

ONEIDA LAND CLAIMS COMMISSION BYLAWS

Article I. Authority

- 1-1. *Name.* The name of this entity shall be the Oneida Land Claims Commission and may hereinafter be referred to as the OLCC.
- 1-2. *Establishment.* The Oneida Land Claims Commission, which evolved from the former Litigation Committee created by motion of the Oneida Business Committee on March 21, 1977, was originally established to supervise all activities involving the New York Land Claims, including post settlement. Re-established as the OLCC, its purpose was expanded to include developing strategy and providing direction, as well as recommendation, for litigation, negotiation and/or settlement to the Oneida Business Committee and Oneida General Tribal Council, with the New York Land Claims as the established priority, and Wisconsin land claims/other future land claims as the second priority.
- 1-3. *Authority.* The OLCC shall inform and educate the membership on the issues pertaining to Oneida Nation land claims, seek participation of the membership, and be further responsible for carrying out the following duties:
- (a) To bring forward concerns and suggestions of the membership regarding the Nation's land claims to the Oneida Business Committee.
 - (b) As part of its advisory procedures, to hold public meetings and undergo outreach to provide an opportunity for the membership to voice their concerns and suggestions regarding the Nation's land claims settlement efforts and to share those concerns/suggestions with the Oneida Business Committee.
 - (c) To study other Indian land claim settlements achieved between tribal, state, and federal governments and disseminate the information to the membership and the Oneida Business Committee.
 - (d) To manage the budget that the Oneida Business Committee provides to the OLCC in accordance with governing laws and policies of the Nation.
 - (e) To assist the Oneida Business Committee with any land claims arising out of natural resource issues/disputes as requested by the Oneida Business Committee.
 - (f) To carry out all other powers and/or duties delegated to the OLCC through any laws, policies, rules and/or resolutions of the Nation.
- 1-4. *Office.* The official office mailing address of the OLCC shall be:
Oneida Land Claims Commission
P.O. Box 365
Oneida, WI 54155
- 1-5. *Membership.*
- (a) *Number of Members.* The Oneida Land Claims Commission shall be composed of five (5) members.

- (b) *Elected.* Members of OLCC shall be elected by enrolled members of the Nation in accordance with the laws and/or policies of the Nation governing elections.
 - (1) Members shall serve three (3) year staggered terms as currently established.
 - (2) Members shall hold office until their term expires, they resign, or they are removed/terminated from office.
 - (A) Although a member's term has expired, he or she shall remain in office and serve until a successor has been sworn in by the Oneida Business Committee.
 - (B) A member may resign at any time verbally at a meeting or by delivering written notice to the Oneida Business Committee Support Office and the OLCC Chairperson or Chairperson's designee.
 - (i) The resignation is deemed effective upon acceptance by OLCC motion of a member's verbal resignation or upon delivery of the written notices.
- (c) *Vacancies.* Vacancies on the OLCC shall be filled as follows:
 - (1) *Expired Terms.* Vacancies caused by the expiration of a member's term shall be filled by election in accordance with the laws and/or policies of the Nation governing elections.
 - (2) *Unexpired Terms.* Vacancies in unexpired terms shall be filled by appointment by the Oneida Business Committee, pursuant to the Boards, Committees and Commissions law, for the remainder of the unexpired term.
 - (A) The Board's Chairperson shall provide the Oneida Business Committee with recommendations on all applications for appointment to fill a vacancy by the executive session in which the appointment is intended to be made.
- (d) *Qualifications of Members.* Members of the OLCC must meet the following qualifications:
 - (1) Be an enrolled member of the Oneida Nation;
 - (2) Be eighteen (18) years of age or older;
 - (3) Be able to attend all regular, joint, and emergency meetings;
 - (4) Shall not be serving in the capacity of consultant, contractor, or attorney for the OLCC; and
 - (5) Shall not have been terminated or removed from office of the OLCC within six (6) years of his or her application for membership.

