



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54115-0365  
Oneida-nsn.gov



## Legislative Operating Committee FY19 Third Quarter Report: April 1- June 30, 2019

### Executive Summary

The Legislative Operating Committee (LOC) focused on these specific items in the third quarter; Domestic Animals Amendments, Election Law Amendments, amendments to all the boards, committee's and commissions bylaws, and a Curfew Law. The LOC continues to develop new ways to engage with the community and increase public participation. The third (and fourth) quarters have included video clips for the Election Law amendments, community outreach events for the Sanctions and Penalties Law, and experimenting with different times for public meetings.

### Updates to the Active Files List

The active files list is the list of legislation that the LOC is working on. Currently there are thirty-one (31) items on the active files list. In the third quarter, the Oneida Business Committee adopted the Domestic Animals Amendments and that item was removed from the list. The following items were added:

1. **Indian Preference in Contracting:** The purpose of the law is to increase economic benefits for the Nation and it's members by maximizing the number of Indian workers and businesses working on the Nation's projects. Amendments are being considered.
2. **General Tribal Council Petition Process:** This petition is designed to set a new General Tribal Council Petition process aimed at asking the GTC if they would like to hear a petition prior to research by the Law Office, the Legislative Reference Office, and the Finance Department. The goal is to be more efficient, to provide information to the GTC, and to use the Nation's resources wisely. (This petition was considered by GTC on July 11, 2019 and was not approved by the body).
3. **Citations Law:** The purpose of this new legislation is to provide a process that governs all citations that fall under the jurisdiction of the Oneida Nation.

**Active Legislation**

Table 1. illustrates the status of each legislative item the LOC was working on as of July 22, 2019. Attachment A. includes a list of the legislation that has been completed in the 2017-2020 term (Since August 2017), along with a brief description of the legislation.

**Table 1. Status of Active Legislative Items as of July 22, 2019**



	Research	Outreach Work Meetings Drafting	Analysis Public Meeting	Comment Review LOC approval	Ready for Adoption
<b>High Priorities-LOC is focusing most on on this legislation</b>					
Election Amendments*					●
Sanctions & Penalties					●
Child Support Amendments			●		
Domestic Animals Amendments					●
Boards, Committees, & Commissions Bylaws					●
Oneida Food Service Code Amendments		●			
Curfew				●	
Industrial Hemp		●			
Taxation	●				
Wellness Court	●				
Children’s Code (Adopted)					●
Indian Preference in Contracting Amendments		●			
GTC Petition Process*					●
Vehicle Driver Certification & Fleet Management		●			
Citations Law		●			
<b>Medium Priorities- LOC is working on this legislation and these items will likely become high priorities</b>					
Recycling & Solid Waste Law Amendments		●			
Public Peace	●				
Drug & Alcohol Free Elected/Appointed Officials	●				
Tribal Traffic Code	●				
Business Corporations	●				
Code of Ethics Amendments	●				
Rules of Civil Procedure Amendments	●				
General Welfare Exclusion- Income Exemptions	●				
<b>Low Priorities- LOC is not currently working on this legislation, but plans to in the future</b>					
Work Visas	●				
Law Enforce. Ord. Amendments- Con. Wardens	●				
Environmental Review Law	●				
Attorney Contract Policy Amendments	●				
Tribal Institutional Review Board	●				
Guardianship	●				
Uniform Commercial Code	●				
Personnel Policies & Procedures Amendments	●				
Investigative Leave Policy Amendments	●				
Workplace Violence Amendments	●				

