



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room-2nd Floor Norbert Hill Center

March 7, 2018 9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be approved**
 - 1. February 21, 2018 LOC Meeting Minutes (pg. 2)
- III. Current Business**
- IV. New Submissions**
 - 1. Child Support Amendments (pg. 4)
 - 2. Petition - Metivier: Treatment Clinic (pg. 5)
- V. Additions**
- VI. Administrative Updates**
 - 1. Oneida Business Committee Meetings Law (pg. 6)
- VII. Executive Session**
- VIII. Recess/Adjourn**



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Business Committee Conference Room-2nd Floor Norbert Hill Center
February 21, 2018
9:00 a.m.

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

Others Present: Brandon Wisneski, Clorissa Santiago, Jen Falck, Maureen Perkins, Tani Thurner, Rae Skenandore, Candice Skenandore, Bonnie Pigman, Robert J. Collins, Laura Laitinen-Warren, Rosa Laster

I. Call to Order and Approval of the Agenda

David P. Jordan called the February 21, 2018 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda and move General Tribal Council Meetings law to the end of the agenda, break for a recess to go into a work meeting and then reconvene; seconded by Ernest Stevens III. Motion carried unanimously.

II. Minutes to be approved (0:44-1:09)

February 07, 2018 LOC minutes

Motion by Ernest Stevens III to approve the February 07, 2018 LOC meeting minutes and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

III. Current Business (1:13-5:04)

1. Real Property Law Amendments

Motion by Kirby Metoxen to accept as FYI; seconded by Daniel Guzman King. Motion carried unanimously.

Motion by Jennifer Webster to approve adoption packet by e-poll should the fiscal analysis be complete prior to the Oneida Business Committee meeting on February 28, 2018; seconded by Kirby Metoxen. Motion carried unanimously.

2. General Tribal Council Meetings Law (9:15-13:38)

Motion by Jennifer Webster to direct the LRO to complete a legislative analysis; seconded by Kirby Metoxen. Motion carried unanimously.

IV. New Submissions

1. Internal Audit Amendments (5:07-6:45)

Motion by Kirby Metoxen to add the Internal Audit Amendments to the active files list as a medium priority and assign Kirby Metoxen as the sponsor, seconded by Daniel Guzman King. Motion carried unanimously.

V. Additions

VI. Administrative Updates

1. Criminal Code (6:56-7:43)

Motion by Jennifer Webster to remove the Criminal Code from the active files list; seconded by Kirby Metoxen. Motion carried unanimously.

*** Recess for the work meeting at 9:07 a.m.

***Reconvened from work meeting at 9:50 a.m.

2. Re-prioritization of Laws (8:26-9:12)

Motion by Jennifer Webster to reprioritize the active files list lowering the Drug and Alcohol Free Law for Elected and Appointed Officials and Employee Protection Policy to a medium priority, remove the Hall of Fame Repeal, and to move the Wellness Court, Uniform Commercial Code, and Industrial Hemp to high priority; seconded by Daniel Guzman King. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Kirby Metoxen to adjourn the February 21, 2018 Legislative Operating Committee meeting at 9:56 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.

Legislative Operating Committee



Agenda Request Form

- 1) Request Date: 2/28/2018
- 2) Contact Person(s): Michelle Gordon Dept: Law Office
Phone Number: 869-4327 Email: mgordon@oneidanation.org
- 3) Agenda Title: Amendments to the Child Support Law
- 4) Detailed description of the item and the reason/justification it is being brought before the Committee
Currently the Child Support Law is accompanied by two rules. The Child Support agency
wishes to create more rules. However, with the new Rule making Law in place, the Child Support Law does not give
give rule making authority to the Agency. The proposed amendments would include this authority, as well as clean up the definition section.
The Agency and Court would also like to change to the 2 year review language. The agency will provide the proposed language soon.

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

- | | |
|----------|----------|
| 1) _____ | 3) _____ |
| 2) _____ | 4) _____ |

- 5) Please List any laws, ordinances or resolution that might be affected:
Ch. 704, Child Support Law
- 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: Rulemaking authority is necessary so the agency can start that process.

