



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

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be approved**
 - 1. February 7, 2017 LOC Meeting Minutes (pg. 2)
- III. Current Business**
 - 1. Real Property Amendments (pg. 3)
 - 2. General Tribal Council Meetings law (pg. 30)
- IV. New Submissions**
 - 3. Internal Audit Amendments (pg. 40)
- V. Additions**
- VI. Administrative Updates**
 - 1. Criminal Code (pg. 42)
 - 2. Re-prioritization of Laws (pg. 43)
- VII. Executive Session**
- VIII. Recess/Adjourn**



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Business Committee Conference Room-2nd Floor Norbert Hill Center
February 7, 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, Rae Skenandore, Candice Skenandore, Bonnie Pigman, Robert J. Collins, Ed Delgado

**note: Due to an error with the audio equipment this meeting was not recorded.*

I. Call to Order and Approval of the Agenda

Motion by Ernest Stevens III to adopt the agenda with the deletion of the executive session item; seconded by Jennifer Webster. Motion carried unanimously.

II. Minutes to be approved

1. December 20, 2017 LOC minutes

Motion by Daniel King Guzman to approve the December 20, 2017 LOC minutes and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

III. Current Business

IV. New Submissions

1. Vehicle Driver and Fleet Management Amendments

Motion by Ernest Stevens III to add Vehicle Driver and Fleet Management Amendments to the active files list as a medium priority with Jennifer Webster as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

V. Additions

VI. Administrative Updates

1. Community Support Fund Rule Handbook SOE E-Poll

Motion by Jennifer Webster to enter the SOE E-Poll results into the record; seconded by Daniel Guzman King. Motion carried unanimously.

2. LOC FY18 First Quarter Report

Motion by Kirby Metoxen to approve the LOC FY18 First Quarter report and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

3. Membership Ordinance Rule No. 2

Motion by Kirby Metoxen to certify the Membership Ordinance Rule No. 2 and forward to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Kirby Metoxen to adjourn the February 7, 2018 Legislative Operating Committee meeting at 9:07 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.



Legislative Operating Committee
February 21, 2018

Real Property Law Amendments

Submission Date: 11/01/17	Public Meeting: 01/11/18
LOC Sponsor: Ernest Stevens III	Emergency Enacted: n/a Expires: n/a

Summary: *Revisions required to remove residential leasing responsibilities from the Division of Land Management and transfer them to the Comprehensive Housing Division and to clarify jurisdiction under the law applies to all Tribal fee land- not only fee land within the Reservation- which will clarify and affirm the Land Commission's authority.*

11/01/17 LOC: Motion made by Ernest Stevens III to add Real Property Law Emergency Amendments to the active files list with himself as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

11/15/17 LOC: Motion by Kirby Metoxen to remove the emergency status from Real Property Amendments and assign as a high priority; seconded by Jennifer Webster. Motion carried unanimously.

12/6/17 LOC: Motion by Daniel Guzman King to approve the public meeting packet and forward to the Real Property Amendments to a public meeting to be held on January 11, 2018 and forward to the Finance Office for a fiscal analysis to be completed by January 10, 2018; seconded by Ernest Stevens III. Motion carried unanimously.

01/11/18: *Public Meeting Held.* Attendees include Daniel Guzman King, Ernest Stevens III, David P. Jordan, Jenny Webster, Tani Thurner, Brandon Wisneski, Maureen Perkins, Pat Pelky, Rae Skenandore, Cathy Bachhuber.

Next Steps:

- Approve the adoption packet and forward to the Oneida Business Committee for consideration of adoption.



TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairperson
DATE: February 28, 2018
RE: Real Property Law Amendments

Please find the following attached backup documentation for your consideration of the proposed amendments to the Real Property law:

1. Resolution: Real Property Law Amendments
2. Statement of Effect: Real Property Law Amendments
3. Real Property Law Amendments Fiscal Impact Statement
4. Property Law Amendments Legislative Analysis
5. Real Property Law Amendments Law Draft (Redline to current)
6. Real Property Law Amendments Law Draft (Clean)

Overview

This resolution adopts amendments to the Real Property law. These amendments will:

- Transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division; and
- Clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation. This language was revised to clarify and affirm the Oneida Land Commission's authority over such land.
- Incorporate minor drafting style changes that do not affect the content of the law.

These amendments would make changes to two sections of the law that have been adopted but not yet gone into effect.

- OBC Resolution 6-14-17-A adopted amendments to section 601.8, which govern probate. However, those amendments do not go into effect until probate rules are promulgated and effective.
- OBC Resolution #2-8-17-A adopted amendments to section 601.9, which governs leasing. However, those amendments do not go into effect until the Leasing law is effective.

The attached adopting resolution clarifies that these amendments do not affect those sections as they are currently in effect; except that the Comprehensive Housing Division shall assume all responsibilities related to residential leases as of the date these proposed amendments go into effect. This language ensures that the provisions that are currently in effect do not result in conflicting provisions governing who is responsible for administering residential leases until the probate rules and Leasing law go into effect.

In accordance with the Legislative Procedures Act, a public meeting on the proposed law was held on January 11, 2018, with a comment period closing on January 18, 2018. Due to the inadvertent posting of the incorrect Public Meeting time on the website, the public meeting was held at 12:15 p.m. and then re-opened at 1:00 p.m. The only public comment received related to the definition of Land Management; and to address this, the law was amended to no longer refer to Land Management as a “Division”.

Requested Action

Approve the Resolution: Real Property Law Amendments

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____ Real Property Law Amendments

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, the Oneida Business Committee adopted the current Real Property Law by resolution BC-5-29-96-A; and has adopted amendments through resolutions BC-3-01-06-D, BC-04-28-10-E and BC-02-25-15-C; and

WHEREAS, it is necessary to update this law to transfer residential leasing responsibilities to the Comprehensive Housing Division; clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation; and

WHEREAS, a public meeting on these proposed amendments was held on January 11, 2018 in accordance with the Legislative Procedures Act.

NOW THEREFORE BE IT RESOLVED, that the Real Property law amendments are hereby adopted.

BE IT FURTHER RESOLVED, that these amendments shall not affect the provisions of sections 601.8 that are currently in effect until probate rules are promulgated and effective; in accordance with Oneida Business Committee resolution #6-14-17-A.

BE IT FINALLY RESOLVED, that these amendments shall not affect the provisions of sections 601.9 that are currently in effect, and which shall remain in effect in accordance with Oneida Business Committee resolution #2-8-17-A until the Leasing law is effective; except that the Comprehensive Housing Division shall assume all responsibilities related to residential leases as of the effective date of these amendments.



Statement of Effect

Real Property Law Amendments

Summary

This resolution adopts amendments to the Real Property law (the “Law”) which:

- Transfer residential leasing responsibilities to the Comprehensive Housing Division, and
- Clarify that jurisdiction under the law applies to all Tribal fee land - not just fee land within the Reservation

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

This Law was originally adopted by Business Committee resolution #5-29-96-A, with additional amendments adopted in 2006, 2010 and 2015.

Currently, the Law identifies Land Management as the party responsible for managing residential leases. However, those responsibilities have been transferred to the recently established Comprehensive Housing Division. These amendments reflect that transfer of responsibilities.

Currently, the law establishes jurisdiction over various types of lands; including Tribal fee land within the Reservation. To ensure the broadest exercise of the Nation’s sovereign authority, these proposed amendments expand that jurisdictional authority to cover all Tribal fee land regardless of where it is located.

As required by the Legislative Procedures Act, a public meeting was held for these amendments on January 11, 2018, with the LOC accepting public comments through January 18, 2018. The only comment received was a statement made during the public meeting regarding the definition for Land Management. To address that comment, the term “Division of Land Management” was shortened to “Land Management” throughout the law.

These proposed amendments would make changes to two sections of the law that have been adopted but not yet gone into effect.

- OBC Resolution 6-14-17-A adopted amendments to section 601.8, which govern probate. However, those amendments do not go into effect until probate rules are promulgated and effective.
- OBC Resolution #2-8-17-A adopted amendments to section 601.9, which governs leasing. However, those amendments do not go into effect until the Leasing law is effective.

This resolution clarifies that these amendments do not affect those sections as they are currently in effect; except that the Comprehensive Housing Division shall assume all responsibilities related to residential leases as of the date these proposed amendments go into effect.

Additional minor changes were made to ensure consistency with the current drafting style and standards. These changes did not affect the content of the law.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws.



Real Property Amendments Legislative Analysis

SECTION 1. BACKGROUND

REQUESTER: Krystal L. John and Rae Skenandore	SPONSOR: Ernest Stevens III	DRAFTER: Taniquelle Thurner	ANALYST: Maureen Perkins
Intent of the Amendments	Transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division and clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation – which will clarify and affirm the Oneida Land Commission’s authority over such land.		
Purpose of the Law	To provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation’s employees dealing with real property transactions [see 601.1-1].		
Entities Affected by the Amendments	Comprehensive Housing Division, Oneida Land Commission, Land Management		
Affected Legislation	Mortgage and Foreclosure law, Land Ordinance, Leasing law, Landlord-Tenant law, Eviction and Termination law, Public Use of Tribal Land law, Oneida Land Commission bylaws		
Enforcement/Due Process	All involuntary transfers of title require a Judiciary hearing [see 601.7-3]. Land Management shall process and administer probate estates and, where necessary, shall refer probate estates to the Oneida Judiciary for formal administration [see 601.8-1]. The Judiciary shall hear and administer disputed probate estates or matters requiring appointment of a guardian ad litem and shall have all the above powers conferred upon the Land Management in such cases [see 601.8-2].		
Public Meeting	A public meeting was held January 11, 2018.		

SECTION 2. LEGISLATIVE DEVELOPMENT

- 1
2 A. The current amendments are proposed to transfer residential leasing responsibilities from Land
3 Management to the newly established Comprehensive Housing Division and to clarify jurisdiction
4 under the law applies to all Tribal fee land and not just fee land within the Reservation; which will
5 clarify and affirm the Oneida Land Commission’s authority over all fee land outside of the
6 Reservation.
7

SECTION 3. CONSULTATION

- 8
9 A. The Oneida Law Office, the Comprehensive Housing Division, Land Management and the Oneida
10 Land Commission were consulted in the development of these amendments.
11

SECTION 4. PROCESS

- 12
13 A. The amendments clarify the jurisdiction of the Oneida Land Commission as the decision making
14 authority with respect to all fee land, including fee land outside of the Reservation. The law also
15 transfers the responsibility of residential leasing from Land Management and places it with the newly
16 created Comprehensive Housing Division.

- 17 **B.** The emergency amendments were added to the Active Files List on November 1, 2017 with Ernest
18 Stevens III as the sponsor. On November 15, 2017 the emergency status was removed but the
19 amendments remain classified as a high priority.

20 21 **SECTION 5. CONTENTS OF THE LEGISLATION**

22 **A. (1)** The definition for the Comprehensive Housing Division was amended to:

- 23 • the division within the Nation under the direction of the Comprehensive Division Director
24 which consists of all residential services offered by the Nation, including but not limited
25 to, all rental programs, the rent-to-own programs, and the residential sales and mortgages
26 programs *[see 601.3-1(c)]*.

27 **(2)** The footnote for the OBC resolution defining the Comprehensive Housing Division was deleted
28 *[see footnote on page 2]*.

29 **(3)** A definition for Land Management was added:

- 30 • the entity within the Nation responsible for maintaining the Oneida Nation Register of
31 Deeds, entering into and administering agricultural and commercial leases on behalf of the
32 Nation, processing trust transactions and land acquisition transactions, and for fulfilling
33 other responsibilities as identified within this law *[see 601.3-1(k)]*.

34 **(4)** The Division of Land Management was updated to Land Management to reflect current business
35 practices.

36 **(5)** The definition for Tribal fee land was updated to remove “within the Reservation” to clarify that
37 the law applies to lands held in fee status both inside and outside of the Reservation *[see 601.3-*
38 *1(w)]*.

