



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room - 2nd Floor Norbert Hill Center

June 21, 2023

9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be Approved

1. June 7, 2023 LOC Meeting Minutes (pg. 2)

III. Current Business

1. Petition: L. Dallas - Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue (pg. 4)
2. Petition: L. Dallas - - Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility (pg. 16)
3. Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes (pg. 22)

IV. New Submissions

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
June 7, 2023
9:00 a.m.

Present: David P. Jordan, Kirby Metoxen, Daniel Guzman King, Jennifer Webster

Others Present: Clorissa N. Leeman, Grace Elliott, Brooke Doxtator, Keith Doxtator, Rhiannon Metoxen (Microsoft Teams), Michelle Braaten (Microsoft Teams), Eric Boulanger (Microsoft Teams), Carrie Lindsey (Microsoft Teams), Michelle Tipple (Microsoft Teams), Nicholas Anderson (Microsoft Teams), Terri Schilitz (Microsoft Teams), Kristine Hill (Microsoft Teams)

I. Call to Order and Approval of the Agenda

David P. Jordan called the June 7, 2023, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda as is; seconded by Kirby Metoxen. Motion carried unanimously.

II. Minutes to be Approved

1. May 17, 2023 LOC Meeting Minutes

Motion by Jennifer Webster to approve the May 17, 2023, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Daniel Guzman King. Motion carried unanimously.

III. Current Business

1. Petition: L. Dallas - Emergency Amendments to the Election Law for the 2023 General Election

Motion by Jennifer Webster to accept the statement of effect for the Petition: L. Dallas - Emergency Amendments to the Election Law for the 2023 General Election and forward to the Oneida Business Committee; seconded by Daniel Guzman King. Motion carried unanimously.

IV. New Submissions

1. Petition: L. Dallas - Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue

Motion by Jennifer Webster to add the Petition: L. Dallas - Allow the General Tribal



Council Full Informational Access to the Oneida Nation's Revenue to the Active Files List with all LOC members as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

2. Petition: L. Dallas - Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility

Motion by Jennifer Webster to add the Petition: L. Dallas - Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility to the Active Files List with all LOC members as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

3. Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes

Motion by Jennifer Webster to add the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes to the Active Files List with all LOC members as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

V. Additions

VI. Administrative Items

1. E-Poll Results: Approval of Two GTC Petition SOEs and Memorandum

Motion by Jennifer Webster to enter into the record the results of the May 18, 2023, e-poll entitled, Approval of Two GTC Petition SOEs and Memorandum; seconded by Daniel Guzman King. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 9:11 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.



Legislative Operating Committee
June 21, 2023

Petition: L. Dallas - Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue

Submission Date: 6/7/23

LOC Sponsor: All LOC Members

Summary: *This petition calls for a special emergency meeting of the General Tribal Council (GTC) to be called within forty-five days (45) to consider the following:*

- *To allow the General Tribal Council full informational access to the Oneida Nation of Wisconsin's revenue (in any shape or form it may be held in), with emphasis on the current revenue and any plans in place for allocation and/or expenditures in Fiscal Year 2023;*
- *To provide the General Tribal Council an opportunity to exercise their right to direct what shall and shall not be done with said revenue cite above – with urgency placed on the allocations and/or expenditures for Fiscal Year 2023;*
- *To direct the Business Committee cease and desist in any spending that has not been reviewed and specifically approved by the General Tribal Council, especially any spending identified in the 28+ Oneida General Tribal Council Meeting Petitions properly submitted to the Oneida Tribal Secretary's Office within the last sixty (60) calendar days;*
- *To direct that no money shall be allocated or spent on any of the items identified in the 28+ Oneida General Tribal Council Meeting Petitions properly submitted to the Oneida Tribal Secretary's Office within the last sixty (60) calendar days until the items in the petition are brought to the General Tribal Council for review, discussion and direction to the Oneida Business Committee;*
- *To direct that the emergency amendments shall apply to the 2023 Oneida Nation of Wisconsin Tri-Annual General Elections; 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.*

4/26/23 OBC: Motion by Lisa Liggins to acknowledge receipt of the petition from Linda Dallas regarding Allow the General Tribal Council full informational access to the Oneida Nation's revenue; 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, June 14, 2023; And to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the legal review, fiscal impact statement, and statements of effect

with status updates to be submitted for the June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until all final documents are submitted, seconded by Jennifer Webster. Motion carried.

6/7/23 LOC: Motion by Jennifer Webster to add the Petition: L. Dallas - Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue to the Active Files List with all LOC members as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for the Petition: L. Dallas – Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue and forward to the Oneida Business Committee.



Statement of Effect

Petition: L. Dallas – Allow the General Tribal Council Full Informational Access to the Oneida Nation’s Revenue

Summary

This petition requests a special emergency meeting of the General Tribal Council be called within forty-five (45) days for the General Tribal Council to consider directives related to revenue and expenditures of the Nation, including the following:

- That the General Tribal Council be allowed full informational access to the Nation’s revenue and any plans for how the revenue is allocated or expended for Fiscal Year 2023;
- That the General Tribal Council be provided an opportunity to exercise their right to direct what shall be done with the Nation’s revenue, specifically for any allocations or expenditures for Fiscal Year 2023;
- That the Oneida Business Committee cease any spending that has not been reviewed and specifically approved by the General Tribal Council, especially any expenditures identified in the most recent twenty-eight (28) General Tribal Council petitions submitted by the Petitioner; and
- That no money be allocated or spent on any of the items identified in the twenty-eight (28) General Tribal Council petitions submitted by the Petitioner until the items in the petition are brought to the General Tribal Council for review, discussion, and direction to the Oneida Business Committee.

