



Legislative Operating Committee FY19 First Quarter Report: October 1, 2018- December 31, 2018

Executive Summary

The Legislative Operating Committee focused on three legislative projects in the first quarter, 1) Amending seventeen (17) of the Oneida Nation's boards, committees, and commissions bylaws, 2) Election Law amendments, and 3) a Sanctions and Penalties Law. Table 1. is a complete list of what the LOC was working on as of December 31, 2018. For more information regarding any of the Nation's legislation please go to <https://oneida-nsn.gov/government/business-committee/standing-committees/legislative-operating-committee/> or <https://oneida-nsn.gov/government/register/>. To provide comments or ask questions email us at LOC@oneidanation.org

Updates to the Active Files List

Twenty-two (22) items were added to the active files list in the first quarter. Seventeen (17) of those items are amendments to the boards, committees, and commissions bylaws. On September 27, 2018, the Oneida Business Committee adopted amendments to the Comprehensive Policy Governing Boards, Committees, and Commissions. The name of the law has changed to the Boards, Committees, and Commissions law. Because of the adoption, seventeen (17) boards, committees, and commissions are required to amend their bylaws to comply with new requirements. The Oneida Business Committee (OBC) set a six (6) month timeline for the completion of this effort. The deadline for these amendments is March 26, 2019. The Legislative Reference Office is assisting boards, committees, and commissions as bylaws are redrafted. See page 4 of this report for more detail, including deadlines.

Legislation added to the active files list;

- Seventeen (17) sets of bylaw amendments
- Curfew Law
- Recycling and Solid Waste Disposal Amendments

General Tribal Council Petitions added to the active files list;

- Petition: Scott Kosbab- Creating a Term Limits Law
- Petition: G. Powless- Rescinding the Removal Law
- Petition: Cathy L. Metoxen- Oneida Youth Leadership Institute

Items removed from the active Files List;

- Harvest Law
- Employment Law
- Tribal Identification Card Law
- Research Protection Act
- Petition: G. Dallas- Special Per Capita Payment and/or Options
- *LOC changed the name of the Commerce Law to the Business Corporations Law

Table 1. Active files list and status of each legislative item as of December 31, 2018

Chart Legend

-  Researching, 0-25%
-  Outreach, meetings, drafting, 25-50%
-  Developing analyses, public meeting, 50-75%
-  Public comment review, LOC approval, 75-100%
-  Adoption or acceptance, 100% complete

Legislative Item	Status
Election Law Amendments	
Child Support Amendments	
Sanctions and Penalties Law	
Employee Protection Policy Amendments	
Uniform Commercial Code	
Military Service Employee Protection Amendments Repeal	
Oneida Personnel, Policies, and Procedures Amendments Repeal	
Rules of Civil Procedure Amendments Repeal	
Domestic Animals Amendments	
Oneida Food Service Code	
Drug & Alcohol Free for Elected and Appointed Officials	
Industrial Hemp	
Wellness Court	
Public Peace Law	
Tribal Traffic Court	
Code of Ethics Amendments	
Business Corporations Law	
Vehicle Driver and Fleet Management Amendments	
Guardianship Law	
Law Enforcement Conservation Officers Amendments	
Oneida Personnel Commission Bylaws Amendments	
Oneida Gaming Commission Bylaws Amendments	
Oneida Land Claims Commission Bylaws Amendments	
Oneida Nation Commission on Aging Bylaws	
Oneida Nation School Board Bylaws	
Anna John Resident Centered Care Community Board Bylaws Amendments	
Oneida Nation Arts Boards Bylaws Amendments	









Oneida Police Commission Bylaws Amendments	
Oneida Pow-Wow Committee Bylaws Amendments	
Pardon & Forgiveness Committee Bylaws Amendments	
Southeastern Wisconsin Tribal Service Advisory Board Bylaws Amendments	
Oneida Election Board Bylaws Amendments	
Oneida Land Commission Bylaws Amendments	
Oneida Nation Veterans Affairs Committee Bylaws Amendments	
Oneida Trust Enrollment Bylaws Amendments	