39 **(6)** Other minor revisions were made to reflect current drafting and formatting standards.
40

41 **SECTION 6. INTENT OF AMENDMENTS**

42 **A.** The purpose of the amendments is to clarify the decision making authority of responsible entities of
43 the Nation:

- 44 • The Oneida Land Commission with respect to all fee land; including fee land outside the
45 Reservation; and
- 46 • The Comprehensive Housing Division with respect to residential leasing.

47 48 **SECTION 7. EFFECT OF AMENDMENTS ON EXISTING LEGISLATION**

49 **A.** The amendments add the Leasing law to the list of laws the Comprehensive Housing Division is
50 required to follow with respect to the administration and processing of residential leases; in addition,
51 all corresponding rules of all applicable laws was added *[see 601.12-1]*.

52 53 **SECTION 8. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR** 54 **OBLIGATIONS**

55 **A.** The current proposed amendments do not impact existing rights, privileges, benefits or obligations.

56 **B.** The proposed amendments will affect the current application process with respect to residential leases.
57 The Comprehensive Housing Division will be the entity responsible for processing residential leases.
58

59 **SECTION 9. ENFORCEMENT**

60 **A.** The proposed amendments do not change enforcement of this law.
61

62 **SECTION 10. ACCOUNTABILITY**

63 **A.** The Comprehensive Housing Division and the Oneida Land Commission will be accountable for
64 implementation and operation of the current amendments of this law.

Title 6. Property and Land – Chapter 601
REAL PROPERTY
Tokáske Kayanláhsla Tsi? Ni’yohuntsya·té
The real/certain laws of the territory of the nation

601.1.	Purpose and Policy	601.7.	Title Transfer
601.2.	Adoption, Amendment, Repeal	601.8.	Probate
601.3.	Definitions	601.9.	Leasing of Real Property
601.4.	General Provisions	601.10.	Records
601.5.	Holding of Ownership	601.11.	Real Estate Education Requirements and Certifications
601.6.	Legal Descriptions	601.12.	Organization

1 **601.1. Purpose and Policy**

2 601.1-1. *Purpose.* The purpose of this law is to provide regulations and procedures for the
3 transfer, control and management of the territory within the Reservation and all ~~tribal~~-Tribal
4 land; to integrate these regulations and procedures with the real property laws and practices of
5 other federal and state sovereigns which may hold jurisdiction within the Reservation; and to
6 establish licensing and certification requirements for the Nation’s employees dealing with real
7 property transactions.

8 601.1-2. *Policy.* It is the policy of the Nation to set out the responsibilities and expectations for
9 persons purchasing and/or managing real property on behalf of the Nation and/or within the
10 Reservation and to provide real property holder’s rights and responsibilities. In addition, it is the
11 Nation’s policy that probated estates shall be settled expeditiously and without undue delay.

12
13 **601.2. Adoption, Amendment, Repeal**

14 601.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-29-96-A
15 and amended by resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B
16 and BC-02-08-17-A and.

17 601.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to
18 the procedures set out in the Legislative Procedures Act.

19 601.2-3. Should a provision of this law or the application thereof to any person or
20 circumstances be held as invalid, such invalidity shall not affect other provisions of this law
21 which are considered to have legal force without the invalid portions.

22 601.2-4. In the event of a conflict between a provision of this law and a provision of another
23 law, the provisions of this law shall control. – Provided that, the Land Ordinance is applicable
24 only to valid land assignments existing as of January 1, 2016 and is hereby repealed upon the
25 expiration of the last existing land assignment.

26 601.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
27

28 **601.3. Definitions**

29 601.3-1. -This section shall govern the definitions of words and phrases used within this law.
30 All words not defined herein shall be used in their ordinary and everyday sense, subject to 601.4-
31 5.

32 (a) “Broker” means a person who acts as an agent and negotiates the sale, purchase or
33 rental of real property on behalf of others for a fee.

34 (b) “Certified ~~Survey~~ ~~survey~~ ~~Map~~ ~~map~~” means a map which provides the legal description
35 of real property and is officially filed and approved by the county, Tribal or municipal
36 governments.

- 37 | (c) “Comprehensive Housing Division” means the division within the Nation under the
38 | direction of the Comprehensive Housing Division Director which consists of all
39 | residential services offered by the Nation, including but not limited to, all rental
40 | programs, the rent-to-own program, and the residential sales and mortgages programs. ~~the~~
41 | ~~entity responsible for housing matters as defined by Oneida Business Committee~~
42 | ~~Resolution.~~⁺
- 43 | (d) “Easement” means a real property right to cross or otherwise utilize the land of
44 | another for a specified purpose.
- 45 | (e) “Estate” means a person’s interest in real property or other property.
- 46 | (f) “Fiduciary” means a person required to act for the benefit of another person on all
47 | matters within the scope of their relationship and by such a relationship owes another
48 | duties of good faith, trust, confidence and candor. For the purposes of this law, both
49 | brokers and salespersons are “fiduciaries.”
- 50 | (g) “Guardian ~~Ad ad Litem~~ litem” means a guardian appointed by the Judiciary on behalf
51 | of an incompetent or minor party.
- 52 | (h) “Individual ~~Fee fee Land~~ land” means real property held in fee status by an individual
53 | or group of individuals.
- 54 | (i) “Individual ~~Trust trust Land~~ land” means individual Tribal land held in trust by the
55 | United States of America for the benefit of a Tribal member.
- 56 | (j) “Judiciary” means the judicial system that was established by Oneida General Tribal
57 | Council resolution GTC-01-07-13-B to administer the judicial authorities and
58 | responsibilities of the Nation.
- 59 | (k) “Land Management” means the entity within the Nation responsible for maintaining
60 | the Oneida Nation Register of Deeds, entering into and administering agricultural and
61 | commercial leases on behalf of the Nation, processing trust transactions and land
62 | acquisition transactions, and for fulfilling other responsibilities as identified within this
63 | law.
- 64 | ~~(k)~~ “Land ~~Use use License~~ license” means an agreement entered into by the Nation
65 | providing a party the right to occupy and/or utilize a specified piece of Tribal land for a
66 | specific purpose and a specific duration, which may require the Nation to be compensated
67 | for such use.
- 68 | ~~(m)~~ “Leasehold ~~Mortgage~~ mortgage” means a mortgage, deed of trust, or other
69 | instrument that pledges a lessee’s leasehold interest as security for a debt or other
70 | obligation owed by the lessee to a lender or other mortgagee.
- 71 | ~~(n)~~ “Nation” means the Oneida Nation.
- 72 | ~~(o)~~ “Personal ~~Representative~~ representative” means a person to whom authority to
73 | administer a decedent’s estate have been granted by ~~the Division of~~ Land Management or
74 | the Judiciary.
- 75 | ~~(p)~~ “Probate” or “Administration” means any proceeding relating to a decedent’s estate,
76 | whether there is or is not a will.
- 77 | ~~(q)~~ “Real ~~Property~~ property” means land and anything growing on, attached to, or
78 | erected on the land, excluding anything that may be severed without injury to the land.

⁺ See BC Resolutions 08-10-16 L, 10-12-16 B and 10-12-16 D defining the Comprehensive Housing Division for purposes of the Mortgage and Foreclosure law, Eviction and Termination law and Landlord-Tenant law respectively.

79 | (~~qr~~) “Reservation” means all the property within the exterior boundaries of the
80 | Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida
81 | 7 Stat. 566, and any lands added thereto pursuant to federal law.

82 | (~~rs~~) “Restricted ~~Fee-fee Status~~status” means an interest in real property which includes a
83 | provision in the deed or will that, upon the happening or failure to happen of a certain
84 | event, the title of the purchaser or devisee ~~will~~shall be limited, enlarged, changed or
85 | terminated.

86 | (~~st~~) “Rule” means a set of requirements, including fee schedules, enacted by the
87 | Comprehensive Housing Division, ~~Division of~~ Land Management, Oneida Planning
88 | Department and/or the Oneida Land Commission in accordance with the Administrative
89 | Rulemaking law, based on authority delegated in this law in order to implement, interpret
90 | and/or enforce this law.

91 | (~~tu~~) “TAAMS” (Trust Asset and Accounting Management System) means the Bureau of
92 | Indian Affairs system for maintaining and tracking land title documents and all legal
93 | documents relating to land transactions.

94 | (~~uv~~) “Title ~~Status-status Report~~report” means a report issued by the Bureau of Indian
95 | Affairs after a title examination which shows the proper legal description of a tract of
96 | Tribal land; current ownership, including any applicable conditions, exceptions,
97 | restrictions or encumbrances on records; and whether the land is in unrestricted,
98 | restricted, trust, or other status as indicated by the records in a Land Titles and Records
99 | Office.

100 | (~~vw~~) “Tribal ~~Fee-fee Land~~land” means ~~Tribal~~ land held in fee status by the Nation ~~within~~
101 | ~~the Reservation~~.

102 | (~~wxy~~) “Tribal ~~Land~~land” means Tribal fee land and Tribal trust land.

103 | (~~xyw~~) “Tribal ~~Member~~member” means an individual who is an enrolled member of the
104 | Nation.

105 | (~~yzx~~) “Tribal ~~Trust-trust Land~~land” means the surface estate of land or any interest therein
106 | held by the United States in trust for the Nation; land held by the Nation subject to
107 | federal restrictions against alienation or encumbrance; land reserved for federal purposes;
108 | and/or land held by the United States in trust for the Nation under Section 17 of the
109 | Indian Reorganization Act, 25 U.S.C §477, et. seq.

111 | **601.4. General Provisions**

112 | 601.4-1. ~~Applicable Real Property.~~ -The provisions of this law extend to all Tribal member’s
113 | individual fee land and Tribal member’s individual trust land within the Reservation boundaries
114 | and all Tribal land.

115 | 601.4-2. ~~Tribal Land Base.~~ ~~The Division of~~ Land Management shall administer all transactions
116 | which add real property to the Tribal land base under the provisions of this law.

117 | 601.4-3. ~~Sale of Tribal Land Prohibited.~~ -The sale of Tribal land is specifically prohibited by
118 | this law, unless the intent of the transaction is the consolidation or partition of Tribal trust land
119 | and/or individual trust land.

120 | 601.4-4. ~~New Land Assignments Prohibited.~~ -The Nation may not acknowledge any new land
121 | assignments. -Further, in order to be eligible for a Tribal loan issued against a real property
122 | interest held as a land assignment, the land assignment shall first be converted to a residential
123 | lease.

124 | 601.4-5. ~~—~~ *Wisconsin Probate Code and its Related Chapters.* –In instances where the Nation
125 lacks definition, procedure, or legal precedent in a probate matter, the Nation shall use
126 Wisconsin’s Probate Code and its related chapters for guidance.

127 | 601.4-6. ~~—~~ *Wisconsin Real Property Law.* –The Nation shall follow all applicable portions of the
128 Wisconsin Real Property ~~Law~~ law when acquiring individual fee land.

129 | 601.4-7. ~~—~~ *No Waiver of Sovereign Immunity.* –Nothing in this law may be construed as a waiver
130 of the Nation’s sovereign immunity.

131

132 **601.5. Holding of Ownership**

133 601.5-1. Interests in real property by more than one (1) person may be held in the following
134 ways:

135 | (a) *Joint Tenancy with the Right of Survivorship.* –Pursuant to this ownership mechanism
136 each owner has an equal, undivided interest in the real property. –When an owner dies,
137 his/her share is divided among the remaining owners; the last living owner owns the
138 entire property.

139 (1) Real property owned by married persons is held under this mechanism unless
140 they have executed a valid marital property agreement specifically stating that the
141 real property in question is held as tenants in common.

142 | (b) *Tenancy in Common.* –Pursuant to this ownership mechanism each owner has a
143 percentage of divided interest in the real property. –When an owner dies, his/her interest
144 is divided among his/her devisees or heirs.

145 (1) Real property owned by more than one (1) person, other than married persons,
146 is owned under this mechanism unless a deed or transfer document specifically
147 states the real property is held as joint tenants with rights of survivorship.
148

149 **601.6. Legal Descriptions**

150 601.6-1. The legal description for any real property transferred under this law shall be derived
151 from a certified survey map or survey completed by a registered land surveyor according to
152 | currently accepted minimum industry standards for property surveys. – If the plat of survey
153 changes the legal description of the certified survey map for the same piece of property, the
154 certified survey map’s legal description shall be used on transfer documents along with the
155 survey description, which shall be designated as “Also Known As ...” Section, township, range
156 and fourth principal meridian shall be included in all legal descriptions.

