



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room - 2nd Floor Norbert Hill Center
March 15, 2023
9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be Approved

1. March 1, 2023 LOC Meeting Minutes (pg. 2)

III. Current Business

1. Oneida Life Insurance Plan Law (pg. 4)
2. Petition: L. Dallas – Alcohol and Drug Addiction Assistance (pg. 25)
3. Petition: L. Dallas – FY23 Budget (pg. 28)
4. Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day to Day Business (pg. 30)
5. Petition: L. Zeise – Uncap All Employee Wages (pg. 33)

IV. New Submissions

1. Finance Committee Bylaws Amendments (pg. 36)

V. Additions

VI. Administrative Updates

VII. Executive Session

VIII. Recess/Adjourn



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
March 1, 2023
9:00 a.m.

Present: Marie Cornelius, Daniel Guzman King, Kirby Metoxen, Jennifer Webster

Excused: David P. Jordan

Others Present: Clorissa N. Leeman, Carolyn Salutz, Grace Elliott, Brooke Doxtator, Tina Jorgenson (Microsoft Teams), Todd VandenHeuvel (Microsoft Teams), Justin Nishimoto (Microsoft Teams), Mark Powless (Microsoft Teams), Rhiannon Metoxen (Microsoft Teams), Peggy Van Gheem (Microsoft Teams), Brenda Skenandore (Microsoft Teams), Debra Powless (Microsoft Teams), Eric Boulanger (Microsoft Teams), Mary Graves (Microsoft Teams), Michelle Tipple (Microsoft Teams), Rae Skenandore (Microsoft Teams), Shannon Davis (Microsoft Teams), Joy Salzwedel (Microsoft Teams), Matt Denny (Microsoft Teams), Michelle Braaten (Microsoft Teams), Derrick King (Microsoft Teams), Dennis Johnson (Microsoft Teams),

I. Call to Order and Approval of the Agenda

Kirby Metoxen called the March 1, 2023, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Marie Cornelius to adopt the agenda; seconded by Jennifer Webster. Motion carried unanimously.

II. Minutes to be Approved

1. February 15, 2023 LOC Meeting Minutes

Motion by Marie Cornelius to approve the February 15, 2023, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Emergency Management Law Amendments

Motion by Jennifer Webster to approve the adoption packet for the Emergency Management law amendments and forward to the Oneida Business Committee for consideration; seconded by Marie Cornelius. Motion carried unanimously.



2. Election Law Emergency Amendments

Motion by Jennifer Webster to approve the Election law emergency amendments adoption packet and forward to the Oneida Business Committee for consideration; seconded by Marie Cornelius. Motion carried unanimously.

3. Oneida Personnel Policies and Procedures Amendments

Motion by Marie Cornelius to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jennifer Webster. Motion carried unanimously.

IV. New Submissions

1. Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance

Motion by Jennifer Webster to add the Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance to the Active Files List with Daniel Guzman King as the sponsor; seconded by Marie Cornelius. Motion carried unanimously.

2. Petition: L. Dallas – FY 2023 Budget

Motion by Jennifer Webster to add the Petition: L. Dallas – FY 2023 Budget to the Active Files List with Marie Cornelius as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

3. Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business

Motion by Jennifer Webster to add the Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business to the Active Files List with Jennifer Webster as the sponsor; seconded by Marie Cornelius. Motion carried unanimously.

4. Petition: L. Zeise – Uncap All Employee Wages

Motion by Jennifer Webster to add the Petition: L. Zeise – Uncap All Employee Wages to the Active Files List with Marie Cornelius as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

V. Additions

VI. Administrative Items

VII. Executive Session

VIII. Adjourn

Motion by Marie Cornelius to adjourn at 9:27 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.



Legislative Operating Committee
 March 15, 2023

Oneida Life Insurance Plan Law

Submission Date: 9/7/22	Public Meeting: N/A
LOC Sponsor: Kirby Metoxen	Emergency Enacted: 9/28/22

Summary: *This item was added to the Active Files List on September 7, 2022, per the request of Carl Artman, attorney in the Oneida Law Office that represents the Oneida Trust Enrollment Committee. Epic currently manages the Nation’s OLIPP program. The Epic contract ends on 09/30/22 and it is ending this service offering after this year. The Oneida Trust and Enrollment Committee concludes it will save \$250,000 annually by managing OLIPP itself. The proposed law would make OLIPP an approved program under the Oneida General Welfare law that is administered by the Oneida Trust Enrollment Department. The Oneida Business Committee adopted the OLIPP law on an emergency basis on September 28, 2022, through the adoption of resolution BC-09-28-22-C. The emergency amendments to the OLIPP law will expire on March 28, 2023.*

8/25/22: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Marie Summers, Daniel Guzman King, Clorissa N. Santiago, Carl Artman, Carolyn Salutz, Grace Elliot, Kristal Hill. This work meeting was held through Microsoft Teams. The purpose of this work meeting was to discuss the proposed OLIPP law, and its potential emergency adoption.

9/7/22 LOC: Motion by Marie Summers to add the Oneida Life Insurance Plan Plus law to the Active Files List for emergency adoption with Kirby Metoxen as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

9/21/22: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Marie Cornelius, Kirby Metoxen, Daniel Guzman King, Clorissa N. Santiago, Carl Artman, Carolyn Salutz, Grace Elliot, Rhiannon Metoxen. This work meeting was held through Microsoft Teams. The purpose of this work meeting was to discuss the updated OLIPP law.

9/21/22: *E-Poll Conducted.* This e-poll was titled, “Emergency Adoption of the Oneida Life Insurance Plan Law.” The requested action of this e-poll was to approve the Oneida Life Insurance Plan law emergency adoption packet and forward to the Oneida Business Committee for consideration. This e-poll was approved by Jennifer Webster, Daniel Guzman King, David P. Jordan, Kirby Metoxen, and Marie Cornelius.

9/27/22: *Work Meeting.* Present: David P. Jordan, Marie Cornelius, Kirby Metoxen, Daniel Guzman King, Clorissa N. Santiago, Carl Artman, Kristal Hill, Ralinda Ninham-Lamberies. This work meeting was held through Microsoft Teams. The purpose of this work meeting was to discuss Finance’s concerns with the proposed OLIPP law.

9/28/22 OBC: Motion by Kirby Metoxen to adopt resolution entitled 09-28-22-C Emergency Adoption of the Oneida Life Insurance Plan Law, seconded by Marie Cornelius. Motion carried.


10/5/22 LOC: Motion by Daniel Guzman King to enter into the record the results of the September 21, 2022, e-poll entitled, *Emergency Adoption of the Oneida Life Insurance Plan Law*; seconded by Jennifer Webster. Motion carried unanimously.

3/6/23: *Work Meeting.* Present: Jennifer Webster, Marie Cornelius, Daniel Guzman King, Clorissa N. Leeman, Carl Artman, Kristal Hill, Ralinda Ninham-Lamberies, Keith Doxtator, John Danforth. This work meeting was held through Microsoft Teams. The purpose of this work meeting was to discuss the implementation of the OLIPP law during the first six months, review concerns and input discussed at the September 28, 2022, OBC meeting, and discuss and determine if there are any revisions needed to the Law prior to the permanent adoption of this Law.

Next Steps:

- Approve the emergency extension of the Oneida Life Insurance Plan law packet and forward to the Oneida Business Committee for consideration.
- Approve the draft of the Oneida Life Insurance Plan law and direct that a legislative analysis be completed.



TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairperson 
DATE: March 22, 2023
RE: Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law

Please find the following attached backup documentation for your consideration of the extension of the emergency adoption of the Oneida Life Insurance Plan law:

1. Resolution: Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law
2. Statement of Effect: Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law
3. Oneida Life Insurance Plan Law

Overview

The Oneida Life Insurance Plan law (the “Law”) was adopted by the Oneida Business Committee on an emergency basis on September 28, 2022, through the adoption of resolution BC-09-28-22-C. This Law establishes the Oneida Life Insurance Plan as an approved program of the Nation to provide a death benefit through the Oneida Life Insurance Plan for all eligible enrolled Oneida Nation members, pursuant to the Oneida General Welfare law. [10 O.C. 1004.1-1]. The Law:

- Establishes the Oneida Life Insurance Plan as an approved program of the Nation in accordance with the Oneida General Welfare law. [10 O.C. 1004.4-1];
- Provides how this program qualifies for general welfare exclusion. [10 O.C. 1004.4-2];
- Provides that all members of the Nation shall qualify for benefits from the Oneida Life Insurance Plan to be used for funeral expenses first, with any residual benefits distributed to a designated beneficiary. [10 O.C. 1004.5-1];
- Requires that a member of the Nation complete the Oneida Trust Enrollment Committee approved beneficiary designation form and submit it to the Oneida Trust Enrollment Committee, either online or in person at the Oneida Trust Enrollment Office, prior to their death in order to secure benefits from the Oneida Life Insurance Plan for their beneficiary. [10 O.C. 1004.5-2];
- Provides that funeral expenses shall be paid directly to the funeral home upon submission of a valid invoice, up to the limit of the Oneida Life Insurance Plan benefits, even if a designated beneficiary has not been designated – but the Oneida Life Insurance Plan residual benefits shall not be paid or claimed if the decedent did not designate a living beneficiary though the beneficiary designation form. [10 O.C. 1004.5-2(b), 1004.5-2(e)];
- Allows for a one hundred eighty (180) day grace period after the effective date of this law, where section 1004.5-2 shall not be enforced to permit members of the Nation to complete and submit the required beneficiary forms. [10 O.C. 1004.5-2(c)];

- Requires that the Oneida Trust Enrollment Department be notified within one (1) year of the member of the Nation's death in order to distribute the Oneida Life Insurance Plan benefits to the beneficiary. *[10 O.C. 1004.5-3]*;
- Provides that the Trust Enrollment Department is the department that has the responsibilities to oversee and administer the Oneida Life Insurance Plan. *[10 O.C. 1004.5-4]*;
- Provides rules related to the determination of death and status. *[10 O.C. 1004.6-1]*;
- Prohibits a designated beneficiary who criminally and intentionally causes the death of the decedent from being entitled to any benefits passing under this law. *[10 O.C. 1004.6-2]*;
- Provides how the Oneida Life Insurance Plan benefits shall be distributed. *[10 O.C. 1004.6-3]*;
- Provide that the Oneida Life Insurance Plan shall be contingent on funding through the Nation's annual budget. *[10 O.C. 1004.7-1]*.

