

Oneida Nation

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Oneida, WI 54155

BC Resolution # 08-23-23-G Adoption of the Oneida Life Insurance Plan Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the purpose of the Oneida Life Insurance Plan law (“the Law”) is to establish the Oneida Life Insurance Plan (“OLIPP”) as an approved program of the Nation to govern how the Nation provides fifteen thousand dollars (\$15,000) of financial assistance to eligible members of the Nation to pay for funeral expenses, with any residual benefit amounts paid thereafter to the designated beneficiary; and
- WHEREAS,** the Law was first adopted by the Oneida Business Committee on an emergency basis on September 28, 2022, through the adoption of resolution BC-09-28-22-C for the preservation of the general welfare of the Reservation population, as the Law allowed the Oneida Trust Enrollment Department to commence the in-house management and oversight of the Oneida Life Insurance Plan when 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; and
- WHEREAS,** on March 22, 2023, the Oneida Business Committee extended the emergency adoption of this Law for an additional six (6) month period through the adoption of resolution BC-03-22-23-C; and
- WHEREAS,** the emergency adoption of this Law will expire on September 28, 2023; and
- WHEREAS,** the Law is now ready for permanent adoption by the Oneida Business Committee; and
- WHEREAS,** the Law provides how the Oneida Life Insurance Plan qualifies for general welfare exclusion; and
- WHEREAS,** the Law 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; and

- WHEREAS,** the Law 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 residual benefits from the Oneida Life Insurance Plan for their beneficiary; and
- WHEREAS,** the Law 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 through the beneficiary designation form; and
- WHEREAS,** the Law 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 residual Oneida Life Insurance Plan benefits to the beneficiary; and
- WHEREAS,** the Law provides that the Trust Enrollment Department is the department that has the responsibilities to oversee and administer the Oneida Life Insurance Plan; and
- WHEREAS,** the Law provides rules related to the determination of death and status; and
- WHEREAS,** the Law prohibits a designated beneficiary who criminally and intentionally causes the death of the decedent from being entitled to any benefits passing under this law; and
- WHEREAS,** the Law provides how the Oneida Life Insurance Plan benefits shall be distributed; and
- WHEREAS,** the Law provides that the Oneida Life Insurance Plan shall be contingent on funding through the Nation’s annual budget; and
- WHEREAS,** the Law provides that the Oneida Trust Enrollment Department shall be delegated administrative rulemaking authority in accordance with the Administrative Rulemaking law to promulgate rules to govern the administration of the Oneida Life Insurance Plan; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were developed for this Law; and
- WHEREAS,** a public meeting on this proposed law was held on July 13, 2023, with the public comment period held open until July 20, 2023; and
- WHEREAS,** one (1) submission of written comments was received during the public comment period; and
- WHEREAS,** the Legislative Operating Committee reviewed and considered the public comments received on August 3, 2023, and any changes have been incorporated into this draft; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Life Insurance Plan law is hereby adopted and shall become effective on September 28, 2023.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 23rd day of August, 2023; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."