

Oneida Nation

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Oneida, WI 54155

BC Resolution # 12-28-22-B Emergency Amendment to the Election 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 Election law ("the Law") was adopted by the General Tribal Council on June 19, 1993 for the purpose of governing the procedures for the conduct of orderly elections of the Nation, and was most recently amended by the General Tribal Council through resolution GTC-04-23-17-A; and
- WHEREAS,** the Oneida Election Board has requested emergency amendments to the Election law to address the selection of the 2023 General Election date; and
- WHEREAS,** section 102.9-1 of the Election law requires that the General Tribal Council select the date of the general election at the annual meeting in January, or the first meeting held that year; and
- WHEREAS,** the Oneida Election Board provided expressed concern that there is the possibility that the General Tribal Council will not be able to meet in January, or soon after, to select the 2023 General Election date; and
- WHEREAS,** the proposed emergency amendment to the Law allows the Oneida Business Committee to select the election date if the General Tribal Council is unable to meet to select the election date by February 1st of a year; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and
- WHEREAS,** emergency adoption of legislation is allowed 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 emergency adoption of the amendments to the Law are necessary for the preservation of the general welfare of the Reservation population to ensure that the 2023 General Election can occur in accordance with the requirements of the Election law; and

WHEREAS, observance of the requirements under the Legislative Procedures Act for adoption of these amendments would be contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to allow a date to be selected for the 2023 General Election that provides the Oneida Election Board enough time to properly plan and prepare for the Nation to hold the 2023 General Election in July 2023; and

WHEREAS, the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering emergency legislation; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts the emergency amendment to the Election Law effective immediately.

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; 5 members were present at a meeting duly called, noticed and held on the 28th day of December, 2022; that the forgoing resolution was duly adopted at such meeting by a vote of 4 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."