157 601.6-2. Every land survey shall be made in accordance with the county register of deeds’
158 | records for fee land, and in accordance with the Oneida Nation Register of Deed~~s~~² records for
159 Tribal ~~Trust-trust Lands-lands~~ and ~~Individual-individual Trust-trust Landslands~~. The surveyor
160 shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of
161 title, title status reports, Tribal leases, Tribal home purchase agreements, center line and other
162 boundary line locations.

163 601.6-3. Legal descriptions defining land boundaries shall be complete, providing unequivocal
164 identification of line or boundaries.

165 601.6-4. All surveys prepared for the Nation shall comply with survey requirements outlined in
166 the Wisconsin Administrative Code, Chapter A-E7 and indicate setbacks, building locations and
167 encroachments, as applicable.

168 601.6-5. Legal descriptions shall be used on transfer documents formalizing a purchase, real
169 estate sale, lease, foreclosure, probate transfer, trust acquisition and Tribal resolutions.

170 601.6-6. When real estate is listed, noticed and/or advertised as available for sale, rent or lease
171 to Tribal members, the address is an adequate legal description of the real property.
172

173 **601.7. Title Transfer**

174 601.7-1. *Trust Acquisition.* ~~The Division of~~ Land Management shall use title companies duly
175 registered with the Department of Interior and approved by the ~~Division of~~ Land Management to
176 update abstracts or provide title insurance on real property scheduled for trust acquisition.

177 (a) Title companies shall follow general guidelines provided by the federal government
178 in terms of form, content, period of search, destroyed or lost records and abstracter's
179 certificate.

180 (b) When researching land title for real property within the Reservation which is being
181 considered for trust acquisition, ~~the Division of~~ Land Management ~~staff~~ shall request the
182 title company to search the title back to the original allottee, in order to ~~assure~~ ensure that
183 patents or Indian deeds were legally issued.

184 (c) Any valid liens or encumbrances shown by the commitment for title insurance shall
185 be eliminated before the title is transferred into trust.

186 (d) After land is in trust both a title search of county records and a title status report
187 requested by ~~the Division of~~ Land Management from the Bureau of Indian Affairs shall
188 verify all valid encumbrances, if any, on the title. For the purposes of this section, a valid
189 encumbrance is one that has been preapproved, in writing, by ~~the Division of~~ Land
190 Management based on a standard operating procedure that is effective upon approval by
191 the Oneida Land Commission.

192 (e) ~~Division of~~ Land Management applications to convert Tribal fee land into Tribal trust
193 land require an Oneida Land Commission resolution approving the ~~said~~ conversion.

194 601.7-2. *Deeds.* A deed is the formal document used by the ~~Division of~~ Land Management to
195 transfer title from one (1) party to another.

196 (a) A valid deed shall:

197 (1) Be in writing;

198 (2) Identify the grantor (seller) and grantee (buyer);

199 (3) Provide the legal description of the real property;

200 (4) Identify the interest conveyed, as well as any conditions, reservations,
201 exceptions, or rights of way attached to the interest;

202 (5) Be signed by or on behalf of each of the grantors (sellers);

203 (6) Be signed by or on behalf of each spouse of each of the grantors (sellers), if
204 applicable; and

205 (7) Be delivered to the grantee (buyer).

206 (b) In addition to the requirements listed in section 601.7-~~32~~(a), a deed prepared for trust
207 acquisition shall include:

208 (1) The federal authority for trust acquisition;

209 (2) Any exceptions or exclusions from the State of Wisconsin's fees or other
210 transfer requirements;

211 (3) The approximate acreage of the real property being transferred to trust; and

212 (4) The authority and signature of the appropriate Department of Interior official
213 who accepts the real property into trust.

214 (c) A deed transferring fee simple title shall be recorded in the appropriate register of
215 deeds office, provided that, once the real property is in trust, the title shall be recorded

216 with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles
217 and Records Office.

218 601.7-3. *Involuntary Transfer of Title.* All involuntary transfers of title require a hearing and
219 order from the Judiciary, and may occur in the following ways:

220 (a) *Eminent Domain.* Eminent domain is the right of the Nation's government to acquire
221 Tribal member individual fee land within the Reservation for public uses without the
222 consent of private owners.

223 (1) For the purposes of this section, public uses include, but are not limited to,
224 environmental protection, streets, highways, sanitary sewers, public utility/sites,
225 waste treatment facilities and public housing.

226 (2) Prior to exercising eminent domain, the Nation shall first attempt to negotiate
227 an agreeable taking by making an offer to purchase based on an appraisal of the
228 real property. The appraisal amount may be based on an appraisal provided by
229 the Nation. In the event the property owner objects to the Nation's appraisal, they
230 may obtain an independent appraisal at their own cost. For the purposes of this
231 section, an appraisal means process for estimating a piece of real property's value.

232 (3) The Nation's exercise of eminent domain may be appealed to the Judiciary.

233 (b) *Foreclosure.* Foreclosures may occur subject to the Mortgage and Foreclosure law
234 when a Tribal member ceases payment on a leasehold mortgage.

235 (c) *Tribal Land Consolidation.* Section 207 of the Indian Land Consolidation Act
236 (Pub.L. No. 97-459, 96 Stat. 2515, and amended on October 30, 1984 by Pub.L. No. 98-
237 608, 98 Stat. 3171) is incorporated into this law, which provides a mechanism for real
238 property within the Reservation to escheat, or pass, to the Nation.

239 (1) Pursuant to section 207 of the Indian Land Consolidation Act, an ownership
240 interest in real property escheats, or passes, to the Nation under the following
241 circumstances, provided that the Nation shall provide just compensation for the
242 interest:

243 (A) The real property is within the Reservation boundaries;

244 (B) The decedent's ownership in the given parcel of land is two percent
245 (2%) or less of the total acreage; and

246 (C) The interest is incapable of earning one hundred dollars (\$100.00) in
247 any one (1) of the five (5) years immediately following the decedent's
248 death.

249 (2) A decedent's heirs may appeal a land consolidation under this section to the
250 Judiciary.

251 (3) Land consolidation is subject to the probate requirements, as included in this
252 law and accompanying rules.

253 (d) *Transferring Interests Inherited by Non-Tribal Members.* If the owner of an interest
254 of real property which is held in trust or restricted fee status located within the
255 Reservation devises such interest to a non-Tribal member, the Nation may acquire the
256 ~~said~~ interest by paying the fair market value of the interest determined as of the date of
257 the decedent's death. Such transfer is effective upon receipt of an order transferring
258 inherited interests from the Judiciary pursuant to section 205 of the Indian Land
259 Consolidation Act.

260 (1) An order transferring inherited interests may not be granted if:

- 261 (A) While the decedent's estate is pending, the non-Indian devisee
262 denounces his or her interest in favor of a Tribal member person;
263 (B) The interest is part of a family farm that is devised to a member of the
264 immediate family of the decedent, provided that such a restriction shall be
265 recorded as part of the deed relating to the interest involved; or
266 (C) The devisee agrees in writing that the Nation may acquire the interest
267 for fair market value only if the interest is offered for sale to a person or
268 entity that is not a member of the immediate family of the owner of the
269 interest.

270 | (e) *Easements for Landlocked Properties.* ~~The Division of~~ Land Management and the
271 Oneida Land Commission shall jointly develop rules regarding requests for easements for
272 landlocked properties.

273 | 601.7-4. ~~Division of~~ Land Management shall work with the Oneida Law Office in order to
274 pursue an involuntary transfer of title.
275

276 | **601.8. Probate**

277 | 601.8-1. ~~The Division of~~ Land Management shall process and administer probate estates and,
278 where necessary, shall refer probate estates to the Oneida Judiciary for formal administration.
279 | ~~The Division of~~ Land Management and the Oneida Land Commission shall jointly create any
280 rules necessary to administer probate estates. ~~The Division of~~ Land Management shall:

- 281 (a) Process applications for probate administration;
282 (b) Receive proof of heirship demonstrating a party is entitled to receive an intestate
283 decedent's property pursuant to applicable laws and rules;
284 (c) Receive consent to serve forms and in undisputed matters, issue domiciliary letters;
285 (d) Require and receive affidavits of service;
286 (e) Receive waiver and consent to probate administration forms and any related
287 affidavits;
288 (f) Issue notice to creditors of the probate's administration, receive creditor claims for
289 consideration and settlement, and issue discharge of creditors when appropriate;
290 (g) Receive and process all estate inventories;
291 (h) Receive and process, when possible, land transactions in accordance with this law and
292 receive proof of recording documents;
293 (i) Receive estate receipts;
294 (j) In undisputed matters, receive and process statement of personal representative to
295 close estate and issue discharge of personal representative; and
296 (k) Refer disputed matters to the Judiciary, transfer probate and related documents, and
297 participate in the Judiciary's proceedings as necessary.

298 601.8-2. The Judiciary shall hear and administer disputed probate estates or matters requiring
299 appointment of a guardian ad litem and shall have all the above powers conferred upon ~~the~~
300 ~~Division of~~ Land Management in such cases. ~~In addition, the Judiciary shall hear and administer~~
301 probate estates in which ~~the Division of~~ Land Management seeks appointment as a personal
302 representative.
303

304 | **601.9. Leasing of Real Property**

305 | 601.9-1. ~~The~~ In accordance with the Leasing law, ~~the Division of~~ Land Management shall
306 administer and process all leasing of Tribal land for ~~residential,~~ agricultural and commercial

307 | purposes and the Comprehensive Housing Division shall administer and process all leasing of
308 | Tribal land for residential purposes~~in accordance with the Leasing law.~~ –The Leasing law
309 | definition of Tribal land does not include Tribal fee land; however, pursuant to this law, the
310 | Division of Land Management the responsible parties designated herein shall administer and
311 | process ~~all~~ leases of both Tribal fee land and Tribal trust land in accordance with the Leasing
312 | law. ~~lasting longer than one (1) year that are not made as part of the homeownership program~~
313 | ~~using federal funding in accordance with the Leasing law.~~

314

315 | **601.10. Records**

316 | 601.10-1. *Purpose.* ~~The Division of~~ Land Management shall oversee the administration of the
317 | Oneida Nation Register of Deeds which shall accept and record documents related to real
318 | property located within the Reservation, as well as documents related to and all Tribal fee land,
319 | regardless of where it is located.

320 | 601.10-2. *Types of Records.* The Oneida Nation Register of Deeds may only accept documents
321 | that provide evidence of activities affecting real property title, preserve the record of a title
322 | document and give constructive notice of changes to a title document. Further, ~~said~~ such
323 | documents shall be originals, signed duplicates or certified copies. The following documents
324 | may be accepted by the Oneida Nation Register of Deeds.

- 325 | (a) Deeds;
- 326 | (b) Probate orders;
- 327 | (c) Mortgages and other valid liens;
- 328 | (d) Easements, covenants, and restrictions;
- 329 | (e) Certified survey maps and plats of survey;
- 330 | (f) Patents;
- 331 | (g) Declarations of involuntary transfer or taking;
- 332 | (h) Satisfactions;
- 333 | (i) Leases made pursuant to the Leasing law;
- 334 | (j) Home ownership agreements made pursuant to the Landlord-Tenant law;
- 335 | (k) Marriage agreements; and
- 336 | (l) Correction of title defects.

337 | 601.10-3. *Accessibility.* The Oneida Nation Register of Deeds shall provide open access to land
338 | records and title documents.

339 | 601.10-4. *Trust Land.* All documents pertaining to Tribal trust land and ~~Individual~~ individual
340 | trust land shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian
341 | Affairs Land Titles and Records Office.

342 | 601.10-5. *Tribal Seal.* The Nation’s Secretary shall provide ~~the Division of~~ Land Management
343 | with the Nation’s seal to be used to authenticate documents which are certified by the Oneida
344 | Nation Register of Deeds.

