

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 4 / 26 / 17

2. General Information:

Session: Open Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Falck, LRO Director

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.



FY17 2nd Quarter Report January 1, 2017- March 31, 2017 Legislative Operating Committee (LOC)

Executive Summary

The second quarter was successful for the Legislative Operating Committee. The Oneida Business Committee was able to adopt two new laws, permanent amendments to six existing laws, and emergency amendments to one existing law. Legislation adopted includes; Oneida Nation Seal & Flag law, Community Support Fund amendments, Tobacco law amendments, Hunting, Fishing, Trapping law amendments, Per Capita law amendments, Budget Management & Control law, Real Property law amendments, Landlord-Tenant emergency amendments, and Conflict of Interest Policy amendments. The LOC also certified two sets of rules per the Administrative Rulemaking Law. Since the 2014-2017 term began, the LOC has completed forty-four (44) legislative items and prepared thirteen (13) Statements of Effect for GTC Petitions. See Table 1 for a summary of the FY17 second quarter agenda items.

The LOC's third quarter goals are to 1) forward ten (10) items to the Business Committee for consideration, 2) plan for the remainder of this term, and 3) begin to plan for the 2017-2020 administration.

For a complete list of each LOC Members legislative items see Table 3.

Table 1. SUMMARY OF SECOND QUARTER AGENDA ITEMS

1	Budget Management and Control Law	15	Landlord-Tenant Rule 2
2	Business Committee Meetings Law	16	Legal Resource Center Governing Documents
3	Cemetery Law amendments	17	Mortgage & Foreclosure Law Rule 1
4	Code of Laws Reorganization project	18	Oneida Nation Seal & Flag Law
5	Community Support Fund amendments	19	Per Capita Law amendments
6	Conflict of Interest amendments	20	Petition: Benton-Pre-Employment Drug Testing
7	Drug & Alcohol Free Workplace Policy amendments	21	Petition: Delgado-Panel of Educators & Retention of Kindergarten Students
8	Employment Law	22	Probate Law
9	Endowments Fund amendments	23	Real Property Law amendments
10	Eviction and Termination Rules Extension request	24	Rules of Administrative Procedure
11	Hunting Fishing Trapping Law amendments	25	Tobacco Law amendments
12	Independent Contractor Policy amendments	26	Tribal Criminal Code, Tribal Traffic Code, Tribal Public Peace laws
13	Landlord-Tenant emergency/permanent amendments	27	Tribal Environmental Response
14	Landlord-Tenant rules extension request		

Table 2. MEETINGS HELD IN SECOND QUARTER

LOC MEETINGS HELD	PUBLIC MEETINGS HELD
January 4, 2017 January 18, 2017 February 1, 2017 February 15, 2017 March 1, 2017 March 15, 2017	-Conflict of Interest amendments held on January 3, 2017 -Endowments amendments held on February 16, 2017 -Drug and Alcohol Free Workplace amendments held on March 2, 2017 -Independent Contractor Policy amendments held on March 30, 2017 -Cemetery Law Amendments held on March 30, 2017

Featured Legislation: Employment Law

At the request of the Business Committee, the LOC held a second round of Employment Law meetings. In the spring of 2016, 23 meetings were held and 424 employees attended. In January and February of this year, 8 more meetings were held, and 149 employees attended. The LOC has now held a total of 31 employee meetings, and 573 employees attended them.

- Social Services Building, January 30, 2017, 11 attended
- Division of Land Management, February 2, 2017, 19 attended
- Little Bear Development Center, February 6, 2017, 7 attended
- Oneida Health Center, February 6, 2017, 8 attended
- Skenandoah Building, February 9, 2017, 31 attended
- Gaming: Eagle Room, February 9, 2017, Exec. Conference Room (Main Casino), February 13, 2017, 55 attended
- Norbert Hill Center, February 16, 2017, 18 attended

Legislative Reference Office Activities

- Collaborated with Finance Department to develop new fiscal impact statement format and process
- Updated Public Meetings SOP
- Updated LOC Meetings SOP
- Completed Oneida Code of Laws Reorganization Project

Third Quarter Plans

- Complete the Standard Definitions Project
- Send the following items to the OBC for consideration;
 1. Audit Law amendments
 2. Business Committee Meetings Law
 3. Cemetery Law amendments
 4. Domestic Animal Ordinance amendments
 5. Drug & Alcohol Free Workplace Policy permanent amendments
 6. Endowments amendments
 7. Independent Contractor Policy amendments
 8. Landlord-Tenant permanent amendments
 9. Vehicle Driver Certification and Fleet Management Law
 10. GTC Meetings Law

Table 3.
LEGISLATIVE OPERATING COMMITTEE: ACTIVE AND COMPLETED ITEMS
Last Updated March 21, 2017

