



Legislative Operating Committee FY2023 First Quarter Report

Legislative Operating Committee Action on Legislative Requests

During the FY23 First Quarter the Legislative Operating Committee added eighteen (18) legislative items to its Active Files List. No requests were denied during the FY23 First Quarter.

Items Added to the Active Files List by the Legislative Operating Committee

On October 5, 2022, the Legislative Operating Committee added the Oneida Personnel Commission bylaws amendments, and the Furlough law amendments to its Active Files List.

Then on October 19, 2022, the Legislative Operating Committee added the Budget and Finances law emergency amendments to its Active Files List.

On December 7, 2022, the Legislative Operating Committee added the following to the Active Files List:

- Emergency Gift Card law;
- Audit Committee bylaws amendments;
- Election law emergency amendments;
- Cemetery law amendments;
- Domestic Animals law amendments;
- Tribal Environmental Response law amendments;
- Well Abandonment law amendments;
- All Terrain Vehicle law amendments;
- Tribal Environmental Quality Review law amendments;
- Hunting, Fishing, and Trapping law amendments;
- On-Site Waste Disposal law amendments;
- Water Resources law amendments;
- Public Use of Tribal Land law amendments;
- Petition: M. Cornelius – Chief Financial Officer Position; and
- Petition: N. Barton – \$2,500 GWA Payment for Three (3) Years.

On December 21, 2022, the Legislative Operating Committee added the Two Spirit Inclusion law to the Active Files List.

Items Denied from the Active Files List by the Legislative Operating Committee

The Legislative Operating Committee did not deny adding any items to the Active Files List during the FY23 First Quarter.

FY23 First Quarter Legislative Accomplishments

The Legislative Operating Committee brought forward the following legislation for adoption or amendment during the FY23 First Quarter:

Emergency Amendments to the Budget and Finances Law

The Oneida Business Committee adopted the emergency amendments to the Budget and Finances law on October 26, 2022, through the adoption of resolution BC-10-26-22-D. The purpose of the Budget and Finances law is to set forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation. *[1 O.C. 121.1-1]*.

The emergency amendments to the Budget and Finances law:

- Clarified that the Oneida Business Committee may work with any other appropriate entity in addition to the Treasurer, Chief Financial Officer, and managers to compile a final draft budget to be presented to the General Tribal Council. *[1 O.C. 121.5-4(c)]*; and
- Removed the provision which only allows a continuing budget resolution to remain in effect for a maximum of three (3) months. *[1 O.C. 121.5-47(e)(1)]*.

The emergency amendments to the Budget and Finances law will expire on April 26, 2023. The Legislative Procedures Act provides the possibility to extend the emergency amendments for an additional six (6) months. *[1 O.C. 109.9-5(b)]*.

Extension of the Emergency Amendments to the Oneida Personnel Policies and Procedures

Emergency amendments to the Oneida Personnel Policies and were adopted by the Oneida Business Committee on November 24, 2021, through the adoption of resolution BC-11-24-21-A to improve the Nation's hiring capacity and service delivery in the tight labor markets that have resulted from the COVID-19 pandemic. The emergency amendments to the Oneida Personnel Policies and Procedures:

- Required that all applications for employment with the Nation be submitted online;
- Eliminated the requirement that a position vacancy be posted twice with the first posting open to enrolled members of the Nation only and the second posting open to the general public;
- Required that applicants who are enrolled members of the Oneida Nation be screened and interviewed prior to any other applicants;
- Allowed for a supervisor to choose between the next two (2) ranked applicants if the first choice refuses the position offer;
- Required an employee who is transferred to continue serving in their present position until a replacement can be found, for a period up to thirty (30) days;
- Removed the requirement that an employee completes one (1) year of service to the Nation before being eligible for a transfer;
- Clarified that an employee shall be required to undergo an original probation period for three (3) months after being hired, transferred, or reassigned to a new position;
- Removed the provision that provided probationary employees be paid at five percent (5%) below the posted pay rate for the position; and
- Made other revisions throughout Section III of the Oneida Personnel Policies and Procedures to simplify and clarify language to make the hiring selection process more efficient.

These emergency amendments to the Oneida Personnel Policies and Procedures were set to expire on May 24, 2022.