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

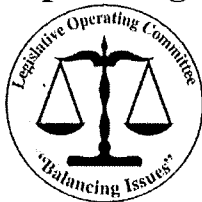
Signature of Requester: Michelle L. Gordon

Digitally signed by Michelle L. Gordon
DN: cn=Michelle L. Gordon, o=Oneida Nation, ou=Law Office, email=mgordon@oneidanation.org, c=US
Date: 2018.02.28 16:24:40 -06'00'

Please send this form and all supporting materials to:

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

Legislative Operating Committee



Agenda Request Form

- 1) Request Date: 2/28/18
- 2) Contact Person(s): Jenifer Falck Dept: LRO
 Phone Number: 869-4312 Email: jfalck@oneidanation.org
- 3) Agenda Title: Petition: Metivier-Treatment Clinic
- 4) Detailed description of the item and the reason/justification it is being brought before the Committee
 This petition requests General Tribal Council (GTC) direct OBC to provide a treatment clinic for opioid addiction, all drug addiction, and alcoholism.
 The petition states that the Tribe has "copious empty buildings and access to federal funds", and adds that Per Capita is not to be used for this project.

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

- | | |
|----------|----------|
| 1) _____ | 3) _____ |
| 2) _____ | 4) _____ |

- 5) Please List any laws, ordinances or resolution 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: _____

J. A. Falck

Please send this form and all supporting materials to:

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



TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairman
RE: Oneida Business Committee Meetings Law: 6 Month Review
DATE: March 13, 2018

Introduction

The Oneida Business Committee (OBC) adopted the Oneida Business Committee Meetings Law (the law) on July 26, 2017. At the time of adoption, the OBC directed the Legislative Operating Committee (LOC) to complete a review of the law six months after implementation. There was also a request that the Intergovernmental Affairs and Communications Department assist with communicating the changes to OBC meetings to the public. This report is meant to evaluate the law and review its implementation.

Timeline

A “Business Committee Meetings Law” was added to the LOC’s Active Files List (AFL) in September 2015. The following is a summary of actions taken by the LOC and the OBC.

Oneida Business Committee Meetings Law Legislative Timeline	
Date or Timeframe	Action
September 2, 2015	“Business Committee Meetings Law” is added to AFL
November 4, 2015	LOC directs the sponsor- LOC Chairman Brandon Stevens to bring a draft back to LOC
May 2016	LOC makes the item a priority, and plans to hold a meeting to discuss “possible solutions to mitigate tension and improve communication at BC meetings”
September-November 2016	Drafting and legislative analysis completed
December 29, 2016	Public Meeting held
March -May 2017	Drafting and legislative analysis is updated
May 18, 2017	Second public meeting held
June-July 2017	Public comment review memo drafted
July 19, 2017	LOC approves the adoption packet and forwards to the OBC
July 26, 2017	OBC adopts the Oneida Business Committee Meetings Law
September 13, 2017	The law becomes effective and is used at this OBC meeting

*Total days to adoption= 694 days

Implementation of the Law

The Intergovernmental Affairs and Communications Department (IGAC) was tasked with communicating the law to the public. The Legislative Reference Office (LRO) worked with IGAC and the team agreed that a short video might work well. The video format was very successful. This particular video clip had the highest reach and engagement for all of Oneida's video clips in the last year. IGAC estimates that the engagement and reach rates were double than the typical rates from Oneida's videos on Facebook. The video was posted just before the September 13, 2017 OBC meeting, which was the first time the law was used.

Facebook Analytics	
Post Engagement Posts, clicks, likes, comments	299
Reach Connecting with personal newsfeeds, Oneida's Facebook page, and shares	7,973
Video Views	4,063



Video clip produced by IGAC and posted to Facebook

Evaluation of the Law

The evaluation of the law is summative, meaning it was done after implementation- not during. The information that was collected and analyzed should be considered for future amendments, standard operating procedures, and as lessons learned.