Types of Items: N= New Law, A=Amendments, B=Bylaws

Brandon Stevens, LOC Chair			
Item	Priority	Type	Active/Adoption Date
Administrative Rulemaking Amendments	High	A	Active
Legal Resource Center Law- <i>Emergency</i>	High	N	Active
Business Committee Meetings Law	High	N	Active
Employment Law	High	N	Active
Corporate Laws	High	N	Active
Sanctions & Penalties Law	High	N	Active
Election Board Bylaws Amendments	Low	A	Active
Tribal Criminal Code	Low	N	Active
Administrative Procedures Act Repeal	N/A	N	9/24/2014
Judiciary/Transition Plan Emergency Amendments	N/A	A	09-24-14-P
ONGO Amendments	N/A	A	09-09-15-A
APA Amendments	N/A	A	02-24-16-B
Eviction and Termination	High	N	10-12-16-A
Conflict of Interest	High	A	02-08-17-B
Budget Management & Control	High	N	02-08-17-C
Rules of Administrative Procedure	High	N	Removed 2/15/17

Tehassi Hill, LOC Vice Chair			
Item	Priority	Type	Active/Adoption Date
Workplace Violence Prevention	High	N	Active
Code of Ethics	High	A	Active
Domestic Animals Ordinance	High	A	Active
Law Enforcement Ordinance – Conservation Officers	Low	A	Active
Industrial Hemp Law	Low	N	Active
Tribal Traffic Code	Low	N	Active
Election Law Amendments (On 4/7/17 GTC Agenda)		A	Active
Tribal Environmental Response Program	Medium	A	Active
Leasing Law	High	A	10-26-16-C
Personnel Policies: Job Duties/Work Assignments (Emerg.)	N/A	A	09-24-14-Q
Public Use of Tribal Land (2014)	N/A	A	12-10-14-A
Motor Vehicle Registration	N/A	A	04-22-15-C
Real Property Law Amendments	N/A	A	05-13-15-B
Administrative Rulemaking	N/A	N	02-24-16-C
Election Law Emergency Amendments 2015	N/A	A	06-28-15-A
Tobacco Ordinance Amendments	Medium	A	01-25-17-B
Hunting, Fishing, Trapping Law	High	A	01-25-17-D

Jennifer Webster, LOC Member			
Item	Priority	Type	Active/Adoption Date
Drug & Alcohol Free Workplace for Elected & Appointed Officials (co-sponsor)	High	N	Active
Drug and Alcohol Free Workplace Emergency Amendments (co-sponsor)	High	A	Active
Comprehensive Policy Governing Boards, Committees, & Commissions	High	A	Active
Child Care Consumer Complaint Policy	High	N	Active
Vehicle Driver & Fleet Management	High	N	Active
Audit Law Amendments	High	A	Active
Whistleblower Law	Low	N	Active
Trust/Enrollment Committee Bylaws	Low	B	Active
Tribal Public Peace Law (co-sponsor)	Low	N	Active
Oneida Nation Seal and Flag	High	N	01-11-17-C
Rules of Appellate Procedure Amendments	NA	A	03-25-15-C
Investigative Leave Policy Amendments	NA	A	06-24-15-A
Vendor Licensing Amendments	High	A	10-12-16-E
Fitness for Duty	Medium	N	Removed 02/15/17

Fawn Billie, LOC Member			
Item	Priority	Type	Active/Adoption Date
Higher Education Scholarship	Medium	N	Active
Removal Law	High	A	Active
GTC Meetings Law	High	N	Active
Drug & Alcohol-Free Law for Elected and Appointed Officials (co-sponsor)	High	N	Active
Drug and Alcohol Free Workplace Emergency Amendments (co-sponsor)	High	A	Active
Children's Code	High	N	Active
Research Protection Act	Medium	N	Active
Guardianship Law	Low	N	Active
Personnel Commission Bylaws	Low	B	Active
Severance Law	Low	N	Active
Tribal Public Peace (co-sponsor)	Low	N	Active
Pow-wow Committee Bylaws	N/A	B	04/22/2015
Marriage Law Amendments (2015)	N/A	A	05-27-15-A
Marriage Law Amendments (2016)	N/A	A	05-25-16-A
Furlough Policy	N/A	N	11-10-15-B
Audit Committee Bylaws Amendments	N/A	B	01/20/2016

David Jordan, LOC Member			
Item	Priority	Type	Active/Adoption Date
Professional Conduct for Attorneys and Advocates Law	High	N	Active
Cemetery Law Amendments	High	A	Active
Endowment Fund Amendments	High	A	Active
Nonprofit Incorporation	Medium	N	Active
Rules of Civil Procedure	Medium	A	Active
Compliance and Enforcement Law	Low	N	Active
Secured Transactions	Low	N	Active
Land Commission Bylaws	Medium	B	Active
Landlord-Tenant Permanent Amendments	High	A	Active
Independent Contractor Policy	High	A	Active
Back Pay Amendments	High	A	10-26-16-A
Public Use of Tribal Land Amendments (2016)	N/A	A	01-13-16-C
Mortgage and Foreclosure	High	N	08-10-16-K
Garnishment Amendments	High	A	07-27-16-B
Landlord-Tenant	High	N	10-12-16-C
Community Support Fund Amendments	Medium	A	01-11-17-B
Landlord-Tenant Emergency Amendments	High	A	01-25-17-C
Real Property Amendments	High	A	02-08-17-A
Per Capita Amendments	High	A	02-22-17-D