345

346 | **601.11. Real Estate Education Requirements and Certifications**

347 | 601.11-1. *Wisconsin Real Estate Education and Exam Required.* All persons engaging in the
348 | acquisition of Tribal fee land on behalf of the Nation, specifically those performing real estate
349 | closings, shall pass the Wisconsin Real Estate License Exam. Such persons are not required to
350 | obtain a Wisconsin Real Estate License, but ~~are required to~~ shall fulfill the pre-license education
351 | requirement, pass the licensing exam and fulfill a minimum of twelve (12) hours or four (4)
352 | courses of continuing education requirements as required of Wisconsin real estate licensees. –The

353 | ~~Division of~~ Land Management ~~Director~~ director shall select which continuing education courses
354 | are required and the Oneida Law Office shall provide the ~~Director~~ director with a
355 | recommendation.- In addition to Wisconsin's minimum education requirements as applied to the
356 | Nation's real estate employees in this law, ~~the Division of~~ Land Management shall require such
357 | employees to attend real estate training specific to the Nation's goals and unique positions as the
358 | Oneida Law Office shall offer on an as-needed basis.

359 | (a) While Wisconsin real estate law allows persons engaged in the sale of real estate to
360 | earn a commission, persons acquiring Tribal fee land on behalf of the Nation are regular
361 | employees of the Nation and, therefore, shall waive any commission for which they
362 | might otherwise be eligible.

363 | (b) It is critical to the Oneida Nation's goal to reacquire property within the original
364 | Reservation boundaries to have employees educated and experienced in executing real
365 | estate transactions.- Accordingly, ~~the Division of~~ Land Management shall employ a
366 | minimum of one (1) employee whose primary focus is real estate acquisitions and shall
367 | ensure that a minimum of two (2) employees are educated and trained as backups to the
368 | primary.

369 | 601.11-2. *TAAMS Certification Required.* —All persons responsible for encoding leasing
370 | information shall obtain a TAAMS certification, which includes, but is not limited to, the
371 | following positions:

372 | (a) Residential and Commercial Leasing Specialists;

373 | (b) Land Title and Trust Manager; and

374 | (c) Title Examiner.

375 | 601.11-3. *Fiduciary Responsibility.* All persons engaged in the buying or selling of Tribal land
376 | shall, at all times, act as a fiduciary to the Nation. Further, all such persons shall comply with all
377 | applicable Tribal and federal laws.

378 | **601.12. Organization**

380 | 601.12-1. *Comprehensive Housing Division.* The Comprehensive Housing Division shall
381 | oversee all residential transactions, ~~excluding residential leases,~~ within the Reservation and shall
382 | process and administer ~~said such~~ transactions using the applicable of the Landlord-Tenant law,
383 | the Mortgage and Foreclosure law, the Leasing law and/or the Eviction and Termination law;
384 | including any corresponding rules. —In addition, the Oneida Land Commission and the
385 | Comprehensive Housing Division shall exercise joint rulemaking authority to provide process
386 | requirements, including but not limited to advertising, notice, prequalification, and selection, that
387 | apply in all circumstances when the Nation is selling a residential property.

388 | 601.12-2. *Oneida Land Commission.* The Oneida Land Commission is comprised of seven (7)
389 | elected Tribal members and shall:

390 | (a) Interpret the provisions of this law and create policy to guide ~~the Division of~~ Land
391 | Management in implementing the same;

392 | (b) Approve or deny all easements and land use licenses;

393 | (c) Review and adopt ~~the Division of~~ Land Management's standard operating procedures
394 | for entering into agriculture and commercial leases pursuant to the Leasing law;

395 | (d) Approve or deny all acquisition of Tribal land;

396 | (e) Allocate and assign land uses to all Tribal land, except those uses governed by the
397 | Public Use of Tribal Land law, based on the Land Use Technical Unit rules which the

398 Oneida Planning Department shall develop in collaboration with affected Oneida
399 divisions and departments and the Oneida Land Commission; and

400 (f) Name all buildings, roads, parks and the like on Tribal land.

401 601.12-3. ~~Division of Land Management.~~ ~~The Division of~~ Land Management shall implement
402 this law in accordance with the policy directives provided by the Oneida Land Commission. ~~The~~
403 ~~Division of~~ Land Management shall:

404 (a) Forward requests for easements and land use licenses to the Oneida Land
405 Commission based on the easement and land use license rules jointly developed by ~~the~~
406 ~~Division of~~ Land Management and the Oneida Land Commission;

407 (b) Administer and oversee the Oneida Nation Register of Deeds;

408 (c) Enter into and administer ~~residential,~~ agricultural and commercial leases pursuant to
409 the Leasing law and the Eviction and Termination law and any corresponding rules;

410 (d) Prepare title reports and process trust transactions; and

411 (e) Process land acquisition transactions as approved by the Oneida Land Commission.

412

413 *End.*

414

416

417 Adopted - BC-5-29-96-A

418 Amended-BC-3-01-06-D

419 Amended-BC-04-28-10-E

420 Amended – BC-02-25-15-C

421 Amended-BC-05-13-15-B

422 Amended-BC-02-08-17-A

Title 6. Property and Land – Chapter 601
REAL PROPERTY
Tokáske Kayanláhsla Tsi? Ni’yohuntsya·té
The real/certain laws of the territory of the nation

601.1. Purpose and Policy	601.7. Title Transfer
601.2. Adoption, Amendment, Repeal	601.8. Probate
601.3. Definitions	601.9. Leasing of Real Property
601.4. General Provisions	601.10. Records
601.5. Holding of Ownership	601.11. Real Estate Education Requirements and Certifications
601.6. Legal Descriptions	601.12. Organization

601.1. Purpose and Policy

601.1-1. *Purpose.* The purpose of this law is to provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation’s employees dealing with real property transactions.

601.1-2. *Policy.* It is the policy of the Nation to set out the responsibilities and expectations for persons purchasing and/or managing real property on behalf of the Nation and/or within the Reservation and to provide real property holder’s rights and responsibilities. In addition, it is the Nation’s policy that probated estates shall be settled expeditiously and without undue delay.

601.2. Adoption, Amendment, Repeal

601.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-29-96-A and amended by resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B and BC-02-08-17-A and _____.

601.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

601.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

601.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control. Provided that, the Land Ordinance is applicable only to valid land assignments existing as of January 1, 2016 and is hereby repealed upon the expiration of the last existing land assignment.

601.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

601.3. Definitions

601.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense, subject to 601.4-5.

(a) “Broker” means a person who acts as an agent and negotiates the sale, purchase or rental of real property on behalf of others for a fee.

(b) “Certified survey map” means a map which provides the legal description of real property and is officially filed and approved by the county, Tribal or municipal governments.

- 36 (c) “Comprehensive Housing Division” means the division within the Nation under the
37 direction of the Comprehensive Housing Division Director which consists of all
38 residential services offered by the Nation, including but not limited to, all rental
39 programs, the rent-to-own program, and the residential sales and mortgages programs.
40 (d) “Easement” means a real property right to cross or otherwise utilize the land of
41 another for a specified purpose.
42 (e) “Estate” means a person’s interest in real property or other property.
43 (f) “Fiduciary” means a person required to act for the benefit of another person on all
44 matters within the scope of their relationship and by such a relationship owes another
45 duties of good faith, trust, confidence and candor. For the purposes of this law, both
46 brokers and salespersons are “fiduciaries.”
47 (g) “Guardian ad litem” means a guardian appointed by the Judiciary on behalf of an
48 incompetent or minor party.
49 (h) “Individual fee land” means real property held in fee status by an individual or group
50 of individuals.
51 (i) “Individual trust land” means individual Tribal land held in trust by the United States
52 of America for the benefit of a Tribal member.
53 (j) “Judiciary” means the judicial system that was established by Oneida General Tribal
54 Council resolution GTC-01-07-13-B to administer the judicial authorities and
55 responsibilities of the Nation.
56 (k) “Land Management” means the entity within the Nation responsible for maintaining
57 the Oneida Nation Register of Deeds, entering into and administering agricultural and
58 commercial leases on behalf of the Nation, processing trust transactions and land
59 acquisition transactions, and for fulfilling other responsibilities as identified within this
60 law.
61 (l) “Land use license” means an agreement entered into by the Nation providing a party
62 the right to occupy and/or utilize a specified piece of Tribal land for a specific purpose
63 and a specific duration, which may require the Nation to be compensated for such use.
64 (m) “Leasehold mortgage” means a mortgage, deed of trust, or other instrument that
65 pledges a lessee’s leasehold interest as security for a debt or other obligation owed by the
66 lessee to a lender or other mortgagee.
67 (n) “Nation” means the Oneida Nation.
68 (o) “Personal representative” means a person to whom authority to administer a
69 decedent’s estate have been granted by Land Management or the Judiciary.
70 (p) “Probate” or “Administration” means any proceeding relating to a decedent’s estate,
71 whether there is or is not a will.
72 (q) “Real property” means land and anything growing on, attached to, or erected on the
73 land, excluding anything that may be severed without injury to the land.
74 (r) “Reservation” means all the property within the exterior boundaries of the
75 Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida
76 7 Stat. 566, and any lands added thereto pursuant to federal law.
77 (s) “Restricted fee status” means an interest in real property which includes a provision
78 in the deed or will that, upon the happening or failure to happen of a certain event, the
79 title of the purchaser or devisee shall be limited, enlarged, changed or terminated.
80 (t) “Rule” means a set of requirements, including fee schedules, enacted by the
81 Comprehensive Housing Division, Land Management, Oneida Planning Department

82 and/or the Oneida Land Commission in accordance with the Administrative Rulemaking
83 law, based on authority delegated in this law in order to implement, interpret and/or
84 enforce this law.

85 (u) “TAAMS” (Trust Asset and Accounting Management System) means the Bureau of
86 Indian Affairs system for maintaining and tracking land title documents and all legal
87 documents relating to land transactions.

88 (v) “Title status report” means a report issued by the Bureau of Indian Affairs after a title
89 examination which shows the proper legal description of a tract of Tribal land; current
90 ownership, including any applicable conditions, exceptions, restrictions or encumbrances
91 on records; and whether the land is in unrestricted, restricted, trust, or other status as
92 indicated by the records in a Land Titles and Records Office.

93 (w) “Tribal fee land” means land held in fee status by the Nation.

94 (x) “Tribal land” means Tribal fee land and Tribal trust land.

95 (y) “Tribal member” means an individual who is an enrolled member of the Nation.

96 (z) “Tribal trust land” means the surface estate of land or any interest therein held by the
97 United States in trust for the Nation; land held by the Nation subject to federal
98 restrictions against alienation or encumbrance; land reserved for federal purposes; and/or
99 land held by the United States in trust for the Nation under Section 17 of the Indian
100 Reorganization Act, 25 U.S.C §477, et. seq.

101 102 **601.4. General Provisions**

103 601.4-1. *Applicable Real Property.* The provisions of this law extend to all Tribal member’s
104 individual fee land and Tribal member’s individual trust land within the Reservation boundaries
105 and all Tribal land.

106 601.4-2. *Tribal Land Base.* Land Management shall administer all transactions which add real
107 property to the Tribal land base under the provisions of this law.

108 601.4-3. *Sale of Tribal Land Prohibited.* The sale of Tribal land is specifically prohibited by this
109 law, unless the intent of the transaction is the consolidation or partition of Tribal trust land and/or
110 individual trust land.

111 601.4-4. *New Land Assignments Prohibited.* The Nation may not acknowledge any new land
112 assignments. Further, in order to be eligible for a Tribal loan issued against a real property
113 interest held as a land assignment, the land assignment shall first be converted to a residential
114 lease.

115 601.4-5. *Wisconsin Probate Code and its Related Chapters.* In instances where the Nation lacks
116 definition, procedure, or legal precedent in a probate matter, the Nation shall use Wisconsin’s
117 Probate Code and its related chapters for guidance.

118 601.4-6. *Wisconsin Real Property Law.* The Nation shall follow all applicable portions of the
119 Wisconsin Real Property law when acquiring individual fee land.

120 601.4-7. *No Waiver of Sovereign Immunity.* Nothing in this law may be construed as a waiver of
121 the Nation’s sovereign immunity.