The emergency adoption of this Law will expire on March 28, 2023. The Legislative Operating Committee is now seeking an extension of the emergency adoption of this Law.

The Oneida Business Committee is delegated the authority to temporarily enact emergency legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act. *[1 O.C. 109.9-5]*. A fiscal impact statement and public meeting are not required for emergency legislation. *[1 O.C. 109.9-5(a)]*.

The emergency adoption of this Law was necessary, and continues to be necessary, for the preservation of the general welfare of the Reservation population. The emergency adoption of this Law ensured that the Oneida Trust Enrollment Department can commence the in-house management and oversight of the Oneida Life Insurance Plan immediately after the Epic contract terminated on September 30, 2022, in order to provide a smooth transition and uninterrupted service to the members of the Nation participating in the Oneida Life Insurance Plan and the beneficiaries that will emerge in the next fiscal year and beyond.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of this Law was, and continues to be, contrary to public interest. The Epic contract for the management of OLIPP terminated on September 30, 2022, and the process and requirements of the Legislative Procedures Act could not be completed in time to ensure that the Law can be adopted to address the management and oversight of the Oneida Life Insurance Plan by the Oneida Trust Enrollment Department prior to the termination date.

The Legislative Procedures Act allows the Oneida Business Committee to extend emergency amendments for a six (6) month time period. *[1 O.C. 109.9-5(b)]*. A six (6) month extension of the emergency amendments to the Law is being requested to provide additional time for the Legislative Operating Committee to finalize the development of the Law to be presented to the Oneida Business Committee for permanent adoption.

The extension of the emergency amendments to the Law will become effective on March 28, 2023, when the Law as adopted through BC-09-28-22-C expires and will remain in effect for an additional six (6) month term which will end on September 28, 2023.

Requested Action

Approve the Resolution: Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law

- 1 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe
2 recognized by the laws of the United States of America; and
3
- 4 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
5
- 6 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
7 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
8
- 9 **WHEREAS,** the Oneida Life Insurance Plan law (“the Law”) was adopted by the Oneida Business
10 Committee on an emergency basis on September 28, 2022, through the adoption of
11 resolution BC-09-28-22-C; and
12
- 13 **WHEREAS,** the Law establishes the Oneida Life Insurance Plan (OLIPP) as an approved program of
14 the Nation to govern how the Nation provides fifteen thousand dollars (\$15,000) of financial
15 assistance to eligible members of the Nation to pay for funeral expenses, with any residual
16 benefit amounts paid thereafter to the designated beneficiary; and
17
- 18 **WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact
19 legislation on an emergency basis when legislation is necessary for the immediate
20 preservation of the public health, safety, or general welfare of the Reservation population,
21 and the adoption of the legislation is required sooner than would be possible under the
22 Legislative Procedures Act; and
23
- 24 **WHEREAS,** the emergency adoption of this Law was, and continues to be, necessary for the
25 preservation of the general welfare of the Reservation population, as the Law shall ensures
26 that the Oneida Trust Enrollment Department can continue the in-house management and
27 oversight of the Oneida Life Insurance Plan now that the Epic contract terminated on
28 September 30, 2022, in order to provide a smooth transition and uninterrupted service to
29 the members of the Nation participating in the Oneida Life Insurance Plan and the
30 beneficiaries that will emerge in the next fiscal year and beyond; and
31
- 32 **WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this
33 Law was, and continues to be, contrary to public interest since the Epic contract for the
34 management of OLIPP terminated on September 30, 2022, and the process and
35 requirements of the Legislative Procedures Act cannot be completed in time to ensure that
36 the Law can be adopted to address the management and oversight of the Oneida Life
37 Insurance Plan by the Oneida Trust Enrollment Department prior to the termination date.;
38 and
39
- 40 **WHEREAS,** emergency adoption of legislation is effective for a period of six (6) months, renewable by
41 the Oneida Business Committee for an additional six (6) month term; and
42
- 43 **WHEREAS,** the emergency adoption of this Law will expire on March 28, 2023; and
44

45 **WHEREAS,** a six (6) month extension of the emergency adoption of this Law is being requested to allow
46 for the Law to remain in effect while the Legislative Operating Committee finalizes the
47 development of the Law to be presented to the Oneida Business Committee for permanent
48 adoption; and
49

50 **NOW THEREFORE BE IT RESOLVED,** that the emergency adoption of the Oneida Life Insurance Plan
51 law is hereby extended for an additional six (6) month period effective March 28, 2023, and shall expire on
52 September 28, 2023.



Statement of Effect

Extension of the Emergency Adoption of the Oneida Life Insurance Plan Law

Summary

This resolution extends the emergency adoption of the Oneida Life Insurance Plan law for an additional six (6) month period.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office

Date: March 10, 2023

Analysis by the Legislative Reference Office

This resolution extends the emergency adoption of the Oneida Life Insurance Plan law (“the Law”) for an additional six (6) month period. On September 28, 2022, the Oneida Business Committee adopted the Law on an emergency basis, through the adoption of resolution BC-09-28-22-C, for the purpose of establishing the Oneida Life Insurance Plan (OLIP) which provides a death benefit of fifteen thousand dollars (\$15,000) to all eligible enrolled Oneida Nation members, pursuant to the Oneida General Welfare law. [10 O.C. 1004.1-1]. The Law:

- Establishes the Oneida Life Insurance Plan as an approved program of the Nation in accordance with the Oneida General Welfare law. [10 O.C. 1004.4-1];
- Provides how this program qualifies for general welfare exclusion. [10 O.C. 1004.4-2];
- Provides that all members of the Nation shall qualify for benefits from the Oneida Life Insurance Plan to be used for funeral expenses first, with any residual benefits distributed to a designated beneficiary. [10 O.C. 1004.5-1];
- Requires that a member of the Nation complete the Oneida Trust Enrollment Committee approved beneficiary designation form and submit it to the Oneida Trust Enrollment Committee, either online or in person at the Oneida Trust Enrollment Office, prior to their death in order to secure benefits from the Oneida Life Insurance Plan for their beneficiary. [10 O.C. 1004.5-2];
- Provides that funeral expenses shall be paid directly to the funeral home upon submission of a valid invoice, up to the limit of the Oneida Life Insurance Plan benefits, even if a designated beneficiary has not been designated – but the Oneida Life Insurance Plan residual benefits shall not be paid or claimed if the decedent did not designate a living beneficiary though the beneficiary designation form. [10 O.C. 1004.5-2(b), 1004.5-2(e)];
- Allows for a one hundred eighty (180) day grace period after the effective date of this law, where section 1004.5-2 shall not be enforced to permit members of the Nation to complete and submit the required beneficiary forms. [10 O.C. 1004.5-2(c)];
- Requires that the Oneida Trust Enrollment Department be notified within one (1) year of the member of the Nation’s death in order to distribute the Oneida Life Insurance Plan benefits to the beneficiary. [10 O.C. 1004.5-3];
- Provides that the Trust Enrollment Department is the department that has the responsibilities to oversee and administer the Oneida Life Insurance Plan. [10 O.C. 1004.5-4];

- Provides rules related to the determination of death and status. *[10 O.C. 1004.6-1]*;
- Prohibits a designated beneficiary who criminally and intentionally causes the death of the decedent from being entitled to any benefits passing under this law. *[10 O.C. 1004.6-2]*;
- Provides how the Oneida Life Insurance Plan benefits shall be distributed. *[10 O.C. 1004.6-3]*;
- Provides that the Oneida Life Insurance Plan shall be contingent on funding through the Nation's annual budget. *[10 O.C. 1004.7-1]*.

The Legislative Procedures Act (“the LPA”) was adopted by the General Tribal Council for the purpose of providing a process for the adoption or amendment of laws of the Nation. *[1 O.C. 109.1-1]*. The LPA allows the Oneida Business Committee to take emergency action where it is necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population and when enactment or amendment of legislation is required sooner than would be possible under the LPA. *[1 O.C. 109.9-5]*. A public meeting and fiscal impact statement are not required for emergency legislation. *[1 O.C. 109.8-1(b), 109.9-5(a)]*. Emergency legislation takes effect immediately upon adoption by the Oneida Business Committee and remains effective for a six (6) month period of time. *[1 O.C. 109.9-5(b)]*. The LPA provides the possibility to extend emergency legislation for an additional six (6) months, or until the emergency amendments expire or are permanently adopted. *[1 O.C. 109.9-5(b)]*.

The resolution provides that the emergency adoption of this Law was, and continues to be, necessary for the preservation of the general welfare of the Reservation population. The emergency adoption of this Law ensures that the Oneida Trust Enrollment Department can continue the in-house management and oversight of the Oneida Life Insurance Plan since the Epic contract terminated on September 30, 2022, in order to provide a smooth transition and uninterrupted service to the members of the Nation participating in the Oneida Life Insurance Plan and the beneficiaries that will emerge in the next fiscal year and beyond.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of this Law was, and continues to be, contrary to public interest. The Epic contract for the management of OLIPP terminated on September 30, 2022, and the process and requirements of the Legislative Procedures Act could not be completed in time to ensure that the Law can be adopted to address the management and oversight of the Oneida Life Insurance Plan by the Oneida Trust Enrollment Department prior to the termination date.