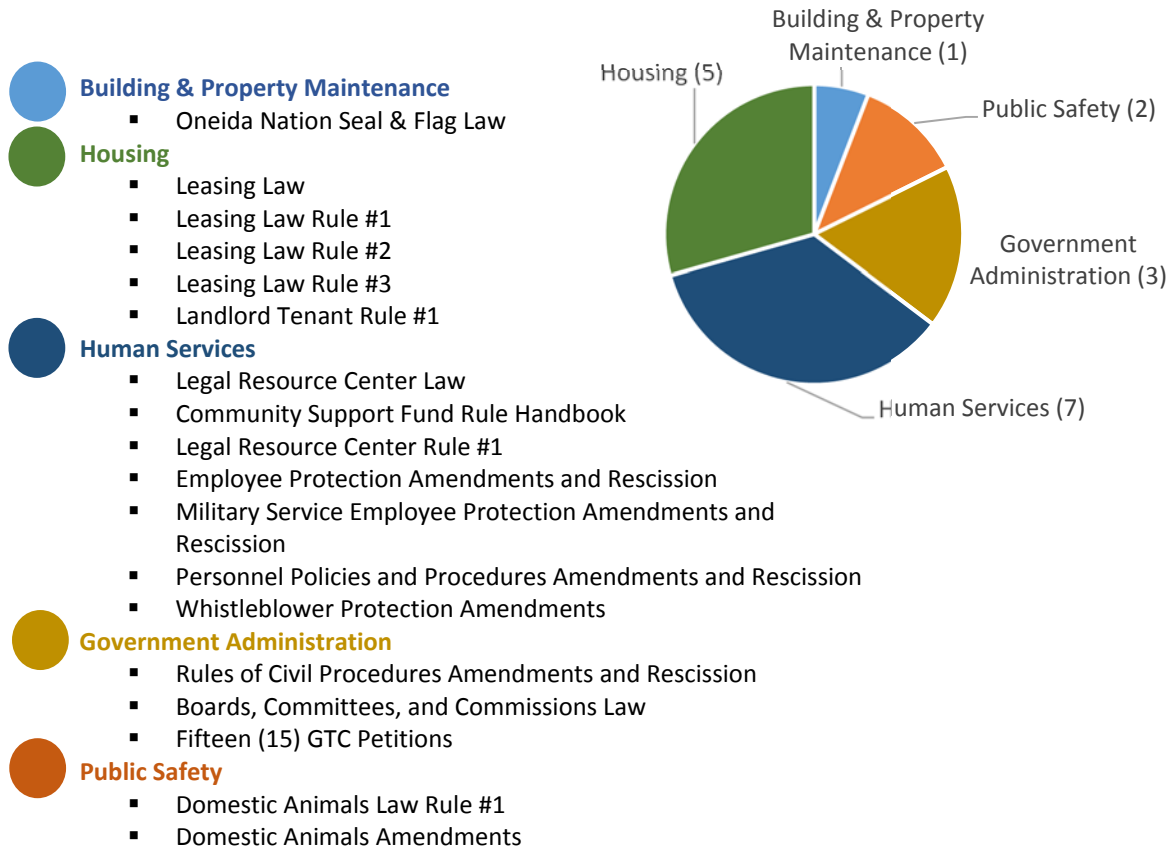
\*Note: Items added to the active files list based on General Tribal Council directive. The GTC rejected both items at the July 11, 2019 GTC Meeting

### Completed Legislation

At the September 24, 2018 Special GTC Meeting, the GTC was asked to prioritize the Nation’s Service Groups. Chart 1. compares GTC priorities to adopted legislation this term. Attachment A. provides details of the completed legislation and GTC priorities, as well as a brief description of the legislation.

**Chart 1. Completed Legislation and GTC Priorities**

Most of the adopted legislation completed so far in this term has addressed **Housing**, **Human Services**, and **Government Administration** priorities.



**Table 3. Meetings held by the Legislative Operating Committee in Third Quarter**

Legislative Operating Committee Meetings	
April 3, 2019	Regular LOC meeting cancelled
April 17, 2019	Regular LOC meeting
May 1, 2019	Regular LOC meeting
May 15, 2019	Regular LOC meeting
June 5, 2019	Regular LOC meeting
June 19, 2019	Regular LOC meeting

## Legislative Operating Committee Third Quarter Highlights

### Adopted Legislation:

#### Domestic Animals Amendments

The Oneida Business Committee adopted amendments to the Domestic Animal law by resolution 05-08-19-C titled "*Amendments to the Domestic Animal Law*". The amendments to the law made the following changes;