Method 1: Time as an Indicator

The length of OBC meeting before and after the law was implemented were compared. The average OBC meeting for the six months prior (Jan.-July) to implementation was 402.3 minutes. The average length after implementation (Aug-Dec.) was 385.7 minutes. This means that for the six months following implementation, OBC meetings became shorter by an average of about sixteen minutes. This equates to a time saving of about 6 hours per year (based on 23 meetings). See Charts 1 and 2. It should be noted that the length of meetings is only one indicator. A shorter meeting isn't necessarily a sign of an efficient and effective meeting.

Chart 1. Total Minutes of each OBC Meeting in 2017. After implementation of the law, OBC Meetings decreased by 16.6 minutes on average, which would lead to an annual time saving of about 6 hours.

January-July average= 402.3 minutes.

August-December average= 385.7 minutes

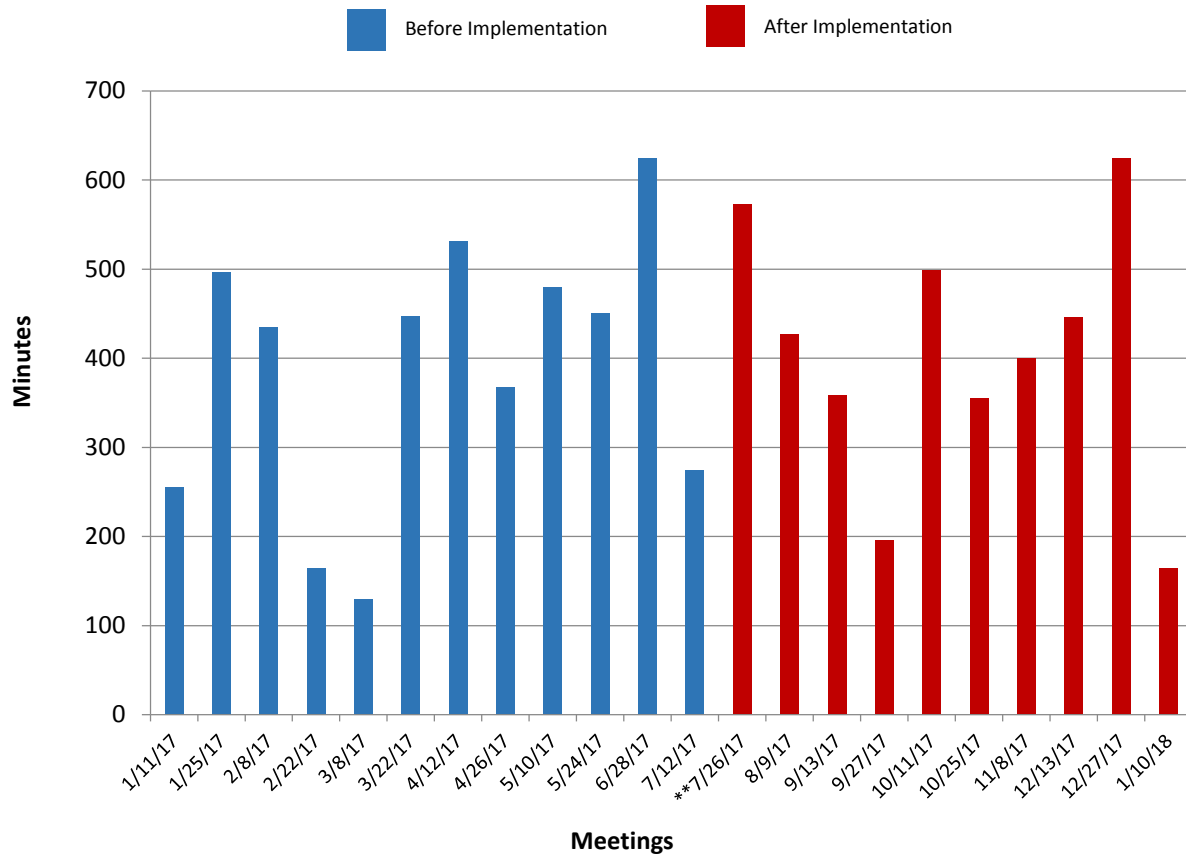
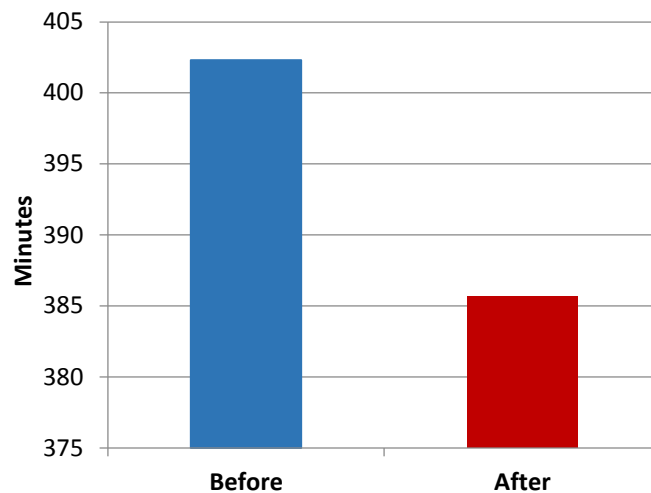