The extension of the emergency adoption of the Law will become effective on March 28, 2023, when the emergency adoption of this Law as adopted through BC-09-28-22-C expires and will remain in effect for an additional six (6) month term which will end on September 28, 2023.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws.

Title 10. General Welfare Exclusion - Chapter 1004
ONEIDA LIFE INSURANCE PLAN

1004.1. Purpose and Policy

1004.2. Adoption, Amendment, Repeal

1004.3. Definitions

1004.4. Establishment

1004.5. Qualifications, Designation of Beneficiary, and Notice

1004.6. Beneficiary Claim Process and Distribution

1004.7. Funding

1 1004.1. Purpose and Policy

2 1004.1-1. *Purpose.* The purpose of this law is to provide a death benefit through the Oneida Life
3 Insurance Plan (OLIPP) for all eligible enrolled Oneida Nation members, pursuant to the Oneida
4 General Welfare law.

5 (a) The General Tribal Council, through resolution GTC-01-17-09-B, approved the
6 concept of the Oneida Life Insurance Plan Plus to replace the Oneida Burial Fund. The
7 General Tribal Council directed implementation of a benefit that pays fifteen thousand
8 dollars (\$15,000) to the designated beneficiary or beneficiaries of the deceased Oneida
9 Nation member. The payment of death benefits through OLIPP to designated beneficiaries
10 of a deceased Oneida Nation member is an exercise of self-governance crucial to the
11 Oneida Nation's sovereignty, and health and welfare of the community.

12 1004.1-2. *Policy.* It is the policy of the Nation to care for its members and their families even
13 after their death. The Nation seeks to internalize the Oneida Life Insurance Plan process to ensure
14 equitable and expedient distribution to designated beneficiaries.

15

16 1004.2. Adoption, Amendment, Repeal

17 1004.2-1. This law was adopted by the Oneida Business Committee on an emergency basis by
18 resolution BC-09-28-22-C.

19 1004.2-2. This law may be amended or repealed by the Oneida Business Committee or the General
20 Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

21 1004.2-3. Should a provision of this law or the application thereof to any person or circumstances
22 be held as invalid, such invalidity shall not affect other provisions of this law which are considered
23 to have legal force without the invalid portions.

24 1004.2-4. In the event of a conflict between a provision of this law and a provision of another law,
25 the provisions of this law shall control.

26 1004.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

27

28 1004.3. Definitions

29 1004.3-1. This section shall govern the definitions of words and phrases used within this law. All
30 words not defined herein shall be used in their ordinary and everyday sense.

31 (a) "Approved program" means any program(s) to provide general welfare assistance that
32 is intended to qualify as a General Welfare Exclusion, administered under specific
33 guidelines, and is adopted by the Oneida Business Committee through resolution or law of
34 the Nation in accordance with the Oneida General Welfare law.

35 (b) "Benefit" means the fifteen thousand dollars provided (\$15,000) to pay for funeral
36 expenses of an enrolled member of the Nation, with any residual amounts paid thereafter
37 to the designated beneficiary.

38 (c) "Decedent" means the deceased person.

39 (d) "Designated Beneficiary" means any person(s) designated by the enrolled member of
40 the Nation, through the approved beneficiary designation form, to receive all or a portion
41 of the decedent's Oneida Life Insurance Plan benefit.

42 (e) “Funeral Expenses” means the cost of the funeral of the decedent accrued and invoiced
 43 by the funeral home including, but not limited to, the following:

- 44 (1) funeral planning;
- 45 (2) securing the necessary permits and copies of death certificates;
- 46 (3) preparing the notices;
- 47 (4) sheltering the remains;
- 48 (5) coordinating the arrangements with the cemetery, crematory or other third
 49 parties;
- 50 (6) transporting the remains;
- 51 (7) embalming and other preparation;
- 52 (8) use of the funeral home for the viewing, ceremony or memorial service;
- 53 (9) use of equipment and staff for a graveside service;
- 54 (10) use of a hearse or limousine;
- 55 (11) a casket, outer burial container or alternate container; and
- 56 (12) cremation or interment.

57 (f) “Nation” means the Oneida Nation.
 58

59 **1004.4. Establishment**

60 1004.4-1. *Establishment.* The Oneida Life Insurance Plan is hereby established as an approved
 61 program of the Nation in accordance with the Oneida General Welfare law. The purpose of the
 62 Oneida Life Insurance Plan is to provide fifteen thousand dollars (\$15,000) of financial assistance
 63 to eligible members of the Nation to pay for funeral expenses, with any residual benefit amounts
 64 paid thereafter to the designated beneficiary.

65 1004.4-2. *General Welfare Exclusion.* The Oneida Life Insurance Plan meets the requirements of
 66 the General Test as defined in the Oneida General Welfare law; General Criteria as defined in
 67 I.R.S. Rev. Proc. 2014-35. Section 5.01(1); and the requirements of the Tribal General Welfare
 68 Exclusion Act of 2014, 26 U.S.C. §139E(b).

69 (a) The assistance provided through the Oneida Life Insurance Plan is:

- 70 (1) paid on behalf of the Nation;
- 71 (2) pursuant to an approved program of the Nation;
- 72 (3) does not discriminate in favor of members of the governing body of the Nation;
- 73 (4) available to any eligible member of the Nation who meets the guidelines of the
 74 approved program;
- 75 (5) provided for the promotion of general welfare;
- 76 (6) not lavish or extravagant;
- 77 (7) not compensation for services; and
- 78 (8) not a per capita payment.

79 (b) . I.R.S. Rev. Proc. 2014-35, section 5.02(2)(e)(iv) lists funeral, burial, and expenses
 80 related to a death as Safe Harbor program for which need is presumed.
 81

82 **1004.5. Qualifications, Designation of Beneficiary, and Notice**

83 1004.5-1. *Eligibility.* All members of the Nation shall qualify for benefits from the Oneida Life
 84 Insurance Plan to be used for funeral expenses first, with any residual benefits distributed to a
 85 designated beneficiary.

86 (a) Newly enrolled members of the Nation shall be covered the date their enrollment
 87 application is approved by Oneida Trust Enrollment Committee and Oneida Business

88 Committee.

89 (b) Members of the Nation that have relinquished their membership shall not be covered
90 from the date their relinquishment request is approved by the Oneida Trust Enrollment
91 Committee and Oneida Business Committee.

92 1004.5-2. *Designation of Beneficiary.* A member of the Nation shall complete the Oneida Trust
93 Enrollment Committee approved beneficiary designation form and submit it to the Oneida Trust
94 Enrollment Committee, either online or in person at the Oneida Trust Enrollment Office, prior to
95 their death in order to secure benefits from the Oneida Life Insurance Plan for their beneficiary.

96 (a) Any Oneida Life Insurance Plan beneficiary designation forms submitted prior to the
97 effective date of this law shall remain valid.

98 (b) Oneida Life Insurance Plan residual benefits shall not be paid or claimed if the decedent
99 did not designate a living beneficiary though the beneficiary designation form.

100 (c) This section shall not be enforced during the initial one hundred and eighty (180) days
101 after the effective date of this law, thereby creating a one hundred eighty (180) day grace
102 period to permit members of the Nation to complete and submit designated beneficiary
103 forms.

104 (d) A parent or legal guardian may complete and submit a beneficiary designation form
105 on behalf of their minor child or ward.

106 (e) Funeral expenses shall be paid directly to the funeral home upon submission of a valid
107 invoice, up to the limit of the Oneida Life Insurance Plan benefits, even if a designated
108 beneficiary has not been designated.

109 1004.5-3. *Notice of Death.* The Oneida Trust Enrollment Department shall be notified within one
110 (1) year of the member of the Nation's death in order to distribute the Oneida Life Insurance Plan
111 benefits to the beneficiary. Oneida Life Insurance Plan claims made beyond the first anniversary
112 of the decedent's death shall not be processed for distribution.

113 1004.5-4. *Oversight.* The Trust Enrollment Department shall be delegated the oversight and
114 management of the Oneida Life Insurance Plan.

115

116 **1004.6. Beneficiary Claim Process and Distribution**

117 1004.6-1. *Evidence as to Passing or Status.* In proceedings under this law, the following rules
118 relating to determination of death and status are applicable:

119 (a) A certified or authenticated copy of a death certificate purporting to be issued by an
120 official or agency of the place where the death purportedly occurred is prima facie proof
121 of the fact, place, date and time of death, and the identity of the decedent;

122 (b) A certified or authenticated copy of any record or report of a governmental agency,
123 domestic or foreign, of a decedent's death; and

124 (c) A person who is absent for a continuous period of seven (7) years, during which they
125 have not been heard from, and whose absence is not satisfactorily explained after diligent
126 search or inquiry is presumed to be dead. Their death is presumed to have occurred at the
127 end of the period unless there is sufficient evidence for determining that death occurred
128 earlier.

129 1002.6-2. *Effect of Homicide on Beneficiary Designation.* A designated beneficiary who
130 criminally and intentionally causes the death of the decedent shall not be entitled to any benefits
131 passing under this law.