1. Eliminate administrative rulemaking authority delegated to the Environmental, Health, Safety, and Land Division and the Environmental Resource Board, and instead requires a jointly developed fine, penalty, and licensing fee schedule to be adopted by OBC resolution.
2. Eliminate administrative rulemaking authority delegated to the Environmental, Health, Safety, and Land Division, the Emergency Management Coordinator, and the Comprehensive Health Division, and instead require standard operating procedures to be created related to disease investigations and quarantines.
3. Reduce the space requirements for dog kennels.
4. Provide guidelines and requirements for tethering an animal.
5. Reduce the limit on the number of dogs and cats allowed in a residential household, but allow those who wish to seek an additional animal over the limit the ability to apply for a permit to do so.
6. Require a person to obtain a conditional use permit to keep hens, and limit the number of hens allowed on a residential lot.
7. Eliminate the vicious animal designation, and create a single dangerous animal designation, with a requirement that any animal declared dangerous be removed from the Reservation or destroyed, pending the opportunity to contest the dangerous declaration.

### Community Outreach:

#### Sanctions and Penalties Law

This law would increase accountability among elected and appointed officials of the Nation. This proposed law creates a formal complaint process and allows for corrective actions against officials who engage in misconduct. The legislation is designed to establish a consistent set of sanctions and penalties that may be imposed upon elected and appointed officials of the Nation, including members of the Oneida Business Committee, for misconduct in office; and to establish an orderly and fair process for imposing such sanctions and penalties [see *Sanctions and Penalties, 1 O.C. 120.1-1*].

The LOC hosted a community pot luck to discuss the legislation on May 3, 2018 and sixteen (16) people attended. The public meeting was held on held on October 10, 2018 and seven (7) people attended. Approximately 115 comments were collected for this legislation.

At the March 17, 2019 General Tribal Council Meeting, the GTC discussed the proposed Sanctions & Penalties law and took the following actions:

- *Motion by Cathy L. Metoxen to table this item for sixty (60) days. Motion ruled out of order by Vice-Chairman Brandon Stevens; all the materials are available today in order to make a decision.*
- *Motion by Becky Webster to adopt the resolution entitled Sanctions and Penalties Law on pages 5 and 6 of the meeting packet; with the amendment to the law to limit those who have standing to file a complaint to Tribal Members only. Seconded by Jamie Willis. Motion not voted on; item deferred, see amendment.*
- *Amendment to the main motion by Mike Debraska to defer item IV.A. for at least sixty (60) days for GTC to have additional time to consider it and have input. Seconded by Tina Danforth. Motion carried by show of hands.*

Since March 17, the LOC has been planning outreach Events that will allow the community to have additional input on the legislation. The dates and times of these events are:

1. **July 11, 2019**, 5:00-6:00 pm, just prior to the General Tribal Council Meeting, Radisson Hotel and Conference Center
2. **July 17, 2019**, 12:00-1:00 pm, Norbert Hill Center Business Committee Conference Room
3. **August 9, 2019**, 8:00am-9:00am, Oneida Veteran’s Breakfast, Vets Office, Riverdale Dr., Oneida
4. **August 15, 2019**, 12:00-3:00 pm, Oneida Farmer’s Market, Water Circle Place, Oneida

**LEGISLATIVE OPERATING COMMITTEE  
COMMUNITY OUTREACH EVENTS**

**SANCTIONS AND PENALTIES LAW**

At the March 17, 2019, General Tribal Council meeting the General Tribal Council directed that the consideration of the adoption of the proposed Sanctions and Penalties law be deferred until the General Tribal Council has additional time to consider it and have input.

Join the Legislative Operating Committee (LOC) at the following community outreach events to share ideas, ask questions, and provide input on the proposed Sanctions and Penalties law:

DATE	TIME	LOCATION
July 11, 2019	Prior to General Tribal Council Meeting from 5:00 pm – 6:00 pm	Radisson Hotel & Conference Center
July 17, 2019	12:00pm-1:00pm	Norbert Hill Center Business Committee Conference Room
August 9, 2019	8:00am-9:00am	Oneida Veteran's Breakfast Vets Office, Riverdale Dr, Oneida
August 15, 2019	12:00pm-3:00pm	Oneida Farmer's Market Water Circle Place, Oneida

**Additional Opportunity for Input on the Sanctions and Penalties Law**

If you are unable to attend a community outreach event to provide input, the LOC is offering the additional opportunity to provide comments and input through written submissions. The LOC will be accepting written thoughts and comments from the community until August 21, 2019. Written comments can be submitted via e-mail to [LOC@oneidatn.gov](mailto:LOC@oneidatn.gov) or in person to the Legislative Reference Office located in the Norbert Hill Center.