122 123 **601.5. Holding of Ownership**

124 601.5-1. Interests in real property by more than one (1) person may be held in the following
125 ways:

126 (a) *Joint Tenancy with the Right of Survivorship.* Pursuant to this ownership mechanism
127 each owner has an equal, undivided interest in the real property. When an owner dies,

128 his/her share is divided among the remaining owners; the last living owner owns the
129 entire property.

130 (1) Real property owned by married persons is held under this mechanism unless
131 they have executed a valid marital property agreement specifically stating that the
132 real property in question is held as tenants in common.

133 (b) *Tenancy in Common*. Pursuant to this ownership mechanism each owner has a
134 percentage of divided interest in the real property. When an owner dies, his/her interest is
135 divided among his/her devisees or heirs.

136 (1) Real property owned by more than one (1) person, other than married persons,
137 is owned under this mechanism unless a deed or transfer document specifically
138 states the real property is held as joint tenants with rights of survivorship.
139

140 **601.6. Legal Descriptions**

141 601.6-1. The legal description for any real property transferred under this law shall be derived
142 from a certified survey map or survey completed by a registered land surveyor according to
143 currently accepted minimum industry standards for property surveys. If the plat of survey
144 changes the legal description of the certified survey map for the same piece of property, the
145 certified survey map's legal description shall be used on transfer documents along with the
146 survey description, which shall be designated as "Also Known As ..." Section, township, range
147 and fourth principal meridian shall be included in all legal descriptions.

148 601.6-2. Every land survey shall be made in accordance with the county register of deeds'
149 records for fee land, and in accordance with the Oneida Nation Register of Deeds' records for
150 Tribal trust lands and individual trust lands. The surveyor shall acquire data necessary to retrace
151 record title boundaries such as deeds, maps, certificates of title, title status reports, Tribal leases,
152 Tribal home purchase agreements, center line and other boundary line locations.

153 601.6-3. Legal descriptions defining land boundaries shall be complete, providing unequivocal
154 identification of line or boundaries.

155 601.6-4. All surveys prepared for the Nation shall comply with survey requirements outlined in
156 the Wisconsin Administrative Code, Chapter A-E7 and indicate setbacks, building locations and
157 encroachments, as applicable.

158 601.6-5. Legal descriptions shall be used on transfer documents formalizing a purchase, real
159 estate sale, lease, foreclosure, probate transfer, trust acquisition and Tribal resolutions.

160 601.6-6. When real estate is listed, noticed and/or advertised as available for sale, rent or lease
161 to Tribal members, the address is an adequate legal description of the real property.
162

163 **601.7. Title Transfer**

164 601.7-1. *Trust Acquisition*. Land Management shall use title companies duly registered with
165 the Department of Interior and approved by the Land Management to update abstracts or provide
166 title insurance on real property scheduled for trust acquisition.

167 (a) Title companies shall follow general guidelines provided by the federal government
168 in terms of form, content, period of search, destroyed or lost records and abstracter's
169 certificate.

170 (b) When researching land title for real property within the Reservation which is being
171 considered for trust acquisition, Land Management shall request the title company to
172 search the title back to the original allottee, in order to ensure that patents or Indian deeds
173 were legally issued.

174 (c) Any valid liens or encumbrances shown by the commitment for title insurance shall
175 be eliminated before the title is transferred into trust.

176 (d) After land is in trust both a title search of county records and a title status report
177 requested by Land Management from the Bureau of Indian Affairs shall verify all valid
178 encumbrances, if any, on the title. For the purposes of this section, a valid encumbrance
179 is one that has been preapproved, in writing, by Land Management based on a standard
180 operating procedure that is effective upon approval by the Oneida Land Commission.

181 (e) Land Management applications to convert Tribal fee land into Tribal trust land
182 require an Oneida Land Commission resolution approving the conversion.

183 601.7-2. *Deeds.* A deed is the formal document used by the Land Management to transfer title
184 from one (1) party to another.

185 (a) A valid deed shall:

186 (1) Be in writing;

187 (2) Identify the grantor (seller) and grantee (buyer);

188 (3) Provide the legal description of the real property;

189 (4) Identify the interest conveyed, as well as any conditions, reservations,
190 exceptions, or rights of way attached to the interest;

191 (5) Be signed by or on behalf of each of the grantors (sellers);

192 (6) Be signed by or on behalf of each spouse of each of the grantors (sellers), if
193 applicable; and

194 (7) Be delivered to the grantee (buyer).

195 (b) In addition to the requirements listed in section 601.7-2(a), a deed prepared for trust
196 acquisition shall include:

197 (1) The federal authority for trust acquisition;

198 (2) Any exceptions or exclusions from the State of Wisconsin's fees or other
199 transfer requirements;

200 (3) The approximate acreage of the real property being transferred to trust; and

201 (4) The authority and signature of the appropriate Department of Interior official
202 who accepts the real property into trust.

203 (c) A deed transferring fee simple title shall be recorded in the appropriate register of
204 deeds office, provided that, once the real property is in trust, the title shall be recorded
205 with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles
206 and Records Office.

207 601.7-3. *Involuntary Transfer of Title.* All involuntary transfers of title require a hearing and
208 order from the Judiciary, and may occur in the following ways:

209 (a) *Eminent Domain.* Eminent domain is the right of the Nation's government to acquire
210 Tribal member individual fee land within the Reservation for public uses without the
211 consent of private owners.

212 (1) For the purposes of this section, public uses include, but are not limited to,
213 environmental protection, streets, highways, sanitary sewers, public utility/sites,
214 waste treatment facilities and public housing.

215 (2) Prior to exercising eminent domain, the Nation shall first attempt to negotiate
216 an agreeable taking by making an offer to purchase based on an appraisal of the
217 real property. The appraisal amount may be based on an appraisal provided by the
218 Nation. In the event the property owner objects to the Nation's appraisal, they

219 may obtain an independent appraisal at their own cost. For the purposes of this
220 section, an appraisal means process for estimating a piece of real property's value.

221 (3) The Nation's exercise of eminent domain may be appealed to the Judiciary.

222 (b) *Foreclosure.* Foreclosures may occur subject to the Mortgage and Foreclosure law
223 when a Tribal member ceases payment on a leasehold mortgage.

224 (c) *Tribal Land Consolidation.* Section 207 of the Indian Land Consolidation Act
225 (Pub.L. No. 97-459, 96 Stat. 2515, and amended on October 30, 1984 by Pub.L. No. 98-
226 608, 98 Stat. 3171) is incorporated into this law, which provides a mechanism for real
227 property within the Reservation to escheat, or pass, to the Nation.

228 (1) Pursuant to section 207 of the Indian Land Consolidation Act, an ownership
229 interest in real property escheats, or passes, to the Nation under the following
230 circumstances, provided that the Nation shall provide just compensation for the
231 interest:

232 (A) The real property is within the Reservation boundaries;

233 (B) The decedent's ownership in the given parcel of land is two percent
234 (2%) or less of the total acreage; and

235 (C) The interest is incapable of earning one hundred dollars (\$100) in any
236 one (1) of the five (5) years immediately following the decedent's death.

237 (2) A decedent's heirs may appeal a land consolidation under this section to the
238 Judiciary.

239 (3) Land consolidation is subject to the probate requirements, as included in this
240 law and accompanying rules.

241 (d) *Transferring Interests Inherited by Non-Tribal Members.* If the owner of an interest
242 of real property which is held in trust or restricted fee status located within the
243 Reservation devises such interest to a non-Tribal member, the Nation may acquire the
244 interest by paying the fair market value of the interest determined as of the date of the
245 decedent's death. Such transfer is effective upon receipt of an order transferring inherited
246 interests from the Judiciary pursuant to section 205 of the Indian Land Consolidation Act.

247 (1) An order transferring inherited interests may not be granted if:

248 (A) While the decedent's estate is pending, the non-Indian devisee
249 denounces his or her interest in favor of a Tribal member person;

250 (B) The interest is part of a family farm that is devised to a member of the
251 immediate family of the decedent, provided that such a restriction shall be
252 recorded as part of the deed relating to the interest involved; or

253 (C) The devisee agrees in writing that the Nation may acquire the interest
254 for fair market value only if the interest is offered for sale to a person or
255 entity that is not a member of the immediate family of the owner of the
256 interest.

257 (e) *Easements for Landlocked Properties.* Land Management and the Oneida Land
258 Commission shall jointly develop rules regarding requests for easements for landlocked
259 properties.

260 601.7-4. Land Management shall work with the Oneida Law Office in order to pursue an
261 involuntary transfer of title.

262

263 **601.8. Probate**

264 601.8-1. Land Management shall process and administer probate estates and, where necessary,
265 shall refer probate estates to the Oneida Judiciary for formal administration. Land Management
266 and the Oneida Land Commission shall jointly create any rules necessary to administer probate
267 estates. Land Management shall:

- 268 (a) Process applications for probate administration;
269 (b) Receive proof of heirship demonstrating a party is entitled to receive an intestate
270 decedent's property pursuant to applicable laws and rules;
271 (c) Receive consent to serve forms and in undisputed matters, issue domiciliary letters;
272 (d) Require and receive affidavits of service;
273 (e) Receive waiver and consent to probate administration forms and any related
274 affidavits;
275 (f) Issue notice to creditors of the probate's administration, receive creditor claims for
276 consideration and settlement, and issue discharge of creditors when appropriate;
277 (g) Receive and process all estate inventories;
278 (h) Receive and process, when possible, land transactions in accordance with this law and
279 receive proof of recording documents;
280 (i) Receive estate receipts;
281 (j) In undisputed matters, receive and process statement of personal representative to
282 close estate and issue discharge of personal representative; and
283 (k) Refer disputed matters to the Judiciary, transfer probate and related documents, and
284 participate in the Judiciary's proceedings as necessary.

285 601.8-2. The Judiciary shall hear and administer disputed probate estates or matters requiring
286 appointment of a guardian ad litem and shall have all the above powers conferred upon Land
287 Management in such cases. In addition, the Judiciary shall hear and administer probate estates in
288 which Land Management seeks appointment as a personal representative.
289

290 **601.9. Leasing of Real Property**

291 601.9-1. In accordance with the Leasing law, Land Management shall administer and process
292 all leasing of Tribal land for agricultural and commercial purposes and the Comprehensive
293 Housing Division shall administer and process all leasing of Tribal land for residential purposes.
294 The Leasing law definition of Tribal land does not include Tribal fee land; however, pursuant to
295 this law, the responsible parties designated herein shall administer and process leases of both
296 Tribal fee land and Tribal trust land in accordance with the Leasing law.
297

298 **601.10. Records**

299 601.10-1. *Purpose.* Land Management shall oversee the administration of the Oneida Nation
300 Register of Deeds which shall accept and record documents related to real property located
301 within the Reservation, as well as documents related to all Tribal fee land, regardless of where it
302 is located.

303 601.10-2. *Types of Records.* The Oneida Nation Register of Deeds may only accept documents
304 that provide evidence of activities affecting real property title, preserve the record of a title
305 document and give constructive notice of changes to a title document. Further, such documents
306 shall be originals, signed duplicates or certified copies. The following documents may be
307 accepted by the Oneida Nation Register of Deeds.

- 308 (a) Deeds;

- 309 (b) Probate orders;
- 310 (c) Mortgages and other valid liens;
- 311 (d) Easements, covenants, and restrictions;
- 312 (e) Certified survey maps and plats of survey;
- 313 (f) Patents;
- 314 (g) Declarations of involuntary transfer or taking;
- 315 (h) Satisfactions;
- 316 (i) Leases made pursuant to the Leasing law;
- 317 (j) Home ownership agreements made pursuant to the Landlord-Tenant law;
- 318 (k) Marriage agreements; and
- 319 (l) Correction of title defects.

320 601.10-3. *Accessibility*. The Oneida Nation Register of Deeds shall provide open access to land
321 records and title documents.

322 601.10-4. *Trust Land*. All documents pertaining to Tribal trust land and individual trust land
323 shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs
324 Land Titles and Records Office.

325 601.10-5. *Tribal Seal*. The Nation's Secretary shall provide Land Management with the
326 Nation's seal to be used to authenticate documents which are certified by the Oneida Nation
327 Register of Deeds.