1-6. *Removal or Termination.* OLCC members may be terminated or removed from office as follows:

- (a) If the member was elected, the OLCC's filing of a petition for his or her removal pursuant to the Removal law and/or any other law of the Nation governing the removal of elected officials.
- (b) If the member was appointed, the OLCC's recommendation to the Oneida Business Committee for termination of his or her appointment in

accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing the termination of appointed officials.

- (c) The following may be cause for the filing of a petition for removal or the submission of a recommendation for termination of member from the OLCC:
 - (1) Accruing three (3) or more consecutive unexcused absences from meetings of the OLCC within one (1) calendar year;
 - (A) An absence shall be considered unexcused if a member fails to provide an OLCC Officer with written notice of his or her intended absence at least thirty (30) minutes prior to a meeting.
 - (2) Accruing eight (8) or more absences from meetings of the OLCC within one (1) calendar year; and/or
 - (3) Violating one or more sections of these bylaws or any other governing laws of the Nation.
- (d) The filing of a petition for removal or submission of a recommendation for termination shall be decided by a majority vote of the members in attendance at an OLCC meeting of an established quorum.

1-7. *Trainings and Conferences.* Members of the OLCC shall attend mandatory trainings and/or conferences as deemed necessary by a majority vote of at least a quorum of the OLCC.

- (a) Regardless of the number of trainings/conferences that he or she is required to attend, no member of the OLCC shall be eligible to receive stipends for attending more than five (5) full days of mandatory trainings/conferences per year.
- (b) Members shall report back to the OLCC within thirty (30) days of completing a training or conference.

Article II. Officers

2-1. *Officers.* The Officer positions of the OLCC shall consist of a Chairperson, Vice-Chairperson and Secretary.

2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson shall be as follows:

- (a) To call and preside over meetings of the OLCC;
- (b) To monitor all Oneida Nation land claim activities and request travel, additional training, and/or other budgetary items requiring funding from the Nation;
- (c) To create subcommittees of the OLCC and appoint its members in accordance with section 2-5 of these bylaws.
- (d) To, personally or through a designee, submit annual/semi-annual reports to the Oneida General Tribal Council and quarterly reports to the Oneida Business Committee in accordance with the Boards, Committees and Commissions law; and

- (e) To attend or designate a member of the OLCC to attend the Oneida Business Committee meeting in which the OLCC's quarterly report appears on the agenda.
- 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the Vice-Chairperson shall be as follows:
 - (a) To act in the absence of the Chairperson.
- 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the Secretary shall be as follows:
 - (a) To monitor the land claims related expenditures from the OLCC budget;
 - (b) To record, both in writing and audibly; compile; and submit meeting minutes in accordance with these bylaws and the Boards, Committees and Commissions law;
 - (c) To maintain files of the OLCC in accordance with the Nation's Open Records and Open Meetings law;
 - (d) To provide notice of meetings, as well as notice of meeting location, agenda, documents and minutes, in accordance with these bylaws, the Boards, Committees and Commissions law, and the Nation's Open Records and Open Meetings law; and
 - (e) In the event that both the Chairperson and the Vice-Chairperson positions become vacant before the end of their terms, to call meetings of the OLCC to fill the vacancies and to preside over those meetings for the sole purpose of conducting an election of new Officers, at which point the Chairperson, or Vice-Chairperson in the absence of the Chairperson, shall preside.
- 2-5. *Subcommittees.* Subcommittees of the OLCC may be created and dissolved in accordance with the Boards, Committees and Commissions law.
 - (a) Subcommittees of the OLCC may be created and appointed by the Chairperson upon approval by majority vote of the members in attendance at an OLCC meeting of an established quorum.
 - (1) The Chairperson shall be an ex-officio member of all subcommittees of the OLCC.
 - (b) A subcommittee of the OLCC shall serve until the duties of the subcommittee are completed and a report is given to the OLCC.
 - (c) Members of subcommittees of the OLCC shall not be eligible for stipends unless a specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.
- 2-6. *Selection of Officers.* Officers of the OLCC shall be elected on an annual basis by majority vote of the members in attendance at an OLCC meeting of an established quorum.
 - (a) Officers shall take office on the date of election and serve a one (1) year term.
 - (b) Members may be dismissed from their Officer positions by majority vote of the members in attendance at an OLCC meeting of an established quorum.

