

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

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



UGWA DEMOLUM YATEHE
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.

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BC RESOLUTION # 7-14-04-A *Emergency Adoption of Amendments to ONGO*

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 of America; 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 of the Oneida Tribal Constitution by the General Tribal Council; and

WHEREAS, the Oneida Nation Gaming Ordinance (ONGO) was adopted by the General Tribal Council (GTC) on July 5, 2004; and

WHEREAS, Gaming Commissioners under ONGO are elected, and if after elected a Commissioner dies, resigns, is removed, or otherwise be unable to serve, a replacement is appointed by the Oneida Business Committee for the unexpired portion of the term; and

WHEREAS, the ONGO adopted on July 5, 2004 included section 21.6-6 (b) "Qualifications for Appointment;" and

WHEREAS, the qualifications for Gaming Commissioner were intended to be the same for both Elected and appointed Commissioners; and

WHEREAS, requiring qualifications for appointments and not for elections is a typographical error and is a distinction that was not discussed at any of the General Tribal Council meetings, public hearing, joint Oneida Business Committee/Gaming Commission meetings or any other meetings that addressed the ONGO; and

WHEREAS, Article VI of the Administrative Procedure Act (APA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six months, renewable for an additional six months; and

WHEREAS, the Oneida Business Committee finds that it is necessary to correct the typographical error prior to submitting the ONGO to the National Indian Gaming Commission (NIGC) for approval and this constitutes an emergency situation which requires the immediate passage of an amendment to the ONGO which corrects that error; and

WHEREAS, emergency adoption of the amendment is necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the regular APA adoption requirements for passage of laws would be contrary to public interest.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby adopts the following emergency amendment to the Oneida Nation Gaming Ordinance:

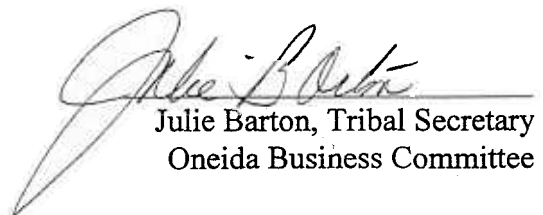
21.6-6. *Number of Commissioners, Qualifications, Background Investigation.*

- (a) Number of Commissioners. The Commission shall be comprised of five (5) elected persons.
- (b) Qualifications. To serve on the Oneida Gaming Commission, an individual:

21.6-7. *Gaming Commission Background Investigation.* All candidates for the office of Oneida Gaming Commissioner shall submit to a thorough background investigation conducted by the Oneida Tribe and completed prior to placement on the ballot or eligibility for appointment. In addition, prior to placement on the ballot or eligibility for appointment, all candidates shall disclose all conflicts of interest as required by the Oneida Conflict of Interest Policy. No individual shall be eligible for election or appointment to, or continue services on, the Commission, if:

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 14th day of July, 2004; 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