The Petition also requests that the General Tribal Council direct that the emergency amendments shall apply to the 2023 General Elections.

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

Date: June 14, 2023

Analysis by the Legislative Reference Office

On May 5, 2023, the Petition: L. Dallas – Allow the General Tribal Council Full Informational Access to the Oneida Nation’s Revenue (“the Petition”) was submitted to the Government Administrative Office by Linda Dallas and then verified by the Oneida Trust Enrollment Department on May 9, 2023. On May 24, 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 June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. The Legislative Operating Committee added the Petition

to its Active Files List on June 7, 2023, for a statement of effect to be developed by the Legislative Reference Office.

The purpose of this Petition is to call a special emergency meeting of the General Tribal Council within forty-five (45) days to consider the following:

- *To allow the General Tribal Council full informational access to the Oneida Nation of Wisconsin's revenue (in any shape or form it may be held in), with emphasis on the current revenue and any plans in place for allocation and/or expenditures in Fiscal Year 2023;*
- *To provide the General Tribal Council an opportunity to exercise their right to direct what shall and shall not be done with said revenue cite above – with urgency placed on the allocations and/or expenditures for Fiscal Year 2023;*
- *To direct the Business Committee cease and desist in any spending that has not been reviewed and specifically approved by the General Tribal Council, especially any spending identified in the 28+ Oneida General Tribal Council Meeting Petitions properly submitted to the Oneida Tribal Secretary's Office within the last sixty (60) calendar days;*
- *To direct that no money shall be allocated or spent on any of the items identified in the 28+ Oneida General Tribal Council Meeting Petitions properly submitted to the Oneida Tribal Secretary's Office within the last sixty (60) calendar days until the items in the petition are brought to the General Tribal Council for review, discussion and direction to the Oneida Business Committee;*
- *To direct that the emergency amendments shall apply to the 2023 Oneida Nation of Wisconsin Tri-Annual General Elections; 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.*

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

Revenue and Expenditures of the Nation

The Petition requests the General Tribal Council to consider directives related to revenue and expenditures of the Nation, including the following:

- That the General Tribal Council be allowed full informational access to the Nation's revenue and any plans for how the revenue is allocated or expended for Fiscal Year 2023;
- That the General Tribal Council be provided an opportunity to exercise their right to direct what shall be done with the Nation's revenue, specifically for any allocations or expenditures for Fiscal Year 2023;
- That the Oneida Business Committee cease any spending that has not been reviewed and specifically approved by the General Tribal Council, especially any expenditures identified

in the most recent twenty-eight (28) General Tribal Council petitions submitted by the Petitioner; and

- That no money be allocated or spent on any of the items identified in the twenty-eight (28) General Tribal Council petitions submitted by the Petitioner until the items in the petition are brought to the General Tribal Council for review, discussion, and direction to the Oneida Business Committee.

How the Nation intends to utilize revenues and make expenditures is provided for in the Nation's budget, which is governed by the Budget and Finances law.

Article IV, Section 1 of the Constitution and Bylaws of the Oneida Nation grants the General Tribal Council the power to “manage all economic affairs and enterprises of the Oneida Nation” and to “promulgate and enforce ordinances . . . providing for the . . . appropriation of available tribal funds for public purposes. . . .” [*Oneida Nation Constitution Article IV Section 1(e) and (f)*]. Subject to its review, the General Tribal Council has delegated the authority set forth in Article IV of the Constitution to the Oneida Business Committee.

The Budget and Finances law sets 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 which:

- institutionalize best practices in financial management to guide decision makers in making informed decisions regarding the provision of services, implementation of business plans for enterprises, investments, and capital assets;
- provide a long term financial prospective and strategic intent, linking budget allocations to organizational goals, as well as providing fiscal controls and accountability for results and outcomes;
- identify and communicate to the membership of the Nation spending decisions for the government function, grant obligations, enterprises, membership mandates, capital expenditures, technology projects, and capital improvement projects;
- establish a framework for effective financial risk management; and
- encourage participation by the Nation's membership. [*1 O.C. 121.1-1*].

The Nation is required to develop, adopt, and manage an annual budget. [*1 O.C. 121.5-1*]. All revenues and expenditures of the Nation are required to be made in accordance with the annual budget. *Id.* The Nation's annual budget is required to be a balanced budget, which does not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year. *Id.* The Budget and Finances law provides for the process and procedures to be used for the development and adoption of the Nation's budget. [*1 O.C. 121.5-4*].

The Budget and Finances law requires that the Treasurer develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets, and that the Treasurer then submit

those guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution. [1 O.C. 121.5-4(a)]. The budget schedule and guidelines are required to include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget. [1 O.C. 121.5-4(a)(1)]. In May of 2022 the Treasurer identified budget development guidelines which were adopted by the Oneida Business Committee through resolution BC-05-25-22-A, *Fiscal Year 2023 Budget Considerations and Calendar*. Each fund unit is responsible for complying with the budget schedule and guidelines to submit a proposed budget to the Treasurer. [1 O.C. 121.5-4(a)(2)].

The Treasurer is then required to receive, review, and compile the proposed budgets from all the fund units into the Nation's draft budget, and then present the Nation's draft budget to the Oneida Business Committee for review each year to ensure that it is consistent with the Nation's strategic plan, broad goals, and budget strategy. [1 O.C. 121.5-4(b)]. The draft Fiscal Year 2023 budget was presented to the Oneida Business Committee at the August 9, 2022, meeting.

