



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room - 2nd Floor Norbert Hill Center
January 17, 2024
9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be Approved**
 1. January 3, 2024 LOC Meeting Minutes (pg. 2)
- III. Current Business**
 1. Clean Air Policy Amendments (pg. 4)
- IV. New Submissions**
 1. Short Term Rental Regulations (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
January 3, 2024
9:00 a.m.

Present: Jameson Wilson, Marlon Skenandore, Jennifer Webster, Kirby Metoxen, Jonas Hill

Others Present: Clorissa N. Leeman, Carolyn Salutz, Keith Doxtator, Brooke Doxtator, Maureen Perkins, Kristal Hill, Fawn Cottrell

Others Present on Microsoft Teams: Grace Elliott, Eric Boulanger, Mark W. Powless, Michelle Tipple, Janice Decorah, Rae Skenandore, Matt Denny, Peggy Helm-Quest, Todd Vandenheuvel, Tina Jorgensen, Eric McLester, Katsitsiyo Danforth, Rhiannon Metoxen, Lori Hill, Lorna Skenandore, Ronald, Vanschyndel, Bridget John,

I. Call to Order and Approval of the Agenda

Jameson Wilson called the January 3, 2024, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster approve the agenda; seconded by Jonas Hill. Motion carried unanimously.

II. Minutes to be Approved

1. December 20, 2023 LOC Meeting Minutes

Motion by Marlon Skenandore to approve the December 20, 2023, LOC meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Drug and Alcohol Free Workplace Law Amendments

Motion by Jennifer Webster to approve the updated public comment review memorandum, draft, and legislative analysis; seconded by Jonas Hill. Motion carried unanimously.

Motion by Jennifer Webster to approve the fiscal impact statement request memorandum and forward to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by January 17, 2024; seconded by Jonas Hill. Motion carried unanimously.



2. Clean Air Policy Amendments

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

IV. New Submissions

V. Additions

VI. Administrative Items

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 9:11 a.m.; seconded by Marlon Skenadore. Motion carried unanimously.



Legislative Operating Committee
January 17, 2024

Clean Air Policy Amendments

Submission Date: 1/18/23	Public Meeting: 12/15/23
LOC Sponsor: Jennifer Webster	Emergency Enacted: N/A

Summary: *This item was carried over from last term. On January 10, 2023, the LOC received a request from Retail to consider amendments to the Clean Air Policy to create an exemption for smoking cigars and tobacco in pipes within a premise designated by retail as a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product and in which the smoking of only cigars and tobacco in pipes is permitted.*

1/18/23 LOC: Motion by Jennifer Webster to add the Clean Air Policy amendments to the Active Files List with David P. Jordan as the sponsor; seconded by Marie Cornelius. Motion carried unanimously.

1/26/23: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Kirby Metoxen, Daniel Guzman King, Clorissa N. Leeman, Carolyn Salutz, Grace Elliott, Kristal Hill. This was a work meeting held on Microsoft Teams. The purpose of this work meeting was to review and discuss the proposed draft of amendments to the Clean Air Policy.

2/1/23 LOC: Motion by Marie Cornelius to approve the draft of the Clean Air policy amendments and direct that a legislative analysis be completed; seconded by Daniel Guzman King Motion carried unanimously.

2/20/23: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Daniel Guzman King, Marie Cornelius, Clorissa N. Leeman, Debra Danforth, Michelle Tipple, Victoria Flowers, Brittany Nicholas, Kristal Hill. This was a work meeting held on Microsoft Teams. The purpose of this work meeting was to review and discuss the proposed draft of amendments to the Clean Air Policy all allow the Comprehensive Health Division and the Environmental, Health, Safety, Land, And Agriculture Division the opportunity to provide input on the proposed amendments.

3/20/23: *Work Meeting.* Present: David P. Jordan, Jennifer Webster, Marie Cornelius, Clorissa N. Leeman, Debra Danforth, Michelle Tipple, Victoria Flowers, Brittany Nicholas, James Petitjean, James Snitgen, Debra Powless, Timothy Skenandore, Carl Artman, Kristal Hill. This was a work meeting held on Microsoft Teams. The purpose of this work meeting was to review and discuss the proposed draft of amendments to the Clean Air Policy all allow the stakeholders the opportunity to provide input on the proposed amendments before the LOC makes a policy decision as to what direction to go with the amendments.

7/10/23 LOC: Motion by Jennifer Webster to approve the updated draft and legislative analysis of the Clean Air Policy amendments; seconded by Kirby Metoxen. Motion carried unanimously.

10/4/23 LOC: Motion by Jonas Hill to add the Clean Air Policy Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.

10/18/23: *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Jennifer Webster, Jonas Hill, Clorissa Leeman, Grace Elliott, Maureen Perkins, Fawn Cottrell. The purpose of this work meeting was for the new Legislative Operating Committee to review and approve the draft and legislative analysis for the proposed amendments to the Clean Air Policy.

11/1/23 LOC: Motion by Jennifer Webster to approve the public meeting packet for the Clean Air Policy Amendments with noted change to the public meeting notice, and forward the Clean Air Policy Amendments to a public meeting to be held on December 15, 2023; seconded by Kirby Metoxen. Motion carried unanimously.

11/1/23: *Phone Call.* Present: Clorissa Leeman, Krystal John. The purpose of this phone call was to follow up on the comments made by Attorney Krystal John during the LOC meeting in regard to the Clean Air Policy Amendments.

12/15/23: *Public Meeting Held.* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Maureen Perkins, Michelle Tipple, Peggy Helm-Quest, Brooke Doxtator, Jim Snitgen. Present on Microsoft Teams: Joel Maxam, Katsitsiyo Danforth, Mark W. Powless, Brittany Nicholas, David Jordan, Kristal Hill, Sharon Mousseau, Mollie Passon, Stefanie Reinke, Debra Santiago, Jennifer Webster, Nina Vang, Grace Elliott, Victoria Flowers. Two (2) individuals provided public comment during this public meeting.


12/26/23: *Public Comment Period Closed.* Four (4) individuals provided written comments during the public comment period.

1/3/24 LOC: Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further discussion; seconded by Marlon Skenadore. Motion carried unanimously.

1/3/24: *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Jennifer Webster, Jonas Hill, Kirby Metoxen Clorissa Leeman, Carolyn Salutz, Kristal Hill, Maureen Perkins, Fawn Cottrell. The purpose of this work meeting was for the LOC to review and consider the public comments received.

Next Steps:

- Approve the updated public comment review memorandum, draft, and legislative analysis.
- Approve the fiscal impact statement request memorandum and forward to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by January 31, 2024.

TO: Legislative Operating Committee (LOC)
 FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney 
 DATE: January 17, 2024
 RE: Clean Air Policy Amendments: Public Comment Review with LOC Consideration

On December 15, 2023, a public meeting was held regarding the proposed amendments to the Clean Air Policy (“the Law”). The public comment period was then held open until December 26, 2023. The Legislative Operating Committee reviewed and considered the public comments received on January 3, 2024. This memorandum is submitted as a review of the comments received within the public meeting and public comment period.

Comments 1 through 3 – Tobacco Store Exemption:

411.4. Regulation of Smoking

411.4-1. *Prohibition of Smoking.* No person may smoke:

- (a) in any building owned or operated by the Nation;
- (b) within thirty (30) feet of any building owned or operated by the Nation. Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet from the main entrances of the building; or
 - (1) *Exception.* A person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. Receptacles for disposing of smoking materials may be maintained within thirty (30) feet of the entrances of these buildings.
- (c) in any vehicle owned or operated by the Nation.