Chart 2. Illustrates the average meeting length declined from 402.3 to 385.7 after the law was implemented



Method 2: OBC Meeting Observation

The February 14, 2018 OBC meeting was evaluated against the content of the law by the LRO Director. The entire meeting was observed. The meeting was chaired by Brandon Stevens, OBC Vice Chairman.

The law prohibits; use of profanity, interrupting others, heckling or threatening people, disrespect of property, or behavior that disrupts the meeting or endangers the safety of other attendees (117.8-1(a)). The law also requires that any information received at any meeting of the Oneida Business Committee that implicates the integrity, honesty, or morality of a member of the Nation or an employee be stopped immediately by the meeting chairperson 117.5-1(c). On the day of the meeting observation, there was conduct that could be considered non-compliant with the law including;

1. Interrupting others and disrupting the meeting- meeting attendees speaking loudly from the back of the room while others were talking.
2. Heckling- meeting attendee at the microphone, pointing at specific people in the room and calling their personal behavior into question.
3. Accusations that called the integrity of OBC members into question were made by meeting attendees.

Debrief with Oneida Business Committee

The LRO Director met with OBC members and support staff in a work session to discuss the law and the February 14 OBC meeting. There were some general themes and some specific recommendations made.

Challenges

The primary problem is the public comment process. The law allows a speaker to comment one time at the beginning of the agenda item- before any discussion has taken place. The meeting chair(s) have found that after the initial discussion has been had- speakers may then have more to ask or contribute- but they are not allowed to speak again. To address this, the chairs have been treating additional motions to the topic as a new agenda item, affording speakers another opportunity.

Benefits

1. OBC members and support staff agree that the five minute time limit is a valuable tool, and that the ability to approve extensions to the time limit is important. The time limit may also be the element that is leading to speakers staying on topic.
2. There was also agreement during the debrief that the meetings have become more efficient and effective.

Recommendations for Managing OBC Meetings

1. Review the new meeting procedures at the beginning of each meeting, so attendees will know what to expect.
2. Use language similar to the Legislative Operating Committee's public meeting script- explaining that there will be a five minute limitation for speakers on each agenda item. The LOC uses this language;
"The LOC may impose a time limit for all speakers pursuant to section 16.8-3(c) of the Legislative Procedures Act. As the presiding LOC member, I am imposing a time limit of 5 minutes. This time limit shall be applied equally to all persons."
3. Points of Order should be used more frequently by OBC members. This tool can help keep conversation respectful and on track, while alleviating the chairperson from being the only person to control the meeting.
4. Calls for the Question may also be used more frequently by OBC members. If a member believes that enough discussion has been had- calling for the question will take the item directly to a vote.
5. Help attendees follow along by frequently announcing what page of the meeting packet is being discussed.
6. Have some discussion or explanation in meetings- as to what the OBC meetings are for; to conduct the business of the Nation, and that attendees are not General Tribal Council members unless the General Tribal Council is in session.
7. Have someone other than the chair do the timekeeping for speakers.