The Budget and Finances law then requires the Oneida Business Committee to work with the Treasurer, Chief Financial Officer, managers, or other appropriate entity to compile a final draft budget to be presented to the General Tribal Council. [1 O.C. 121.5-4(c)]. The Oneida Business Committee is then required to approve, by resolution, the final draft budget to be presented to the General Tribal Council. When the draft Fiscal Year 2023 budget was presented to the Oneida Business Committee on August 9, 2022, it was determined by the Oneida Business Committee that it was not ready for approval or ready to be sent to the General Tribal Council for approval. The Oneida Business Committee then continued to discuss the budget in various work sessions and in organizational meetings and identified revisions and review that the organization needed to undertake to develop a draft budget that was within the guidelines and considerations presented in the May 25, 2022, resolution among other considerations. Once the Oneida Business Committee has approved the final draft budget, the Treasurer is required to hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council. [1 O.C. 121.5-4(d)]. The Oneida Business Committee is then required to present the budget to the General Tribal Council with a request for adoption by resolution no later than September 30th of each year, with the General Tribal Council responsible for adopting the Nation's budget. [1 O.C. 121.5-4(e)]. The Oneida Business Committee identified that the budget could not be finalized in time to present to the General Tribal Council before September 30, 2022.

The Budget and Finances law provides that in the event that the General Tribal Council does not adopt a budget by September 30th, the Oneida Business Committee may adopt a continuing budget resolution until such time as a budget is adopted. [1 O.C. 121.5-4(e)(1)]. Previously, the Budget and Finances law only allowed a continuing budget resolution to remain in effect for three (3) months, but the Oneida Business Committee took action to adopt emergency amendments to the Budget and Finances law through the adoption of resolution BC-10-26-22-D, *Emergency*

Amendments to the Budget and Finances law, which removed the provision which only allowed a continuing budget resolution to remain in effect for a maximum of three (3) months. If the General Tribal Council is not able to adopt a budget within three (3) months of the adoption of the continuing budget resolution, then the Oneida Business Committee shall proceed with the adoption of the Nation's budget. *Id.* The Oneida Business Committee took action to adopt a continuing budget resolution through the adoption of resolution BC-09-14-22-D, *Continuing to Operate Fiscal Year 2023*, which allowed organizational activities to continue until the final budget was presented for approval. Resolution BC-09-14-22-D provided that the continuing budget resolution would remain in effect from October 1, 2022, until December 31, 2022, or until the budget is adopted whichever is soonest. The three (3) month timeframe for a continuing budget was now a requirement of the resolution itself, and not the Budget and Finances law.

The Oneida Business Committee was presented the Fiscal Year 2023 draft budget as revised in the amount of five hundred forty-nine million one hundred and six thousand nine hundred eighty-eight dollars (\$549,106,988) and has determined that the budget is appropriate form to be adopted. The Oneida Business Committee was unable to schedule a General Tribal Council meeting prior to December 31, 2022, when the continuing budget resolution as adopted through resolution BC-09-14-22-D expired, and therefore proceeded with the adoption of the budget in accordance with section 121.5-4(e)(1) of the Budget and Finances law.

Through the adoption of resolution BC-12-28-22-D, *Adoption of Fiscal Year 2023 Budget*, the Oneida Business Committee approved the final draft Fiscal Year 2023 budget in the amount of five hundred forty-nine million one hundred and six thousand nine hundred eighty-eight dollars (\$549,106,988) to be presented for adoption by the General Tribal Council in accordance with section 121.5-4(c) of the Budget and Finances law. In recognition that the Oneida Business Committee was unable to schedule a General Tribal Council meeting before December 31, 2022, and in accordance with section 121.5-4(e)(1) of the Budget and Finances law, resolution BC-12-28-22-D then adopted the Fiscal Year 2023 budget in the amount of five hundred forty-four million two hundred thirty-seven thousand seven hundred thirty-eight dollars (\$544,237,738) on behalf of the General Tribal Council. Resolution BC-12-28-22-D also contained the following directives

- There shall be an employment cap of two thousand two hundred (2200) FTE's based on the weekly Human Resource Department full-time equivalent count, *Total Number of Employees*.
- All Fiscal Year 2023 budgeted activities should be implemented with the knowledge that the Oneida Nation continues to see and address health and safety issues arising out of the pandemic and economic issues continue to impact revenue resources. Business and program units should always keep in mind the Oneida Business Committee's adopted Broad Goals Statement when continuing, implementing and developing programs and services.

The Fiscal Year 2023 was lawfully adopted in accordance with the Budget and Finances law, prior to this Petition being submitted or presented to the General Tribal Council for consideration.