411.4-2. *Exemptions.* The following exemptions shall apply to the prohibition of smoking:

- (a) *Cultural Usage.* The reasonable burning of tobacco, sage, cedar, and/or sweetgrass shall be exempted for cultural usage. Employees working in the vicinity of this cultural use shall be notified prior to use.
- (b) *Exempted Locations.* The following locations shall be exempted from the prohibition of smoking:
 - (1) all gaming areas in any building of the Nation;
 - (A) Smoking and non-smoking employee break rooms shall be provided in these buildings and shall have separate ventilation.
 - (B) Employees shall not smoke while working in these buildings, other than in the provided break room.
 - (2) residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement; and
 - (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.

Jim Snitgen (oral): Check, testing. Good afternoon. I'm going to present the comments from the Environmental Health, Safety, Land and Agriculture Division (EHSLAD) on the Clean Air Policy Amendments. The Clean Air Policy amendment under 411.4-2 (b) allows smoking inside tobacco stores and gaming areas of the Nation. EHSLAD does not support the new exemption to prohibition of smoking in tobacco stores, on or in Oneida Retail properties that sells tobacco products. Our Division supports and proposes removing the existing exemption that allows smoking inside all gaming areas. EHSLAD wants to ban indoor smoking in gaming and retail properties because:

Foremost, allowing properties to be exposed to secondhand smoke is a direct conflict of the purpose of the Clean Air Policy. Secondhand smoke is harmful to the health of employees, and it does not create a healthy working environment for employees. CDC informs that secondhand smoke can cause the following in smoking adults, in non-smoking adults: coronary heart disease, stroke, lung cancer, adverse reproductive health effects in women such as low birth weight and that there is no safe level of secondhand exposure.

Number 2. Nation gaming facilities, specifically the casino, became smoke-free indoors during the COVID-19 pandemic and to our knowledge this has not negatively affected business. We support keeping the casino and all interior employee break areas smoke free to protect employee and customer health because any exposure to secondhand smoke is widely recognized as harmful to human health. The Surgeon General report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, found that the only way to eliminate secondhand smoke exposure is to ban indoor smoking completely.

Number 3. We do not support the exemption for smoking inside Oneida retail establishments including any cigar bars operated by retail, because, according to CDC, any exposure to secondhand smoke is harmful to human health and the only way to eliminate exposure, according to the Surgeon General, is to completely ban indoor smoking.

Number 4. Increasing ventilation or filtration will not eliminate health risk of secondhand smoke exposure. According to CDC, HVAC systems can spread secondhand smoke throughout a facility and there is no ventilation or air cleaning system that can eradicate secondhand smoke.

Number 5. We also support keeping the casino and all interior employee break areas smoke free because this will protect cleaning staff from exposure to thirdhand smoke. Thirdhand smoke is the pollutant residue that remains on surfaces after tobacco is smoked. Pollutants include but are not limited to nicotine, formaldehyde, naphthalene which are known to cause cancer.

And finally, smoking inside gaming and retail properties may result in higher maintenance and cleaning bills. Thirdhand smoke is the chemical residue left behind from smoke. According to Cleveland Clinic, it persists on surfaces long after smoking occurs and is hard to clean meaning complete costly replacement of affected materials, and that may be the only solution.

Thank you on behalf of the Environmental, Health, Safety, Land, and Agriculture Division.

Eric McLester – Environmental, Health, Safety, Land, and Agriculture Division (written):

The Clean Air Policy amendment under 411.4-2 (b) allows smoking inside tobacco stores and gaming areas of the Nation. EHSLAD does NOT support the new exemption to prohibition of smoking in "tobacco stores", on or in Oneida Retail properties that sells tobacco products. EHSLAD supports and proposes REMOVING the existing exemption that allows smoking inside all gaming areas. EHSLAD wants to ban indoor smoking in gaming and retail properties because:

1. Foremost, allowing employees to be exposed to secondhand smoke is a direct conflict of the purpose of the Clean Air Policy. Secondhand smoke is harmful to the health of employees, and it does not create a healthy working environment for employees. CDC informs that secondhand smoke can cause the following in non-smoking adults: coronary heart disease, stroke, lung cancer, adverse reproductive health effects in women such as low birth weight and that there is no safe level of secondhand exposure. <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>
2. Nation gaming facilities, specifically the casino, became smoke-free indoors during the COVID-19 pandemic and to our knowledge this has not negatively affected business. We support keeping the casino and all interior employee break areas smoke free to protect employee and customer health because any exposure to secondhand smoke is widely recognized as harmful to human health. The Surgeon General report, The Health Consequences of Involuntary Exposure to Tobacco Smoke, found that the only way to eliminate secondhand smoke exposure is to ban indoor smoking completely.
 - <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>
 - <https://www.ncbi.nlm.nih.gov/books/NBK44326/#rpt-smokeexp.ch10.s68>
3. We do not support the exemption for smoking inside Oneida retail establishments including any cigar bars operated by retail, because, according to CDC, any exposure to secondhand smoke is harmful to human health and the only way to eliminate exposure, according to the Surgeon General, is to completely ban indoor smoking.
 - <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>
 - <https://www.ncbi.nlm.nih.gov/books/NBK44326/#rpt-smokeexp.ch10.s68>
4. Increasing ventilation or filtration will not eliminate health risk of secondhand smoke exposure. According to CDC, HVAC systems can spread secondhand smoke throughout a facility and there is no ventilation or air cleaning system that can eradicate secondhand smoke.
 - <https://www.cdc.gov/tobacco/secondhand-smoke/policy.html>
5. We also support keeping the casino and all interior employee break areas smoke free because this will protect cleaning staff from exposure to thirdhand smoke. Thirdhand smoke is the pollutant residue that remains on surfaces after tobacco is smoked. Pollutants include but are not limited to nicotine, formaldehyde, naphthalene which are known to cause cancer.
 - <https://www.mayoclinic.org/healthy-lifestyle/guit-smoking/expertanswers/third-hand-smoke/faq->

[20057791#:~:text=Thirdhand%20smoke%20is%20made%20up,up%20on%20surfaces%20over%20time.](#)

Michelle Tipple (oral): Good Afternoon. My name is Michelle Tipple. I'm the Community Public Health Officer with the Oneida Nation. So Public Health and the Comprehensive Health Division does not support adding an exemption to this law. To do so, weakens this important public health policy.

Decades of evidence-based research and data demonstrates poor health outcomes related to smoking, including secondhand and thirdhand smoke. So, looking at some of this data, American Indian, Alaskan Native people, compared to other racial and ethnic groups have a higher risk of death and disease caused by using tobacco commercial products such as cigarettes, smokeless tobacco and cigars. Cardiovascular disease, which can be caused by cigarette smoke, is the leading cause of death for American Indian Alaskan Native people. Lung cancer, which can be caused by cigarette smoking and exposure to secondhand smoke, is the leading cause of cancer death among American Indian and Alaskan Native people. Diabetes is the 4th leading cause of death among American Indian Alaskan Native people. The risk of developing Type 2 diabetes is 30 to 40% higher for people who smoke than for people who don't smoke, and smoking can worsen complications from diabetes. Compared to white Wisconsinites, American Indians have a 34% higher risk of dying from cardiovascular disease, 70% higher risk from dying of cancer, lung cancer, excuse me. And a 250% higher risk of dying from diabetes. All of which are known to be caused or worsened by cigarette smoking. There is no safe level of secondhand smoke. None. Even sophisticated ventilation systems do not eliminate the health hazards from secondhand smoke.

Response

The commenters express various concerns with and opposition to the proposed exemption against smoking for a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.

The Clean Air Policy provides that no person may smoke in any building owned or operated by the Nation, in any vehicle owned or operated by the Nation, or within thirty (30) feet of any building owned or operated by the Nation, except that a person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. [4 O.C. 411.4-1]. The Clean Air Policy then goes on to provide exemptions for the prohibition of smoking. [4 O.C. 411.4-2]. The proposed amendments to the Clean Air Policy provide that one such exemption for the prohibition of smoking is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease. [4 O.C. 411.4-2(b)(3)]. Retail shared that if the proposed amendments to the Clean Air Policy are adopted, then they intend to open up a cigar bar at one of the Retail locations.