328

329 **601.11. Real Estate Education Requirements and Certifications**

330 601.11-1. *Wisconsin Real Estate Education and Exam Required*. All persons engaging in the
331 acquisition of Tribal fee land on behalf of the Nation, specifically those performing real estate
332 closings, shall pass the Wisconsin Real Estate License Exam. Such persons are not required to
333 obtain a Wisconsin Real Estate License, but shall fulfill the pre-license education requirement,
334 pass the licensing exam and fulfill a minimum of twelve (12) hours or four (4) courses of
335 continuing education requirements as required of Wisconsin real estate licensees. The Land
336 Management director shall select which continuing education courses are required and the
337 Oneida Law Office shall provide the director with a recommendation. In addition to Wisconsin's
338 minimum education requirements as applied to the Nation's real estate employees in this law,
339 Land Management shall require such employees to attend real estate training specific to the
340 Nation's goals and unique positions as the Oneida Law Office shall offer on an as-needed basis.

341 (a) While Wisconsin real estate law allows persons engaged in the sale of real estate to
342 earn a commission, persons acquiring Tribal fee land on behalf of the Nation are regular
343 employees of the Nation and, therefore, shall waive any commission for which they
344 might otherwise be eligible.

345 (b) It is critical to the Oneida Nation's goal to reacquire property within the original
346 Reservation boundaries to have employees educated and experienced in executing real
347 estate transactions. Accordingly, Land Management shall employ a minimum of one (1)
348 employee whose primary focus is real estate acquisitions and shall ensure that a
349 minimum of two (2) employees are educated and trained as backups to the primary.

350 601.11-2. *TAAMS Certification Required*. All persons responsible for encoding leasing
351 information shall obtain a TAAMS certification, which includes, but is not limited to, the
352 following positions:

- 353 (a) Residential and Commercial Leasing Specialists;
- 354 (b) Land Title and Trust Manager; and

355 (c) Title Examiner.

356 601.11-3. *Fiduciary Responsibility*. All persons engaged in the buying or selling of Tribal land
357 shall, at all times, act as a fiduciary to the Nation. Further, all such persons shall comply with all
358 applicable Tribal and federal laws.

359

360 **601.12. Organization**

361 601.12-1. *Comprehensive Housing Division*. The Comprehensive Housing Division shall
362 oversee all residential transactions within the Reservation and shall process and administer such
363 transactions using the applicable of the Landlord-Tenant law, the Mortgage and Foreclosure law,
364 the Leasing law and/or the Eviction and Termination law; including any corresponding rules. In
365 addition, the Oneida Land Commission and the Comprehensive Housing Division shall exercise
366 joint rulemaking authority to provide process requirements, including but not limited to
367 advertising, notice, prequalification, and selection, that apply in all circumstances when the
368 Nation is selling a residential property.

369 601.12-2. *Oneida Land Commission*. The Oneida Land Commission is comprised of seven (7)
370 elected Tribal members and shall:

371 (a) Interpret the provisions of this law and create policy to guide Land Management in
372 implementing the same;

373 (b) Approve or deny all easements and land use licenses;

374 (c) Review and adopt Land Management's standard operating procedures for entering
375 into agriculture and commercial leases pursuant to the Leasing law;

376 (d) Approve or deny all acquisition of Tribal land;

377 (e) Allocate and assign land uses to all Tribal land, except those uses governed by the
378 Public Use of Tribal Land law, based on the Land Use Technical Unit rules which the
379 Oneida Planning Department shall develop in collaboration with affected Oneida
380 divisions and departments and the Oneida Land Commission; and

381 (f) Name all buildings, roads, parks and the like on Tribal land.

382 601.12-3. *Land Management*. Land Management shall implement this law in accordance with
383 the policy directives provided by the Oneida Land Commission. Land Management shall:

384 (a) Forward requests for easements and land use licenses to the Oneida Land
385 Commission based on the easement and land use license rules jointly developed by Land
386 Management and the Oneida Land Commission;

387 (b) Administer and oversee the Oneida Nation Register of Deeds;

388 (c) Enter into and administer agricultural and commercial leases pursuant to the Leasing
389 law and the Eviction and Termination law and any corresponding rules;

390 (d) Prepare title reports and process trust transactions; and

391 (e) Process land acquisition transactions as approved by the Oneida Land Commission.

392

393 *End.*

394

395

396

397 Adopted - BC-5-29-96-A

398 Amended-BC-3-01-06-D

399 Amended-BC-04-28-10-E

400 Amended – BC-02-25-15-C

401 Amended-BC-05-13-15-B

402 Amended-BC-02-08-17-A



Legislative Operating Committee
February 21, 2017

General Tribal Council Meetings Law

Submission Date: 9/17/14	Public Meetings: 12/6/12, 6/26/17 and 6/29/17
LOC Sponsor: Daniel Guzman King	Emergency Enacted: n/a Expires: n/a

Summary: *This item was carried over into the current term by the LOC. This proposal is for a new law to govern the scheduling and conducting of GTC meetings, including: a standard agenda format and a code of conduct for those in attendance; outlining the duties of those preparing and assisting with GTC meetings, and establishing how petitions would be processed.*

9/6/17 LOC: Motion by Jennifer Webster to add GTC Meetings Law to the active files with Daniel Guzman King as the sponsor; seconded by Ernest Stevens III. Motion carried unanimously.

9/6/17: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Ernest Stevens III, Daniel Guzman King, Jennifer Falck, Clorissa Santiago, Candice Skenandore, Maureen Perkins, Tani Thurner, Cathy Bachhuber. Drafting attorney provided an update on the status of the GTC meetings law. Next steps will be: 1) pull the current draft back, 2) conduct work meetings with the LOC for policy determinations, 3) collaborate with the Oneida Nation Secretary, and 4) conduct community outreach to garner input.

9/21/17: *Work Meeting.* Present: Daniel Guzman King, Clorissa Santiago, Jennifer Falck, Maureen Perkins, Chantre' Smith. The purpose of this work meeting was to develop a plan for outreach to the community regarding the GTC Meetings law.

9/22/17: *Work Meeting.* Present: Clorissa Santiago, Melissa Nuthals, Jennifer Falck. The purpose of this meeting was to discuss the development of survey questions for GTC Meetings law.

9/28/17: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Maureen Perkins, Jennifer Webster, David P. Jordan, Kirby Metoxen, Ernest Stevens, Daniel Guzman King, Lisa Liggins, Melinda Danforth. Discussed the survey, and made revisions. Discussed the upcoming community meeting and how the LOC envisioned it would be run. The survey and community meeting notice will be updated based on today's conversation.

10/16/17: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Maureen Perkins. The purpose of this work meeting was to review potential questions for discussion during the community meeting, and formulate a plan for how the community meeting will be run. A memorandum containing a schedule and discussion questions will be sent to the LOC for review.

10/23/17: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Candice Skenandore, Maureen Perkins, David P. Jordan, Kirby Metoxen, Ernest Stevens II, Daniel Guzman King, Jennifer Webster. The purpose of this meeting is to prep for the GTC Meetings law community meeting that will occur that evening from 5:00-7:00p.m. During this meeting we will review the topics of conversation for the community meeting.

Community Meeting. Present: Clorissa Santiago, Jennifer Falck, Candice Skenandore, Maureen Perkins, David P. Jordan, Kirby Metoxen, Ernest Stevens II, Daniel Guzman King, Jennifer Webster and various members of the community. The purpose of the community meeting was to collect comments and ideas from the community regarding GTC Meetings and a potential law.

11/1/17 LOC: Motion by Kirby Metoxen approve the 60 day active files list update and continue development of all the items on the active files list; seconded by Ernie Stevens III. Motion carried unanimously.

11/15/17: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Maureen Perkins, David P. Jordan, Kirby Metoxen, Ernest Stevens II, Daniel Guzman King, Jennifer Webster. The LOC reviewed all comments collected from the survey and 10/23/17 community meeting and began making policy determinations regarding what issues should be addressed in a GTC Meetings law. The drafter will begin working on a draft that reflects decisions made during the meeting.

12/6/17LOC: Motion by Jennifer Webster to approve the GTC Meeting Law status update for the January 28, 2018 GTC Annual Meeting with one addition; add a web link to the update so that readers can access the full GTC Meetings Law Survey Report; including the Facebook, Oneida Nation Page, LOC Page, and Oneida Register and forward to the Secretary's Office to be included in the meeting packet; seconded by Ernest Stevens III. Motion carried unanimously.

12/28/17: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Owen Somers, Katsitsiyo Danforth, Dakota House, Brandon Wisneski, Maureen Perkins. The purpose of this meeting was to go over the portions of the draft of the law that involved Internal Security and discuss their impressions, concerns, and suggestions. Drafting attorney will review and incorporate suggestions into draft, and bring all concerns and suggestions to the LOC.

1/4/18: *Work Meeting.* Present: Clorissa Santiago, Jennifer Falck, Lisa Summers, Lisa Liggins, Brandon Wisneski, Maureen Perkins. The purpose of this meeting was to go the law with the Secretary and discuss her impressions, concerns, and suggestions. Drafting attorney will review and incorporate suggestions into draft, and bring all concerns and suggestions to the LOC.

1/26/18: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Kirby Metoxen, Daniel Guzman, Jennifer Falck, Clorissa Santiago, Brandon Wisneski, Maureen Perkins, Cathy Bachhuber. The LOC reviewed and discussed the first draft of the GTC Meetings law. The drafting attorney will make revisions to the law based on the LOC's decisions.

Next Steps:

- Accept the draft of the General Tribal Council Meetings law and direct that a legislative analysis be completed.

Title 1. Government and Finances - Chapter 118
GENERAL TRIBAL COUNCIL MEETINGS
Latihash<t@khwa> kayanl^hsla
GTC Meeting Law

118.1. Purpose and Policy	118.6. Holding a General Tribal Council Meeting
118.2. Adoption, Amendment, Repeal	118.7. Agenda
118.3. Definitions	118.8. Responsibilities of General Tribal Council Members
118.4. General Tribal Council Meeting Schedule	118.9. Enforcement
118.5. Petitions for a Special Meeting	

1
2 **118.1. Purpose and Policy**
3 118.1-1. *Purpose.* The purpose of this law is to identify how the General Tribal Council will
4 carry out its responsibilities. Meetings of the General Tribal Council are for the purpose of
5 conducting the business of the Oneida Nation as delegated to the General Tribal Council under
6 the Constitution and By-Laws of the Oneida Nation.
7 118.1-2. *Policy.* It is the policy of the Nation to hold consistent, organized General Tribal
8 Council meetings to enable General Tribal Council members to participate and provide input in a
9 respectful and meaningful way.
10
11 **118.2. Adoption, Amendment, Repeal**
12 118.2-1. This law was adopted by the General Tribal Council by resolution
13 GTC#_____
14 118.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to
15 the procedures set out in the Legislative Procedures Act.
16 118.2-3. Should a provision of this law or the application thereof to any person or circumstances
17 be held as invalid, such invalidity shall not affect other provisions of this law which are
18 considered to have legal force without the invalid portions.
19 118.2-4. In the event of a conflict between a provision of this law and a provision of another law,
20 the provisions of this law shall control.
21 118.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
22
23 **118.3. Definitions**
24 118.3-1. This section shall govern the definitions of words and phrases used within this law. All
25 words not defined herein shall be used in their ordinary and everyday sense.
26 (a) “Business Committee Support Office” means the office that provides administrative
27 support to the Oneida Business Committee.
28 (b) “Business day” means Monday through Friday from 8:00 a.m. through 4:30 p.m.,
29 excluding holidays recognized by the Nation.
30 (c) “Chairperson” means the individual elected to serve as the Chairperson of the Nation,
31 and the Vice-Chairperson of the Nation while he or she is assuming the Chairperson’s
32 duties in the Chairperson’s absence.
33 (d) “Constitution” means the Constitution and By-Laws of the Oneida Nation.
34 (e) “Entity” means a program, division, department, board, committee, commission or
35 similar business unit of the Nation. It does not include the Oneida Business Committee.
36 (f) “General Tribal Council member” means an enrolled member of the Oneida Nation
37 who is eighteen (18) years of age or older in attendance at a General Tribal Council

38 meeting.