The Petition's request that the General Tribal Council has access to information regarding the Nation's revenue and how it is planned to be expended, as well as the authority to provide direction to how expenditures of the Nation are made essentially encompasses the Nation's budget process. All revenues and expenditures of the Nation are required to be made in accordance with the annual budget. [1 O.C. 121.5-1]. In regard to having access or input on plans for spending revenue, the Budget and Finances law guarantees opportunities for community involvement. The budget schedule and guidelines developed by the Treasurer and adopted by the Oneida Business Committee are required to include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget. [1 O.C. 121.5-4(a)(1)]. Additionally, once the Oneida Business Committee approves a final draft budget to be sent to the General Tribal Council for consideration, the Treasurer is required to hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council. [1 O.C. 121.5-4(d)]. Ultimately, the Budget and Finances law requires that the budget be presented to the General Tribal Council with a request for adoption by September 30th of each year. [1 O.C. 121.5-4(e)]. The Oneida Business Committee is only ever given the authority to adopt the Nation's budget in limited circumstances where the General Tribal Council's ability to adopt the budget itself has been impacted, such as when the General Tribal Council is not able to adopt a budget within three (3) months of the adoption of the continuing budget resolution, or when the Nation proclaims an emergency, in accordance with the Emergency Management law, that stays in effect for at least one (1) month and prevents the presentation to and adoption of the budget by the General Tribal Council. [1 O.C. 121.5-4(e)(1)-(2)]. Therefore, the Petition's request that the Oneida Business Committee cease any spending that has not been reviewed and approved by the General Tribal Council conflicts with the Budget and Finances law's allocation of authority to the Oneida Business Committee to adopt the Nation's budget on the General Tribal Council's behalf in limited circumstances, and the overall intent of the law that expenditures of the Nation can be made as long as they occur in accordance with the Nation's budget.

The Petition's request that the General Tribal Council be provided an opportunity to direct what be done with the Nation's revenue specifically in regard to allocations for expenditures for Fiscal Year 2023, is not possible since the Fiscal Year 2023 budget has already been adopted and implemented since its formal adoption on December 28, 2022, and prior to that utilized through a continuing budget resolution since October 1, 2022, as provided in resolution BC-09-14-22-D. The submission of this Petition was not timely, as the Petition was not submitted until five (5) months after the adoption of the Fiscal Year 2023 Budget – technically seven (7) months into the 2023 Fiscal Year – and this Petition is not expected to be presented to the General Tribal Council for consideration until November 2023, well after the conclusion of the Fiscal Year 2023.

Since the Fiscal Year is already adopted, if the General Tribal Council would take action to amend or revise the Fiscal Year 2023 budget to provide directed on how expenditures of the Nation should

be made, then that action is only permitted by the Budget and Finances law in certain circumstances. After the budget is adopted, amendments of the budget are not permitted unless it is necessary to avoid a budget deficit. [1 O.C. 121.5-5]. The Treasurer and Chief Financial Officer are required to identify when forecasted revenue and forecasted expenses are impacted in a manner which creates a deficit for the current fiscal year, and then the Chief Financial Officer is required to provide the Oneida Business Committee a written fiscal analysis and any input on the potential budget amendment. *Id.* The Oneida Business Committee is then responsible for adopting an amendment to the budget through resolution of the Nation. *Id.* The Oneida Business Committee is required to present notification of the budget amendment at the next available General Tribal Council meeting. *Id.* Therefore, unless it is necessary to avoid a budget deficit, an amendment to the Fiscal Year 2023 budget would not be permissible under the Budget and Finances law.

Application of Emergency Amendments to the 2023 General Election

The Petition requests the General Tribal Council direct that the emergency amendments shall apply to the 2023 General Elections. The petition fails to provide what emergency amendments are requested and even what law emergency amendments are being requested for. Due to the fact that the Petition reference emergency amendments applying to the 2023 General Election, it can be presumed that this request is referencing the Petition: L. Dallas – Emergency Amendments to the Election Law for the 2023 General Election¹ which requested that emergency amendments be made to the Election law that will be effective for the 2023 General Elections and all elections held thereafter. Ultimately, the statement of effect concluded that the Petition: L. Dallas – Emergency Amendments to the Election Law for the 2023 General Election’s request for the General Tribal Council to consider making emergency amendments to the Election law to be effective for the 2023 General Election and all elections held thereafter, would violate the process and procedures contained within the Legislative Procedures Act. For a more in depth analysis please review the statement of effect for the Petition: L. Dallas – Emergency Amendments to the Election Law for the 2023 General Election.

Rules for Processing Petitions

Article III, Section 6 of the Constitution sets forth the process by which members of the Nation may petition to call a special meeting to bring a subject before the General Tribal Council for

¹ On April 14, 2023, the Petition: L. Dallas – Emergency Amendments to the Election Law for the 2023 General Election (“the Petition”) was submitted to the Government Administrative Office by Linda Dallas and then verified by the Oneida Trust Enrollment Department on April 17, 2023. On April 26, 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 May 24, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. The Legislative Operating Committee added the Petition to its Active Files List on May 3, 2023, for a statement of effect to be developed by the Legislative Reference Office. The statement of effect for this Petition was approved by the Legislative Operating Committee on June 7, 2023. The Oneida Business Committee accepted this statement of effect on June 14, 2023.

consideration. [*Constitution Article III, Section 6*]. The Constitution provides that the chairman or fifty (50) qualified voters may, by written notice, call special meetings of the General Tribal Council. *Id.*

The General Tribal Council enacted the Ten Day Notice Policy on March 4, 1991, for the purpose of providing notice to the General Tribal Council of regular or special business to be conducted or action taken at a General Tribal Council meeting. [*1 O.C. 110.1-1*]. Requiring prior notice of the agenda items and information related to items assisted in creating informed discussion and improved decision-making by the General Tribal Council on matters that affected the Nation which became increasingly more complex and technical.

In an effort to provide consistency in the timeframe for when petitions are presented to the General Tribal Council, on July 17, 2017, the General Tribal Council adopted a motion which required petitions submitted under Article III, Section 6 of the Constitution to be processed and brought to the General Tribal Council within one hundred and twenty (120) days of submission.