132 1002.6-3. *Distribution.* Oneida Life Insurance Plan benefits shall be distributed in the following
133 order:

- 134 (a) Funeral expenses shall be paid to the funeral home pursuant to receipt of a valid
- 135 invoice therefrom;
- 136 (b) Residual benefits shall be paid to the designated beneficiary;
- 137 (c) Residual benefits shall escheat to the Nation if the decedent did not designate a
- 138 beneficiary for the Oneida Life Insurance Plan benefits in accordance with this law.
- 139

140 **1004.7. Funding**

141 1004.7-1. *Funding Source.* The Oneida Life Insurance Plan shall be contingent on funding
142 through the Nation’s annual budget.

143
144 *End.*

145

146
147 Emergency Adopted – BC-09-28-22-C

148 Emergency Extension – BC-__-__-__-__

HANDOUT

Draft 1 (Redline to Current)

2023 03 15

**Title 10. General Welfare Exclusion - Chapter 1004
ONEIDA LIFE INSURANCE PLAN**

1004.1. Purpose and Policy
1004.2. Adoption, Amendment, Repeal
1004.3. Definitions
1004.4. Establishment

1004.5. Qualifications, Designation of Beneficiary, and Notice
1004.6. Beneficiary Claim Process and Distribution
1004.7. Funding
1004.8. Administrative Rulemaking

1004.1. Purpose and Policy

1004.1-1. *Purpose.* The purpose of this law is to provide a death benefit through the Oneida Life Insurance Plan (OLIPP) for all eligible enrolled Oneida Nation members, pursuant to the Oneida General Welfare law.

(a) The General Tribal Council, through resolution GTC-01-17-09-B, approved the concept of the Oneida Life Insurance Plan Plus to replace the Oneida Burial Fund. The General Tribal Council directed implementation of a benefit that pays fifteen thousand dollars (\$15,000) to the designated beneficiary or beneficiaries of the deceased Oneida Nation member. The payment of death benefits through OLIPP to designated beneficiaries of a deceased Oneida Nation member is an exercise of self-governance crucial to the Oneida Nation's sovereignty, and health and welfare of the community.

1004.1-2. *Policy.* It is the policy of the Nation to care for its members and their families even after their death. The Nation seeks to internalize the Oneida Life Insurance Plan process to ensure equitable and expedient distribution to designated beneficiaries.

1004.2. Adoption, Amendment, Repeal

1004.2-1. This law was adopted by the Oneida Business Committee ~~on an emergency basis~~ by resolution BC-~~09-28-22-C-~~ - - - .

1004.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

1004.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

1004.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

1004.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

1004.3. Definitions

1004.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Approved program" means any program(s) to provide general welfare assistance that is intended to qualify as a General Welfare Exclusion, administered under specific guidelines, and is adopted by the Oneida Business Committee through resolution or law of the Nation in accordance with the Oneida General Welfare law.

(b) "Benefit" means the fifteen thousand dollars provided (\$15,000) to pay for funeral expenses of an enrolled member of the Nation, with any residual amounts paid thereafter to the designated beneficiary.

(c) "Decedent" means the deceased person.

(d) "Designated Beneficiary" means any person(s) designated by the enrolled member of the Nation, through the approved beneficiary designation form, to receive all or a portion

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41 of the decedent's Oneida Life Insurance Plan benefit.

42 (e) "Funeral Expenses" means the cost of the funeral of the decedent accrued and invoiced
43 by the funeral home including, but not limited to, the following:

- 44 (1) funeral planning;
- 45 (2) securing the necessary permits and copies of death certificates;
- 46 (3) preparing the notices;
- 47 (4) sheltering the remains;
- 48 (5) coordinating the arrangements with the cemetery, crematory or other third
49 parties;
- 50 (6) transporting the remains;
- 51 (7) embalming and other preparation;
- 52 (8) use of the funeral home for the viewing, ceremony or memorial service;
- 53 (9) use of equipment and staff for a graveside service;
- 54 (10) use of a hearse or limousine;
- 55 (11) a casket, outer burial container or alternate container; and
- 56 (12) cremation or interment.

57 (f) "Nation" means the Oneida Nation.

58 59 **1004.4. Establishment**

60 1004.4-1. *Establishment*. The Oneida Life Insurance Plan is hereby established as an approved
61 program of the Nation in accordance with the Oneida General Welfare law. The purpose of the
62 Oneida Life Insurance Plan is to provide fifteen thousand dollars (\$15,000) of financial assistance
63 to eligible members of the Nation to pay for funeral expenses, with any residual benefit amounts
64 paid thereafter to the designated beneficiary.

65 1004.4-2. *General Welfare Exclusion*. The Oneida Life Insurance Plan meets the requirements of
66 the General Test as defined in the Oneida General Welfare law; General Criteria as defined in
67 I.R.S. Rev. Proc. 2014-35. Section 5.01(1); and the requirements of the Tribal General Welfare
68 Exclusion Act of 2014, 26 U.S.C. §139E(b).

69 (a) The assistance provided through the Oneida Life Insurance Plan is:

- 70 (1) paid on behalf of the Nation;
- 71 (2) pursuant to an approved program of the Nation;
- 72 (3) does not discriminate in favor of members of the governing body of the Nation;
- 73 (4) available to any eligible member of the Nation who meets the guidelines of the
74 approved program;
- 75 (5) provided for the promotion of general welfare;
- 76 (6) not lavish or extravagant;
- 77 (7) not compensation for services; and
- 78 (8) not a per capita payment.

79 (b) . I.R.S. Rev. Proc. 2014-35, section 5.02(2)(e)(iv) lists funeral, burial, and expenses
80 related to a death as Safe Harbor program for which need is presumed.

81 82 **1004.5. Qualifications, Designation of Beneficiary, and Notice**

83 1004.5-1. *Eligibility*. All members of the Nation shall qualify for benefits from the Oneida Life
84 Insurance Plan to be used for funeral expenses first, with any residual benefits distributed to a
85 designated beneficiary.

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86 (a) Newly enrolled members of the Nation shall be covered the date their enrollment
87 application is approved by Oneida Trust Enrollment Committee and Oneida Business
88 Committee.

89 (b) Members of the Nation that have relinquished their membership shall not be covered
90 from the date their relinquishment request is approved by the Oneida Trust Enrollment
91 Committee and Oneida Business Committee.

92 1004.5-2. *Designation of Beneficiary.* A member of the Nation shall complete the Oneida Trust
93 Enrollment Committee approved beneficiary designation form and submit it to the Oneida Trust
94 Enrollment Committee, either online or in person at the Oneida Trust Enrollment Office, prior to
95 their death in order to secure benefits from the Oneida Life Insurance Plan for their beneficiary.

96 (a) Any Oneida Life Insurance Plan beneficiary designation forms submitted prior to the
97 effective date of this law shall remain valid.

98 (b) Oneida Life Insurance Plan residual benefits shall not be paid or claimed if the decedent
99 did not designate a living beneficiary though the beneficiary designation form.

100 (c) This section shall not be enforced during the initial one hundred and eighty (180) days
101 after the effective date of this law, thereby creating a one hundred eighty (180) day grace
102 period to permit members of the Nation to complete and submit designated beneficiary
103 forms.

104 (d) A parent or legal guardian may complete and submit a beneficiary designation form
105 on behalf of their minor child or ward.

106 (e) Funeral expenses shall be paid directly to the funeral home upon submission of a valid
107 invoice, up to the limit of the Oneida Life Insurance Plan benefits, even if a designated
108 beneficiary has not been designated.

109 1004.5-3. *Notice of Death.* The Oneida Trust Enrollment Department shall be notified within one
110 (1) year of the member of the Nation's death in order to distribute the Oneida Life Insurance Plan
111 benefits to the beneficiary. Oneida Life Insurance Plan claims made beyond the first anniversary
112 of the decedent's death shall not be processed for distribution.

113 1004.5-4. *Oversight.* The Trust Enrollment Department shall be delegated the oversight and
114 management of the Oneida Life Insurance Plan.

115 **1004.6. Beneficiary Claim Process and Distribution**

116 1004.6-1. *Evidence as to Passing or Status.* In proceedings under this law, the following rules
117 relating to determination of death and status are applicable:

118 (a) A certified or authenticated copy of a death certificate purporting to be issued by an
119 official or agency of the place where the death purportedly occurred is prima facie proof
120 of the fact, place, date and time of death, and the identity of the decedent;

121 (b) A certified or authenticated copy of any record or report of a governmental agency,
122 domestic or foreign, of a decedent's death; and

123 (c) A person who is absent for a continuous period of seven (7) years, during which they
124 have not been heard from, and whose absence is not satisfactorily explained after diligent
125 search or inquiry is presumed to be dead. Their death is presumed to have occurred at the
126 end of the period unless there is sufficient evidence for determining that death occurred
127 earlier.
128

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129 1002.6-2. *Effect of Homicide on Beneficiary Designation.* A designated beneficiary who
130 criminally and intentionally causes the death of the decedent shall not be entitled to any benefits
131 passing under this law.

132 1002.6-3. *Distribution.* Oneida Life Insurance Plan benefits shall be distributed in the following
133 order:

134 (a) Funeral expenses shall be paid to the funeral home pursuant to receipt of a valid
135 invoice therefrom;

136 (1) Any expenses beyond the funeral expenses shall be the responsibility of the
137 beneficiary, family of the decedent, or any other responsible parties.

138 (b) Residual benefits shall be paid to the designated beneficiary;

139 (c) Residual benefits shall escheat to the Nation if the decedent did not designate a
140 beneficiary for the Oneida Life Insurance Plan benefits in accordance with this law.

141

142

143 **1004.7. Funding**

144 1004.7-1. *Funding Source.* The Oneida Life Insurance Plan shall be contingent on funding
145 through the Nation’s annual budget.