39 (g) “Member of the Nation” means an individual enrolled in the Oneida Nation.

40 (h) “Nation” means the Oneida Nation.

41 (i) “Qualified voter” means an enrolled member of the Oneida Nation who is eighteen
42 (18) years of age or older.

43 (j) “Secretary” means the individual elected to serve as the Oneida Nation Secretary.

44 (k) “Sergeant-at-arms” means the highest ranking member of the Internal Security
45 Department in attendance at a General Tribal Council meeting or designee.

46 (l) “Weapon” means any gun, switchblade knife, knives with blades longer than three (3)
47 inches, electric weapons, billy clubs, and any other similar instrument or device.

48

49 **118.4. General Tribal Council Meeting Schedule**

50 118.4-1. *Regular Meetings.* Annual and semi-annual meetings shall be held in January and July,
51 in accordance with Article III, Section 4 of the Constitution.

52 118.4-2. *Budget Meetings.* A meeting shall be held at least once a year and as often as required
53 for the primary purpose of adopting the Nation’s budget for the upcoming fiscal year.

54 118.4-3. *Special Meetings.* Special meetings shall be scheduled, as necessary in order to address
55 General Tribal Council business, in accordance with Article III, Section 6 of the Constitution.

56 (a) If a special meeting is called by the Chairperson, the Secretary shall place the item on
57 the next available Oneida Business Committee agenda for review. The Oneida Business
58 Committee shall:

59 (1) approve the meeting date when the item will be considered by the General
60 Tribal Council; and

61 (2) direct the appropriate parties to prepare any analyses that the Oneida Business
62 Committee deems appropriate; including deadlines for submitting such analyses.

63 (b) If a special meeting is called through written notice by the minimum number of
64 qualified voters as required by the Constitution, the process for petitions for a special
65 meeting described in section 118.5 shall be followed.

66 118.4-4. *Scheduling of General Tribal Council Meetings.* The Secretary shall be responsible for
67 scheduling and organizing meetings. The Secretary shall develop a schedule for potential special
68 meeting dates that can be utilized if called by the Chairperson or the minimum number of
69 qualified voters as required by the Constitution.

70

71 **118.5. Petitions for a Special Meeting**

72 118.5-1. *Petition Form.* The minimum number of qualified voters as required by the
73 Constitution may petition to call a special meeting of the General Tribal Council by written
74 notice by submitting a completed petition form to the Business Committee Support Office.

75 (a) The Secretary shall create a standard petition form and shall make the form available
76 to any member of the Nation upon request.

77 (b) The petition form shall contain the following information:

78 (1) Name, address, date of birth, and enrollment number of the qualified voters;

79 (2) Telephone number and e-mail address, if available, of the qualified voters;

80 (3) Signatures of the qualified voters;

81 (4) A summary of the content of the issue to be considered at the special meeting;

82 and

83 (5) Additional documents, if applicable.

84 118.5-2. *Petition Verification* Once a completed petition form is submitted to the Business

85 Committee Support Office, the Business Committee Support Office shall forward the petition
86 form to the Trust Enrollment Department.

87 (a) *Valid Signatures.* The Trust Enrollment Department shall ensure that all signatures
88 are valid by verifying that each signature on the petition form is from a qualified voter.
89 The Trust Enrollment Departments decision to validate a signature is final and non-
90 appealable.

91 (1) The Trust Enrollment Department shall develop standards to determine when
92 and how a signature is verified as valid or invalid.

93 (b) The Trust Enrollment Department shall provide written notice of the verification
94 results and a copy of the original petition form to the Business Committee Support Office
95 after verifying the signatures. The Trust Enrollment Department shall retain a copy of the
96 petition materials.

97 (c) Once the Business Committee Support Office receives the verification results from
98 the Trust Enrollment Department, the Business Committee Support Office shall redact all
99 personal information of each person who signed the petition form, leaving only the
100 enrollment number visible. The Business Committee Support Office will forward the
101 redacted petition form to the Secretary, who shall then place the item on the next
102 available Oneida Business Committee agenda for review.

103 118.5-3. *Oneida Business Committee Review.* The Oneida Business Committee shall review the
104 petition form and the verification results, and then either dismiss or accept the petition to call a
105 special meeting.

106 (a) *Dismiss the Petition.* The Oneida Business Committee shall dismiss any petition for
107 a special meeting that does not contain the required number of verified signatures from
108 qualified voters. The Oneida Business Committee shall send written notice to the
109 qualified voters within thirty (30) days of a petition dismissal informing the qualified
110 voters that the petition was dismissed due to an insufficient number of verified signatures.

111 (b) *Accept the Petition.* The Oneida Business Committee shall accept the receipt of any
112 petition for a special meeting that contains at least the minimum number of verified
113 signatures from qualified voters.

114 118.5-4. *Scheduling a Special Meeting.* After a petition is accepted by the Oneida Business
115 Committee, the Oneida Business Committee shall determine and approve the special meeting
116 date when the petition issue will be considered by the General Tribal Council.

117 (a) The Business Committee Support Office shall provide the qualified voters the date of
118 the special meeting.

119 118.5-5. *Special Meeting Packet Materials.* The special meeting packet will include the petition
120 form materials.

121 118.5-6. *General Tribal Council Review.* At the special meeting the General Tribal Council
122 shall review the petition form materials. The General Tribal Council shall take no action, except
123 to either dismiss or accept the issue contained within the petition form materials.

124 (a) *Dismiss the Issue.* The General Tribal Council may dismiss any issue contained in
125 the petition form materials if the General Tribal Council does not wish to pursue the
126 issue.

127 (b) *Accept the Issue.* The General Tribal Council may accept any issue contained in the
128 petition form materials if the General Tribal Council wishes to further pursue the issue
129 and learn more, or take future action on the issue. If the General Tribal Council accepts
130 an issue, the General Tribal Council may:

131 (1) Direct the Oneida Business Committee to forward the petition materials and

132 assign any analyses deemed appropriate, including, but not limited to:

133 (A) Legal, financial, and administrative analyses from the Law, Finance,
134 and Direct Report Offices', and a statement of effect from the Legislative
135 Reference Office.

136 (i) The Law, Finance, and Legislative Reference Office shall
137 submit their analyses and statement of effect to the Secretary
138 within sixty (60) days with a progress report to be submitted within
139 forty-five (45) days;

140 (ii) The Direct Report Offices' shall submit all administrative
141 analyses to the Secretary within thirty (30) days.

142 (2) Direct the Oneida Business Committee to create an ad hoc committee to
143 further address the issue, or delegate the issue to the Oneida Business Committee
144 or other entity of the Nation.

145 (3) Take any other appropriate action to address the issue.
146

147 **118.6. Holding a General Tribal Council Meeting**

148 118.6-1. *Notice.* Notice of a meeting shall be provided in accordance with the Oneida General
149 Tribal Council Ten Day Notice Policy.

150 (a) The Secretary shall ensure that all printed meeting materials include a statement of
151 notice identifying that meeting materials shall not be shared with, or distributed to, any
152 person who is not a member of the Nation, unless the individual who is not a member of
153 the Nation is authorized by the Nation to access the materials.

154 118.6-2. *Quorum.* The quorum for a meeting shall be established by the Constitution.

155 118.6-3. *Eligibility to Attend a General Tribal Council Meeting.* The following individuals are
156 eligible to attend a meeting:

157 (a) Members of the Nation qualified to vote in accordance with the Constitution; and

158 (b) Other individuals who attend the meeting for official purposes and are approved to
159 attend the meeting by majority vote of the General Tribal Council. The General Tribal
160 Council shall approve each such individual to attend either all or a certain part(s) of the
161 meeting. Such individuals shall not be permitted to vote. Such individuals shall be
162 required to follow all provisions of this law.

163 118.6-4. *Registration.* All members of the Nation who attend a meeting shall follow the
164 registration requirements as identified in the General Tribal Council Meeting Stipend Payment
165 Policy. Individuals who are not members of the Nation, who are approved to attend the meeting
166 for official purposes, shall register with their name, contact information, and purpose for
167 attending the meeting.

168 118.6-5. *Canceling a Meeting.*

169 (a) The Oneida Business Committee may cancel a meeting if:

170 (1) Neither the Chairperson, nor the Vice-Chairperson of the Nation, can be
171 present due to circumstances beyond their control, or

172 (2) Holding the meeting would endanger those individuals who attend the
173 meeting, due to circumstances that cannot be controlled, including but not limited
174 to, inclement weather or public health dangers.

175 (b) Meetings shall not be cancelled less than twenty-four (24) hours in advance of the
176 meeting start time, unless, for good cause.

177 (c) Notice of a meeting cancellation shall be provided through the Nation’s official media
178 outlets, as identified by Oneida Business Committee; as well as any other practicable
179 media outlets.

180 **118.6-6. Rescheduling a Meeting.**

181 (a) When a regular or budget meeting is canceled, the Oneida Business Committee shall
182 re-schedule the meeting as soon as practicable.

183 (b) When a special meeting is canceled, the Oneida Business Committee shall either:

184 (1) re-schedule the meeting as soon as practicable; or

185 (2) place the agenda items from the meeting on the agenda for the next available
186 meeting, as determined by the Secretary.

187 **118.6-7. Record.** The Secretary shall be responsible for maintaining a record for each meeting.

188 (a) *Audio Recording.* The Secretary shall ensure that each meeting is recorded, and that
189 the audio recordings are available to members of the Nation within five (5) business days
190 after a meeting.

191 (b) *Action Report.* The Secretary shall ensure that an action report for the meeting is
192 created. The action report is an unofficial document that shall contain a summary of
193 action taken by the General Tribal Council and shall be available within five (5) business
194 days after a meeting.

195 (c) *Transcript.* The Secretary shall ensure a transcript of the meeting is created and
196 available within sixty (60) days after a meeting. The transcript shall be transcribed
197 verbatim.

198 (d) *Minutes.* The Secretary shall ensure draft minutes of the meeting are created and
199 available within sixty (60) days after a meeting. The draft minutes shall contain:

200 (1) The start and end times of the meeting;

201 (2) A quorum count from the meeting;

202 (3) Action taken by the General Tribal Council; and

203 (4) Signature of the person submitting the minutes for approval.

204

205 **118.7. Agenda**

206 118.7-1. The agenda for the meetings shall contain the following sections. The general
207 characteristics of each section are defined below.

208 (a) *Call to Order.* The Chairperson shall call meetings to order at the noticed meeting
209 time or upon confirmation of a quorum, whichever occurs later. If a quorum has not been
210 established within fifteen (15) minutes after the noticed meeting time, the meeting shall
211 not be held.

212 (1) *Announcements.* The Chairperson may allow time, prior to the opening, for
213 announcements to be made which do not directly relate to the agenda, provided
214 the announcements last no more than fifteen (15) minutes.

215 (b) *Opening.* This portion of the agenda shall be used to present a purposeful opening
216 statement given by an individual designated by the Chairperson, such as a prayer or other
217 pomp and circumstance.

218 (c) *Adoption of the Agenda.* This portion of the agenda shall be used to adopt the agenda
219 for that meeting. Amendments to the agenda may be made before the agenda is adopted.
220 Any time limitations on participation shall be identified during this portion of the agenda.

221 (d) *Approval of Minutes.* This portion of the agenda shall be used to approve the minutes
222 of each meeting of the General Tribal Council.

223 (e) *Unfinished Business.* This portion of the agenda shall be used when agenda items

224 from prior meetings were not completed.

225 (f) *Tabled Business*. This portion of the agenda shall be used when an agenda item has
226 been specifically tabled from a prior meeting. The item on the agenda shall be clearly
227 labeled as a tabled action and the date of the meeting at which it was tabled shall be
228 noted.

229 (g) *New Business*. This portion of the agenda shall be used for any new business brought
230 before the General Tribal Council.

231 (h) *Reports*. This portion of the agenda shall be used for any reports to the General Tribal
232 Council. All reports shall conform to the format and contain information as required by
233 the Oneida Business Committee. Each entity and Tribally-chartered corporation shall file
234 an Annual and Semi-Annual Report with the Business Committee Support Office to be
235 made available to members of the Nation, either electronically or through inclusion in the
236 meeting materials provided to members of the Nation.

