

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-27-17-F

Reinstating the Oneida Tribal Regulation of Domestic Animals Ordinance on an Emergency Basis, and Delaying the Effective Date of the Domestic Animals Law

- 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 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,** on June 28, 2017, the Oneida Business Committee adopted amendments to the Domestic Animals law (formerly the Oneida Tribal Regulation of Domestic Animals Ordinance) through the adoption of OBC Resolution #6-28-17-B; and
- WHEREAS,** one of the primary changes made to the law is to transfer hearing body authority from the Environmental Resources Board to the Judiciary; and
- WHEREAS,** the Environmental Resource Board has had various problems preparing for implementation, and has requested additional time to ensure hearing body authority is properly transferred to the Judiciary; and
- WHEREAS,** the Conservation Department has not yet implemented the amended law or issued any citations under that law; and
- WHEREAS,** section 109.9-5 of the Legislative Procedures Act (LPA) authorizes the Oneida Business Committee to temporarily enact an emergency law where necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population and the enactment or amendment of legislation is required sooner than would be possible through the standard legislative process; and
- WHEREAS,** the Oneida Business Committee has determined that it is necessary for the immediate preservation of the public health and safety of the reservation population to postpone implementation of the Domestic Animals law, as adopted by OBC Resolution #6-28-17-B until such time as it can be fully enforced as written; and

NOW THEREFORE BE IT RESOLVED, that the effective date of the Domestic Animals law, as adopted by OBC Resolution #6-28-17-B, shall be postponed until January 1, 2018.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Tribal Regulation of Domestic Animals Ordinance, as adopted by OBC Resolution #6-22-11-G, shall resume effect immediately on an emergency basis; and shall remain in effect until January 1, 2018.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Environmental Resource Board shall proceed with the process of transferring hearing body authority to the Judiciary; and ensure that the transfer is completed by January 1, 2018, when the Domestic Animals law resumes effect.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Environmental Resource Board shall submit a progress report to the Oneida Business Committee at the first (1st) regular OBC meeting in December of 2017, identifying the steps taken to transfer hearing body authority as of that date, and identifying any steps remaining, including but not limited to, any potential issues and assistance that may be needed to ensure the above deadline is met.

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; 9 members were present at a meeting duly called, noticed and held on the 27th day of September, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."