146

147 **1004.8. Administrative Rulemaking**

148 1004.8-1. Delegation of Administrative Rulemaking Authority. The Oneida Trust Enrollment
149 Department shall be delegated administrative rulemaking authority in accordance with the
150 Administrative Rulemaking law to promulgate rules to govern the administration of the Oneida
151 Life Insurance Plan.

152

153 *End.*

154

156 Emergency Adopted – BC-09-28-22-C

157 Emergency Extension – BC- - - -

158 Adopted – BC- - - -

HANDOUT

Title 10. General Welfare Exclusion - Chapter 1004 ONEIDA LIFE INSURANCE PLAN

1004.1. Purpose and Policy
1004.2. Adoption, Amendment, Repeal
1004.3. Definitions
1004.4. Establishment

1004.5. Qualifications, Designation of Beneficiary, and Notice
1004.6. Beneficiary Claim Process and Distribution
1004.7. Funding
1004.8. Administrative Rulemaking

1004.1. Purpose and Policy

1004.1-1. *Purpose.* The purpose of this law is to provide a death benefit through the Oneida Life Insurance Plan (OLIPP) for all eligible enrolled Oneida Nation members, pursuant to the Oneida General Welfare law.

(a) The General Tribal Council, through resolution GTC-01-17-09-B, approved the concept of the Oneida Life Insurance Plan Plus to replace the Oneida Burial Fund. The General Tribal Council directed implementation of a benefit that pays fifteen thousand dollars (\$15,000) to the designated beneficiary or beneficiaries of the deceased Oneida Nation member. The payment of death benefits through OLIPP to designated beneficiaries of a deceased Oneida Nation member is an exercise of self-governance crucial to the Oneida Nation’s sovereignty, and health and welfare of the community.

1004.1-2. *Policy.* It is the policy of the Nation to care for its members and their families even after their death. The Nation seeks to internalize the Oneida Life Insurance Plan process to ensure equitable and expedient distribution to designated beneficiaries.

1004.2. Adoption, Amendment, Repeal

1004.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__.

1004.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

1004.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

1004.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

1004.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

1004.3. Definitions

1004.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Approved program" means any program(s) to provide general welfare assistance that is intended to qualify as a General Welfare Exclusion, administered under specific guidelines, and is adopted by the Oneida Business Committee through resolution or law of the Nation in accordance with the Oneida General Welfare law.

(b) "Benefit" means the fifteen thousand dollars provided (\$15,000) to pay for funeral expenses of an enrolled member of the Nation, with any residual amounts paid thereafter to the designated beneficiary.

(c) "Decedent" means the deceased person.

(d) "Designated Beneficiary" means any person(s) designated by the enrolled member of the Nation, through the approved beneficiary designation form, to receive all or a portion

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43 by the funeral home including, but not limited to, the following:

- 44 (1) funeral planning;
- 45 (2) securing the necessary permits and copies of death certificates;
- 46 (3) preparing the notices;
- 47 (4) sheltering the remains;
- 48 (5) coordinating the arrangements with the cemetery, crematory or other third
49 parties;
- 50 (6) transporting the remains;
- 51 (7) embalming and other preparation;
- 52 (8) use of the funeral home for the viewing, ceremony or memorial service;
- 53 (9) use of equipment and staff for a graveside service;
- 54 (10) use of a hearse or limousine;
- 55 (11) a casket, outer burial container or alternate container; and
- 56 (12) cremation or interment.

57 (f) "Nation" means the Oneida Nation.

58 59 **1004.4. Establishment**

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61 program of the Nation in accordance with the Oneida General Welfare law. The purpose of the
62 Oneida Life Insurance Plan is to provide fifteen thousand dollars (\$15,000) of financial assistance
63 to eligible members of the Nation to pay for funeral expenses, with any residual benefit amounts
64 paid thereafter to the designated beneficiary.

65 1004.4-2. *General Welfare Exclusion.* The Oneida Life Insurance Plan meets the requirements of
66 the General Test as defined in the Oneida General Welfare law; General Criteria as defined in
67 I.R.S. Rev. Proc. 2014-35. Section 5.01(1); and the requirements of the Tribal General Welfare
68 Exclusion Act of 2014, 26 U.S.C. §139E(b).

69 (a) The assistance provided through the Oneida Life Insurance Plan is:

- 70 (1) paid on behalf of the Nation;
- 71 (2) pursuant to an approved program of the Nation;
- 72 (3) does not discriminate in favor of members of the governing body of the Nation;
- 73 (4) available to any eligible member of the Nation who meets the guidelines of the
74 approved program;
- 75 (5) provided for the promotion of general welfare;
- 76 (6) not lavish or extravagant;
- 77 (7) not compensation for services; and
- 78 (8) not a per capita payment.

79 (b) . I.R.S. Rev. Proc. 2014-35, section 5.02(2)(e)(iv) lists funeral, burial, and expenses
80 related to a death as Safe Harbor program for which need is presumed.

81 82 **1004.5. Qualifications, Designation of Beneficiary, and Notice**

83 1004.5-1. *Eligibility.* All members of the Nation shall qualify for benefits from the Oneida Life
84 Insurance Plan to be used for funeral expenses first, with any residual benefits distributed to a
85 designated beneficiary.

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86 (a) Newly enrolled members of the Nation shall be covered the date their enrollment
87 application is approved by Oneida Trust Enrollment Committee and Oneida Business
88 Committee.

89 (b) Members of the Nation that have relinquished their membership shall not be covered
90 from the date their relinquishment request is approved by the Oneida Trust Enrollment
91 Committee and Oneida Business Committee.

92 1004.5-2. *Designation of Beneficiary.* A member of the Nation shall complete the Oneida Trust
93 Enrollment Committee approved beneficiary designation form and submit it to the Oneida Trust
94 Enrollment Committee, either online or in person at the Oneida Trust Enrollment Office, prior to
95 their death in order to secure benefits from the Oneida Life Insurance Plan for their beneficiary.

96 (a) Any Oneida Life Insurance Plan beneficiary designation forms submitted prior to the
97 effective date of this law shall remain valid.

98 (b) Oneida Life Insurance Plan residual benefits shall not be paid or claimed if the decedent
99 did not designate a living beneficiary though the beneficiary designation form.

100 (c) This section shall not be enforced during the initial one hundred and eighty (180) days
101 after the effective date of this law, thereby creating a one hundred eighty (180) day grace
102 period to permit members of the Nation to complete and submit designated beneficiary
103 forms.

104 (d) A parent or legal guardian may complete and submit a beneficiary designation form
105 on behalf of their minor child or ward.

106 (e) Funeral expenses shall be paid directly to the funeral home upon submission of a valid
107 invoice, up to the limit of the Oneida Life Insurance Plan benefits, even if a designated
108 beneficiary has not been designated.

109 1004.5-3. *Notice of Death.* The Oneida Trust Enrollment Department shall be notified within one
110 (1) year of the member of the Nation's death in order to distribute the Oneida Life Insurance Plan
111 benefits to the beneficiary. Oneida Life Insurance Plan claims made beyond the first anniversary
112 of the decedent's death shall not be processed for distribution.

113 1004.5-4. *Oversight.* The Trust Enrollment Department shall be delegated the oversight and
114 management of the Oneida Life Insurance Plan.

115

116 **1004.6. Beneficiary Claim Process and Distribution**

117 1004.6-1. *Evidence as to Passing or Status.* In proceedings under this law, the following rules
118 relating to determination of death and status are applicable:

119 (a) A certified or authenticated copy of a death certificate purporting to be issued by an
120 official or agency of the place where the death purportedly occurred is prima facie proof
121 of the fact, place, date and time of death, and the identity of the decedent;

122 (b) A certified or authenticated copy of any record or report of a governmental agency,
123 domestic or foreign, of a decedent's death; and

124 (c) A person who is absent for a continuous period of seven (7) years, during which they
125 have not been heard from, and whose absence is not satisfactorily explained after diligent
126 search or inquiry is presumed to be dead. Their death is presumed to have occurred at the
127 end of the period unless there is sufficient evidence for determining that death occurred
128 earlier.

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129 1002.6-2. *Effect of Homicide on Beneficiary Designation.* A designated beneficiary who
130 criminally and intentionally causes the death of the decedent shall not be entitled to any benefits
131 passing under this law.

132 1002.6-3. *Distribution.* Oneida Life Insurance Plan benefits shall be distributed in the following
133 order:

134 (a) Funeral expenses shall be paid to the funeral home pursuant to receipt of a valid
135 invoice therefrom;

136 (1) Any expenses beyond the funeral expenses shall be the responsibility of the
137 beneficiary, family of the decedent, or any other responsible parties.

138 (b) Residual benefits shall be paid to the designated beneficiary;

139 (c) Residual benefits shall escheat to the Nation if the decedent did not designate a
140 beneficiary for the Oneida Life Insurance Plan benefits in accordance with this law.

141

142 **1004.7. Funding**

143 1004.7-1. *Funding Source.* The Oneida Life Insurance Plan shall be contingent on funding
144 through the Nation’s annual budget.

145

146 **1004.8. Administrative Rulemaking**

147 1004.8-1. *Delegation of Administrative Rulemaking Authority.* The Oneida Trust Enrollment
148 Department shall be delegated administrative rulemaking authority in accordance with the
149 Administrative Rulemaking law to promulgate rules to govern the administration of the Oneida
150 Life Insurance Plan.