237 (i) *Other*. This portion of the agenda shall be used for any other business of the General
238 Tribal Council that does not fit into other portions of the agenda.

239 (j) *Adjourn*. This portion of the agenda shall adjourn the meeting.

240 (1) Items not completed before the adjournment of an annual or semi-annual
241 meeting shall be deferred to the next annual or semi-annual meeting.

242 (2) Items not completed by the adjournment of a budget meeting shall be deferred
243 to a new budget meeting.

244 (3) Items not completed by the adjournment of a special meeting shall be
245 automatically placed on the next special meeting one (1) time. If the item is not
246 completed by the adjournment of the second special meeting it is put to the
247 General Tribal Council on whether or not to defer or table the item to a
248 subsequent special meeting.

249 118.7-2. The meeting agenda shall follow the prescribed order found in section 118.7-1(a)-(j).
250 The order of agenda sections shall not be modified. The order of items within each agenda
251 section may be modified.

252 (a) *Exception*. The Secretary may modify the order of the agenda if action for an agenda
253 item is time sensitive or is needed on an emergency basis for the immediate preservation
254 of the public health, safety, or general welfare of the reservation population.

255 118.7-3. The meeting agenda shall only contain sections that contain business that must be
256 addressed during that meeting. Not all sections of the agenda will be addressed at every meeting.
257

258 **118.8. Responsibilities of General Tribal Council Members**

259 118.8-1. *Behavior of General Tribal Council Members*. All members of the General Tribal
260 Council shall behave in a manner that exhibits and upholds the Nation's core values of The Good
261 Mind as expressed by Onoyoteaka, which include:

262 (a) Kahletsyalasla. The heart felt encouragement of the best in each of us.

263 (b) Kanolukhw@sla. Compassion, caring, identity, and joy of being.

264 (c) Ka>nikuhli=y%. The openness of the good spirit and mind.

265 (d) Ka>tshatst^sla. The strength of belief and vision as a People.

266 (e) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.

267 (f) Twahwaht\$lay<. All of us are family.

268 (g) Yukwats\$stay<. Our fire, our spirit within each one of us.

269 118.8-2. *Prohibition of Weapons and Violence*. All members of the General Tribal Council shall
270 adhere to the prohibition of weapons and violence at meetings.

271 (a) *Weapons*. No member of the General Tribal Council shall carry a weapon, whether
272 in the open or concealed, at a meeting.

273 (1) *Exception*. An individual actively engaged in the performance of the duties
274 of their employment may carry a required weapon.

275 (b) *Violence*. No member of the General Tribal Council shall engage in any behavior
276 that intentionally inflicts, attempts to inflict, or threatens to inflict damage to property, or
277 emotional or bodily harm on another person.

278 118.8-3. *Entering and Exiting a Meeting*. The Chairperson shall develop a safe and orderly plan
279 for entering and exiting a meeting that shall be followed by all members of the General Tribal
280 Council.

281 118.8-4. *Participation*. All members of the General Tribal Council are encouraged to participate
282 during meetings by speaking and sharing ideas, opinions, questions and concerns.

283 (a) During the adoption of the meeting agenda, the General Tribal Council may
284 determine if a time limit for participation is necessary and if so, identify the time limit.

285 (b) Whenever a time limit is established, a General Tribal Council member will have up
286 to the allotted time to ask questions or make a statement concerning the topic at hand.
287 Once that time expires or the General Tribal Council member yields the floor, that
288 General Tribal Council member must wait until all other members have had an
289 opportunity to speak on that topic before making additional comments.

290 118.8-5. *Facility Regulations*. All members of the General Tribal Council shall abide by all
291 policies and regulations of the facility in which the meeting is held.

292 118.8-6. *Confidentiality*. Meetings are a forum for the governing body of the Nation to gather
293 and discuss matters related to the Nation, including but not limited to, policy making, internal
294 governance, and business strategy. Information provided and shared at meetings is considered
295 sensitive; and should be treated as confidential. To ensure confidentiality is maintained, the
296 following shall apply:

297 (a) No person shall make or disseminate any audio or video recording within the
298 designated meeting area.

299 (1) *Exception*. An individual actively engaged in the performance of the duties
300 and responsibilities of their employment may make and disseminate audio or
301 video recordings.

302 (b) No person shall disseminate any meeting materials, including but not limited to,
303 meeting packets and meeting minutes, to any individual who is not a member of the
304 Nation, unless the individual who is not a member of the Nation is authorized by the
305 Nation to access the materials.

306 (c) The Oneida Business Committee may establish a standard operating procedure that
307 authorizes employees of the Nation who are not members of the Nation access to meeting
308 materials as may be necessary for performing the responsibilities and duties of their
309 employment, and/or authorize any non-member of the Nation access to meeting
310 materials.

311 **118.9. Enforcement**

312 118.9-1. *Internal Security*. The Nation's Internal Security Department, under direction of the
313 sergeant-at-arms, shall be responsible for the enforcement of this law. Internal Security shall
314 oversee the security of the meeting, ensure the safety of all present, and enforce the designated
315 meeting area boundaries.

316 118.9-2. *Removal of an Individual*. A member of the General Tribal Council who fails to meet
317

318 the responsibilities and requirements provided in section 118.8 of this law may be subject to
319 removal from the designated meeting area. An Internal Security officer shall address any General
320 Tribal Council member exhibiting behaviors that do not meet the standards provided in this law.
321 If the individual continues to exhibit adverse behavior, the sergeant-at-arms may remove the
322 individual.

323 (a) The Chairperson may request the sergeant-at-arms to remove an individual from the
324 designated meeting area.

325 (b) An individual removed from the designated meeting area shall not be allowed to
326 return for the duration of the meeting and shall forfeit any meeting stipend for which he
327 or she would have been eligible, in accordance with the General Tribal Council Meeting
328 Stipend Payment Policy.

329 118.9-3. *Emergency Removal of an Individual.* If the behavior of an individual has the potential
330 to result in an immediate danger to the health and safety of any General Tribal Council member,
331 the sergeant-at-arms may take immediate action to remove the disorderly or disruptive person.

332 118.9-4. *Breach of Confidentiality.* A member of the General Tribal Council who breaches the
333 confidentiality requirements provided for in section 118.8-6 may be:

334 (a) removed from the designated meeting area if making audio or visual recordings or
335 disseminating information or materials during a meeting;

336 (b) prohibited from attending a meeting if found disseminating information and materials
337 in advance of a scheduled meeting; or

338 (c) imposed a fine by the Oneida Judiciary for disseminating information or materials
339 after a meeting.

340 (1) The Oneida Law Office, acting on behalf of the Nation, is delegated the
341 responsibility to bring actions before the Judiciary when there is a violation of this
342 section.

343 (A) An individual who is aware of a breach of confidentiality may inform
344 the Oneida Law Office.

345 (2) The Trial Court of the Judiciary shall conduct a hearing, and if the Trial Court
346 determines there has been a violation, shall impose the appropriate penalty.

347 (3) The Trial Court's decision may be appealed in accordance with the applicable
348 rules of procedure.

349 118.9-5. *Restricting Entrance of a Disorderly or Disruptive Person.* The sergeant-at-arms may
350 temporarily or permanently restrict an individual from entering the premises of the meeting
351 facility for any of the following:

352 (a) A person is repeatedly removed from the designated meeting area for disorderly or
353 disruptive behavior; or

354 (b) The behavior of a person reaches such a severe level that restricting the individual
355 from entering the designated meeting area is necessary for the protection of the health
356 and safety of all other General Tribal Council members.

357 *End.*

358 Adopted – GTC#

Jo Anne House, PhD | Chief Counsel
James R. Bittorf | Deputy Chief Counsel


Patricia M. Stevens Garvey
Kelly M. McAndrews
Michelle L. Gordon
Krystal L. John
Robert J. Collins, II

Law Office



MEMORANDUM

TO: Legislative Operating Committee

FROM: Jo Anne House, Chief Counsel 

DATE: February 13, 2018

SUBJECT: Amendments to Internal Audit Law – Recognizing Judiciary Independence

I am requesting consideration of amendments to the Internal Audit law, title 1, chapter 108. Because of a recent performance assurance audit of the Judiciary by the Internal Audit Department the Oneida Business Committee officers requested that proposed amendments be presented to the Legislative Operating Committee. These amendments are required to recognize the constitutional independence of the Judiciary, while at the same time recognizing the need to oversight through budgeting and auditing of the finances of the Oneida Nation.

I have included proposed amendments below.

108.3-1(a) include the following at the end of the definition – Provided that, regarding the Judiciary, entity means only fiscal and administrative activities.

108.6-8. *Auditing of Judiciary.* The audit process set forth in section 108.6 shall be modified to apply to the Judiciary in the following manner to recognize the constitutional separation of powers in Article ___ of the Constitution of the Oneida Nation.

- (a) Audits of the Judiciary shall be limited to administrative function, financial uses, and may not include any case or controversy currently pending in the Judiciary or having been heard in the Judiciary.
- (b) Access to information and/or material shall be upon request which may not be unreasonably withheld.
- (c) The Judiciary shall be given notice of the draft audit in accordance with 108.6-6, provided that, the Judiciary shall not be mandated to respond. The following shall be noticed under “Management Response” if no response is received.

The Judiciary was presented the draft audit for review in accordance with the Internal Audit law, section 108.6-8(c).

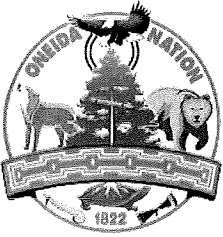
108.7-1. *General.*

- (a) *General.* [Existing language.]
- (b) *Judiciary.* The compliance and enforcement mechanisms in section 108.7 shall not apply to the Judiciary except as authorized by the Judiciary law and related laws.



TO: Legislative Operating Committee
FROM: Jennifer Falck, Legislative Reference Office Director
DATE: February 15, 2018
RE: Tribal Criminal Code

The LOC has decided to focus on the Wellness Court in lieu of a Criminal Code. In an effort to keep the Active Files List accurate, this is a request to remove the Criminal Code from the Active Files List.



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



Memorandum

To: LOC
From: Daniel Guzman King, Councilmember
Date: February 9, 2018
Re: Re-prioritization of Laws

The Oneida Business Committee has deemed the Tribal action plan a priority of the Nation, and has also been working on governmental reorganization that could change the scope of the GTC Meetings Law. As such, the drafting of the wellness court law and all applicable drug laws are of high importance. I would propose the GTC Meetings law be placed on hold or on low priority, so that the LRO can focus on the research and drafting of the wellness court.

I would also request consideration of the Industrial Hemp Law to be a high priority, as the Community Development Planning Committee is well under way with an internal strategy that is proposed to be executable in the spring, and will require the Nation to have laws authorizing industrial hemp and the development of our own internal regulations.

Yaw^ko for your consideration.

February 2018

February 2018

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March 2018

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Jan 28 - Feb 3							
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Feb 4 - 10		3:00pm 4:30pm FW: LOC Prep (BC_Exec_Conf_Room) - Jennifer A. Falck		9:00am 3:00pm LOC (BC_Conf_Room) - LOC			
	11	12	13	14	15	16	17
Feb 11 - 17				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill Center)	11:00am 2:00p m FW: Boards, Committees, and Commissions Stipend Work Meeting (BC_Exec_Conf_Room)		
	18	19	20	21	22	23	24
Feb 18 - 24		3:00pm 4:30pm FW: LOC Prep (BC_Exec_Conf_Room) - Jennifer A. Falck		9:00am 3:00pm LOC (BC_Conf_Room) - LOC	5:00pm 7:30pm Comprehensive Policy Governing Boards, Committees, and Commissions Work Meetin		
	25	26	27	28	Mar 1	2	3
Feb 25 - Mar 3		10:00am 12:00p m FW: LOC Work Session (BC_Exec_Conf_Room) - Clorissa N. Santiago		8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill Center)			

March 2018

March 2018							April 2018						
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Mar 25 - 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		