FOR MORE INFORMATION:  
www.oneida-nn.gov/legislative-reference-office or contact Oneida Nation Legislative Reference Office located in the Norbert Hill Center, PO Box 343, Oneida, Wisconsin 54155  
Email: [LOC@oneidatn.gov](mailto:LOC@oneidatn.gov) Phone: 715-965-6279

**Community Events and Outreach**

The Sanctions & Penalties Outreach events were published in the Kalihwisaks July 3, 2019 issue.

**Legislative Operating Committee’s FY19 Fourth Quarter Plans**

1. **Bylaws Amendments-** The newly amended Boards, Committees, and Commissions law requires all the Nation’s seventeen (17) boards, committees, and commissions to amend their bylaws to comply with the law. The Oneida Business Committee will review the proposed amendments at the end of July and determine the next steps for moving forward with the adoption of the bylaws amendments.

2. **Election law Amendments-** In 2018, the GTC directed that the Election law come back to the GTC with suggested amendments. In January 2019, this item was on the GTC agenda and deferred to a future GTC Meeting. The item was then placed on the July 11, 2019 GTC meeting agenda, and the LOC spent time preparing to present the Election law amendments to the GTC for a second time. The LOC produced its second video clip for social media. This clip was designed to encourage tribal members to attend



**Video Production & Community Outreach**  
The LOC is always looking for ways to increase community outreach. 2,044 people on Facebook viewed this post leading up to the July 11, 2019 GTC meeting.

the July 11, 2019 GTC meeting and take action on the Election Law Amendments. The LRO invited Oneida students from the University of Wisconsin- Information Technology Academy to participate in the video. Approximately 400 people viewed the video on Facebook in the week leading up to the GTC meeting.

3. **Sanctions & Penalties Law-** This law is designed to provide a process for members of the Business Committee, and other boards, committees, and commissions to face sanctions or penalties for misconduct. Currently, the only penalty for misconduct is removal or termination from office. On March 17, 2019 at a special GTC Meeting, the GTC adopted a motion to defer the item *“for at least sixty (60) days for the GTC to have additional time to consider it and have input”*. The LOC will host four (4) community outreach events and provide the community with more information regarding this legislation.
4. **Industrial Hemp-** The LOC will begin to focus on Industrial Hemp legislation. The goal is to regulate industrial hemp growers on the reservation as an exercise in sovereignty. The Legislative Reference Office is working with the Hemp Team and will begin drafting this legislation soon.
5. **Child Support Amendments-** The LOC will review draft amendments and work with the Child Support Department and others to update this law.
6. **Curfew Law:** The LOC will hold a public meeting in the fourth quarter for this item. The policy driving this legislation is to support drug use prevention initiatives of the Nation by protecting the health, safety, and welfare of the community.

### 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 on legislative work teams where the LOC discusses policy and makes decisions.

In the third quarter, the LRO focused on preparing the LOC for General Tribal Council meetings to discuss the Election law Amendments and providing the community with additional information regarding the proposed Sanctions & Penalties law. The LRO also focused on

amendments to the board's, committee's, and commission's bylaws. In the fourth quarter, the LRO will assist the LOC with; bylaws amendments for boards, committees, and commissions, the Oneida Food Service Code amendments, Industrial Hemp legislation, a Curfew Law, Child Support law Amendments, and a one year evaluation of the Boards, Committees, and Commissions Law.

In June, the LRO also began working with a summer Intern. Destiny Prendiville is a Business Analyst student at Northeast Wisconsin Technical College and has been working on various projects including community outreach events, survey development, attending policy meetings, and meeting with others throughout the organization. The LRO also had a high school student visit us in June. Maliha Yousuf spent the day at an Oneida Business Committee meeting, talking with attorneys, analysts, and policy advisors, and touring the Reservation. She is considering attending law school and wanted to learn more about what the LRO does.