Amendments to Consider in the Future

1. Expand the Responsibilities section to clarify what is expected of the OBC members. The current language describes the responsibilities of the "attendees" (117.8). That term is intended to include everyone in the meeting, but clarification could be made.
2. Clarify how the Business Committee decides to remove a person from a meeting. Currently, the law states that "the Oneida Business Committee shall decide if the individual shall be removed from the meeting" (117.9-2). This language could be expanded to indicate how that could happen- by majority vote, by motion, approval of the chair etc.
3. Add language that spells out commonly used Robert's Rules of Order actions; Points of order, calls for the question, etc.

Conclusions

The implementation of the Oneida Business Committee Meetings Law has resulted in some success and some unintended consequences.

Length of Meetings

The length of meetings has been analyzed. Meetings have been on average, 16 minutes shorter than before the law was implemented. Qualitatively speaking, the OBC Meeting debrief session revealed that OBC members and support staff feel that meetings have become more effective and efficient. No quantitative data was collected that would support or refute that assessment.

Public Comment

The law allows a person to speak once on each agenda item before discussion begins. That time is limited to 5 minutes (117.5-(b)). The intent is to allow for comments and questions while making the comment period more efficient. The data indicates that the OBC feels that this process isn't working. The OBC Chairman and Vice-Chairman would like to be able to provide more opportunity for attendees to contribute.

Time Limits

OBC members and support staff agreed in the debrief meeting that while the public comment process is not working- the five minute time limit has made meetings more focused and efficient.

A change in leadership is also a likely factor in OBC meeting outcomes. After the July 2017 general election, a new Business Committee was elected. With a change in meeting chairs, it is difficult to know for sure that the law is what has made an impact.

Summary

This evaluation is based on two methods; analyzing the length of OBC meetings and a meeting observation. The data sets should be considered in tandem, not independently.

The Oneida Business Committee and their support staff have expressed that the OBC meetings have improved since July 2017. The reason for that improvement is unclear however because the implementation of the law and the 2017 general election happened almost simultaneously.

Based on the data sets, it can be concluded that; 1) OBC Meetings are shorter, 2) the public comment process is not working as intended, 3) OBC and support staff feel that the efficiency and effectiveness of meetings since adoption of the law has improved.

March 2018

March 2018

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 2018

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Feb 25 - Mar 3	Feb 25	26	27	28	Mar 1	2	3
						8:30am 12:00p m LOC Work Session (BC_Exec_Con f_Room) - Clorissa N. Santiago	
Mar 4 - 10	4	5	6	7	8	9	10
		3:00pm 4:30pm FW: LOC Prep (BC_Exec_Con f_Room) - Jennifer A. Falck		9:00am 3:00pm LOC (BC_Conf_Ro om) - LOC		9:00am 12:00p m LOC Work Session (BC_Exec_Con f_Room) - Clorissa N. Santiago	
Mar 11 - 17	11	12	13	14	15	16	17
				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill Center)		9:00am 12:00p m LOC Work Session (BC_Conf_Ro om) - Clorissa N. Santiago	
Mar 18 - 24	18	19	20	21	22	23	24
		1:30pm 3:00pm FW: LOC Work Session (BC_Exec_Con f_Room) - Cl 3:00pm 4:30pm LOC Prep (BC_Exec_Con f_Room) - Je		LOC: CANCELLED		9:00am 11:00a m LOC Work Session (BC_Exec_Con f_Room) - Clorissa N. Santiago	
Mar 25 - 31	25	26	27	28	29	30	31
				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill Center)	9:00am 12:00p m LOC Work Session (BC_Exec_Con f_Room) - Clorissa N. Santiago		

April 2018

April 2018

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2018

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

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