It was determined necessary to seek additional emergency amendments to the Oneida Personnel Policies and Procedures to clarify inconsistencies that arose as a result of the last emergency amendments. The Oneida Business Committee then adopted additional emergency amendments to the Oneida Personnel Policies and Procedures on May 11, 2022, through the adoption of resolution BC-05-11-22-A which maintained the current emergency amendments and also:

- Clarified that termination of an employee for cause during their original probationary period shall not be subject to appeal; and
- Clarified that employees who are terminated during their original probation period shall not be paid for any unused accrued vacation or personal days in their final paycheck.

These emergency amendments to the Oneida Personnel Policies and Procedures were set to expire on November 11, 2022.

The Oneida Business Committee then took action to extend these emergency amendments for an additional six (6) month period on November 7, 2022, through the adoption of resolution BC-11-07-22-A. The emergency amendments will now expire on May 11, 2023.

Adoption of the Oneida Nation Assistance Fund Law

The Oneida Business Committee adopted the Oneida Nation Assistance Fund law on a permanent basis on November 30, 2022, through the adoption of resolution BC-11-30-22-A. The purpose of the Oneida Nation Assistance Fund law is to establish the Oneida Nation Assistance Fund as an approved program of the Nation to govern how the Nation provides financial assistance to its members, pursuant to the Oneida General Welfare law. [10 O.C. 1003.1-1].

The Oneida Nation Assistance Fund law:

- Establishes the Oneida Nation Assistance Fund as an approved program of the Nation in accordance with the Oneida General Welfare law [10 O.C. 1003.4-1];
- Provides how this program qualifies for general welfare exclusion [10 O.C. 1003.4-2];
- Provides the eligibility requirements for accessing assistance from the Oneida Nation Assistance Fund – which is that a person is a member of the Nation; age eighteen (18) or older; and submits a completed application during the designated submission timeframe [10 O.C. 1003.5-1];
- Provides the minimum requirements for the information that must be included on the application [10 O.C. 1003.5-3];
- Provides how and when funds from the Oneida Nation Assistance Fund are disbursed [10 O.C. 1003.5-2, 1003.5-4];
- Provides for the types of expenses that shall be considered qualifying expenditures for use of assistance from Oneida Nation Assistance Fund by the recipient [10 O.C. 1003.5-5];
- Provides information on the funding source and who determines that amount of available funding to an eligible participant [10 O.C. 1003.6-1, 1003.6-2]; and

- Provides that the Trust Enrollment Department is the department that has the responsibilities to administer the Oneida Nation Assistance Fund. [10 O.C. 1003.5-6, 1003.5-7].

Adoption of the Audit Committee Bylaws Amendments

The Oneida Business Committee adopted amendments to the Audit Committee bylaws on December 14, 2022. Amendments to the Audit Committee bylaws were brought forward to allow the appointed community member to be eligible to receive a stipend for attending the Oneida Business Committee meeting when the annual audit is presented by the external auditors.

Emergency Amendments to the Election Law

The Oneida Business Committee adopted emergency amendments to the Election law on December 28, 2022, through the adoption of resolution BC-12-28-22-B. The purpose of the Election law is to govern the procedures for the conduct of orderly elections of the Nation, including pre-election activities such as caucuses and nominations. [1 O.C. 102.1-1].

The emergency amendments to the Election law were made to allow 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. [1 O.C. 102.9-1].

The emergency amendments to the Election law will expire on June 28, 2023. The Legislative Procedures Act provides the possibility to extend the emergency amendments for an additional six (6) months. [1 O.C. 109.9-5(b)].

FY23 First Quarter Legislative Highlights

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY23 First Quarter:

Back Pay Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed Back Pay law amendments. On October 5, 2022, the Legislative Operating Committee approved the draft of the proposed amendments to the Back Pay law and directed that a legislative analysis be completed. On October 19, 2022, the Legislative Operating Committee approved the updated draft and legislative analysis. On November 2, 2022, the Legislative Operating Committee approved the public meeting packet and forwarded the Back Pay law amendments to a public meeting to be held on December 13, 2022. The public meeting was held on December 13, 2022, in person in the Norbert Hill Center and on Microsoft Teams. No individuals provided public comment during the public meeting. The public comment period closed on December 20, 2022. One (1) submission of written comments was received during the public comment period.

Business Corporations Law

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed Business Corporations law.