Table 2. Meetings held by the Legislative Operating Committee in First Quarter

Legislative Operating Committee Meetings	
October 3, 2018	Regular LOC meeting
October 17, 2018	Regular LOC meeting
November 7, 2018	Regular LOC meeting
November 21, 2018	Regular LOC meeting
December 5, 2018	Regular LOC meeting
December 19, 2018	Regular LOC meeting
Public Meetings and Outreach Events	
October 4, 2018	Sanctions and Penalties Law Public Meeting
November 8, 2018	Election Law Amendments Public Meeting
December 3, 2018	Employee Protection (Whistleblower) Amendments Public Meeting

Legislative Operating Committee First Quarter Highlights

Curfew Law

The LOC has added a Curfew Law to the active files list, because of a recommendation from the Tribal Action Plan (TAP) Subcommittee on Laws and Policy. Currently, there is no curfew law adopted by the Nation. The LOC has begun researching other curfew laws in the area and amongst other tribal nations. The Legislative Operating Committee is working with the Oneida Nation High School to provide students with an opportunity to provide their thoughts and learn about the Nation's legislative process.

Children's Code

The Children's Code was adopted by the Oneida Business Committee through resolution BC-07-26-17-J. It directed that the LOC 1) provide a final implementation plan to the OBC by September 13, 2017, and 2) provide the OBC with quarterly reports starting after September 13, 2017, and 3) conduct a review one year after implementation. The code was to become effective on January 6, 2019.

On October 3, 2018 a work meeting was held to discuss the status of implementation of the Children's Code and determine if the effective date of the Children's Code should be modified to October 1, 2019. On October 24, 2018, the OBC did delay implementation through a resolution titled

“Amending Resolution BC-07-26-17-J to Delay Implementation of the Children’s Code”. The implementation date is now October 1, 2019.

Harvest Law

On June 6, 2018 the LOC added a Harvest Law to the active files list. The original intent of this law was to regulate and manage the harvesting and gathering of the Nation’s natural resources including plants, bark, wild rice, bergamot, etc. On August 15, 2018, the Harvest Law work team met and along with the LOC agreed that a community input session would be beneficial before any drafting was done or any policy decisions were made. A Community Pot Luck was held on September 27, 2018. The purpose of the event was to collect comments, opinions, and concerns from the community regarding the creation of a Harvest Law. Nine (9) community members attended the event and were given an opportunity to submit their comments orally and in writing. The information was collected and reported out to the LOC on October 3, 2018. The community members in attendance generally had concerns about the law, and worried that the law may hinder or demotivate people who want to harvest or have been harvesting for many years. Based on the information collected, the LOC decided there were more efficient and effective ways to both protect the Nation’s natural resources and encourage harvesting. On October 17, 2018, the LOC removed the Harvest Law from the active files list and approved a memo to be sent to the Environmental Resources Board, the Land Commission, the Environmental, Health, Safety, and Land Division, and the Director of the Natural Resources Department indicating that they could work together to develop programming that would teach people how to harvest responsibly and encourage responsible harvesting in the community. The memo was also sent to the community members that attended the Community Pot Luck Event.

This effort is an example of how the LOC is collecting thoughts from the community and using the information collected to make policy decisions that are community driven. The LOC will continue to explore innovative methods to collect input from the community.

Amending Bylaws for Boards, Committees, and Commissions

Because of the adoption of the Boards, Committees, and Commissions Law in September, most non-corporate boards, committees, and commissions must update and amend its bylaws. A total of seventeen (17) sets of bylaws must be presented to the Oneida Business Committee for adoption, by March 26, 2019.