Then, in an effort to balance General Tribal Council's desire to have timely presentations of petitions with the acknowledgement that one hundred and twenty (120) days does not provide enough time to properly develop the necessary analyses to provide information to the General Tribal Council to make an informed decisions while also recognizing scheduling constraints, on January 21, 2019, the General Tribal Council adopted resolution GTC-01-21-19-A, *Amending the 120-Day Petition Timeline Adopted by the General Tribal Council*. Resolution GTC-01-21-19-A adopted a rule regarding petitions which superseded the July 17, 2017, action setting a one hundred and twenty (120) day timeframe, and instead required that petitions be presented to the General Tribal Council within one hundred and eighty (180) days of receipt by the Oneida Business Committee Support Office, now known as the Government Administrative Office, and that no petition can contain more than one (1) subject matter.

This Petition requests that a special emergency meeting of the General Tribal Council be called within forty-five days of submission. This Petition was submitted to the Government Administrative Office on May 5, 2023. Forty-five (45) days after the date of submission is June 19, 2023. In accordance with resolution GTC-01-21-19-A, the one hundred and eighty (180) day deadline for presenting the Petition to the General Tribal Council for consideration is November 1, 2023.

The Petition's request that a special emergency meeting of the General Tribal Council be called within forty-five (45) days of submission conflicts with the General Tribal Council's directive provided through resolution GTC-01-21-19-A which sets the one hundred and eighty (180) day timeframe for presenting petitions to the General Tribal Council for consideration

Additionally, resolution GTC-01-21-19-A provides that no petition can contain more than one subject matter. The Petition contains directives regarding both revenue and expenditures of the Nation, as well as a directive regarding emergency amendments applying to the 2023 General Election, which can be presumed as a reference to the previous request for emergency amendments to be made to the Election law. These directives contain two separate subject matters. Therefore, the Petition conflicts with the General Tribal Council's directive provided through resolution GTC-01-21-19-A that a petition can contain no more than one (1) subject matter.

If the General Tribal Council wanted to amend resolution GTC-01-21-19-A to change the one hundred and eighty (180) day timeline for presenting a petition to the General Tribal Council for consideration or the requirement that a petition contain no more than one (1) subject, then the Ten Day Notice Policy would require that any action to overrule a previously passed motion or resolution of the General Tribal Council requires a two-thirds (2/3) majority vote. [*1 O.C. 110.3-1(a)(3)*].

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: L. Dallas – Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue would have the following legislative effect:

1. The Petition's request for the General Tribal Council to have access to information regarding the Nation's revenue and how it is planned to be expended, as well as the authority to provide direction to how expenditures of the Nation are made essentially encompasses the Nation's budget process which is already provided for by the Budget and Finances law.
 - a. All revenues and expenditures of the Nation are required to be made in accordance with the annual budget.
 - b. In regard to having access or input on plans for spending revenue, the Budget and Finances law guarantees opportunities for community involvement. The budget schedule and guidelines developed by the Treasurer and adopted by the Oneida Business Committee are required to include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget. Additionally, once the Oneida Business Committee approves a final draft budget to be sent to the General Tribal Council for consideration, the Treasurer is required to hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council.
 - c. Ultimately, the Budget and Finances law requires that the budget be presented to the General Tribal Council with a request for adoption by September 30th of each year. The Oneida Business Committee is only ever given the authority to adopt the Nation's budget in limited circumstances where the General Tribal Council's ability to adopt the budget itself has been impacted, such as when the General Tribal

Council is not able to adopt a budget within three (3) months of the adoption of the continuing budget resolution, or when the Nation proclaims an emergency, in accordance with the Emergency Management law, that stays in effect for at least one (1) month and prevents the presentation to and adoption of the budget by the General Tribal Council.

2. The Petition's request for the General Tribal Council to direct that the Oneida Business Committee cease any spending that has not been reviewed and approved by the General Tribal Council conflicts with the Budget and Finances law's allocation of authority to the Oneida Business Committee to adopt the Nation's budget on the General Tribal Council's behalf in limited circumstances, and the overall intent of the law that expenditures of the Nation can be made as long as they occur in accordance with the Nation's budget.
3. It is presumed that the Petition's request that the General Tribal Council direct that the emergency amendments shall apply to the 2023 General Elections is referencing the requests of the Petition: L. Dallas – Emergency Amendments to the Election Law for the 2023 General Election. The statement of effect for this petition determined that this request violate the process and procedures contained within the Legislative Procedures Act.
4. The Petition conflicts with resolution GTC-01-21-19-A, *Amending the 120-Day Petition Timeline Adopted by the General Tribal Council*.
 - a. The Petition's request that a special emergency meeting of the General Tribal Council be called within forty-five (45) days of submission conflicts with the General Tribal Council's directive provided through resolution GTC-01-21-19-A which sets the one hundred and eighty (180) day timeframe for presenting petitions to the General Tribal Council for consideration.
 - b. The Petitions directives to both revenue and expenditures of the Nation, as well as a directive regarding emergency amendments applying to the 2023 General Election are two separate subject matters, and therefore, the Petition conflicts with the General Tribal Council's directive provided through resolution GTC-01-21-19-A that a petition can contain no more than one (1) subject matter.
 - c. If the General Tribal Council wanted to amend resolution GTC-01-21-19-A to change the one hundred and eighty (180) day timeline for presenting a petition to the General Tribal Council for consideration or the requirement that a petition contain no more than one subject then the Ten Day Notice Policy would require that any action to overrule a previously passed motion or resolution of the General Tribal Council requires a two-thirds (2/3) majority vote.