**Yaw^ko**

### **Legislative Operating Committee Contact Information**

Feel free to contact the LOC with questions or comments;

- David Jordan, LOC Chairperson, [djordan1@oneidanation.org](mailto:djordan1@oneidanation.org)
- Kirby Metoxen, LOC Vice Chairperson, [kmetox@oneidanation.org](mailto:kmetox@oneidanation.org)
- Jennifer Webster, LOC member, [jwebste1@oneidanation.org](mailto:jwebste1@oneidanation.org)
- Daniel King-Guzman, LOC Member, [dguzman@oneidanation.org](mailto:dguzman@oneidanation.org)
- Ernest Stevens III, LOC Member, [esteven4@oneidanation.org](mailto:esteven4@oneidanation.org)
- [LOC@oneidanation.org](mailto:LOC@oneidanation.org)



**ATTACHMENT A.**

**Service Group Priorities as Identified by the General Tribal Council on September 24, 2018**

1. Health Care	6. Human Services	11. Utilities, Wells, Wastewater, Septic
2. Education & Culture	7. Economic Enterprises	12. Building & Property Maintenance
3. Housing	8. Government Administration	13. Planning, Zoning, & Development
4. Preservation of Culture & Literacy	9. Public Safety	
5. Preservation of Natural Resources	10. Membership Administration	

**Completed Legislation for 2017-2020 Term as of July 19, 2019**

<b>Name of Legislation</b>	<b>Adopting Resolution or Date Adopted</b>	<b>Summary of Legislation</b>	<b>*Priorities as Identified by GTC- September 2018</b>
<b>Oneida Nation Seal and Flag Rule #1- Placement, Maintenance, and Authorized Use</b>	09-13-17	This rule governs the placement, maintenance, and authorized use of the official Oneida Nation Seal under the Oneida Nation Seal and Flag law.	12- Building & Property Maintenance
<b>Legal Resource Center</b>	BC-09-13-17-L	On 11/14/17 GTC directed the OBC to establish a legal office consisting of advocates and an advising attorney for GTC. This law provides the framework for the office.	6-Human Services
<b>Landlord-Tenant Law Amendments</b>	BC-12-13-17-D	Extended the length of a rental agreement for tenants in the rent to own program.	3-Housing
<b>Membership Ordinance Rule #1- Enrollment Rule</b>	01-10-18	This rule creates enrollment procedures for carrying out the responsibility delegated to the Oneida Trust Enrollment Committee in the Membership Ordinance.	10-Membership Administration
<b>Community Support Fund- Rule Handbook</b>	01-24-18	This Rule Handbook provides guidance on how the Community Support Fund is used so that the Nation can assist the greatest number of members of the Nation who apply for assistance to the Fund in times of a catastrophic event, illness, injury, or emergency event when no other resources for assistance exist.	6-Human Services
<b>Membership Ordinance Rule #2- Voiding Unlawful Membership</b>	02-14-18	This rule creates a process by which the Oneida Nation may void the membership of a tribal member who no longer qualifies for enrollment pursuant to the Membership Ordinance under limited circumstances.	10-Membership Administration
<b>Domestic Animals Law Rule #1- Licensing, Fees, and Penalties</b>	04-25-18	This rule sets the licensing, fees, and penalties for the Domestic Animal Law.	9-Public Safety