Drug and Alcohol Free Workplace Law Amendments

The Legislative Operating Committee held three (3) work meetings during the FY23 First Quarter on the proposed Drug and Alcohol Free Workplace law amendments. On December 7, 2022, the Legislative Operating Committee approved the draft of the Drug and Alcohol Free Workplace law amendments and directed that a legislative analysis be completed. On December 21, 2022, the Legislative Operating Committee approved the legislative analysis of the Drug and Alcohol Free Workplace law amendments.

Emergency Management Law Amendments

The Legislative Operating Committee held two (2) work meetings during the FY23 First Quarter on the proposed Emergency Management law amendments. On October 5, 2022, the Legislative Operating Committee approved the draft of the proposed amendments to the Emergency Management law and direct that a legislative analysis be completed. On October 19, 20122, the Legislative Operating Committee approved the legislative analysis of the Emergency Management law. On November 2, 2022, the Legislative Operating Committee approved the public meeting packet and forward the Emergency Management law amendments to a public meeting to be held on December 13, 2022. The public meeting was held on December 13, 2022, in person in the Norbert Hill Center and on Microsoft Teams. No individuals provided public comment during the public meeting. The public comment period closed on December 20, 2022. No submissions of written comments were received during the public comment period.

Furlough Law Amendments

The Legislative Operating Committee held two (2) work meetings during the FY23 First Quarter on the proposed Furlough law amendments.

Investigative Leave Policy Amendments

The Legislative Operating Committee held four (4) work meetings during the FY23 First Quarter on the proposed Investigative Leave Policy amendments.

Law Enforcement Ordinance Amendments

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed amendments to the Law Enforcement Ordinance.

Layoff Policy Amendments

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed amendments to the Layoff Policy.

Marijuana Law

The Legislative Operating Committee held one (1) work meetings during the FY23 First Quarter on the proposed Marijuana law.

Oneida Language Code

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed Oneida Language Code.

Oneida Personnel Policies and Procedures Amendments

The Legislative Operating Committee held four (4) work meetings during the FY23 First Quarter on the proposed amendments to the Oneida Personnel Policies and Procedures. On December 7, 2022, the Legislative Operating Committee approved the draft of the Oneida Personnel Policies and Procedures amendments, the legislative analysis, and the public meeting notice with updated date, and forwarded the Oneida Personnel Policies and Procedures amendments to a public meeting to be held on January 12, 2023.

Probate Law

The Legislative Operating Committee held one (1) work meeting during the FY23 First Quarter on the proposed Probate law.

Trust Scholarship Policy Amendments

The Legislative Operating Committee held three (3) work meeting during the FY23 First Quarter on the proposed amendments to the Trust Scholarship Policy.

Overall, the Legislative Operating Committee held over thirty (30) work meetings during the FY23 First Quarter.

FY23 First Quarter Legislative Operating Committee Meetings

All Legislative Operating Committee meetings are open to the public and held on the first and third Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center's Business Committee Conference Room.

The Legislative Operating Committee held the following meetings during the FY23 First Quarter:

- October 5, 2022 – Regular meeting;
- October 19, 2022 – Regular meeting;
- November 2, 2022 – Regular meeting;
- December 7, 2022 – Regular meeting; and
- December 21, 2022 – Regular meeting.

The November 16, 2022, Legislative Operating Committee meeting was canceled. This Legislative Operating Committee meeting was canceled so that the members of the Legislative Operating Committee had the opportunity to attend the “Re-Kindling the Fire: Indigenizing our Ways of Governance” event put on by the Cultural Heritage Department.

In addition to attending the Legislative Operating Committee meetings in person, employees of the Nation are provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. Additionally, any non-employee who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to LOC@oneidanation.org by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting. For those who may be unable to attend the Legislative Operating Committee meeting either in person or on Microsoft Teams, an audio recording of the Legislative Operating Committee meeting is made available on the Nation's website after the meeting concludes.

Goals for FY23 Second Quarter

During the FY23 Second Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

1. Adoption of the amendments to the Back Pay law;
2. Adoption of the amendments to the Emergency Management law;
3. Development of amendments to the Workplace Violence law;
4. Development of amendments to the Investigative Leave Policy;
5. Development of the Oneida Language Code;
6. Development of amendments to the Drug and Alcohol Free Workplace law.