Requested Action

Accept the statement of effect for the Petition: L. Dallas – Allow the General Tribal Council Full Informational Access to the Oneida Nation's Revenue.



Legislative Operating Committee
June 21, 2023

Petition: L. Dallas - Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility

Submission Date: 6/7/23

LOC Sponsor: All LOC Members

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

- *Direct the Oneida Business Committee to plan for and construct a facility large enough to seat a minimum of 5,000 Enrolled Tribal Members for General Tribal Council Meetings and other events when the GTC Meetings are not convened, and adequate parking to accommodate that volume.*
- *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.*

4/26/23 OBC: Motion by Jennifer Webster to acknowledge receipt of the petition from Linda Dallas regarding direct the Oneida Business Committee to plan for and construct a General Tribal Council meeting facility; 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, June 14, 2023; 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 June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted, seconded by Lisa Liggins. Motion carried.

6/7/23 LOC: Motion by Jennifer Webster to add the Petition: L. Dallas - Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility to the Active Files List with all LOC members as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for the Petition: L. Dallas – Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility and forward to the Oneida Business Committee.



Statement of Effect

Petition: L. Dallas – Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility

Summary

This petition requests the General Tribal Council to direct the Oneida Business Committee to plan for and construct a facility large enough to seat a minimum of five thousand (5,000) enrolled members of the Nation for General Tribal Council meetings and other events when General Tribal Council meetings are not held, with adequate parking to accommodate that volume.

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

Date: June 12, 2023

Analysis by the Legislative Reference Office

On May 5, 2023, the Petition: L. Dallas – Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility (“the Petition”) was submitted to the Government Administrative Office by Linda Dallas and then verified by the Oneida Trust Enrollment Department on May 9, 2023. On May 24, 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 June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. The Legislative Operating Committee added the Petition to its Active Files List on June 7, 2023, for a statement of effect to be developed by the Legislative Reference Office.

The purpose of this Petition is to call a special emergency meeting of the General Tribal Council within forty-five (45) days to consider the following:

- *Direct the Oneida Business Committee to plan for and construct a facility large enough to seat a minimum of 5,000 Enrolled Tribal Members for General Tribal Council Meetings and other events when the GTC Meetings are not convened, and adequate parking to accommodate that volume.*
- *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.*

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

Funding a Facility for General Tribal Council Meetings

This petition requests the General Tribal Council to direct the Oneida Business Committee to plan for and construct a facility large enough to seat a minimum of five thousand (5,000) enrolled members of the Nation for General Tribal Council meetings and other events when General Tribal Council meetings are not held, with adequate parking to accommodate that volume. Any actions taken by the General Tribal Council to address the construction of a facility to hold General Tribal Council meetings that involve any allocation of funding would have a legislative impact.

The Budget and Finances law sets 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 which:

- institutionalize best practices in financial management to guide decision makers in making informed decisions regarding the provision of services, implementation of business plans for enterprises, investments, and capital assets;
- provide a long term financial prospective and strategic intent, linking budget allocations to organizational goals, as well as providing fiscal controls and accountability for results and outcomes;
- identify and communicate to the membership of the Nation spending decisions for the government function, grant obligations, enterprises, membership mandates, capital expenditures, technology projects, and capital improvement projects;
- establish a framework for effective financial risk management; and
- encourage participation by the Nation's membership. [1 O.C. 121.1-1].

The Nation is required to develop, adopt, and manage an annual budget. [1 O.C. 121.5-1]. All revenues and expenditures of the Nation are required to be made in accordance with the annual budget. *Id.* The Nation's annual budget is required to be a balanced budget, which does not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year. *Id.* The Budget and Finances law provides for the process and procedures to be used for the development and adoption of the Nation's budget. [1 O.C. 121.5-4].

On December 28, 2022, the Oneida Business Committee adopted resolution BC-12-28-22-D, *Adoption of Fiscal Year 2023 Budget*, which adopted the Fiscal Year 2023 budget in the amount of five hundred and forty-nine million one hundred and six thousand nine hundred eighty-eight dollars (\$549,106,988) on behalf of the General Tribal Council.¹ The Fiscal Year 2023 budget was

¹ The Budget and Finances law provides that in the event that the General Tribal Council does not adopt a budget by September 30th, the Oneida Business Committee may adopt a continuing budget resolution until such time as a budget is adopted. [1 O.C. 121.5-4(e)(1)]. The Oneida Business Committee took action to adopt a continuing budget resolution through the adoption of resolution BC-09-14-22-D, *Continuing to Operate Fiscal Year 2023*, which allowed organizational activities to continue until the final budget was presented for approval. Resolution BC-09-14-22-D

adopted prior to this Petition being submitted or presented to the General Tribal Council for consideration. Therefore, any allocation of funding to support the requests of this Petition has not been included in the Fiscal Year 2023 budget. All expenditures of the Nation are required to be made in accordance with the annual budget. *[1 O.C. 121.5-1]*.

This Petition is not due to be presented to the General Tribal Council for consideration until November 1, 2023.² The Oneida Business Committee is required to present the budget to the General Tribal Council with a request for adoption by resolution no later than September 30th of each year. *[1 O.C. 121.5-4(e)]*. The Budget and Finances law provides that in the event that the General Tribal Council does not adopt a budget by September 30th, the Oneida Business Committee may adopt a continuing budget resolution for a period of time not to exceed three (3) months, until such time as a budget is adopted by the General Tribal Council. *[1 O.C. 121.5-4(e)(1)]*. If the General Tribal Council does not adopt a budget within three (3) months of the adoption of the continuing budget resolution, then the Oneida Business Committee is granted the authority to adopt the Nation's budget on behalf of the General Tribal Council. *Id.* Therefore, unless in the limited circumstances in which a continuing budget resolution is adopted, the Fiscal Year 2024 budget will be adopted by the General Tribal Council prior to the consideration of this Petition. Therefore, any allocation of funding to support the requests of this Petition may not be included in the Fiscal Year 2024 budget. All expenditures of the Nation are required to be made in accordance with the annual budget. *[1 O.C. 121.5-1]*.