Whether or not to allow the Clean Air Policy to provide an exemption for the prohibition of smoking to a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease is a policy decision for the Legislative Operating Committee to make. The Legislative Operating Committee may make one of the following determinations:

1. Section 411.4-2(b)(3) of the Clean Air Policy should remain as currently drafted and provide an exemption for the prohibition of smoking to a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.
2. Section 411.4-2(b)(3) of the Clean Air Policy should be eliminated from the Law.

LOC Consideration

The Legislative Operating Committee greatly appreciated the data driven responses provided by the Comprehensive Health Division and the Environmental, Health, Safety, Land, and Agriculture Division and understands the health equity concerns shared. Ultimately, the Legislative Operating Committee determined that section 411.4-2(b)(3) of the Clean Air Policy should remain as currently drafted and provide an exemption for the prohibition of smoking to a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.

Comments 4 through 6 – Residential Buildings Exemption:

411.4. Regulation of Smoking

411.4-1. *Prohibition of Smoking.* No person may smoke:

- (a) **in any building owned or operated by the Nation;**
- (b) **within thirty (30) feet of any building owned or operated by the Nation. Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet from the main entrances of the building; or**
 - (1) ***Exception.* A person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. Receptacles for disposing of smoking materials may be maintained within thirty (30) feet of the entrances of these buildings.**
- (c) **in any vehicle owned or operated by the Nation.**

411.4-2. *Exemptions.* The following exemptions shall apply to the prohibition of smoking:

- (a) ***Cultural Usage.* The reasonable burning of tobacco, sage, cedar, and/or sweetgrass shall be exempted for cultural usage. Employees working in the vicinity of this cultural use shall be notified prior to use.**
- (b) ***Exempted Locations.* The following locations shall be exempted from the prohibition of smoking:**
 - (1) **all gaming areas in any building of the Nation;**
 - (A) **Smoking and non-smoking employee break rooms shall be provided in these buildings and shall have separate ventilation.**
 - (B) **Employees shall not smoke while working in these buildings, other than in the provided break room.**
 - (2) **residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement; and**
 - (3) **a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.**

Jim Snitgen (oral): The Clean Air Policy amendment under 411.4-2 {b) allows smoking inside residential buildings that are owned by the Nation unless the lease or rental agreement prohibits smoking . EHSLAD does NOT support smoking inside residential buildings for the following reasons:

1. Children and families in our community deserve to have access to clean, indoor air. Employees from CHD, EHSLAD, Zoning, and DPW work in CHD housing. Residents and employees are at risk of health problems from secondhand exposure if smoking is allowed in residential units. Specifically, according to CDC, there is no safe level of secondhand smoke exposure. Again, CDC informs that secondhand smoke can cause the following in non-smoking adults: coronary heart disease, stroke, lung cancer, and adverse reproductive health effects in women such as low birth weight. According to CDC, exposure to secondhand smoke can result in respiratory infections, ear infections, and asthma attacks in children and sudden infant death syndrome in babies. Lastly, according to CDC, exposure to secondhand smoke can cause inflammation and negative respiratory effects within one (1) hour of exposure and these effects can continue a minimum of three (3) hours after exposure.

Increasing ventilation or installing air filters inside retail or gaming properties will not eliminate the risks associated with secondhand smoke exposure. According to CDC, HVAC systems can spread secondhand smoke throughout a facility and there is no ventilation or air cleaning system that can eradicate secondhand smoke.

HUD supports smoke-free public housing, HUD I guess, and has mandated this since 2016. The Nation should align with HUD standards for safe, sanitary housing.

According to the 2022 Community Health Assessment by Comprehensive Health Division, self-reported asthma rates for Oneida respondents are higher than those reported for local counties and the state of Wisconsin. According to CDC, secondhand smoke is a known asthma trigger. Banning indoor smoking in residential units will improve indoor air quality for asthma sufferers.

Eric McLester – Environmental, Health, Safety, Land, and Agriculture Division (written): The Clean Air Policy amendment under 411.4-2 {b) allows smoking inside residential buildings that are owned by the Nation unless the lease or rental agreement prohibits smoking . EHSLAD does NOT support smoking inside residential buildings for the following reasons:

1. Children and families in our community deserve to have access to clean, indoor air. Employees from CHD, EHSLAD, Zoning, and DPW work in CHD housing. Residents and employees are at risk of health problems from secondhand exposure if smoking is allowed in residential units. Specifically:
 - a. According to CDC, there is no safe level of secondhand smoke exposure. Again, CDC informs that secondhand smoke can cause the following in non-smoking adults: coronary heart disease, stroke, lung cancer, and adverse reproductive health effects in women such as low birth weight.
 - i. <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>

- b. According to CDC, exposure to secondhand smoke can result in respiratory infections, ear infections, and asthma attacks in children and sudden infant death syndrome in babies.
 - i. <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>
 - c. According to CDC, exposure to secondhand smoke can cause inflammation and negative respiratory effects within 1 hour of exposure and these effects can] continue a minimum of 3 hours after exposure.
 - i. <https://www.cdc.gov/tobacco/secondhand-smoke/health.html>
2. Increasing ventilation or installing air filters inside retail or gaming properties will not eliminate the risks associated with secondhand smoke exposure. According to CDC, HVAC systems can spread secondhand smoke throughout a facility and there is no ventilation or air cleaning system that can eradicate secondhand smoke.
 - a. <https://www.cdc.gov/tobacco/secondhand-smoke/policy.html>
 3. HUD supports smoke-free public housing and has mandated this since 2016. The Nation should align with HUD standards for safe, sanitary housing.
 - a. <https://www.hud.gov/smokefreepublichousing>
 4. According to the 2022 Community Health Assessment by Comprehensive Health Division, self-reported asthma rates for Oneida respondents are higher than those reported for local counties and the state of WI. According to CDC, secondhand smoke is a known asthma trigger. Banning indoor smoking in residential units will improve indoor air quality for asthma sufferers.
 - a. (https://www.canva.com/design/DAFapvpYSCo/fvZ6B2fbFDWEJ2xhzHtOw/view?utmcontent=DAFapvpYSCo&utmcampaign=designshare&utmmedium=link&utm_source=publishsharelink#20).
 - b. <https://www.cdc.gov/tobacco/campaign/tips/diseases/secondhand-smoke-asthma.html>
 5. Smoking inside gaming and retail properties may result in higher maintenance and cleaning bills. Thirdhand smoke is the chemical residue left behind from smoke. According to Cleveland Clinic, it persists on surfaces long after smoking occurs and is hard to clean meaning complete costly replacement of affected materials may be the only solution. <https://health.clevelandclinic.org/thirdhand-smoke/>

Thank you,

Environmental, Health, Safety, Land, & Ag Division

Comprehensive Housing Division (written): This serves as a written response and feedback from Comprehensive Housing Division as it relates to the proposed amendments to the Clean Air Policy Act. These written comments will provide both the positive and less positive impacts that CHD may encounter.

There is no doubt that providing a smoke free environment & policy will have positive health benefits to all tenants and community members from a health & safety standpoint as it relates to second-hand smoke. It will also reap positive benefits related to property damage and upkeep in units.

CHD can stand behind those positive impacts and can support the policy amendments with the organization, the Oneida Business Committee and the community's support. This support will be crucial in the success of the enforcement of such a policy from Comprehensive Housing Divisions standpoint. There will need to be a clear understanding and acceptance of the consequences that will be associated with enforcing this type of policy.