Upon request, the LRO is assisting boards, committees, and commissions to amend their bylaws. Information meetings were held on October 17 and 24, 2018, for presenting the required changes to the boards, committees, and commissions. Chart 1. is a flow chart of important tasks and deadlines. Upon request, the LRO will support each board, committee, and commission while this process is completed. There are several important dates that the boards, committees, and commissions have been made aware of:

January 17, 2019	Deadline to submit draft bylaws to the LRO for a final review.
January 31, 2019	Deadline to request the LRO to complete the required legislative analysis that must accompany all draft bylaws.
February 15, 2019	All draft bylaws and their legislative analysis must be submitted to the Legislative Operating Committee.
February 20, 2019	Last day the LOC will review bylaws before the March 26, 2019 Business Committee Deadline.

March 26, 2019

Deadline to present bylaws for adoption to the Business Committee.

Chart 1. Six Month Timeline for all Boards, Committees, and Commissions to Amend Bylaws



Boards, committees, and commissions are encouraged to complete their tasks and submit their bylaws prior to the deadline dates. Any board, committee, or commission that would like assistance with their bylaws from the Legislative Reference Office may contact Kristen Hooker, LRO Drafting Attorney at khooker@oneidanation.org.

Community Budget Session

The Community Budget Session was held on November 30, 2018 at the Radisson Hotel and Convention Center. Several departments were at the event to discuss budgets and collect input from the participants.

In addition to sharing budget information, the LOC used the event as an opportunity to collect input from the community about legislation. Two activities were designed to ask questions and help the LOC understand how at least some community members feel about the Nation’s legislation.



LRO staff at the Community Budget Session on 11/30/18

Activity #1 How much do you know about Oneida’s legislative process?

Findings There were three answers to choose from; 1) Zero-Zilch, 2) A Little Bit, and 3) I’m a Pro. Thirty (30) people participated. The data indicates the 68% of the participants knew at least a little bit about the legislative process or considered themselves to be pros, and 29% knew nothing about the process. The LOC can use this data in our efforts to work with the community in the future.

Data Set for Activity #1: How much do you know about Oneida’s legislative process? N=31			
Zero-Zilch	A Little Bit	I’m a Pro	Totals
9	13	8	30
30%	43%	27%	100%

Activity #2 This activity provided participants with an opportunity to share their ideas about new laws, how to amend current laws, and anything else they wanted to share.

Findings Sixteen (16) people provided the following comments;

Data Set for Activity #2: Share your ideas about Oneida’s Laws Here N=15
Elder Abuse Codes
Removal Law needs improvement- too 1 sided
Needs some more staff budget to support the department with laws and training for operations and management
Law to prevent one person from making life changing decisions
We need a law that addresses name changes- easy one- non-controversial
Less legal jargon- break it down Barney style. K.I.S.S.
The language describing laws is confusing
Accountability
Where’s our traffic law???
Bullying in workplace
Curfew for minors
Library Law
<u>WE</u> invented the system! Let’s remember how to be better
Official Actions for B,C,C about tasks directed to staff of departments. When are they active?
Activate Notary Law
Need more one on one with boards to help understand laws

Legislative Operating Committee’s FY19 Second Quarter Plans

For the second quarter, the LOC’s legislative focus will be on: amendments to bylaws, Sanctions and Penalties Law, Election Law Amendments, Child Support Amendments, Domestic Animals Amendments, Food Service Code Amendments, Curfew Law, and an Industrial Hemp Law.

Legislative Reference Office Update

The LRO is the support office for the LOC. The LRO drafts law, analyzes law, holds public meetings, collects public comment, and involves various departments in work meetings where the LOC discusses policy and makes decisions.

In the first quarter, the LRO focused on preparing for General Tribal Council meetings to discuss the Election Law Amendments and the Sanctions & Penalties Law early in 2019. The hope is that both these items are completed in the second quarter. In addition, the LRO focused on assisting boards, committees, and commissions with updating their bylaws for submissions by the Oneida Business Committees deadline of March 26, 2019.

Legislative Operating Committee Contact Information

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