there are no attendees, within fifteen minutes after scheduled time.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 6 members were present at a meeting duly called, noticed and held on the 7th day of Sept, 1994; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Julie Barton, Tribal Secretary
Oneida Business Committee

Statement of Effect
Emergency Amendments to the Oneida Administrative Procedures Act

Summary

This resolution proposes an emergency change to the Administrative Procedures Act which will allow Public Hearings to be held with only one Business Committee member present, instead of three as currently mandated. In addition, this resolution also allows the member presiding over the Public Hearing to close the hearing if no attendees register within fifteen minutes of opening.

Analysis

This resolution will change the requirements for attendance at Public Hearings. It changes the mandated number from three to one. Further, it allows meetings to be closed if no attendees arrive within fifteen minutes of the scheduled time.

A Public Hearing takes approximately one month to schedule and are held on Thursdays and Fridays during the lunch hour. Further, because of scheduling, Public Hearings often must be scheduled two months in advance. Several hearings have been canceled because of conflicting schedules and being unable to have three Business Committee members attend.

Public Hearings are held to obtain feedback regarding proposed laws and policies of the Oneida Tribe. This feedback is necessary to locate all trouble areas of the laws or policies before implementation that might go unnoticed. However, because of the cancellation of Public Hearings with little notice persons fail to attend who normally would. Finally, this creates doubts about the Public Hearing process itself.

This emergency amendment would allow the Public Hearing process to proceed with only one member present. Therefore, persons who had made arrangements to attend, would be able to do so, and to be able to rely on the scheduled date.

Note, this amendment is to a law adopted by the General Tribal Council. As such, that group is required to amend the law. However, because the Semi-Annual General Tribal Council Meeting has passed, and the Annual Meeting is scheduled in January, 1995, this emergency amendment appears necessary to allow the process of Public Hearings to go forward without interruptions. It should be noted that this amendment lasts only for six months and should be approved as soon as possible by the General Tribal Council.

APPROVED