



## LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

August 1, 2018 9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be approved**
  1. July 18, 2018 LOC Meeting Minutes (pg. 2)
- III. Current Business**
- IV. New Submissions**
  1. Petition: G. Dallas - \$5,000 Payment (pg. 4)
  2. Petition: L. Dallas – Medicare Part B premium payment (pg. 5)
- V. Additions**
- VI. Administrative Updates**
  1. FY18 3rd Quarter Report (pg. 6)
- VII. Executive Session**
- VIII. Recess/Adjourn**



**LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES**  
Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center  
July 18, 2018  
9:00 a.m.

**Present:** David P. Jordan, Kirby Metoxen, Ernest Stevens III, Daniel Guzman King

**Excused:** Jennifer Webster

**Others Present:** Brandon Wisneski, Maureen Perkins, Clorissa Santiago, Jennifer Falck, Lee Cornelius, Bonnie Pigman, Leyne Orosco, Rae Skenandore, Wes Martin, Cathy Bachhuber

**I. Call to Order and Approval of the Agenda**

David P. Jordan called the July 18, 2018 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Ernest Stevens III to adopt the agenda and move item VI.2. to the top of the agenda right after the minutes are approved; seconded by Daniel Guzman King. Motion carried unanimously.

**II. Minutes to be Approved (:33 - :54)**

**1. June 20, 2018 LOC Minutes**

Motion by Kirby Metoxen to approve the June 20, 2018 LOC minutes and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

**III. Current Business**

**1. Comprehensive Policy Governing Boards, Committees, and Commissions Amendments (4:55 – 6:34)**

Motion by Kirby Metoxen to accept the public meeting comments and the public meeting comment review memorandum and defer the item to a work meeting; seconded by Ernest Stevens III. Motion carried unanimously.

**2. Military Service Employee Protection Act Amendments (6:35 – 8:48)**

Motion by Kirby Metoxen to approve the public meeting packet and forward the Military Service Employee Protection Act amendments to a public meeting to be held on August 16, 2018 and forward the Military Service Employee Protection Act amendments to the Finance Office for a fiscal analysis; seconded by Daniel Guzman King. Motion carried unanimously.



**3. Sanction and Penalties Law (8:49 – 9:43)**

Motion by Kirby Metoxen to accept the legislative analysis for the Sanctions and Penalties Law and defer to a work meeting; seconded by Daniel Guzman King. Motion carried unanimously.

**4. Oneida Personnel Policies and Procedures Amendments (9:44 – 10:30)**

Motion by Ernest Stevens III to accept the legislative analysis for the Oneida Personnel Policies and Procedures amendments and defer to a work meeting; seconded by Daniel Guzman King. Motion carried unanimously.

**IV. New Submissions**

**1. Budget Management and Control Law Amendments (10:32 – 13:52)**

Motion by Kirby Metoxen to have the Legislative Reference Office send a memo discussing why this item will not be added to the active files list at this time; seconded by Ernest Stevens III. Motion carried unanimously.

**V. Additions**

**VI. Administrative Updates**

**1. Travel Report: National Association of Drug Court Professionals Annual Conference (14:00 – 16:24)**

Motion by Daniel Guzman King to accept the travel report as information; seconded by Kirby Metoxen. Motion carried unanimously.

**2. Legal Resource Center Rule #1- Application for Service (1:00 – 4:46)**

Motion by Daniel Guzman King to certify the rule and forward to the Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

**3. Petition: G. Powless-Oneida Personnel Commission Dissolution E-Poll (16:30 – 20:00 )**

Motion by Ernest Stevens III to enter the e-poll results into the record; seconded by Kirby Metoxen. Motion carried unanimously.

**VII. Executive Session**

**VIII. Adjourn**

Motion by Ernest Stevens III to adjourn the July 18, 2018 Legislative Operating Committee meeting at 9:20 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54155-0365  
Oneida-nsn.gov



### AGENDA REQUEST FORM

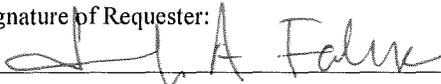
- 1) Request Date: August 1, 2018
- 2) Contact Person(s): Jennifer Falck  
Dept: Legislative Reference Office  
Phone Number: 869-4312 Email: jfalck@oneidation.org
- 3) Agenda Title: Petition: G. Dallas \$5,000 Payment
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:  
On July 25, 2018 the OBC accepted the verified petition and requested that the LRO complete a  
statement of effect for the September 12, 2018 regular Business Committee Meeting.  
Add petition to the Active File List.

