

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **GTC Resolution # 01-21-19-A**

### **Amending the 120-Day Petition Timeline Adopted by the General Tribal Council**

- WHEREAS,** the Oneida Nation 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 Nation; and
- WHEREAS,** the General Tribal Council enacted the Ten Day Notice Policy on March 4, 1991, as amended, which required prior notice of the agenda items and information related to items in order assist in creating informed discussion and improved decision-making by the General Tribal Council on matters that affect the Oneida Nation which were becoming more complex and technical; and
- WHEREAS,** the General Tribal Council adopted the Legislative Procedures Act through resolution GTC-01-07-13-A, which superseded the Administrative Procedures Act adopted on 1991, to require notice and comment regarding laws proposed for adoption by the Oneida Business Committee or General Tribal Council to ensure that public policy and public opinion are properly addressed and issues arising out of the proposed law are addressed; and
- WHEREAS,** the General Tribal Council has directed reports from the Oneida Business Committee regarding travel on June 30, 1990 (pg. 2), from the Treasurer regarding the finances most recently in 2008, and from the organization regarding activities most recently in 2018 requesting additional information in the organizational reports so the member can be informed on the activities of the Oneida Nation and to provide input on those activities; and
- WHEREAS,** the Oneida Business Committee has requested the organization to review petitions and the request(s) in the petitions and submit impact statements within forty-five (45) days of receipt of the petition at an Oneida Business Committee meeting; and
- WHEREAS,** the Oneida Business Committee has required a legislative, legal and financial opinions regarding petitions to provide the necessary information to the General Tribal Council and updates regarding the status of those opinions in sixty (60) and ninety (90) days; and
- WHEREAS,** the legislative impact statement reviews the laws of the Oneida Nation; the legal opinion reviews organizational impact statements, state or federal laws, policy positions and the legislative Statement of Effect; and the financial opinion relied upon the legislative and legal opinions to formulate that opinion; and

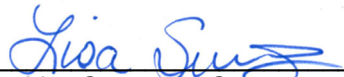
- WHEREAS,** the Oneida Business Committee schedules General Tribal Council meetings based on multiple factors:
- Availability of all conference rooms at the Radisson Inn & Conference Center which is the only facility on the Reservation which can host General Tribal Council meetings;
  - Conflicts with Oneida Casino promotional activities to avoid conflicts with available resources such as parking and personnel;
  - Conflicts with external activities in the area or nationally which affect ability or desire to attend meetings;
  - Number of items on the agenda and the reasonableness of completing the agenda during a meeting; and
- WHEREAS,** the General Tribal Council adopted a motion which required petitions submitted under Article III, Section 6 of the Constitution to be brought before General Tribal Council within one hundred and twenty (120) days of submission on July 17, 2017; and
- WHEREAS,** the Oneida Business Committee has modified the process requesting review and responses by the organization to comply with the action of the General Tribal Council which immediately notices the organization division directors and direct reports giving a thirty (30) day time-period in which to provide review and impacts to assist in developing the legislative, legal, and financial opinions; and
- WHEREAS,** petitions submitted since the adoption of the one hundred and twenty (120) day timeline have been limited to single subjects which has allowed the legislative, legal and financial opinions to be completed within the timeframe; and
- WHEREAS,** while the opinions have been submitted within the one hundred and twenty (120) day timeline, the compressed timelines prohibit the building of information from the legislative to the legal to the financial opinion to provide the best and complete information to the General Tribal Council on the impact of a petition, which has resulted in some legal and financial opinions identifying that insufficient time was available to complete a review of the impact of the petition; and
- WHEREAS,** petitions are brought forward by members to raise issues and concerns that the Oneida Nation is requested to address which can be done through the Oneida Business Committee or the General Tribal Council provided the appropriate information is presented to inform that decision; and
- WHEREAS,** the Oneida Business Committee understands and agrees with the General Tribal Council's desire to have timely presentation of petitions and acknowledges that this conflicts with the demand to have information to make an informed decision;

**NOW THEREFORE BE IT RESOLVED**, that the General Tribal Council hereby adopts the following rule regarding petitions superseding the July 17, 2017 action setting a one hundred and twenty (120) day timeline:

1. Petitions shall be presented to the General Tribal Council within one hundred and eighty (180) days of receipt by the Oneida Business Committee Support Office.
2. No petition can contain more than one subject.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council, in session with a quorum of 1,856 members present, at a meeting duly called, noticed and held on the 21<sup>st</sup> day of January, 2019; that the forgoing resolution was duly adopted at such meeting by a 2/3 majority of those voting and that said resolution has not been rescinded or amended in anyway.



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Lisa Summers, Secretary  
Oneida Business Committee