151

152 *End.*

153

155 Emergency Adopted – BC-09-28-22-C

156 Emergency Extension – BC-__-__-__-__

157 Adopted – BC-__-__-__-__



Legislative Operating Committee
March 15, 2023

Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance

Submission Date: 3/1/23

LOC Sponsor: Daniel Guzman King

Summary: *This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following:*

- *Review, discuss, and take any action deemed appropriate by the General Tribal Council during the GTC Meeting regarding one or more of the following that are primarily Oneida culturally based, but recognizes, embraces, encompasses, respects, incorporates, and offers services to patients and families of all faiths, beliefs, and religions:*
 - *A medically supervised alcohol and drug detox center; and/or*
 - *Residential Treatment Center; and/or*
 - *Rehabilitation Center; and/or*
 - *Intensive Outpatient Program; and/or*
 - *Alternative Solutions (i.e. partnering, collaborations, inter-tribal business, etc.) with viability, costs, timeframes, etc.*
- *Direct the Oneida Business Committee to present relevant budgetary information regarding the costs associated with the current needs and future needs, facility size recommendation, construction costs, location, licensing, accreditation legal consultation(s), staffing, programming, programming materials, etc.*
- *Discuss matters as an Economic Diversification Opportunity for the Oneida Nation.*
- *GTC reserves the right to review, discuss, and take any other action deemed appropriate by the General Tribal Council during the GTC Meeting regarding the above matters.*

2/22/23 OBC: Motion by Lisa Liggins to approve acknowledge receipt of the petition from Linda Dallas regarding Alcohol and Drug Addiction Treatment Assistance, seconded by Jennifer Webster. Motion carried.

Motion by Jennifer Webster to direct the Business Committee Direct Report Offices to complete and submit their administrative impact statements of the petition to the Tribal Secretary mailbox by Wednesday, March 15, 2023, seconded by Lisa Liggins. Motion carried.

Motion by David P. Jordan to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the legal review, fiscal impact statement, and statement of effect with status updates to be submitted for the March 22, 2023, regular Business Committee meeting

agenda and the first BC meeting of the month thereafter or until the final documents are submitted, seconded by Jennifer Webster. Motion carried.

3/1/23 LOC: Motion by Jennifer Webster to add the Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance to the Active Files List with Daniel Guzman King as the sponsor; seconded by Marie Cornelius. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance and forward to the Oneida Business Committee.



HANDOUT

TO: Oneida Business Committee
 FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
 DATE: March 22, 2023
 RE: Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance

On February 15, 2023, the Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance (“the Petition”) was submitted to the Business Committee Support Office by Linda Dallas and has since been verified by the Oneida Trust Enrollment Department on February 16, 2023. On February 22, 2023, the Oneida Business Committee acknowledged receipt of the Petition and directed that the Legislative Reference Office complete a statement of effect for the Petition with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. On March 1, 2023, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.

The Legislative Reference Office currently is working on the development of the statement of effect for this Petition. It is the intention of the Legislative Reference Office that the statement of effect for the Petition be submitted for inclusion on the April 12, 2023, Oneida Business Committee meeting agenda.

Requested Action

Accept the status update regarding the statement of effect for the Petition: L. Dallas – Alcohol and Drug Addiction Treatment Assistance.



Legislative Operating Committee
March 15, 2023

Petition: L. Dallas – FY 2023 Budget

Submission Date: 3/1/23

LOC Sponsor: Marie Cornelius

Summary: *This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following:*

- *Direct that the budget for FY 2023 shall be brought before the General Tribal Council in its entirety for presentation, review, discussion and action by the General Tribal Council PRIOR TO any funds be allocated, released or dispersed;*
- *GTC reserves the right to review, discuss, and take any other action deemed appropriate by the General Tribal Council during the GTC Meeting regarding the above matters.*

2/22/23 OBC: Motion by Jennifer Webster to approve acknowledge receipt of the petition from Linda Dallas regarding the FY-2023 budget, seconded by Kirby Metoxen. Motion carried.

Motion by Jennifer Webster to direct the Business Committee Direct Report Offices to complete and submit their administrative impact statements of the petition to the TribalSecretary mailbox by Wednesday, March 15, 2023, seconded by Lisa Liggins. Motion carried.

Motion by David P. Jordan to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the legal review, fiscal impact statement, and statement of effect with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first BC meeting of the month thereafter or until the final documents are submitted, seconded by Jennifer Webster. Motion carried.

3/1/23 LOC: Motion by Jennifer Webster to add the Petition: L. Dallas – FY 2023 Budget to the Active Files List with Marie Cornelius as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for Petition: L. Dallas – FY 2023 Budget and forward to the Oneida Business Committee.

HANDOUT

TO: Oneida Business Committee
 FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
 DATE: March 22, 2023
 RE: Petition: L. Dallas – FY 2023 Budget



On February 15, 2023, the Petition: L. Dallas – FY 2023 Budget (“the Petition”) was submitted to the Business Committee Support Office by Linda Dallas and has since been verified by the Oneida Trust Enrollment Department on February 16, 2023. On February 22, 2023, the Oneida Business Committee acknowledged receipt of the Petition and directed that the Legislative Reference Office complete a statement of effect for the Petition with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. On March 1, 2023, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.

The Legislative Reference Office currently is working on the development of the statement of effect for this Petition. It is the intention of the Legislative Reference Office that the statement of effect for the Petition be submitted for inclusion on the April 12, 2023, Oneida Business Committee meeting agenda.

Requested Action

Accept the status update regarding the statement of effect for the Petition: L. Dallas – FY 2023 Budget



Legislative Operating Committee
March 15, 2023

Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business

Submission Date: 3/1/23

LOC Sponsor: Jennifer Webster

Summary: *This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following:*

- *Enforcement of the Oneida General Tribal Council directive that the Oneida Business Committee SHALL NOT be involved in the day-to-day business of the Oneida Nation of Wisconsin; and*
- *Direct immediate compliance; and*
- *GTC reserves the right to review, discuss, and take any other action deemed appropriate by the General Tribal Council during the GTC Meeting regarding the above matters.*

2/22/23 OBC: Motion by Jennifer Webster to approve acknowledge receipt of the petition from Linda Dallas regarding the General Tribal Council Directive for the Oneida Business Committee to stay out of day-to-day business, seconded by Kirby Metoxen. Motion carried.

Motion by Jennifer Webster to direct the Business Committee Direct Report Offices to complete and submit their administrative impact statements of the petition to the TribalSecretary mailbox by Wednesday, March 15, 2023, seconded by Kirby Metoxen. Motion carried.

Motion by David P. Jordan to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the legal review, fiscal impact statement, and statement of effect with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first BC meeting of the month thereafter or until the final documents are submitted, seconded by Jennifer Webster. Motion carried.

3/1/23 LOC: Motion by Jennifer Webster to add the Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business to the Active Files List with Jennifer Webster as the sponsor; seconded by Marie Cornelius. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business and forward to the Oneida Business Committee.

HANDOUT

TO: Oneida Business Committee
 FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
 DATE: March 22, 2023
 RE: Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business



On February 15, 2023, the Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business (“the Petition”) was submitted to the Business Committee Support Office by Linda Dallas and has since been verified by the Oneida Trust Enrollment Department on February 16, 2023. On February 22, 2023, the Oneida Business Committee acknowledged receipt of the Petition and directed that the Legislative Reference Office complete a statement of effect for the Petition with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. On March 1, 2023, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.

The Legislative Reference Office currently is working on the development of the statement of effect for this Petition. It is the intention of the Legislative Reference Office that the statement of effect for the Petition be submitted for inclusion on the April 12, 2023, Oneida Business Committee meeting agenda.

Requested Action

Accept the status update regarding the statement of effect for the Petition: L. Dallas – GTC Directive for OBC to Stay Out of Day-to-Day Business



Legislative Operating Committee
March 15, 2023

Petition: L. Zeise – Uncap All Employee Wages

Submission Date: 3/1/23

LOC Sponsor: Marie Cornelius

Summary: *This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following: Direct that all workers wages be uncap throughout the entire Oneida Nation of Wisconsin Organization Structure.*

2/22/23 OBC: Motion by David P. Jordan to approve acknowledge receipt of the petition from Lloyd Zeise regarding the Uncap All Employee Wages, seconded by Jennifer Webster. Motion carried.

Motion by David P. Jordan to direct the Business Committee Direct Report Offices to complete and submit their administrative impact statements of the petition to the TribalSecretary mailbox by Wednesday, March 15, 2023, seconded by Jennifer Webster. Motion carried.

Motion by David P. Jordan to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the legal review, fiscal impact statement, and statement of effect with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first BC meeting of the month thereafter or until the final documents are submitted, seconded by Marie Cornelius. Motion carried.

3/1/23 LOC: Motion by Jennifer Webster to add the Petition: L. Zeise – Uncap All Employee Wages to the Active Files List with Marie Cornelius as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for Petition: L. Zeise – Uncap All Employee Wages and forward to the Oneida Business Committee.



Statement of Effect

Petition: L. Zeise – Uncap All Employee Wages

Summary

This petition requests the General Tribal Council to consider directing that all worker's wages be uncapped throughout the Nation's organizational structure.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office

Date: March 10, 2023

Analysis by the Legislative Reference Office

On February 15, 2023, the Petition: L. Zeise – Uncap All Employee Wages (“the Petition”) was submitted to the Business Committee Support Office by Lloyd Zeise and has since been verified by the Oneida Trust Enrollment Department. On February 22, 2023, the Oneida Business Committee acknowledged receipt of the Petition and directed that the Legislative Reference Office complete a statement of effect for the Petition with status updates to be submitted for the March 22, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted.

The purpose of this Petition is to call a special meeting of the General Tribal Council to consider the following:

Direct that all workers wages be uncap throughout the entire Oneida Nation of Wisconsin Organization Structure.

All applicable laws and policies of the Nation were reviewed in developing this statement of effect for the Petition.