Some ways that tenants will voice their discontent with the policy and when support will be needed are:

- Venting issues on social media that grabs the attention of the Oneida organization and council
- Bringing issues to the General Manager or Oneida Business Committee, with an expectation of intervention
- Filing a complaint with Oneida Judiciary
- A claim (what CHD would consider a breach in policy) would be that smoking within their unit is their right and a part of their quality of life
- Creating a petition brought to GTC meeting

Additional items to consider as part of CHD's support of the policy are:

- The cost of possible smoking shelters for those wishing to smoke but needing to move 30 feet away from their unit or rental. These have not been budgeted for and will need to be discussed as a potential offering for smokers in residential buildings
- The city of Green Bay Housing Authority has on-site managers which makes it much more efficient for monitoring the policy for enforcement purposes through tenant unit check ins and common hallways for enforcement purposes. CHD does not have on-site managers of their residential units.
- With the Clean Air Policy focusing on the no smoking provision, other things that contaminate the air in residential units should also be considered such as cat/dog/human feces, urine, garbage, and composing garbage in residential units. All of these scenarios also affect clean air and are current issues within tenant units.
- There will be tenants that may side with the stance that nicotine is their crutch for dealing with trauma/stress/alcohol & drug withdrawal and will likely state that we are taking that right from them. While this policy does not prohibit tenants from smoking, for some, this will take away their physical ability to smoke. An example of this would be: a disabled tenant that might have a difficult time getting out of the unit to 30 feet from the building, especially in the cold. Will there be any thought or plans to help support systems for those types of situations? (ie. the social part of not having the ability to smoke, nicotine withdrawal! or other coping methods for dealing trauma/stress etc?). Generationally those affected by not having the physical ability to smoke outdoors and 30+ feet away from a building will likely be in the class of: elder, confined, disabled or a combination of both.
- The HUD policy mentioned in the document of support from EHLSA references the smoke free policy supported by HUD. This reference is HUDs smoke free requirement for Public

Housing Agencies (PHA). As a recipient of Indian Housing Block Grants (IHBG) and subject to Native American Housing Assistance and Self-Determination Act (NAHASDA), we are considered an Indian Housing Agency (IHA) and not Public Housing Agency (PHA). Unless specifically identified in written correspondence, CHD is not subject to it. As an Indian Housing Agency, CHD is subject to the Nations Laws and Judiciary Court.

CHD has collaborated with Green Bay Housing Authority to obtain information on how their non-smoking policies are enforced within their residential units. GBHA is a (PHA) and has participated in the HUD smoke-free policy change in 2017/2019. They house a 50-unit complex called Mason Manor on West Mason Street as well as approximately 45 scattered sites. GBHA has a "3 strikes you are out" type of approach with both the first and second offenses including a penalty fine. The entire campus smoke-free. The fines for these types of infractions include:

1. \$100 fine, needing to be paid in full, with no payment plan
2. \$150 fine plus a 5-Day Quit or Cure Notice
3. \$200 fine and a 28 Day No Cure Notice of Eviction

It was our understanding that De Pere Housing Authority has a one strike you are out enforcement approach. Both agencies are PHA's and are subject to HUD's smoke-free policy, making it easier to contend with enforcement related issues.

In ending, Comprehensive Housing will stand behind the Smoke-Free amendments being proposed within the Clean Air Policy Act due to the cleaner benefit and healthier neighbor aspects associated with it. We understand the need and importance that this policy places on the health and safety of the Nations community members and always place emphasis in our own decisions for the best welfare of the people. Additional efforts should include other clean air contaminants that occur within residential units as noted. While we do and will support the needed changes for this policy, it must be understood that with the proposed changes, the ultimate consequence for a breach of a rental agreement is eviction. Even with placing monetary enforcements for breaches of rental agreements, to hold any value, a consequence for nonpayment will be necessary. A strong support from the community, the OBC and the organization will need to be in place in order for CHD to be able to support and enforce upon the proposed changes and hold those breaching rental agreements.

If you have any further questions in regard to this feedback, please contact:

Lisa Rauschenbach

Comprehensive Housing Division Director

(920) 869-6174

lrausche@oneidanation.org.

Response

The commenters express opposition to allowing an exemption from the prohibition of smoking for residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement; and express support for prohibiting smoking in residential buildings.

The Clean Air Policy provides that no person may smoke in any building owned or operated by the Nation, in any vehicle owned or operated by the Nation, or within thirty (30) feet of any building owned or operated by the Nation, except that a person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. [4 O.C. 411.4-1].

The Clean Air Policy then goes on to provide various exemptions for the prohibition of smoking in section 411.4-2. Currently, the Clean Air Policy provides that there is an exemption from the prohibition of smoking for residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings. [4 O.C. 411.4-2(b)(2)]. The proposed amendments to the Clean Air Policy clarify this exemption and only allow the exemption for residential buildings unless otherwise prohibited by a lease or rental agreement. [4 O.C. 411.4-2(b)(2)]. This provides greater flexibility to the Comprehensive Housing Division to prohibit smoking within residential buildings and within thirty (30) feet of residential buildings through its lease or rental agreements.

Whether or not to allow the Clean Air Policy to provide an exemption from the prohibition of smoking to residential buildings that are owned by the Nation is a policy decision for the Legislative Operating Committee to make. The Legislative Operating Committee may make one of the following determinations:

1. Section 411.4-2(b)(2) of the Clean Air Policy should remain as currently drafted and provide an exemption from the prohibition of smoking to residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement.
2. Section 411.4-2(b)(2) of the Clean Air Policy should be eliminated from the Law.

LOC Consideration

The Legislative Operating Committee determined that section 411.4-2(b)(2) of the Clean Air Policy should remain as currently drafted and provide an exemption from the prohibition of smoking to residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement. This exemption allows the Comprehensive Housing Division discretion in prohibit smoking in residential buildings through the lease or rental agreement, and also provides flexibility in determining how that prohibition should be handled, i.e. whether smoking within thirty (30) feet of a building would be allowed.

Comments 7 through 8 – Need to Strengthen Law:

411.4. Regulation of Smoking

411.4-1. *Prohibition of Smoking.* No person may smoke:

- (a) in any building owned or operated by the Nation;**
 - (b) within thirty (30) feet of any building owned or operated by the Nation.**
- Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet from the main entrances of the building; or**

(1) Exception. A person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. Receptacles for disposing of smoking materials may be maintained within thirty (30) feet of the entrances of these buildings.

(c) in any vehicle owned or operated by the Nation.

411.4-2. Exemptions. The following exemptions shall apply to the prohibition of smoking:

(a) Cultural Usage. The reasonable burning of tobacco, sage, cedar, and/or sweetgrass shall be exempted for cultural usage. Employees working in the vicinity of this cultural use shall be notified prior to use.

(b) Exempted Locations. The following locations shall be exempted from the prohibition of smoking:

(1) all gaming areas in any building of the Nation;

(A) Smoking and non-smoking employee break rooms shall be provided in these buildings and shall have separate ventilation.

(B) Employees shall not smoke while working in these buildings, other than in the provided break room.

(2) residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement; and

(3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease.

Michelle Tipple (oral): Because this law is opened, we encourage the LOC to consider some amendments that would strengthen this law. Remove the casinos and, as an exception to this law. Since COVID-19 casinos in Wisconsin have successfully operated in a smoke free environment. Secondly, implement smoke free campuses for all Oneida government buildings. The Oneida Comprehensive Health Division implemented smoke free campus back in 2016. So, it can be done. We did it.

There is a lot of data to support the benefits of a smoke, free work environment increases smoking sensation among tobacco users, helps people stop, cuts employee sick days and medical costs, and it increases productivity, improves body, or excuse me, business image - makes a workplace more attractive to job candidates. It decreases the risk of fires and smoke damage to property. It lowers office cleaning and maintenance cost, as discussed for the previous speaker, reduces an employers vulnerability to lawsuits. And it increases the number of visitors and their expenditures to businesses such as hotels, bars, and restaurants.

Now I do intend to submit some written comments as well and I will include more available data with the sources that I use to support these recommendations. We ask the LOC to consider making data driven decisions that support health equity. All employees have an should have access to a healthy work environment as these amendments are being considered. Thank you.