After the budget is adopted, amendments of the budget are not permitted unless it is necessary to avoid a budget deficit. *[1 O.C. 121.5-5]*. The Treasurer and Chief Financial Officer are required to identify when forecasted revenue and forecasted expenses are impacted in a manner which creates a deficit for the current fiscal year, and then the Chief Financial Officer is then required to provide the Oneida Business Committee a written fiscal analysis and any input on the potential budget amendment. *Id.* The Oneida Business Committee is responsible for adopting an amendment to the budget through resolution of the Nation. *Id.* The Oneida Business Committee is required to present notification of the budget amendment at the next available General Tribal Council meeting. *Id.* So unless it is necessary to avoid a budget deficit, an amendment to the Fiscal Year 2023 budget

provided that the continuing budget resolution would remain in effect from October 1, 2022, until December 31, 2022, or until the budget is adopted whichever is soonest. The Budget and Finances law then provides that if the General Tribal Council is not able to adopt a budget within three (3) months of the adoption of the continuing budget resolution, then the Oneida Business Committee shall proceed with the adoption of the Nation's budget. *[1 O.C. 121.5-4(e)(1)]*. The Fiscal Year 2023 Budget was not able to be presented to the General Tribal Council for adoption prior to September 30, 2022. The Oneida Business Committee then adopted a continuing resolution BC-09-14-22-D, *Continuing to Operate Fiscal Year 2023*. The Fiscal Year 2023 Budget was not presented to the General Tribal Council for consideration prior to the expiration of resolution BC-09-14-22-D, so the Oneida Business Committee then adopted the Fiscal Year 2023 Budget through resolution BC-12-28-22-D, *Adoption of Fiscal Year 2023 Budget*.

²The General Tribal Council adopted resolution GTC-01-21-19-A, *Amending the 120-Day Petition Timeline Adopted by the General Tribal Council*, which adopted a rule regarding petitions which requires that petitions be presented to the General Tribal Council within one hundred and eighty (180) days of receipt by the Oneida Business Committee Support Office, now known as the Government Administrative Office, and that no petition can contain more than one subject matter. One hundred and eighty (180) days after the date of submission for this Petition is November 1, 2023.

to provide any allocation of funding to support the requests of this Petition would not be permissible under the Budget and Finances law.

Additionally, unbudgeted expenditures are permitted under the Budget and Finances law if granted approval by the Oneida Business Committee. [1 O.C. 121.6-4(a)]. The Chief Financial Officer is required to provide the Oneida Business Committee with a written fiscal analysis and any input on any potential unbudgeted expenditure. *Id.* The approval of any unbudgeted expenditure is required to be made by the Oneida Business Committee through the adoption of a resolution prior to the expenditure being made by a fund unit. *Id.* Any unbudgeted expenditure for items and specific projects which were not identified in the approved budget made for over two hundred and fifty thousand dollars (\$250,000) is required to be formally noticed by the Oneida Business Committee to the General Tribal Council at the next available General Tribal Council regular or special meeting. [1 O.C. 121.6-4(b), BC-05-11-22-B, BC-10-08-08-A.].

Any allocation of funding to support the requests of this Petition for future fiscal years would be required to be budgeted for in accordance with the process and procedures contained within the Budget and Finances law.

The Budget and Finances law also specifically addresses capital improvements. A capital improvement is a non-recurring expenditure for physical improvements, including costs for: the acquisition of existing buildings, land, or interests in land; construction of new buildings or other structures, including additions and major alterations; acquisition of fixed equipment; landscaping; physical infrastructure; and similar expenditures with a cost of five thousand dollars (\$5,000.00) or more and a useful life of one (1) year or more. [1 O.C. 121.3-1(d)]. The Budget and Finances law differentiates between capital improvements for government serves, which are any area or activity of the Nation that is not expected to create revenue for the Nation and not expected to make a profit at any time, and capital improvements for enterprises, which are any area or activity of the Nation that is engaged in for the business of profit. [1 O.C. 121.3-1(h)&(o)]. In regard to capital improvements for government services, the Oneida Business Committee is delegated the responsibility to develop, and the General Tribal Council is delegated the responsibility to approve, a capital improvement plan for government services. [1 O.C. 121.6-9(a)]. The capital improvement plan for government services shall cover a period of five (5) to ten (10) years and shall include any risks and liabilities. [1 O.C. 121.6-9(a)(1)]. The capital improvement plan for government services shall be reassessed once every five (5) years. [1 O.C. 121.6-9(a)(2)]. The Oneida Business Committee shall provide a status report and recommendation for any improvements that have not been completed or that have been modified at the time of the reassessment. *Id.* Capital improvement plans for enterprises may be brought forward as needed, provided that the Oneida Business Committee delegated the responsibility to approve all capital improvement plans for enterprises. [1 O.C. 121.6-9(b)]. Capital improvement plans for both government services and enterprises are implemented, contingent on available funding capacity. [1 O.C. 121.6-9(c)]. Unexpended capital improvement funds carry over to the next fiscal year's

budget, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. [1 O.C. 121.6-6(a)]. Once a capital improvement project is complete, any remaining unexpended funds shall be returned to the General Fund. *Id.*

Therefore, any action taken by the General Tribal Council in regard to this Petition that would involve any capital improvements would need to comply with the requirements of the Budget and Finances law regarding capital improvements.