Oneida Personnel Policies and Procedures

The Oneida Personnel Policies and Procedures provides for the Nation's employee related policies and procedures including recruitment, selection, compensation and benefits, employee relations, safety and health, program and enterprise rules and regulations, and record keeping.

In regard to the Nation's job and salary structure, the Oneida Personnel Policies and Procedures provides that an ongoing plan will be instituted based on standard employee grades and step levels to assure that a uniform approach is taken to establish equitable salary and wage levels. [OPPP Section IV.A.1.a.].

Additionally, the Oneida Personnel Policies and Procedures then references wage grades in the following instances:

- Temporary employees will be paid within the grade in which the job is classified and salary will be negotiated within the first three (3) steps of respective grade. [OPPP Section II.C.3.e.];
- An employee who is transferred to a position lower on the Oneida Nation Position Structure shall be paid at the grade level corresponding to the new position. [OPPP Section III.C.1.a.3.b.]; and
- Satisfactory evaluations may result in the employee receiving an increase in pay within their grade level provided that the employee has not attained the highest step within the grade. [OPPP Section V.B.4.].

The references to employee grades throughout the Oneida Personnel Policies and Procedures implies the use of salary ranges applied to each grade – which inherently would include salary minimums and maximums. The request of the Petition to “*uncap all employee wages*” implies the elimination of any maximum salary limitations placed on a grade. Uncapping all employee wages may disrupt the plan instituted based on standard employee grades and step levels to which would affect any uniform approach taken to establish equitable salary and wage levels.

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: L. Zeise – Uncap All Employee Wages may conflict with the Oneida Personnel Policies and Procedures requirement that a plan will be instituted based on standard employee grades and step levels to assure that a uniform approach is taken to establish equitable salary and wage levels. [OPPP Section IV.A.1.a.].

Requested Action

Accept the statement of effect for the Petition: L. Zeise – Uncap All Employee Wages.



Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
Oneida-nsn.gov



AGENDA REQUEST FORM

- 1) Request Date: March 7, 2023
- 2) Contact Person(s): Keith Doxtator
Dept: Finance
Phone Number: 920-869-4491 Email: kdoxtat1@oneidanation.org
- 3) Agenda Title: Finance Committee By-Laws
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:
To finalize/update Finance Committee By-Laws

List any supporting materials included and submitted with the Agenda Request Form

- 1) Finance Committee By-Laws 3) _____
- 2) 3/2/23 FC Minutes 4) _____

- 5) Please list any laws, policies or resolutions that might be affected:

- 6) Please list all other departments or person(s) you have brought your concern to:

- 7) Do you consider this request urgent? Yes No
If yes, please indicate why:

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester:

Melissa Alvarado

Please send this form and all supporting materials to:

LOC@oneidanation.org
or
Legislative Operating Committee (LOC)
P.O. Box 365
Oneida, WI 54155
Phone 920-869-4376

FINANCE COMMITTEE
BY-LAWS
(As Amended February 13, 2023)

Article I. Authority

- 1-1. Name. The name of this body shall be the Finance Committee.
- 1-2. Authority. This committee was created on 7/19/95 by the approval of the Finance Committee By-Laws by the Oneida Business Committee (hereafter known as Business Committee).
- 1-3. Duties. The Finance Committee has the authority to regulate, advise, and administer financial matters for the Oneida Nation including: recommending financial policies & goals, reviewing and approving organizational requests (as required in the Purchasing manual), and reviews the financial performance of the Nation's investments to ensure it is in alignment with the short and long range financial strategies for the Oneida Nation in accordance with the Oneida Investment Policy.
- 1-4. Actions. Per the Oneida Nation's Purchasing manual, when requests are approved by the Finance Committee and following the approval of the FC Minutes, they can be routed through the system for online approvals.
- 1-5. Office. The official office of this body shall reside within the exterior boundaries of the Oneida Reservation and its mailing address shall be:
- Oneida Nation
Attn: Finance Committee
P.O. Box 365
Oneida, Wisconsin 54155
- 1-6. Membership.
- (a) The Finance Committee shall consist of these members:
- (1) One (1) Community Member.
 - (2) Four (4) Business Committee members.
 - (3) Chief Financial Officer, who may choose one (1) alternate with full authority.
 - (4) Gaming General Manager, who may choose one (1) alternate with full authority.
 - (5) Purchasing Director, who may choose one (1) alternate with full authority.
 - (6) General Manager, who may choose one (1) alternate with full authority.
- (b) Terms.
- (1) Community Member. The term of the Community Member expires September 30th following each General Election.
 - (2) Business Committee members. The Business Committee members shall coincide with the term of the Business Committee.
 - (3) Chief Financial Officer, General Manager, Gaming General Manager and Purchasing Director. The terms of the Chief Financial Officer, General Manager, Gaming General Manager and Purchasing Director coincides with employment of those positions.
- (c) Qualifications.
- (1) Community Member. Must be an enrolled member of the Oneida Nation and at least 18 years of age and shall not be a consultant or contractor.
 - (2) Business Committee. One (1) of the Business Committee members must be the Tribal Treasurer.
 - (3) A Finance Committee member shall not be a Consultant or Contractor; with the exception of employment contracts, for the Nation.
- (d) How Chosen.
- (1) Community Member. The Community Member is appointed every three years (3) by the Business Committee.
 - (2) Business Committee Member. The Business Committee members shall be agreed upon by the Business Committee following each general election. The three (3) BC

Councilmembers may identify an alternate from the remaining Business Committee who will have full authority to take their place at any meeting.

- (e) Vacancies.
- (1) In case of a vacancy due to death, extended leave, removal or resignation, the vacancy shall be filled by the Business Committee by immediate appointment according to the criteria of the vacant position.
 - (2) Removal. In case of removal, refer to Chapter 104 – Removal Law.
 - (3) Community Member.
 - (a) Un-excused Absences. Failure by the Community Member to attend two (2) meetings without notification of absence within one (1) year may be cause for removal. This member shall be notified in writing of any removal action prior to action being taken.
 - (b) Resignation. Resignations are effective upon written receipt by the Finance Committee Chairperson.

Article II. Officers

- 2-1. Chairperson. This body shall be presided over by the Treasurer, acting as Chairperson.
- (a) The Chairperson shall preside at meetings, appoint sub committees, oversee all Finance Committee activities, and sign off on all expenses and Finance Committee Policies and Procedures.
 - (b) The Chairperson or designee shall maintain all correspondence and minutes of all meetings and document all activities of the Finance Committee and designated bodies.
- 2-2. Vice-Chairperson. The Chief Financial Officer or their permanent alternate, acting as Vice-Chairperson, shall act in the absence of the Chairperson.

Article III. Meetings

- 3-1. Orientation. Orientation will be conducted for all new members of the Finance Committee. This will be conducted at the first Finance Committee meeting following a general election of the Business Committee. For the Community Member an orientation will be conducted by the Treasurer or the CFO at the time of their first Finance Committee meeting.
- 3-2. Regular Meetings. The Finance Committee shall establish regularly scheduled meetings. Finance Committee Meetings will have a virtual option. Finance Committee members must have their camera on when using the virtual option. All Finance Committee meetings will be recorded.
- 3-3. Emergency meetings. The Chairperson may call an emergency meeting at any time provided 24-hour notice is given.
- 3-3.1 E-mail polls may be allowed, by authority of the Chairperson.
- 3.4. Work Meetings. The Chairperson may schedule work meetings to update /review processes and procedures of the Finance Committee, review internal documents or to update the By Laws. All actions will be placed on the next Regular Meeting for official approval.
- 3-4. Quorum. Three (3) members of the Finance Committee shall constitute a quorum. Once the body of the Finance Committee is established, per Article I. Section 1-4(D), there will be no substitutes other than the ones identified.
- 3-5. Order of Business. The order of business so far as applicable shall be:
- (a) Call to order
 - (b) Approval of Agenda
 - (c) FC e-poll Action of Minutes
 - (d) Tabled Items
 - (e) Capital Expenditures
 - (f) New Business
 - (g) Community Giving
 - (h) Administrative/Internal
 - (i) Follow Up

- 105 (j) For Information Only
- 106 (k) Adjournment

107
108 3-6. Voting.

- 109 (a) The Chairperson does not vote except in the event of a tie.
- 110 (b) Each remaining Finance Committee member shall have one (1) vote.
- 111 (c) E-Polls must be sent to all Finance Committee members with a quorum responding.
- 112 (d) The Finance Committee shall act by a majority vote of the quorum present at any meeting.

113
114 **Article IV. Stipends**

- 115 4-1. The Community Member shall be paid a stipend of seventy-five dollars (\$75.00) for each meeting or
- 116 training/orientation, that the community member is present at the meeting for the durational of the
- 117 meeting.

118
119 **Article V. Reporting**

- 120 5-1. Agenda items shall be in a consistent format.
- 121 5-2. Minutes. Minutes shall be typed and in a consistent format.
- 122 5-3. Handouts, memoranda, reports, etc. may be attached to the minutes and agenda, or may be kept
- 123 separately, provided that all materials can be identified to the meeting in which they were presented.
- 124 5-4. The Chairperson shall report monthly all minutes and actions to the Oneida Business Committee for
- 125 acceptance.

126
127 **Article VI. Amendments to by-laws.**

- 128 6-1. The Finance Committee, upon written notice, may at any of its regular meetings, by a majority vote
- 129 of the voting members present, adopt, amend or repeal any or all of the Finance Committee By-Laws,
- 130 provided that the amendment or repeal has been submitted in writing at a previous work meeting. All
- 131 such amendments approved are subject to subsequent approval by the Business Committee.