Michelle Tipple (written): Good morning. I am forwarding some additional data from the dental health perspective on behalf of our Assistant Dental Director, Dr Yvonne White. This data supports the need to strengthen Oneida's Clean Air Law- click link below.

<https://www.cdc.gov/tobacco/campaign/tips/diseases/periodontal-gum-disease.html#:~:text=You%20have%20twice%20the%20risk%20for%20gum%20disease%20compared%20with%20a%20nonsmoker.&text=The%20more%20cigarettes%20you%20smoke,you%20risk%20for%20gum%20disease.&text=The%20longer%20you%20smoke%2C%20the%20greater%20your%20risk%20for%20gum%20disease.&text=Treatments%20for%20gum%20disease%20may,well%20for%20people%20who%20smoke>

What Is Gum Disease?

Gum (periodontal) disease is an infection of the gums and can affect the bone structure that supports your teeth. In severe cases, it can make your teeth fall out. Smoking is an important cause of severe gum disease in the United States.

Gum disease starts with bacteria (germs) on your teeth that get under your gums. If the germs stay on your teeth for too long, layers of plaque (film) and tartar (hardened plaque) develop. This buildup leads to early gum disease, called gingivitis.

When gum disease gets worse, your gums can pull away from your teeth and form spaces that get infected. This is severe gum disease, also called periodontitis. The bone and tissue that hold your teeth in place can break down, and your teeth may loosen and need to be pulled out.

Warning Signs and Symptoms of Gum Disease

- Red or swollen gums
- Tender or bleeding gums
- Painful chewing
- Loose teeth
- Sensitive teeth
- Gums that have pulled away from your teeth

How Is Smoking Related to Gum Disease?

Smoking weakens your body's infection fighters (your immune system). This makes it harder to fight off a gum infection. Once you have gum damage, smoking also makes it harder for your gums to heal.

What does this mean for me if I am a smoker?

- You have twice the risk for gum disease compared with a nonsmoker.
- The more cigarettes you smoke, the greater your risk for gum disease.
- The longer you smoke, the greater your risk for gum disease.
- Treatments for gum disease may not work as well for people who smoke.

Tobacco use in any form—cigarettes, pipes, and smokeless (spit) tobacco—raises your risk for gum disease.

How Can Gum Disease Be Prevented?

You can help avoid gum disease with good dental habits.

- Brush your teeth twice a day.
- Floss often to remove plaque.
- See a dentist regularly for checkups and professional cleanings.
- Don't smoke. If you smoke, quit.

How Is Gum Disease Treated?

Regular cleanings at your dentist's office and daily brushing and flossing can help treat early gum disease (gingivitis).

More severe gum disease may require:

- Deep cleaning below the gum line.
- Prescription mouth rinse or medicine.
- Surgery to remove tartar deep under the gums.
- Surgery to help heal bone or gums lost to periodontitis. Your dentist may use small bits of bone to fill places where bone has been lost. Or your dentist may move tissue from one place in
- your mouth to cover exposed tooth roots.

If you smoke or use spit tobacco, quitting will help your gums heal after treatment.

Response

The commenters express that the Clean Air Policy's prohibition of smoking should be strengthened and increased, instead of providing additional exemptions to the prohibition of smoking through this Law.

Two ways the commenters express that the Clean Air Policy can be strengthened is by removing the exemption for the prohibition of smoking for the casinos, and requiring smoke free campuses for all government buildings in the Nation.

The purpose of the Clean Air Policy is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1]. The Clean Air Policy provides that no person may smoke in any building owned or operated by the Nation, in any vehicle owned or operated by the Nation, or within thirty (30) feet of any building owned or operated by the Nation, except that a person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. [4 O.C. 411.4-1].

The Clean Air Policy then goes on to provide various exemptions for the prohibition of smoking such as:

- cultural usage;
- all gaming areas in any buildings of the Nation;
- residential buildings that are owned by the Nation, including, but not limited to, single-family dwellings, two (2) family dwellings, and multiple-family dwellings, unless otherwise prohibited by a lease or rental agreement; and

- a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease. [4 O.C. 411.4-2].

Whether to make additional amendments to the Clean Air Policy in an effort to strengthen the prohibition of smoking is a policy consideration for the Legislative Operating Committee to make. The Legislative Operating Committee may make one of the following determinations:

1. The proposed amendments to the Clean Air Policy should remain as currently drafted.
2. The proposed amendments to the Clean Air Policy should be reconsidered in an effort to strengthen the prohibition of smoking within this Law. Two ways the Legislative Operating Committee can consider strengthening the prohibition of smoking is by:
 - a. Requiring smoke free campuses for all buildings of the Nation, not retail or gaming locations, by removing the allocation that a person may smoke at least thirty (30) feet away from a building found in section 411.4-1(b) of the Clean Air Policy; or
 - b. Removing the exemption from the prohibition of smoking for gaming areas in any buildings of the Nation found in section 411.4-2(b)(1) of the Clean Air Policy.

LOC Consideration

The Legislative Operating Committee determined that the proposed amendments to the Clean Air Policy should remain as currently drafted.

Comment 9 – Application to Radisson Employees:

411.4. Regulation of Smoking

411.4-1. *Prohibition of Smoking.* No person may smoke:

- (a) in any building owned or operated by the Nation;
- (b) within thirty (30) feet of any building owned or operated by the Nation. Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet from the main entrances of the building; or
 - (1) *Exception.* A person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. Receptacles for disposing of smoking materials may be maintained within thirty (30) feet of the entrances of these buildings.
- (c) in any vehicle owned or operated by the Nation.

411.4-4. *Violations.*

- (a) Any building manager or designated agent of the Nation may file for injunctive relief with the Nation's Judiciary against any person who repeatedly or willfully violates this law.
- (b) An employee of the Nation who violates this law during their work hours may be subject to the following disciplinary action in accordance with the Nation's laws and policies governing employment:
 - (1) written warning for a first-time violation;
 - (2) suspended without pay for a second violation; or
 - (3) terminated from employment for any violation thereafter.

Diana King (written): Would this clean air apply to Radisson employees as well? At the main casino we have designated smoking area in ground floor level of the ramp which is all gaming or Radisson employees. People litter their cigarette butts all over the place instead of discarding them in the designated area. I am not sure if our surveillance cameras can detect who is littering the ramp with cigarette butts. It's disappointing that employees disregard our property and the generous approval of smoking privileges

Response

The commenter questions whether the Clean Air Policy applies to employees of the Radisson, and expresses complaints regarding the littering of cigarette butts.

The Clean Air Policy provides that no person may smoke in any building owned or operated by the Nation, in any vehicle owned or operated by the Nation, or within thirty (30) feet of any building owned or operated by the Nation, except that a person may smoke within thirty (30) feet of the retail outlets or any gaming establishments. [4 O.C. 411.4-1]. The Radisson is not a building owned and operated by the Nation, so the Clean Air Policy would not apply to that location.

The Clean Air Policy does not address the littering of cigarette butts in locations where smoking is allowed or smoking receptacles are found. However, the Nation's Public Peace law does provide that a person commits the civil infraction of littering if he or she deposits, throws, dumps, discards, abandons, leaves any litter on any private property or Tribal property. [3 O.C. 309.10-1]. Any person who violates a provision of the Public Peace law may be subject to the issuance of a citation by an Oneida Policy Department officer. [3 O.C. 309.11-1].

There is no revision to the proposed amendments to the Clean Air Policy recommended based on this comment.

LOC Consideration

The Legislative Operating Committee agreed that there is no revision to the Clean Air Policy needed based on this comment, but wanted to highlight resolution BC-12-21-23-B, *Consolidation of the Hotel and Conference Center with Oneida Gaming*, which recognizes the transition of the Radisson Hotel and Conference Center property, personnel, services from the Oneida Airport Hotel Corporation to gaming operations – meaning therefore in the future, employees of the Radisson will be subject to this law.