<b>Leasing Law</b>	Adopted pending BIA approval – BC-10-26-16-C Became effective 05-19-18	The federal HEARTH Act enables tribes to approve individual surface leases for their own trust lands- provided that the tribe has adopted tribal leasing regulations that are approved by the Secretary of the Interior. This law was adopted on 10/26/16 and became effective on 05/19/18.	3-Housing
<b>Leasing Law Rule #2- Agriculture Leases</b>	5/16/18	This rule codified the existing standard operating procedure regarding agriculture leases, allowing the Nation to lease agricultural land in the best interest of the Nation.	3-Housing
<b>Leasing Law Rule #3- Commercial Leases</b>	06/16/18	This rule codified the existing standard operating procedure regarding commercial leases, allowing the Nation to lease in a manner that is fair and equitable for tribal fee and trust lands that are used for commercial purposes.	3-Housing
<b>Legal Resource Center Rule #1- Application for Services</b>	07-25-18	This rule created a procedure for individuals to apply for services from the Legal Resource Center.	6-Human Services
<b>Leasing Law Rule #1- Residential Leasing- Emergency Adoption</b>	08-22-18	This rule expands upon the information provided on the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases.	3-Housing
<b>Boards, Committees, and Commissions Law</b>	BC-9-26-18-C	The Comprehensive Policy Governing Boards, Committees, and Commissions was updated regarding; creation, application, vacancies, appointments, oaths, reporting, stipends, dissolution, enforcement, and was retitled.	8-Government Administration
<b>Employee Protection Emergency Amendments and Rescission</b>	BC-09-26-18-F (Rescission)	The amendments were revised to be an emergency due to action taken through resolution BC-04-11-18-A by the Oneida Business Committee (OBC) which dissolved the Personnel Commission and directed the Legislative Operating Committee (LOC) to develop and present emergency legislative amendments to fully address the impact of this resolution by the April 25, 2018, Oneida Business Committee meeting for consideration. On August 27, 2018, the GTC motioned to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the amendments related to the Blue Book from April 11, 2018 to today. Oneida Business Committee then adopted resolution BC-09-26-18-F which formally repealed the emergency amendments to the Employee Protection Policy.	6-Human Services

<b>Military Service Employee Protection Emergency Amendments and Rescission</b>	BC-09-26-18-F (Rescission)	See Employee Protection Emergency Amendments and Rescission explanation above.	6-Human Services
<b>Rules of Civil Procedure Emergency Amendments and Rescission</b>	BC-09-26-18-F (Rescission)	See explanation above.	8-Government Administration
<b>Personnel Policies and Procedures Emergency Amendments and Rescission</b>	BC-09-26-18-F (Rescission)	See Employee Protection Emergency Amendments and Rescission explanation above.	6-Human Services
<b>Landlord Tenant Rule #1-General Renter Program Eligibility, Selection, and Other Requirements Amendments</b>	10-24-18	These are amendments to Landlord Tenant Law Rule No. 1 which provide additional eligibility requirements, selection procedures, and general requirements that govern the Comprehensive Housing Division’s general rental programs that are not reserved for elders or low-income tribal members.	3-Housing
<b>Whistleblower Protection Law</b>	BC-02-12-19-B	The Employee Protection Policy was amended for reasons other than the dissolution of the Oneida Personnel Commission. The law was retitled the Whistleblower Protection law and is designed to give protection to employees who give information that is intended to protect the Nation from fraud, theft, and other detrimental effects.	6- Human Services
<b>Domestic Animal Amendments</b>	05-08-19-C	Some of the amendments include; eliminating administrative rulemaking authority, reducing space requirements for dog kennels, guidelines tethering animals, requiring a conditional use permit for hens on a residential lot, and a requirement that any animal declared dangerous be removed from the reservation.	9-Public Safety
<b>General Tribal Council Petitions- each petition must have a Statement of Effect developed. The SOE indicates whether the proposed petition would conflict with existing laws.</b>	<ol style="list-style-type: none"> <li>1. Petition: Delgado- Trust Land Distribution</li> <li>2. Petition: Dodge- Law Firm for GTC</li> <li>3. Petition: G. Dallas- \$5,000 Payment Within 90 Days</li> <li>4. Petition: Gladys Dallas- Special Per Capita Payment and/or Options Payment</li> <li>5. Petition: G. Dallas- \$5k Per Capita</li> <li>6. Petition: Graham- 2017 General Election</li> <li>7. Petition: G. Powless- Banishment Law Resolution</li> <li>8. Petition: G. Powless- Oneida Personnel Commission Dissolution</li> <li>9. Petition: G. Powless- Rescinding the Removal Law</li> <li>10. Petition: Linda Dallas- Medicare Part B Premium Payment</li> <li>11. Petition: Metivier- Treatment Center</li> <li>12. Petition: Powless, Debra- 2017 Tri-Annual General Election</li> <li>13. Petition: Scott Kosbab- Creating a Term Limits Law</li> <li>14. Petition: Vandehei- E-poll Process</li> </ol>	8-Government Administration and 10-Membership Administration	

	<b>15. Petition: C. Metoxen- Oneida Youth Leadership Institute</b>	
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