- (c) Officers shall hold no more than one (1) Officer position per Officer term.

2-7. *Budgetary Sign-Off Authority and Travel.* The OLCC shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

- (a) The levels of budgetary sign-off authority for the OLCC shall be as set forth in the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing Policies and Procedures*, for Area Directors/Enterprise Directors.

- (1) All OLCC Officers have sign-off authority and two (2) Officers shall be required to sign-off on all budgetary requests, except as follows:

- (A) The Oneida Business Committee Support Office shall have sign-off authority over requests for stipends, travel per diem and business expense reimbursement.

- (b) The OLCC shall approve a member's request to travel on behalf of the OLCC by a majority vote of the members in attendance at a regular or emergency OLCC meeting of an established quorum.

2-8. *Personnel.* The OLCC shall not have the authority to hire personnel for the benefit of the OLCC.

Article III. Meetings

3-1. *Regular Meetings.* The OLCC shall meet the first and third Thursday of each month, commencing at 5:30 p.m., in Room 338 of the Norbert Hill Center located in Oneida, Wisconsin.

- (a) The date, time and/or place of the meeting may be reviewed by the OLCC from time-to-time and changed as deemed necessary by a majority vote of the members in attendance at an OLCC meeting of an established quorum so long as notice is provided to all members in writing and, along with the public, in accordance with the Nation's Open Records and Open Meetings law, prior to the implementation of a new date, time and/or location.
- (b) All OLCC members shall be provided notice of meeting location, agendas, documents, materials and minutes via email communication sent to the official Oneida Nation email address provided each member to conduct business electronically on behalf of the Board and, along with the public, shall further be noticed in accordance with the Nation's Open Records and Open Meetings law.
- (c) The OLCC shall conduct all meetings consistent with Robert's Rules of Order.

3-2. *Emergency Meetings.* An emergency meeting may be called when an issue arises requiring immediate action of the OLCC that cannot wait until its next regularly scheduled meeting.

- (a) Emergency meetings may be called by the Chairperson or Vice-Chairperson.
- (b) The OLCC Secretary shall provide notice of emergency meetings to all OLCC members via telephone call, as well as email or text messaging, at

least twenty-four (24) hours before the scheduled meeting and, along with the public, shall further provide notice in accordance with the Nation's Open Records and Open Meetings law.

(1) Notice via email communication shall be sent to the official Oneida Nation email address that was provided to all members to conduct business electronically on behalf of the OLCC.

(c) Within seventy-two (72) hours after an emergency meeting, the Board shall provide the Nation's Secretary with notice of the emergency meeting, the reason for the emergency meeting, and an explanation as to why the matter could not wait until the next regular meeting.

3-3. *Joint Meetings.* Joint meetings between the OLCC and the Oneida Business Committee may be held at the Norbert Hill Center located in Oneida, Wisconsin as agreed upon between the parties.

(a) Notice of the joint meeting agendas, documents and minutes shall be provided, and the joint meetings conducted, in accordance with resolution BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with the Boards, Committees and Commissions – Definitions and Impact, as may be amended from time-to-time hereafter.

3-4. *Quorum.* A quorum shall consist of at least three (3) members of the OLCC, one (1) of whom shall include the Chairperson, Vice-Chairperson or Secretary; provided, the Secretary is the presiding Officer pursuant to section 2-4(e) of these bylaws.

(a) If a quorum has not been established within fifteen (15) minutes of the announced meeting start time, the meeting will be declared dismissed due to no quorum and documented in the next meeting minutes.

(b) Members may participate in OLCC meetings, with prior approval from the Chairperson or Vice-Chairperson, via skype, conference call or video conference.

(1) Members authorized to participate in a meeting per section 3-4(b) of these bylaws shall be deemed in attendance for purposes of establishing a meeting quorum but shall not be eligible to receive a stipend for meeting attendance under section 5-1 of these bylaws.

