



## Legislative Operating Committee Fiscal Year 2023 Fourth Quarter Report July 2023 – September 2023

### Legislative Operating Committee Action on Legislative Requests

During the FY23 Fourth Quarter the Legislative Operating Committee added zero (0) legislative items to its Active Files List. No requests were denied during the FY23 Fourth Quarter.

### FY23 Fourth Quarter Legislative Accomplishments

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

#### Oneida Life Insurance Plan Law

The Oneida Business Committee adopted the Oneida Life Insurance Plan law on a permanent basis on August 23, 2023, through the adoption of resolution BC-08-23-23-G.<sup>1</sup> The purpose of the Oneida Life Insurance Plan 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. [10 O.C. 1004.1-1]. The Oneida Life Insurance Plan 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(d)];

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<sup>1</sup> The Oneida Life Insurance Plan law was originally adopted on an emergency basis on September 28, 2022, through the adoption of resolution BC-09-28-22-C. This emergency adoption of this law was extended by the Oneida Business Committee on March 22, 2023, through the adoption of resolution BC-03-22-23-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 Oneida 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]*; and
- 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. *[10 O.C. 1004.8-1]*.

## **FY23 Fourth Quarter Legislative Highlights**

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

### **Clean Air Policy Amendments**

On July 10, 2023, the Legislative Operating Committee approved the updated draft and legislative analysis of the Clean Air Policy amendments.

### **Oneida Personnel Policies and Procedures Amendments**

On July 18, 2023, the Legislative Operating Committee accepted the updated public comment review memorandum for the proposed amendments to the Oneida Personnel Policies and Procedures.

## **FY23 Fourth Quarter Legislative Operating Committee Meetings**

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

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

- July 10, 2023 – Regular meeting;
- July 18, 2023 – Regular meeting;
- August 3, 2023 – Regular meeting; and
- August 16, 2023 – Regular meeting.

The September 6, 2023, and the September 20, 2023, Legislative Operating Committee meetings

were canceled due to the Oneida Business Committee transition into the 2023-2026 term.

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

### Goals for FY24 First Quarter

During the FY24 First Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

1. Transition into the 2023-2026 legislative term.
2. Review Active Files List from the 2020-2023 legislative term and build Active Files List for the 2023-2026 legislative term.

### Legislative Reference Office

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

- Clorissa N. Leeman, Senior Legislative Staff Attorney.
  - Contact: [cleeman@oneidanation.org](mailto:cleeman@oneidanation.org)
- Carolyn Salutz, Legislative Staff Attorney.
  - Contact: [csalutz@oneidanation.org](mailto:csalutz@oneidanation.org)
- Grace Elliott, Legislative Staff Attorney.
  - Contact: [gelliott@oneidanation.org](mailto:gelliott@oneidanation.org)

### Legislative Operating Committee Contact Information

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

- Jameson Wilson, LOC Chairman  
[jwilson@oneidanation.org](mailto:jwilson@oneidanation.org)
- Kirby Metoxen, LOC Vice-Chairman  
[kmetox@oneidanation.org](mailto:kmetox@oneidanation.org)
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