Legislative Reference Office

The Legislative Reference Office's mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation's values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty. During the FY23 First Quarter the Legislative Reference Office was staffed by the following individuals:

- Clorissa N. Leeman, Senior Legislative Staff Attorney.
 - Contact: cleeman@oneidanation.org or (920) 869-4417
- Carolyn Salutz, Legislative Staff Attorney.
 - Contact: csalutz@oneidanation.org or (920) 869-4422
- Grace Elliott, Legislative Staff Attorney.
 - Contact: gelliott@oneidanation.org or (920) 869-4320

Legislative Operating Committee Contact Information

Feel free to contact the LOC at LOC@oneidanation.org with any questions or comments, or individual LOC members at the following:

- David P. Jordan, LOC Chairman
djordan1@oneidanation.org
(920) 869-4483
- Kirby Metoxen, LOC Vice-Chairman
kmetox@oneidanation.org
(920) 869-4441
- Jennifer Webster, LOC Member
jwebste1@oneidanation.org
(920) 869-4457
- Daniel Guzman King, LOC Member
dguzman@oneidanation.org
(920) 869-4366
- Marie Cornelius, LOC Member
ecornel2@oneidanation.org
(920) 869-4475



LEGISLATIVE OPERATING COMMITTEE





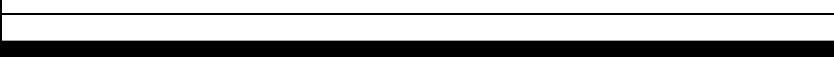
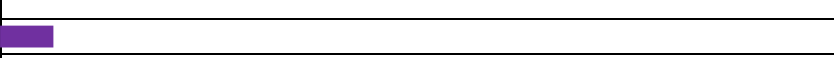
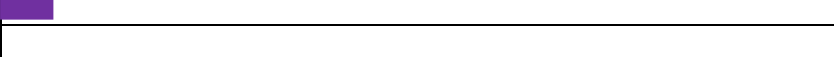


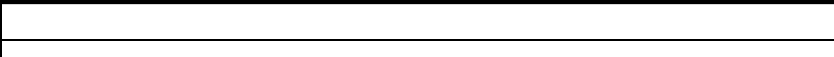

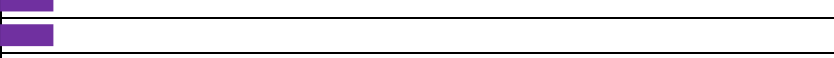

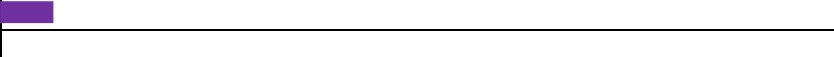



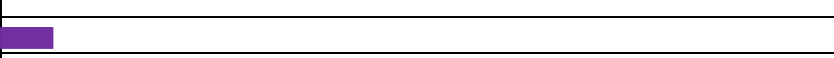



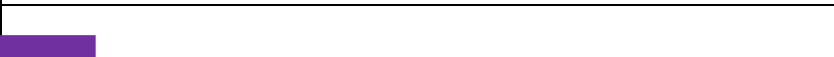
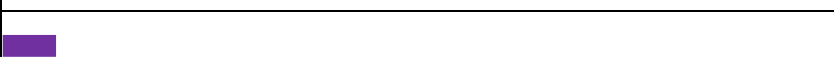
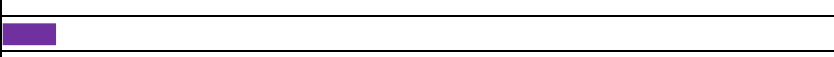