**Title 4. Environment and Natural Resources – Chapter 411
CLEAN AIR**

411.1. Purpose and Policy
411.2. Adoption, Amendment, Repeal

411.3. Definitions
411.4. Regulation of Smoking

3#

4# **411.1. Purpose and Policy**

5# 411.1-1. *Purpose.* The purpose of this law is to provide a healthy working and learning
6# environment within buildings and vehicles owned and operated by the Nation by prohibiting
7# smoking.

8# 411.1-2. *Policy.* It is the policy of the Nation to commit to promoting health and wellness in all
9# forms. There is long standing evidence that smoking is harmful to oneself, and that second-hand
:# smoke is harmful to others. In addition, the long-term effects of electronic cigarettes on individuals
;# are unclear. In an effort to provide a healthy environment for children, employees, and visitors,
32# smoking shall be prohibited as described within this law.

33#

34# **411.2. Adoption, Amendment, Repeal**

35# 411.2-1. This law was adopted by motion of the Oneida Business Committee on May 25, 1994,
36# and amended by resolutions BC-02-24-10-I, BC-05-28-14-A, and BC-__-__-__-__.#

37# 411.2-2. This law may be amended or repealed by the Oneida Business Committee or General
38# Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

39# 411.2-3. Should a provision of this law or the application thereof to any person or circumstances
3:# be held as invalid, such invalidity shall not affect other provisions of this law which are considered
3;# to have legal force without the invalid portions.

42# 411.2-4. In the event of a conflict between a provision of this law and a provision of another law,
43# the provisions of this law shall control.

44# 411.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

45#

46# **411.3. Definitions**

47# 411.3-1. This section shall govern the definitions of words and phrases used within this law. All
48# words not defined herein shall be used in their ordinary and everyday sense.

49# (a) “Building” means a structure that has a roof and more than two (2) substantial walls.

4:# (b) “Electronic cigarette” means a device that enables a person to ingest nicotine, or other
4;# chemicals or substances, by inhaling a vaporized liquid and shall include the cartridges and
52# other products used to refill the device.

53# (c) “Indoor” means within the exterior walls of any building.

54# (d) “Main entrance” means the front entrance to any building, or any entrance a majority
55# of the employees and public use to access the building.

56# (e) “Nation” means the Oneida Nation.

57# (f) “Smoke” or “Smoking” means the inhalation of:

58# (1) the smoke of burning tobacco encased in cigarettes, pipes and cigars; or

59# (2) a vaporized liquid from an electronic cigarette, whether the liquid contains or
5:# does not contain nicotine.

5;# (g) “Tobacco product” means any form of tobacco prepared in a manner suitable for
62# smoking.

63#

64# **411.4. Regulation of Smoking**

65# 411.4-1. *Prohibition of Smoking.* No person may smoke:

Draft 4 (Redline to Draft 3 PM Draft)
2024 01 17

- 66# (a) in any building owned or operated by the Nation;
67# (b) within thirty (30) feet of any building owned or operated by the Nation. Receptacles
68# for disposing of smoking materials shall be maintained at least thirty (30) feet from the
69# main entrances of the building; or
6 :# (1) *Exception*. A person may smoke within thirty (30) feet of the retail outlets or
6 ;# any gaming establishments. Receptacles for disposing of smoking materials may
72# be maintained within thirty (30) feet of the entrances of these buildings.
73# (c) in any vehicle owned or operated by the Nation.
- 74# 411.4-2. *Exemptions*. The following exemptions shall apply to the prohibition of smoking:
75# (a) *Cultural Usage*. The reasonable burning of tobacco, sage, cedar, and/or sweetgrass
76# shall be exempted for cultural usage. Employees working in the vicinity of this cultural use
77# shall be notified prior to use.
78# (b) *Exempted Locations*. The following locations shall be exempted from the prohibition
79# of smoking:
7 :# (1) all gaming areas in any building of the Nation;
7 ;# (A) Smoking and non-smoking employee break rooms shall be provided in
82# these buildings and shall have separate ventilation.
83# (B) Employees shall not smoke while working in these buildings, other than
84# in the provided break room.
85# (2) residential buildings that are owned by the Nation, including, but not limited
86# to, single-family dwellings, two (2) family dwellings, and multiple-family
87# dwellings, unless otherwise prohibited by a lease or rental agreement; and
88# (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco
89# product, unless prohibited by Oneida Retail or the terms and conditions of the lease
8 :# or land or building assignment.
- 8 ;# 411.4-3. *Posting and Notices*. All buildings of the Nation, except for those exempted by section
92# 411.4-2(b) of this Law, shall be posted as “Non-Smoking” on entrances. In addition, the hallways,
93# restroom facilities, and other public areas of these buildings may also be posted as “Non-
94# Smoking.” Signs shall be large enough that they can be viewed and read thirty (30) feet from the
95# building.
- 96# 411.4-4. *Violations*.
97# (a) Any building manager or designated agent of the Nation may file for injunctive relief
98# with the Nation’s Judiciary against any person who repeatedly or willfully violates this
99# law.
9 :# (b) An employee of the Nation who violates this law during their work hours may be
9 ;# subject to the following disciplinary action in accordance with the Nation’s laws and
: 2# policies governing employment:
: 3# (1) written warning for a first-time violation;
: 4# (2) suspended without pay for a second violation; or
: 5# (3) terminated from employment for any violation thereafter.
: 6#
: 7# *End*.
: 8#
-
- : 9# Adopted – OBC motion on 05-25-94, Grace period for thirty (30) feet until shelters complete, except for at educational
: :# facilities where minors are present.

Draft 4 (Redline to Draft 3 PM Draft)
2024 01 17

- ; # Amended – BC-02-24-10-I
- ; 2# Amended – BC-05-28-14-A
- ; 3# Amended – BC __ - __ - __ - __

Title 4. Environment and Natural Resources – Chapter 411
CLEAN AIR POLICY

411.1. Purpose and Policy

411.3. Definitions

~~411.2. Adoption, Amendment, Conflicts~~

411.4. Regulation of Smoking

~~411.2. Adoption, Amendment, Repeal~~

3#

4# **411.1. Purpose and Policy**

5# 411.1-1. *Purpose.* ~~It is the~~The purpose of this ~~Clean Air Policy~~law is to provide a healthy working
6# and learning environment within buildings and vehicles owned and operated by the ~~Oneida~~
7# ~~Tribe~~Nation by prohibiting smoking.

8# 411.1-2. *Policy.* ~~The Oneida Tribe~~It is committed~~the policy of the Nation~~to ~~commit to promoting~~
9# health and wellness in all forms. ~~There is long standing evidence that smoking is harmful to~~
:# ~~oneself,~~ and that second-hand smoke is harmful to others. ~~In addition, the long-~~term effects of
;# electronic cigarettes on individuals are unclear. ~~In an effort to provide a healthy environment for~~
32# children, employees, and visitors, smoking ~~will~~shall be ~~restricted~~prohibited as described within
33# this ~~policy~~law.

34#

35# **411.2. Adoption, Amendment, ~~Conflicts~~Repeal**

36# 411.2-1. This ~~Policy~~law was adopted by motion of the Oneida Business Committee on May 25,
37# 1994, and amended by ~~resolution~~resolutions BC-02-24-10-I~~and~~, BC-05-28-14-A~~,~~ and BC-- -
38# - -.#

39# 411.2-2. This ~~Policy~~law may be amended or repealed by the Oneida Business Committee or
3:# General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

3;# 411.2-3. Should a provision of this ~~Policy~~law or the application thereof to any person or
42# circumstances be held as invalid, such invalidity shall not affect other provisions of this ~~Policy~~law
43# which are considered to have legal force without the invalid portions.