132
133 **ARTICLE VII. Filing of By-Laws.**

- 134 7-1. By-laws. By-laws shall be filed in the Tribal Secretary's Office prior to their implementation.

135
136 **Article VIII. Definitions**

- 137 8-1. Conflict of Interest. Conflict of Interest means a situation in which a person is in a position to
- 138 derive personal benefit from actions or decisions made in their official capacity.
- 139 8-1.1 Finance Committee members must recuse themselves if a conflict of interest were to
- 140 arise.
- 141 8-2. Consultant. Consultant means a person who provides expert advice professionally.
- 142 8-3. Contractor. Contractor means a person or company that undertakes a contract to provide
- 143 materials or labor to perform a service or do a job.

144
145
146 APPROVED BY:

147
148
149 _____
150 Finance Committee Chairperson

151 and Approved by the Oneida Business Committee on the ____ day of _____, 2023.

152
153
154
155
156 _____
157 Tribal Secretary
158



ONEIDA
FINANCE COMMITTEE
REGULAR MEETING

RESCHEDULED: MARCH 2, 2023 - Time: 1:30 P.M.
Business Committee Conference Room/ Microsoft Teams

REGULAR MEETING MINUTES

FC MEMBERS PRESENT:

Keith Doxtator, CFO/FC Vice-Chair Jennifer Webster, BC Council Member-via Teams
 Kirby Metoxen, BC Council Member Patrick Stensloff, Purchasing Director-via Teams

FC MEMBERS EXCUSED: Cristina Danforth, Treasurer/FC Chair and Chad Fuss, Asst. Gaming CFO

OTHERS PRESENT: Ray Olson, Craig Clausen, Redmon Danforth Jr.-via Teams, Rachel Lemke-via Teams, Loucinda Conway-via Teams and Melissa Alvarado-via Teams taking notes

I. CALL TO ORDER: The FC Regular Meeting was called to order by the FC Vice-Chair at 1:31 P.M.

II. APPROVAL OF AGENDA: MARCH 2, 2023

Motion by Patrick Stensloff to approve the March 2, 2023 Finance Committee Meeting Agenda. Seconded by Jennifer Webster. Motion carried unanimously.

III. MINUTES: FEBRUARY 13, 2023 (Approved via E-Poll on 2/13/23):

Motion by Jennifer Webster to acknowledge the FC E-Poll action taken on February 13, 2023 approving the February 13, 2023 Finance Committee Meeting Minutes. Seconded by Kirby Metoxen. Motion carried unanimously.

IV. TABLED BUSINESS: None

V. CAPITAL EXPENDITURES:

1. Kain Energy Corp. - Inet Seven BAS Controllers ONES Project Amount: \$168,200.00
 Ray Olson/Craig Clausen, DPW-Facilities

Ray Olson and Craig Clausen were present and explained the Kain Energy Corp. Project. This will be replacing the remaining obsolete Inet Seven BAS Controllers at the Turtle School. This is budgeted for in DPW-Facilities budget with the expectations that the BIE will be reimbursing the project.

Motion by Jennifer Webster to approve the Kain Energy Corp. – Inet Seven BAS Controllers ONES Project in the amount of \$168,200.00. Seconded by Patrick Stensloff. Motion carried unanimously.

2. **Broadway Automotive – Vehicle Purchase** Amount: \$63,951.50
Redmon Danforth Jr., DPW-Automotive

Redmon Danforth Jr. was present and explained the Broadway Automotive vehicle purchase. This vehicle will be replacing a Plumbing vehicle that is on its last leg. The total amount includes everything the vehicle would need, and it is budgeted for.

Motion by Kirby Metoxen to approve the Broadway Automotive – Vehicle Purchase in the amount of \$63,951.50. Seconded by Jennifer Webster. Motion carried unanimously.

VI. NEW BUSINESS:

1. **Limitless Possibilities LLC – Service Contract** Amount: \$150,000.00
Carrie Lindsey, Comm. Health

Rachel Lemke was present and explained the Limitless Possibilities service contract. Community Health is looking to add this vendor for their services. They are a sole source and are budgeted for.

Motion by Kirby Metoxen to approve the Limitless Possibilities LLC – Service Contract in the amount of \$150,000.00. Seconded by Patrick Stensloff. Motion carried unanimously.

2. **RSM US LLP – Service Contract** Amount: \$729,000.00
Loucinda Conway, Internal Audit

Loucinda was present and explained the RSM service contract extension for the next three years. Internal Audit will do the three bid process for the next contract.

Motion by Kirby Metoxen to approve the three-year contract with RSM and the amount for FY23 only. Internal Audit will have to bring back to the Finance Committee the amounts for FY24 and FY25 after their budgets are past for each fiscal year. Seconded by Jennifer Webster. Motion carried unanimously.

VII. ONEIDA FINANCE FUND:

Report:

1. **Oneida Finance Fund Report – March 2023**
Melissa Alvarado, Office Manager

Motion by Jennifer Webster to accept the Finance Committee Donation Report for March

2023. Seconded by Patrick Stensloff. Motion carried unanimously.

Requests:

1. Tai Chi Lessons Amount: \$500.00
Requester: Steve Skenandore

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Tai Chi Lessons in the amount of \$500. Seconded by Kirby Metoxen. Motion carried unanimously.

2. Oneida Pow-Wow – Refreshments Amount: 100 Cases
Requester: Tonya Webster, Oneida Pow-Wow Committee

Motion by Jennifer Webster to approve from the Oneida Finance Fund the product request for one hundred (100) cases of Coca-Cola products for refreshments and fundraising at the Oneida Nation Pow Wow. Seconded by Kirby Metoxen. Motion carried unanimously.

3. YMCA Membership fees Amount: \$500.00
Requester: Nancy Barton

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for YMCA Membership in the amount of \$500 pending the paperwork gets completed. Seconded by Patrick Stensloff. Opposed by Kirby Metoxen. Motion carried.

Kirby Metoxen opposed because he would deny the request and send it back to the requester to complete the form.

4. KunHi-Yo Community Drum & Dance - Refreshments Amount: 5 Cases per Week
until August
Requester: Shannon Hill

Motion by Kirby Metoxen to approve from the Oneida Finance Fund the product request for 25 cases of Coca-Cola products for refreshments for the KunHi-Yo Community Drum & Dance. Seconded by Patrick Stensloff. Motion carried unanimously.

5. Next Level Fitness Family Membership Amount: \$750.00
Requester: Kristal Hill

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Next

Level Fitness family membership in the amount of \$750. Seconded by Kirby Metoxen.

Motion carried unanimously.

6. Green Bay Elite Cheer fees Amount: \$500.00
Requester: Amanda Thayer for Jasmine

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Green Bay Elite Cheer fees for the daughter of the requester in the amount of \$500. Seconded by Patrick Stensloff. Motion carried unanimously.

7. Green Bay Elite Cheer fees Amount: \$500.00
Requester: Amanda Thayer for Sheena

Motion by Kirby Metoxen to approve from the Oneida Finance Fund the request for Green Bay Elite Cheer fees for the daughter of the requester in the amount of \$500. Seconded by Jennifer Webster. Motion carried unanimously.

VIII. EXECUTIVE SESSION: None

IX. ADMINISTRATIVE /INTERNAL:

1. Finance Committee By-Laws
Melissa Alvarado, Office Manager

Motion by Jennifer Webster to approve the Finance Committee By-Laws. Seconded by Patrick Stensloff. Motion carried unanimously.

X. FOLLOW UP: None

XI. FOR INFORMATION ONLY:

2. IGT– Master Agreements for Slots Area
David Emerson, Gaming – Slots

Motion by Jennifer Webster to accept the IGT – Master Agreements for Slots Area as FYI. Seconded by Kirby Metoxen. Motion carried unanimously.

XII. ADJOURN: Motion by Jennifer Webster to adjourn. Seconded by Kirby Metoxen.

Motion carried unanimously. Time: 2:27 P.M.

Minutes submitted by:

Finance Committee Approval Date of Minutes via E-Poll: March 2, 2023

March 2023

March 2023							April 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Feb 27	28	Mar 1 8:30am LOC Prep (Microsoft Teams Meeting; BC_Conf_Room) - 9:00am Legislative Operating Committee Meeting (Microsoft Teams Meeting;	2	3
6 10:00am OLIPP Law Work Meeting (Microsoft Teams Meeting) - Clorissa N. Leeman	7	8	9 10:30am Personnel Commission bylaws work meeting (Microsoft Teams 1:30pm LOC Work Session (Microsoft Teams Meeting) - Clorissa N. Leeman	10
13	14 10:00am Back Pay Law Amendments (Microsoft Teams Meeting) - Clorissa N. Leeman	15 8:30am LOC Prep (Microsoft Teams 9:00am Legislative Operating Committee 10:00am Oneida Personnel Policies and 1:30pm Oneida Personnel Policies and	16	17
20 9:00am Clean Air Policy Amendments (Microsoft Teams Meeting) - Clorissa N. Leeman	21	22	23 9:30am LOC Work Session (Microsoft Teams Meeting) - Clorissa N. Leeman	24 10:00am Investigative Leave Policy (Microsoft Teams Meeting) - Grace L. Elliott
27 10:00am Oneida Language Code Work Meeting (Microsoft Teams Meeting) - Clorissa N. Leeman	28 10:00am Furlough & Layoff law amendments work meeting (Microsoft Teams Meeting) - Carolyn A. Salutz	29	30 9:30am LOC Work Session (Microsoft Teams Meeting) - Clorissa N. Leeman 3:00pm Oneida Higher Education Scholarship Law (Microsoft Teams Meeting) - Grace L.	31