3-5. *Order of Business.* The order of business, as applicable, shall be:

- (a) Call to Order/Roll Call
- (b) Opening Prayer
- (c) Approval of Agenda
- (d) Approval of Minutes
- (e) Old Business/Standing Items
- (f) New Business
- (g) Reports
- (h) Executive Session
- (i) Open Discussion
- (j) Adjournment/Closing Prayer

- 3-6. *Voting.* Decisions of the OLCC shall be by majority vote of the members in attendance at an OLCC meeting of an established quorum.
- (a) The Chairperson, or Officer presiding in his or her absence pursuant to these bylaws, shall only be allowed to vote in cases of a tie.
 - (b) E-polls are permissible so long as conducted in accordance with the Boards, Committees and Commission law.
 - (1) The Vice-Chairperson shall serve as the Chairperson's designee for the responsibility of conducting an e-poll in the Chairperson's absence or discretion.

Article IV. Expectations

- 4-1. *Behavior of Members.* Members of the OLCC are expected to treat each other in accordance with the Nation's core values of The Good Mind as expressed by On'yote'a'ka. In addition, OLCC members are expected to:
- (a) Attend all OLCC meetings and actively participate.
 - (1) A member who has three (3) unexcused meeting absences in one (1) calendar year shall be added to an OLCC meeting agenda for consideration of possible enforcement pursuant to subsection (c) of this section.
 - (A) An absence shall be deemed unexcused if a member fails to provide an OLCC Officer with written notice of his or her pending absence at least thirty (30) minutes prior to the missed meeting.
 - (2) A member who has accrued eight (8) meeting absences, whether excused or unexcused, in one (1) calendar year shall be added to an OLCC meeting agenda for consideration of possible enforcement pursuant to subsection (c) of this section.
 - (b) Adhere to this section, as well as every other section, of these bylaws and to any governing laws and/or policies of the Nation.
 - (c) *Enforcement.* Any member found to be in violation of this section of these bylaws may be subject to the following:
 - (1) Sanctions and penalties in accordance with any laws or policies of the Nation governing sanctions and/or penalties of officials.
 - (2) If the member was elected, the OLCC's filing of a petition for his or her removal pursuant to the Removal law and/or any other laws or policies of the Nation governing the removal of elected officials.
 - (3) If the member was appointed, the OLCC's recommendation to the Oneida Business Committee for termination of his or her appointment pursuant to the Boards, Committees and Commissions law and/or any other laws or policies of the Nation governing the termination of appointed officials.
 - (A) The filing of a petition for removal or recommendation for termination shall be decided by a majority vote of the members in attendance at an OLCC meeting of an established quorum.

- 4-2. *Prohibition of Violence.* Members are prohibited from committing any intentionally violent act that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to personal property.
- (a) Along with the possibility of enforcement under section 4-1 of these bylaws, members who violate this section shall be ejected from the meeting.
- 4-3. *Drug and Alcohol Use.* The use of alcohol and illegal drugs by members when acting in their official capacity is prohibited.
- (a) Along with the possibility of enforcement under section 4-1 of these bylaws, members who present at meetings or events of the OLCC in violation of this section shall be ejected from the meeting/event.
- 4-4. *Social Media.* OLCC members shall adhere to the Oneida Nation's Social Media Policy and their oath of office when using social media while acting on behalf of or as a representative of the OLCC.
- (a) Any social media use on behalf of or as a representative of the OLCC must be approved in advance by a majority vote of the members in attendance at an OLCC meeting of an established quorum.
- 4-5. *Conflict of Interest.* OLCC members shall abide by all laws of the Nation governing conflicts of interest.