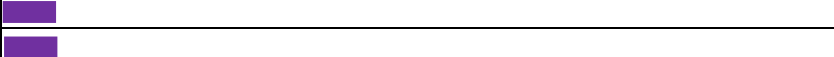

ACTIVE FILES LIST









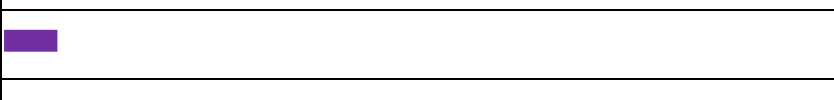

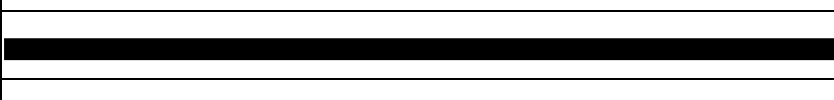

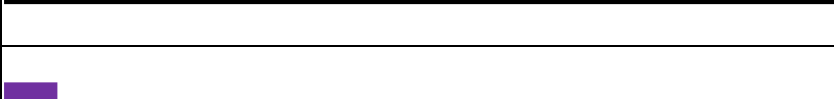
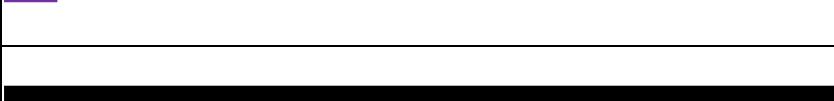
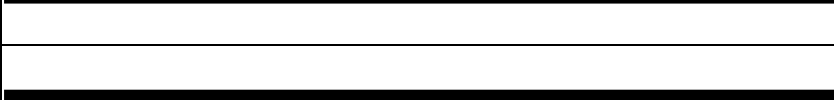


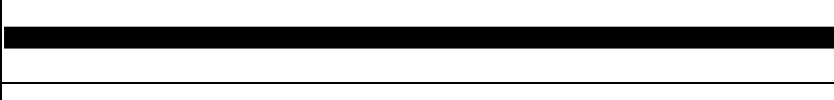
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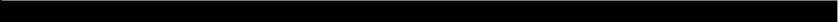















Means Legislative Item in Progress




Means Legislative Item Adopted or Amended

| Name of Legislation | Development | Public Input | OBC/GTC Consideration or Adoption |
|--|---|--------------|---|
| All Terrain Vehicle Law Amendments | <div style="width: 10%; background-color: purple;"></div> | | |
| Audit Committee Bylaws Amendments (4-14-21) | | | <div style="width: 100%; background-color: black;"></div> |
| Audit Committee Bylaws Amendments (12-14-22) | | | <div style="width: 100%; background-color: black;"></div> |
| Back Pay Law Amendments | <div style="width: 65%; background-color: purple;"></div> | | |
| Budget Management and Control Law Emergency Amendments (BC-11-24-20-E) | | | <div style="width: 100%; background-color: black;"></div> |
| Budget Management and Control Law Emergency Amendments (BC-05-12-21-C) | | | <div style="width: 100%; background-color: black;"></div> |
| Budget Management and Control Law Emergency Extension (BC-11-10-21-B) | | | <div style="width: 100%; background-color: black;"></div> |
| Budget Management and Control Law Amendments (BC-05-11-22-B) | | | <div style="width: 100%; background-color: black;"></div> |
| Budget and Finances Law Emergency Amendments (BC-10-26-22-D) | | | <div style="width: 100%; background-color: black;"></div> |
| Business Corporations Law | <div style="width: 10%; background-color: purple;"></div> | | |
| Cemetery Law Amendments | <div style="width: 10%; background-color: purple;"></div> | | |
| Children's Code Amendments (BC-09-14-22-A) | | | <div style="width: 100%; background-color: black;"></div> |
| Code of Ethics Law Amendments | <div style="width: 10%; background-color: purple;"></div> | | |
| Community Support Fund Law Amendments (BC-03-10-21-C) | | | <div style="width: 100%; background-color: black;"></div> |
| Credit Collections Law Amendments | <div style="width: 10%; background-color: purple;"></div> | | |
| Domestic Animals Law Amendments | <div style="width: 10%; background-color: purple;"></div> | | |
| Drug and Alcohol Free for Elected and Appointed Officials | <div style="width: 10%; background-color: purple;"></div> | | |
| Drug and Alcohol Free Workplace Law Amendments | <div style="width: 65%; background-color: purple;"></div> | | |