44# 411.2-4. In the event of a conflict between a provision of this ~~Policy~~law and a provision of another
45# law, ~~ordinance, policy, regulation, rule, resolution, or motion,~~ the provisions of this ~~Policy~~law shall
46# control. ~~Provided that, nothing in this Policy is intended to repeal or modify any existing law,~~
47# ~~ordinance, policy, regulation, rule, resolution or motion.~~

48# 411.2-5. This ~~Policy~~law is adopted under authority of the Constitution of the Oneida ~~Tribe of~~
49# Indians of WisconsinNation.

4:#

4;# **411.3. Definitions**

52# 411.3-1. This section shall govern the definitions of words and phrases used within this ~~Policy~~law.
53# law. All words not defined herein shall be used in their ordinary and everyday sense.

54# (a) (a) “Building” means a structure that has a roof and more than two (2) substantial
55# walls.

56# (b) (b) “Electronic cigarette” means a device that enables a person to ingest nicotine,
57# or other chemicals or substances, by inhaling a vaporized liquid and shall include the
58# cartridges and other products used to refill the device. ~~“Electronic cigarette” shall not~~
59# ~~include any device that is prescribed by a healthcare professional.~~

5:# (c) (c) “Indoor” means within the exterior walls of any building.

5;# (d) (d) “Main entrance” means the front entrance to any building, or any entrance a
62# majority of the employees and public use to access the building.

63# (e) “Nation” means the Oneida Nation.

64# (e) (f) “Smoke” or “Smoking” means the inhalation of:

65# (1) (1) the smoke of burning tobacco encased in cigarettes, pipes and cigars; or

Draft 4 (Redline to Current)

2024 01 17

66# ~~(2)~~ (2) a vaporized liquid from an electronic cigarette, whether the liquid contains
67# or does not contain nicotine.

68# (f) ~~“Tribe”~~(g) “Tobacco product” means ~~the Oneida Tribe~~any form of ~~Indians of~~
69# ~~Wisconsin~~tobacco prepared in a manner suitable for smoking.

6 : #

6 ; # 411.4. Regulation of Smoking

72# 411.4-1. ~~Except as provided in 411.4-1(b)(1) and 411.4-2, no~~Prohibition of Smoking. No person
73# may smoke:

74# (a) in any building owned or operated by the ~~Tribe~~Nation;

75# (b) within thirty (30) feet of any building owned or operated by the ~~Tribe~~Nation.
76# Receptacles for disposing of smoking materials shall be maintained at least thirty (30) feet
77# from the main entrances of the building; or

78# (1) Exception. A person may smoke within thirty (30) feet of the ~~Oneida One~~
79# ~~Stop~~retail outlets or any gaming establishments. ~~Receptacles for disposing of~~
7 : # smoking materials may be maintained within thirty (30) feet of the entrances of
7 ; # these buildings.

82# (c) in any vehicle owned or operated by the ~~Tribe~~Nation.

83# 411.4-2. Exemptions. The following exemptions shall apply to the prohibition of smoking:

84# (a) ~~There shall be an exemption for specific cultural uses for the~~Cultural Usage. The
85# reasonable burning of tobacco, sage, cedar, and/or sweetgrass ~~shall be exempted for~~
86# cultural usage. Employees working in the vicinity of this cultural use shall be notified prior
87# to use.

88# (b) Specifically Exempted Locations. The following locations shall be exempted from ~~this~~
89# ~~policy~~are the prohibition of smoking:

8 : # (1) all gaming areas in any ~~Tribal~~building of the Nation;

8 ; # (A) Smoking and non-smoking employee break rooms shall be provided in
92# these buildings and shall have separate ventilation.

93# (B) Employees shall not smoke while working in these buildings, other than
94# in the provided break room.

95# (2) residential buildings that are owned by the ~~Tribe~~Nation, including, but not
96# limited to, single-family dwellings, two-~~(2)~~ family dwellings, and multiple-family
97# dwellings; unless otherwise prohibited by a lease or rental agreement; and

98# (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco
99# product, unless prohibited by Oneida Retail or the terms and conditions of the lease
9 : # or land or building assignment.

9 ; # 411.4-3. Posting and Notices. All ~~Tribal~~buildings of the Nation, except for those ~~listed in~~
: 2# exempted by section 411.4-2(b),) of this Law, shall be posted as “Non-Smoking” on entrances. ~~In~~
: 3# addition, the hallways, restroom facilities, and other public areas of these buildings may also be
: 4# posted as “Non-Smoking.” ~~Signs shall be large enough that they can be viewed and read thirty~~
: 5# (30) feet from the building.

: 6# 411.4-4. Violations.

: 7# (a) Any building manager or designated agent of the ~~Oneida Business Committee~~Nation
: 8# may file for injunctive relief with the ~~Tribe’s judicial system~~Nation’s Judiciary against any
: 9# person who repeatedly or willfully violates this ~~policy~~law.

Draft 4 (Redline to Current)

2024 01 17

: : # (b) An employee of the TribeNation who violates this policy ~~law~~ during ~~his or her~~ their
 : ; # work hours may be subject to the following disciplinary action in accordance with the
 ; 2 # Nation’s laws and policies governing employment:
 ; 3 # (1) ~~reprimanded~~ written warning for a first-time violation;
 ; 4 # (2) suspended without pay ~~for one (1) week~~ for a second violation; or
 ; 5 # (3) terminated from employment for any violation thereafter.

; 6 #

; 7 # *End.*

; 8 #

; 9 # Adopted ~~5~~ OBC motion on 05-25-94, ~~motion, grace~~ Grace period for thirty (30) feet until shelters complete, except
 ; : # for at educational facilities where minors are present.

; ; # Amended – BC-02-24-10-I

32 2 # Amended – BC-05-28-14-A

32 3 # Amended – BC - - -

**Title 4. Environment and Natural Resources – Chapter 411
CLEAN AIR**

411.1. Purpose and Policy
411.2. Adoption, Amendment, Repeal

411.3. Definitions
411.4. Regulation of Smoking

411.1. Purpose and Policy

411.1-1. *Purpose.* The purpose of this law is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking.

411.1-2. *Policy.* It is the policy of the Nation to commit to promoting health and wellness in all forms. There is long standing evidence that smoking is harmful to oneself, and that second-hand smoke is harmful to others. In addition, the long-term effects of electronic cigarettes on individuals are unclear. In an effort to provide a healthy environment for children, employees, and visitors, smoking shall be prohibited as described within this law.

411.2. Adoption, Amendment, Repeal

411.2-1. This law was adopted by motion of the Oneida Business Committee on May 25, 1994, and amended by resolutions BC-02-24-10-I, BC-05-28-14-A, and BC-__-__-__-__.

411.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

411.2-3. 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.

411.2-4. 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.

411.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

411.3. Definitions

411.3-1. 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) “Building” means a structure that has a roof and more than two (2) substantial walls.

(b) “Electronic cigarette” means a device that enables a person to ingest nicotine, or other chemicals or substances, by inhaling a vaporized liquid and shall include the cartridges and other products used to refill the device.

(c) “Indoor” means within the exterior walls of any building.

(d) “Main entrance” means the front entrance to any building, or any entrance a majority of the employees and public use to access the building.

(e) “Nation” means the Oneida Nation.

(f) “Smoke” or “Smoking” means the inhalation of:

(1) the smoke of burning tobacco encased in cigarettes, pipes and cigars; or

(2) a vaporized liquid from an electronic cigarette, whether the liquid contains or does not contain nicotine.

(g) “Tobacco product” means any form of tobacco prepared in a manner suitable for smoking.

411.4. Regulation of Smoking

411.4-1. *Prohibition of Smoking.* No person may smoke:

Draft 4
2024 01 17

44 (a) in any building owned or operated by the Nation;
45 (b) within thirty (30) feet of any building owned or operated by the Nation. Receptacles
46 for disposing of smoking materials shall be maintained at least thirty (30) feet from the
47 main entrances of the building; or

48 (1) *Exception.* A person may smoke within thirty (30) feet of the retail outlets or
49 any gaming establishments. Receptacles for disposing of smoking materials may
50 be maintained within thirty (30) feet of the entrances of these buildings.