Article V. Stipends and Compensation

- 5-1. *Stipends.* Members shall be eligible for the following stipends as set forth in and subject to these bylaws; the Boards, Committees and Commissions law; and resolution BC-05-08-19-B titled, Amending Resolution BC-09-26-18-D Boards, Committees and Commissions Law Stipends, as may be further amended from time-to-time hereafter:
- (a) Two (2) meeting stipends per month, provided that:
- (1) A quorum was established;
 - (2) The meeting of the established quorum lasted for at least one (1) hour; and
 - (3) The member collecting the stipend was physically present for the entire meeting.
- (b) A stipend for attending duly called joint meetings between the OLCC and the Oneida Business Committee, provided that:
- (1) A quorum was established by the OLCC;
 - (2) The joint meeting lasted for at least one (1) hour; and
 - (3) The member collecting the stipend was physically present for the entire joint meeting.
- (c) A stipend for attending a Judiciary hearing so long as the member's attendance at the hearing was required by official subpoena.
- (d) A stipend for attending a conference or training, provided that:
- (1) The member attended a full day of training or was present at the conference for a full day; and

- (2) The member's attendance at the conference or training was required by law, bylaws or resolution.

5-2. *Compensation.* Besides travel, per diem and business expense reimbursement authorized by the Boards, Committees and Commissions law, members shall not be eligible for any other form of compensation for duties/activities they perform on behalf of the OLCC.

- (a) Before submitting to the Oneida Business Committee Support Office for reimbursement sign-off, members shall submit written reports on accrued travel, per diem and/or business expenses, in a format approved by the Secretary, to the Secretary no later than ten (10) days from the date of the activity.

Article VI. Records and Reporting

6-1. *Agenda Items.* Agenda items shall be maintained in a format developed by the Oneida Business Committee Support Office.

6-2. *Minutes.* Meeting minutes shall be typed and in a consistent format created by the Oneida Business Committee Support Office to generate the most informative record of the meeting and shall include, but not be limited to, a summary of all action taken by the OLCC during the meeting.

- (a) Copies of the OLCC's official meeting minutes shall be provided to the Oneida Business Committee Support Office within thirty (30) days of the meeting.

6-3. *Attachments.* All handouts, reports, memorandum and the like shall be attached to the official meeting minutes and agenda in which they were presented for record keeping.

- (a) The meeting minutes, agenda and attachments shall be maintained by the OLCC Secretary and/or Secretary's designee in accordance with governing law, including, but not limited to, the Nation's Open Records and Open Meetings law.

6-4. *Oneida Business Committee Liaison.* The OLCC shall communicate regularly with the member of the Oneida Business Committee who is its designated liaison.

- (a) The frequency and method of communication shall be as agreed upon by the OLCC and the liaison, but not less than that which is required in any law or policy on reporting developed by the Oneida Business Committee or the Oneida General Tribal Council.
- (b) The purpose of the liaison relationship is to uphold the ability of the liaison to act as support to the OLCC.

6-5. *Audio Recordings.* All meetings of the OLCC shall be audio recorded by the Secretary or Secretary's designee using a device provided or approved by the Oneida Business Committee Support Office.

- (a) The Secretary shall maintain the audio recordings in accordance with the Nation's Open Records and Open Meetings law.
- (b) *Exception.* Audio recordings of executive session portions of meetings will not be recorded.

Article VII. Amendments

7-1. *Amendments to Bylaws.* The OLCC may, upon written notice in accordance with these bylaws and any governing laws of the Nation, by majority vote of the members present at an OLCC meeting of an established quorum, adopt, amend, or repeal any or all of the bylaws; provided, the amendment or repeal had been submitted at the previous regular OLCC meeting for review.

- (a) Any amendments to or repeals of these bylaws shall conform to the requirements of the Boards, Committees and Commissions law and any other policy of the Nation.
- (b) All such amendments/repeals must be approved by the Oneida Business Committee, as well as the Oneida General Tribal Council if required, prior to implementation.
- (c) At the first regular meeting following an election of Officers, or no less than annually, a review of the bylaws shall be conducted to determine whether they are current and adequate.

These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee at a duly called meeting held on October 23, 2019, by the Secretary of the Oneida Business Committee's signature.



Lisa Summers, Secretary
Oneida Business Committee