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| Early Return to Work Law Emergency Amendments (BC-05-12-21-I) |  |
| Election Law Emergency Amendments (BC-04-28-21-B) |  |
| Election Law Emergency Amendments (BC-07-13-22-E) |  |
| Election Law Emergency Amendments (BC-12-28-22-B) |  |
| Elder Assistance Program Law (BC-07-13-22-A) |  |
| Elder Protection Law |  |
| Emergency Gift Card Law |  |
| Emergency Management and Homeland Security Law Amendments (BC-03-10-21-A) |  |
| Emergency Management Law Emergency Amendments (BC-09-14-22-B) |  |
| Emergency Management Law Amendments |  |
| Endowments Law Amendments |  |
| Environmental Review Law |  |
| Eviction and Termination Law Amendments |  |
| Fire Signs Law |  |
| Furlough Law Amendments (BC-02-09-22-A) |  |
| Furlough Law Amendments |  |
| General Tribal Council Meeting Stipend Payment Policy Emergency Extension (BC-09-23-20-B) |  |
| Guardianship Law |  |
| Healing to Wellness Court Law (BC-07-13-22-D) |  |
| Hunting, Fishing, and Trapping Law Amendments |  |
| Industrial Hemp Law (BC-12-09-20-A) |  |
| Investigative Leave Policy Amendments |  |
| Law Enforcement Ordinance Amendments |  |
| Layoff Policy Amendments |  |
| Local Land Use Regulation Reimbursement Policy Repeal |  |
| Marijuana Law |  |
| Misappropriation of Funds Law |  |

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| Oneida Higher Education Pandemic Relief Fund Law Emergency Amendments (BC-02-24-21-A) |  |
| Oneida General Welfare Law Emergency Amendments (BC-02-10-21-B) |  |
| Oneida General Welfare Law Emergency Extension (BC-07-28-21-M) |  |
| Oneida General Welfare Law (BC-12-08-21-A) |  |
| Oneida Land Trust Law |  |
| Oneida Language Code |  |
| Oneida Life Insurance Plan Law Emergency Adoption (BC-09-28-22-C) |  |
| Oneida Life Insurance Plan Law |  |
| Oneida Nation Arts Board Bylaws Amendments |  |
| Oneida Nation Assistance Fund Law Emergency Adoption (BC-06-08-22-A) |  |
| Oneida Nation Assistance Fund Law (BC-11-30-22-A) |  |
| Oneida Nation Emergency Planning Committee Bylaws Amendments (1-27-21) |  |
| Oneida Nation Emergency Planning Committee Bylaws Amendments |  |
| Oneida Nation Gaming Ordinance Emergency Amendments (BC-05-12-21-D) |  |
| Oneida Nation Gaming Ordinance Emergency Extension (BC-11-10-21-A) |  |
| Oneida Nation Gaming Ordinance Amendments (BC-05-11-22-C) |  |
| Oneida Nation Veterans Affairs Committee Bylaws Amendments |  |
| Oneida Personnel Commission Bylaws Amendments |  |
| Oneida Personnel Policies and Procedures Emergency Amendments (BC-11-24-21-A) |  |

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| Oneida Personnel Policies and Procedures Emergency Amendments (BC-05-11-22-A) |  |
| Oneida Personnel Policies and Procedures Emergency Extension (BC-11-07-22-A) |  |
| Oneida Personnel Policies and Procedures Amendments |  |
| Oneida Trust Enrollment Committee Bylaws Amendments |  |
| Oneida Worker's Compensation Law Emergency Amendments (BC-05-12-21-H) |  |
| On-Site Waste Disposal Law Amendments |  |
| Pandemic Relief Assistance Law Emergency Adoption (BC-11-24-20-D) |  |
| Pardon and Forgiveness Law Emergency Amendments (BC-04-28-21-A) |  |
| Pardon and Forgiveness Law Emergency Extension (BC-10-27-21-A) |  |
| Pardon and Forgiveness Screening Committee Bylaws Amendments (4-28-21) |  |
| Probate Law |  |
| Public Peace Law (BC-09-08-21-A) |  |
| Public Use of Tribal Land Law Amendments |  |
| Real Property Law Amendments |  |
| Recycling and Solid Waste Disposal Law Amendments |  |
| Sanctions and Penalties Law |  |
| Taxation Law |  |
| Traffic Law |  |
| Tribal Environmental Response Law |  |
| Tribal Environmental Quality Review Law Amendments |  |
| Tribal Sovereignty in Data Research Law |  |
| Trust Scholarship Fund Policy Amendments |  |
| Two Spirit Inclusion Law |  |

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|-----------------------------------|---|
| Water Resources Law Amendments |  |
| Well Abandonment Law Amendments |  |
| Workplace Violence Law Amendments |  |