List any supporting materials included and submitted with the Agenda Request Form

- 1) \_\_\_\_\_ 3) \_\_\_\_\_
- 2) \_\_\_\_\_ 4) \_\_\_\_\_

- 5) Please list any laws, policies or resolutions that might be affected:  
\_\_\_\_\_
- 6) Please list all other departments or person(s) you have brought your concern to:  
\_\_\_\_\_
- 7) Do you consider this request urgent?     Yes     No  
If yes, please indicate why:  
\_\_\_\_\_

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester: 

*Please send this form and all supporting materials to:*

**LOC@oneidation.org**  
*or*  
**Legislative Operating Committee (LOC)**  
P.O. Box 365  
Oneida, WI 54155  
Phone 920-869-4376



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
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### AGENDA REQUEST FORM

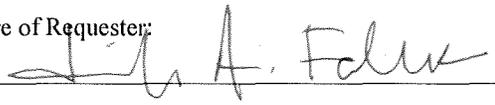
- 1) Request Date: August 1, 2018
- 2) Contact Person(s): Jennifer Falck  
Dept: Legislative Reference Office  
Phone Number: 869-4312 Email: jfalck@oneidation.org
- 3) Agenda Title: Petition: L. Dallas-Medicare Part B Premium Payment
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:  
On July 25, 2018 the OBC accepted the verified petition and requested that the LRO complete a  
statement of effect for the September 12, 2018 regular Business Committee Meeting.  
Add petition to the Actives Files List.

List any supporting materials included and submitted with the Agenda Request Form

- 1) \_\_\_\_\_ 3) \_\_\_\_\_
- 2) \_\_\_\_\_ 4) \_\_\_\_\_

- 5) Please list any laws, policies or resolutions that might be affected:  
\_\_\_\_\_
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P.O. Box 365  
Oneida, WI 54155  
Phone 920-869-4376



## FY18 3rd Quarter Report

### April 1- June 30, 2018

### Legislative Operating Committee (LOC)

#### Executive Summary

The Legislative Operating Committee (LOC) was able to approve five (5) sets of amendments, four (4) Rules, and one (1) set of bylaws in the third quarter. All ten (10) of these items were later adopted by the Business Committee. In addition, the LOC hosted a community potluck to discuss the proposed Sanctions & Penalties Law. The Business Committee took action to dissolve the Personnel Commission in April. The dissolution resulted in four laws needing emergency amendments; Employee Protection Policy, Military Service Employee Protection law, Personnel, Policies, and Procedures law, and the Rules of Civil Procedure. Now the LOC is working to get these amendments permanently adopted. Below is a breakdown of the status of each high priority item on the LOC's Active Files List. As high priorities are completed, lower priorities will move up the active files list.

#### Chart Legend

- Researching, 0-25%
- Outreach, meetings, drafting, 25-50%
- Developing analyses, public meeting, 50-75%
- Public comment review, LOC approval, 75-100%
- Adoption or acceptance, 100% complete

HIGH PRIORITIES	STATUS
Election Law Amendments	
Child Support Amendments	
GTC Meetings Law	
Sanctions and Penalties Law	
Wellness Court	
Employment Law	
Employee Protection Policy Emergency Amendments	
Industrial Hemp Law	
Uniform Commercial Code	
Military Service Employee Protection Emergency Amendments	
Comprehensive Policy Governing Boards, Committees and Commissions Amendments	
Personnel, Policies, and Procedures Emergency Amendments	
Rules of Civil Procedure Emergency Amendments	
Petition: G. Dallas \$5k Per Capita Payment	
Petition: G. Powless- Oneida Personnel Commission Dissolution	
Petition: Metivier-Wage Increase	
Petition: Vandehei- E-Polls	

<b>LOC Meetings Held in Third Quarter</b>	
<b>Legislative Operating Committee Meetings</b>	
April 2, 2018	Regular LOC meeting
April 18, 2018	Regular LOC meeting
May 2, 2018	Regular LOC meeting
May 16, 2018	Regular LOC meeting
June 6, 2018	Regular LOC meeting
June 20, 2018	Regular LOC meeting
<b>Public Meetings</b>	
June 22, 2018	Comprehensive Policy Governing Boards, Committees, and Commissions Amendments

**LOC's Collaboration & Outreach Goal:**

A primary goal of the LOC for this year has been to improve the quality and the quantity of public participation in the legislative process. In FY17, the average number of people attending public meetings was four (4). The LOC has developed new ways to communicate with stakeholders and the public including pot lucks, social media, and early work meetings.