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: L. Dallas – Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility would have the following legislative effect:

1. The Petition’s request for the General Tribal Council to direct the Oneida Business Committee to plan for and construct a facility large enough to seat a minimum of five thousand (5,000) enrolled members of the Nation for General Tribal Council meetings and other events when General Tribal Council meetings are not held, with adequate parking to accommodate that volume would have a legislative impact.
 - a. The Fiscal Year 2023 budget was adopted prior to this Petition being submitted or presented to the General Tribal Council for consideration, and it is expected that the Fiscal Year 2024 budget will also be adopted prior to the consideration of this Petition. Therefore, any call of action for an allocation of funding to support the requests of this Petition has not been included in the Fiscal Year 2023 budget and may not be included in the Fiscal Year 2024 budget. All expenditures of the Nation are required to be made in accordance with the annual budget. Unless it is necessary to avoid a budget deficit, an amendment to the budget to provide any allocation of funding to support the requests of this Petition would not be permissible under the Budget and Finances law.
 - b. Any allocation of funding to support the requests of this Petition for future fiscal years would be required to be budgeted for in accordance with the process and procedures contained within the Budget and Finances law.
 - c. Any action taken by the General Tribal Council in regard to this Petition that would involve any capital improvements would need to comply with the requirements of the Budget and Finances law regarding capital improvements.

Requested Action

Accept the statement of effect for the Petition: L. Dallas – Direct the Oneida Business Committee to Plan for and Construct a General Tribal Council Meeting Facility.



Legislative Operating Committee
June 21, 2023

Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes

Submission Date: 6/7/23

LOC Sponsor: All LOC Members

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

- *Make the tribal minimum wage of \$15.00/hour mean \$15/hour with no exceptions. No loopholes.*

4/26/23 OBC: Motion by Lisa Liggins to acknowledge receipt of the petition from Raymond Skenandore regarding Make the tribal minimum wage \$15.00/hour mean \$15.00/hour with no exceptions or loopholes; 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, June 14, 2023; 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 June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted, seconded by Jennifer Webster. Motion carried.

6/7/23 LOC: Motion by Jennifer Webster to add the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes to the Active Files List with all LOC members as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

Next Steps:

- Accept the statement of effect for the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes and forward to the Oneida Business Committee.



Statement of Effect

Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes

Summary

This petition requests the General Tribal Council to make the Nation's minimum wage fifteen dollars (\$15) per hour with no exceptions or loopholes.

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

Date: June 6, 2023

Analysis by the Legislative Reference Office

On May 16, 2023, the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes ("the Petition") was submitted to the Government Administrative Office by Raymond Skenandore and then verified by the Oneida Trust Enrollment Department on May 17, 2023. On May 24, 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 June 28, 2023, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted. The Legislative Operating Committee added the Petition to its Active Files List on June 7, 2023, for a statement of effect to be developed by the Legislative Reference Office.

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

- *Make the tribal minimum wage of \$15.00/hour mean \$15/hour with no exceptions. No loopholes.*

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

Minimum Wage of the Nation

On December 8, 2021, the Oneida Business Committee adopted resolution BC-12-08-21-E, *Increasing the Oneida Nation Minimum Wage to \$15.00 Per Hour*, which adjusted the Nation's minimum wage to fifteen dollars (\$15) per hour for implementation on December 12, 2021. Resolution BC-12-08-21-E also required that the Executive Human Resources Department Director provide an implementation report at the first regular meeting of the Oneida Business

Committee in December 2022, and provided that budget impacts regarding the increased in minimum wage shall be covered through savings in vacant positions.

Reference to Minimum Wage in Laws of the Nation

There are no laws of the Nation which directly provide for the minimum wage of the Nation. 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.]. The Oneida Personnel Policies and Procedures does not provide for or reference a minimum wage for the Nation.

The Public Peace law, Domestic Animals law, and Curfew law all address the Nation's minimum wage in reference to community service for fines resulting from citations. These laws provide that community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service. [3 O.C. 309.11-2(a)(4); 304.12-2(a); 308.7-1(a)(4)].

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes would have the following legislative effect:

1. The Petition's request for the General Tribal Council to make the Nation's minimum wage fifteen dollars (\$15) per hour with no exceptions or loopholes is already supported by resolution BC-12-08-21-E, *Increasing the Oneida Nation Minimum Wage to \$15.00 Per Hour*, which sets the Nation's minimum wage at to fifteen dollars (\$15) per hour. There are no laws of the Nation that provide the minimum wage for the Nation.

Requested Action

Accept the statement of effect for the Petition: R. Skenandore - Make the Tribal Minimum Wage \$15.00/hour Mean \$15.00/hour with No Exceptions or Loopholes.

June 2023

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

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
May 29	30	31	Jun 1	2
5	6	7 8:30am LOC Prep (Microsoft Teams Meeting; BC_Conf_Room) - 9:00am Legislative Operating Committee Meeting (Microsoft Teams Meeting;	8	9
12	13	14	15	16
19	20	21 8:30am LOC Prep (Microsoft Teams Meeting; BC_Conf_Room) - 9:00am Legislative Operating Committee Meeting (Microsoft Teams Meeting;	22	23
26	27	28	29	30