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 Domestic Animals law ("the Law") was adopted by the Oneida Business Committee through resolution BC-03-13-96-B, and then amended through resolutions BC-06-22-11-G, BC-06-28-17-B, and BC-05-08-19-C; and

WHEREAS, the purpose of the Law is to protect the health, safety, and welfare of the community by requiring certain basic measures to prevent the spread of disease carried by domestic animals; set minimum standards for treatment of animals; prohibit certain species of animals from being brought onto the Reservation; regulate the keeping of livestock on lots zoned residential with in the Reservation; and establish consequences for damages caused by domestic animals; and

WHEREAS, the Legislative Operating Committee worked collaboratively with representatives from the Oneida Law Office and Oneida Police Department to develop the amendments to this Law; and

WHEREAS, the amendments to the Law remove an incorrect reference to the Nation’s territorial jurisdiction, as the Nation’s territorial jurisdiction is provided by the Constitution and Bylaws of the Oneida Nation and the Nation’s Judiciary law; and

WHEREAS, the amendments to the Law remove a duplicative provision regarding personal jurisdiction as personal jurisdiction is already provided by the Nation’s Judiciary law; and

WHEREAS, the amendments to the Law remove a duplicative provision regarding the citation process as the citation process is provided by the Nation’s Citations law; and

WHEREAS, the amendments to the Law include a new provision that prohibits the abandonment of an animal; and

WHEREAS, in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the amendments to the Law; and
WHEREAS, a public meeting on the proposed amendments to this Law was scheduled for April 2, 2020, in accordance with the Legislative Procedures Act, with the public comment period set to be held open until April 9, 2020; and

WHEREAS, after the public meeting was scheduled, the world was hit with a COVID-19 pandemic resulting in many countries experiencing the effects of health issues and mortality related to COVID-19 and vast economic impacts; and

WHEREAS, on March 12, 2020, Chairman Tehassi Hill signed a “Declaration of Public Health State of Emergency” regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, which was then extended through May 12, 2020, through the adoption of resolution BC-03-28-20-A; and

WHEREAS, on March 24, 2020, the Nation’s COVID-19 Core Decision Making Team issued a “Safer at Home” declaration which prohibits all public gatherings of any number of people and orders all individuals present within the Oneida Reservation to stay at home or at their place of residence, with certain exceptions allowed; and

WHEREAS, on March 27, 2020, the Nation’s COVID-19 Core Decision Making Team issued a “Suspension of Public Meetings under the Legislative Procedures Act” declaration which suspended the Legislative Procedures Act’s requirement to hold a public meeting during the public comment period, but allows members of the community to still participate in the legislative process by submitting written comments, questions, data, or input on proposed legislation to the Legislative Operating Committee via e-mail during the public comment period; and

WHEREAS, on March 30, 2020, the Legislative Operating Committee provided additional notice that the April 2, 2020, public meeting was canceled; and

WHEREAS, although the April 2, 2020, public meeting was canceled, the public comment period was still held open until April 9, 2020; and

NOW THEREFORE BE IT RESOLVED, that the amendments to the Domestic Animals law are hereby adopted and shall be effective on May 29, 2020.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 13th day of May, 2020; that the foregoing resolution was duly adopted at such meeting by a vote of 7 members for, 1 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."