**Featured Legislation: Amendments to the Comprehensive Policy Governing Boards, Committees, and Commissions:**

The purpose of this law is to govern the procedures regarding boards, committees and commissions of the Nation, including appointment and election, creation of bylaws, maintenance of official records, and compensation. These amendments set new standards for entity bylaws, update reporting requirements, update the appointment process to increase feedback from entities and BC members, set a procedure for the creation of new entities, create a standard e-poll process, provide official email addresses for members of entities, and set a new procedure to set stipend amounts by resolution, among other changes.

**Collaboration and Outreach:**

This item is the first piece of legislation in this term where the LOC has focused on improving collaboration and public outreach. The key success factor was to collaborate early in the process, so that stakeholders could be part of the decision making. The LOC invited all members of all the boards, committees, and commissions to two separate work meetings. Twelve of the eighteen boards, committees, and commissions participated in the meetings and provided useful information and suggestions for the amendments. These meetings were held early in the process, before the LOC made policy decisions, and before any legislative drafting occurred. In addition to collecting comments, the goal of the meetings was to help the boards, committees, and commissions to understand the content of the law, and to understand proposed changes.

The LOC's theory was that if the boards, committees, and commissions had a good understanding of what the amendments would be, the public meeting would result in useful comments and insights. And that was indeed the case. The public meeting was held on June 21, 2018 and the comment period

ended on June 28, 2018. Thirteen people attended the public meeting, which is more than the average of four attendees in the last term. The people that attended the public meeting were able to cite the

language in the draft amendments that they wanted to discuss, and provided focused and substantive comments for the LOC to consider.

**Success Indicator:**

The most important success indicator for this effort is the number of comments collected before the public meeting was held, which is 247. This means that the LOC had 247 comments to use to guide their policy decisions while the amendments were being drafted. There are three significant outcomes;

- 1) Boards, committees, and commissions contributed to the policy decisions early.
- 2) Most of the people that attended the public meeting were already familiar with the proposed amendments.
- 3) The comments collected were specific and substantive.

**Evaluation:**

The LOC is committed to improving collaboration with stakeholders and community members. These particular amendments are an indication that inviting the right stakeholders to the table early results in legislation that can be supported by the stakeholders. The LOC will continue to use this method when it makes sense for specific legislation.

<b>Evaluation: Collaboration and Outreach Activities</b>			
<b>Amendments to the Comprehensive Policy Governing Boards, Committees, and Commissions</b>			
<b>Activity</b>	<b>Date</b>	<b>People Participating</b>	<b>Comments Collected</b>
Work Meeting with Boards, Committees, and Commissions	September 21, 2017	14	72
Work meeting with Business Committee Support Office	October 2, 2017	13	37
Work Meeting with Boards, Committees, and Commissions	February 22, 2018	15	104
<b>Total number of comments collected <i>before</i> the public meeting</b>			<b>247</b>
Public Meeting	June 21, 2018	13	28
Public Comment Period	June 28, 2018 (ended)	n/a	6
<b>Total number of comments collected <i>after</i> the public meeting</b>			<b>34</b>
<b>Total comments collected</b>			<b>281</b>

**Third Quarter Accomplishments**

**LOC Third Quarter Accomplishments**

- Sanctions & Penalties Discussion: Community Potluck: The LOC hosted a community pot luck to discuss the proposed Sanctions & Penalties Law. Sixteen people attended and they provided 48 comments to the LOC.
- Domestic Animal Ordinance Rule #1: Licensing Fees, Fines, and Penalties was certified by the LOC and later adopted by the Business Committee.
- Real Property Amendments were approved by the LOC and later adopted by the Business Committee.
- The Business Committee took action to dissolve the Personnel Commission in April. The dissolution resulted in four laws needing emergency amendments; Employee Protection Policy, Military Service Employee Protection law, Personnel, Policies, and Procedures law, and the Rules

of Civil Procedure. In addition, the Personnel Selection Committee bylaws were drafted by the LOC and later adopted by the Business Committee.

- Leasing Rules 1, 2 and 3 were certified by the LOC and later adopted by the Business Committee.

