

# Oneida Nation

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Oneida, WI 54155

## **BC Resolution # 11-10-21-B**

### **Extension of the Emergency Amendments to the Budget Management and Control Law**

- 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 Budget Management and Control law ("the Law") was adopted by the Oneida Business Committee through resolution BC-02-08-17-C, and most recently amended on an emergency basis through resolutions BC-11-24-20-E and BC-05-12-21-C; and
- WHEREAS,** the purpose of the Law is to set forth the requirements to be followed by the Oneida Business Committee and Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval and to establish a triennial strategy planning process for the Nation's budget; and
- WHEREAS,** the COVID-19 pandemic interrupted many processes and procedures of the Nation, including the development of the Nation's Fiscal Year 2022 budget; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act; and
- WHEREAS,** the Oneida Business Committee adopted emergency amendments to the Law through resolution BC-05-12-21-C for the purpose of addressing the Nation's non-compliance with the budget development process and deadlines contained in the Law; and
- WHEREAS,** the emergency amendments to the Law removed much of the details of the budget process, requirements, and deadlines from the Law, and instead provide that the Treasurer shall develop the necessary guidelines and procedures, including specific deadlines, for the Nation's budget development process, to be reviewed and approved by the Oneida Business Committee; and
- WHEREAS,** the Oneida Business Committee determined that the emergency adoption of these amendments to the Law were necessary for the preservation of the general welfare of the

Reservation population in order to provide enough flexibility to allow the Nation to determine the most effective process for the adoption of the budget as we transition through the effects of the COVID-19 pandemic, while ensuring that a transparent budget process is available to the Oneida Business Committee and Oneida fund units as we move forward with the development and adoption of the Fiscal Year 2022 budget; and

**WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of these emergency amendments was contrary to public interest since the process and requirements of the Legislative Procedures Act could not be completed in time to ensure that a transparent budget process was available to members of the Nation prior to the adoption of the Fiscal Year 2022 Budget; and

**WHEREAS,** emergency legislation is effective for a period of six (6) months, renewable for an additional six (6) months by the Oneida Business Committee; and

**WHEREAS,** the emergency amendments to the Law will expire on November 12, 2021; and

**WHEREAS,** a six (6) month extension of the emergency amendments is being requested to allow for the emergency amendments to remain in effect while the Legislative Operating Committee develops permanent amendments to the Law; and

**NOW THEREFORE BE IT RESOLVED,** that the emergency amendments to the Budget Management and Control law are hereby extended for an additional six (6) month period effective November 12, 2021, and shall expire on May 12, 2022.

#### **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; 6 members were present at a meeting duly called, noticed and held on the 10<sup>th</sup> day of November, 2021; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Lisa Liggins, Secretary  
Oneida Business Committee

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