



TO: Legislative Operating Committee (LOC)  
FROM: Kristen M. Hooker, Legislative Reference Office, Staff Attorney  
DATE: November 17, 2021  
RE: Furlough Law Amendments: Public Comment Review

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A public comment period for the adoption of amendments to the Nation’s Furlough law (“Law”) was held open until November 11, 2021. A public meeting for the adoption of amendments to the Law was not held due to the COVID-19 pandemic based on the following.

On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” in response to the COVID-19 virus, declaring a Public Health State of Emergency for the Nation until April 12, 2020. The declaration set into place the necessary authority for action to be taken and allowed the Nation to seek reimbursement for those emergency management actions that may result in unexpected expenses. The Public Health State of Emergency has since been extended by the Oneida Business Committee until November 25, 2021, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, and BC-09-22-21-A.

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.

On August 3, 2021, the Oneida Business Committee adopted resolution BC-08-03-21-A entitled, *Setting Public Gathering Guidelines during Public Health State of Emergency – COVID-19*, which prohibits indoor and outdoor public gatherings when COVID-19 infection rates within Brown or Outagamie Counties exceed “Low” as identified by the Wisconsin Department of Health Services.

In accordance with resolution BC-08-03-21-A, a public meeting was not held due to the infection rates within Brown and Outagamie Counties exceeding “Low” as identified by the Wisconsin Department of Health Services. Instead, on October 6, 2021, the Legislative Operating Committee approved a public comment period to be held open until November 11, 2021, and the Nation’s COVID-19 Core Decision Making Team’s “*Suspension of Public Meetings under the Legislative Procedures Act*” declaration took effect.

Although the COVID-19 Core Decision Making Team’s declaration suspended public meetings and therefore no public meeting was scheduled on the proposed amendments to the Law, members of the community were still given an opportunity to provide written submissions of comments or

questions to the Legislative Operating Committee through e-mail until November 11, 2021. No written comments were received for the proposed amendments to the Furlough law.