### **LRO Third Quarter Accomplishments**

The LRO is the support office for the LOC. The LRO drafts law, analyzes law, holds public meetings, collects public comment, and involves various departments in work meetings where the LOC discusses policy and makes decisions. The LRO also maintains a legislative record of the LOC's work, including the Oneida Register. Other activities in the third quarter included;

- FY19 Budget preparation
- Society of American Indian Government Employees Annual Conference, June 10-14, 2018, Radisson Hotel and Conference Center. LRO staff assisted conference organizers to offset the conference fees.
- Moved records to OnBase technology.
- National Association of Drug Court Professionals Annual Conference, Houston, TX, May 28-June 1, 2018. LRO Drafting Attorney responsible for the Wellness Court legislation attended.
- Fill drafting attorney vacant position. Goal is to have staff hired and start working by July 31, 2018.
- Comprehensive Policy Governing Boards, Committees, and Commissions Amendments public meeting held June 22, 2018. Thirteen people participated and 28 comments were collected. The attendance at this public meeting was high when compared to recent attendance at public meetings.
- Updated formatting for legislative analysis, public meeting notices, board, committee and Commission bylaws, and public outreach and education materials.
- Updated Oneida Register and the Legislative Operating Committee websites.

### **Fourth Quarter Plans**

#### **The LOC will focus on these items in the fourth quarter:**

- Approve the adoption packet and forward the Amendments to the Comprehensive Policy Governing Boards, Committees, and Commission to the Business Committee for consideration. Should the amendments be adopted, the LRO will initiate a planned project to assist all the boards, committees, and commissions in updating each entity's bylaws.
- Hold the Military Service Employee Protection Amendments public meeting on August 16, 2018, 12:15pm, in the BCCR.
- Bring amendments to the Military Service Employee Protection Act to the Business Committee for consideration. These amendments are necessary as a result of the dissolution of the Oneida Personnel Commission.
- Continue work on the items identified as high priorities on the active files list (see page 1).

#### **The LRO will focus on these items in the fourth quarter:**

- Train new drafting attorney and assign work.
- Finalize and submit FY19-21 budget request.

- Change the fund unit name from LOC to LRO: The budget that is used for the Legislative Reference Office has, for many years been named the “Legislative Operating Committee” budget. The name was changed to the “Legislative Reference Office” budget, to accurately reflect that a department is using the funding, not the LOC. There is not a budget allocated to the LOC.
- Facilitate final policy decisions for the following; Comprehensive Policy Governing Boards, Committees, and Commissions, Sanctions and Penalties law, General Tribal Council Meetings law, Oneida Personnel, Policies, and Procedures amendments, Military Service Employee Protection Act amendments, Employee Protection Policy amendments, and Rules of Civil Procedure amendments.
- Complete Performance evaluations for LRO staff.
- Assist all boards, committees and commissions with revising their bylaws should the Business Committee adopt the Comprehensive Policy Governing Boards, Committees, and Commissions Amendments .

# July 2018

July 2018

Su	Mo	Tu	We	Th	Fr	Sa
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29	30	31				

August 2018

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	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Jul 1 - 7	<b>Jul 1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	10:00am 2:00pm GTC (Radisson)						
Jul 8 - 14	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
			6:00pm 10:00pm GTC (Radisson)		1:00pm 2:00pm LOC Work Session (Law Library) - Clorissa N. Santiago		
Jul 15 - 21	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
			3:00pm 4:30pm LOC Prep (BC_Exec_Conf_Room) - LOC	9:00am 3:00pm LOC (BC_Conf_Room) - LOC			
Jul 22 - 28	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill			
Jul 29 - Aug 4	<b>29</b>	<b>30</b>	<b>31</b>	<b>Aug 1</b>	<b>2</b>	<b>3</b>	<b>4</b>

# August 2018

August 2018						
Su	Mo	Tu	We	Th	Fr	Sa
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12	13	14	15	16	17	18
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September 2018						
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23	24	25	26	27	28	29
30						

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>Jul 29</b>	<b>30</b>	<b>31</b>	<b>Aug 1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Jul 29 - Aug 4				9:00am 3:00pm LOC (BC_Conf_Room) - LOC			
	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
Aug 5 - 11		1:30pm 4:00pm LOC Work Session (BC_Exec_Conf_Room) - Clorissa N. Santiago					
	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
Aug 12 - 18		1:30pm 4:00pm LOC Work Session (BC_Exec_Conf_Room) - Clorissa N. Santiago		9:00am 3:00pm LOC (BC_Conf_Room) - LOC	12:15pm 2:15pm PUBLIC MEETING: Military Service Employee Protection Act Amendm		
	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>
Aug 19 - 25		1:30pm 4:00pm LOC Work Session (BC_Exec_Conf_Room) - Clorissa N. Santiago	3:00pm 4:30pm LOC Prep (BC_Exec_Conf_Room) - LOC				
	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Sep 1</b>
Aug 26 - Sep 1			8:30am 11:00am LOC Work Session (BC_Exec_Conf_Room) - Clorissa N. Santiago				