51 (c) in any vehicle owned or operated by the Nation.

52 411.4-2. *Exemptions.* The following exemptions shall apply to the prohibition of smoking:

53 (a) *Cultural Usage.* The reasonable burning of tobacco, sage, cedar, and/or sweetgrass
54 shall be exempted for cultural usage. Employees working in the vicinity of this cultural use
55 shall be notified prior to use.

56 (b) *Exempted Locations.* The following locations shall be exempted from the prohibition
57 of smoking:

58 (1) all gaming areas in any building of the Nation;

59 (A) Smoking and non-smoking employee break rooms shall be provided in
60 these buildings and shall have separate ventilation.

61 (B) Employees shall not smoke while working in these buildings, other than
62 in the provided break room.

63 (2) residential buildings that are owned by the Nation, including, but not limited
64 to, single-family dwellings, two (2) family dwellings, and multiple-family
65 dwellings, unless otherwise prohibited by a lease or rental agreement; and

66 (3) a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco
67 product, unless prohibited by Oneida Retail or the terms and conditions of the lease
68 or land or building assignment.

69 411.4-3. *Posting and Notices.* All buildings of the Nation, except for those exempted by section
70 411.4-2(b) of this Law, shall be posted as “Non-Smoking” on entrances. In addition, the hallways,
71 restroom facilities, and other public areas of these buildings may also be posted as “Non-
72 Smoking.” Signs shall be large enough that they can be viewed and read thirty (30) feet from the
73 building.

74 411.4-4. *Violations.*

75 (a) Any building manager or designated agent of the Nation may file for injunctive relief
76 with the Nation’s Judiciary against any person who repeatedly or willfully violates this
77 law.

78 (b) An employee of the Nation who violates this law during their work hours may be
79 subject to the following disciplinary action in accordance with the Nation’s laws and
80 policies governing employment:

81 (1) written warning for a first-time violation;

82 (2) suspended without pay for a second violation; or

83 (3) terminated from employment for any violation thereafter.

84

85 *End.*

86

87 Adopted – OBC motion on 05-25-94, Grace period for thirty (30) feet until shelters complete, except for at educational
88 facilities where minors are present.

Draft 4
2024 01 17

- 89 Amended – BC-02-24-10-I
- 90 Amended – BC-05-28-14-A
- 91 Amended – BC __ - __ - __ - __



CLEAN AIR POLICY AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	<ul style="list-style-type: none"> ▪ Include a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)]; ▪ Clarify the exemption to the prohibition of smoking for residential buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement. [4 O.C. 411.4-2(b)(2)]; ▪ Eliminate the requirement that a suspension for a second violation of this law be one (1) week in length, providing the supervisor and HRD greater flexibility in determining a suspension length that best fits the violation. [4 O.C. 411.4-4(b)(2)]; and ▪ Make other minor drafting changes.
Purpose	The purpose of this law is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1].
Affected Entities	Oneida Nation employees and community members.
Public Meeting	A public meeting was held on December 15, 2023. The public comment period was held open until December 26, 2023.
Fiscal Impact	A fiscal impact statement has not yet been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. Background. The Clean Air Policy was originally adopted by the Oneida Business by motion on May 25, 1994, and then amended through resolutions BC-02-24-10-I, and BC-05-28-14-A. The purpose of the Clean Air Policy is to provide a healthy working and learning environment within buildings and vehicles owned and operated by the Nation by prohibiting smoking. [4 O.C. 411.1-1]. It is the policy of the Nation to commit to promoting health and wellness in all forms, by prohibiting smoking. [4 O.C. 411.1-2].

B. Request for Amendments. On January 10, 2023, the LOC received a request from Retail to consider amendments to the Clean Air Policy to create an exemption for the prohibition from smoking in any building of the Nation for smoking cigars and tobacco in pipes within a premise designated by retail as a tobacco store, on or in premises controlled by Oneida Retail, that sells tobacco product and in which the smoking of only cigars and tobacco in pipes is permitted. The Legislative Operating Committee added the Clean Air Policy amendments to its Active Files List on January 18, 2023.

SECTION 3. CONSULTATION AND OUTREACH

A. Representatives from the following departments or entities participated in the development of the amendments to the Clean Air Policy and this legislative analysis:

- Oneida Law Office;

- 19 ▪ Gaming;
- 20 ▪ Retail;
- 21 ▪ Comprehensive Health Division; and
- 22 ▪ Environmental, Health, Safety, Land, and Agriculture Division.

23 **B.** The following laws were reviewed in the drafting of this analysis:

- 24 ▪ Oneida Personnel Policies and Procedures.

25

26 **SECTION 4. PROCESS**

27 **A.** The development of the proposed amendments to the Clean Air Policy complies with the process set
28 forth in the Legislative Procedures Act (LPA).

- 29 ▪ On January 18, 2023, the Legislative Operating Committee added the Clean Air Policy
30 amendments to its Active Files List.
- 31 ▪ On February 1, 2023, the Legislative Operating Committee approved the draft of the proposed
32 amendments to the Clean Air Policy and directed that a legislative analysis be developed.
- 33 ▪ On July 10, 2023, the Legislative Operating Committee approved the updated draft and
34 legislative analysis.
- 35 ▪ On October 4, 2023, the Legislative Operating Committee readded the Clean Air Policy
36 amendments to its Active Files List for the 2023-2026 legislative term.
- 37 ▪ On November 1, 2023, the Legislative Operating Committee approved the public meeting
38 packet for the Clean Air Policy Amendments with noted change to the public meeting notice,
39 and forwarded the Clean Air Policy Amendments to a public meeting to be held on December
40 15, 2023.
- 41 ▪ On December 15, 2023, the public meeting was held. Two (2) individuals provided oral
42 comments during the public meeting.
- 43 ▪ The public comment period was held open until December 26, 2023. Four (4) individuals
44 provided written comments during the public comment period.
- 45 ▪ On January 3, 2024, the Legislative Operating Committee accepted the public comments and
46 the public comment review memorandum and deferred these items to a work meeting for
47 further discussion. The Legislative Operating Committee held a work meeting to review and
48 consider the public comments later this same day.

49 **B.** At the time this legislative analysis was developed the following work meetings had been held
50 regarding the development of the amendments to this Law:

- 51 ▪ January 26, 2023: LOC work session;
- 52 ▪ February 20, 2023: LOC work session with the Comprehensive Health Division and the
53 Environmental, Health, Safety, Land, and Agriculture Division; and
- 54 ▪ March 20, 2023: LOC work session with the Comprehensive Health Division, Retail, Gaming,
55 Oneida Law Office, and the Environmental, Health, Safety, Land, and Agriculture Division.
- 56 ▪ October 18, 2023: LOC work session.
- 57 ▪ January 3, 2024: LOC work session.

58

59 **SECTION 5. CONTENTS OF THE LEGISLATION**

60 **A. *Exemptions to the Prohibition of Smoking.*** The proposed amendments to the Clean Air Policy include
61 a new exemption to the prohibition of smoking, which is a tobacco store, on or in premises controlled
62 by Oneida Retail, that sells tobacco product, unless prohibited by Oneida Retail or the terms and

63 conditions of the lease or land or building assignment. [4 O.C. 411.4-2(b)(3)]. Previously, the Clean
64 Air Policy only included exemptions to the prohibition of smoking for cultural usage, all gaming areas
65 in any building of the Nation, and residential buildings that are owned by the Nation. [4 O.C. 411.4-
66 2(a)-(b)(1)-(2)]. The proposed amendments also provide clarification that the exemption for residential
67 buildings owned by the Nation only applies if not otherwise prohibited by a lease or rental agreement.
68 [4 O.C. 411.4-2(b)(2)].

- 69 ■ *Effect.* An additional exemption was added to the Clean Air Policy in an effort to provide Retail
70 with an opportunity to pursue the development of a cigar bar in one of the Oneida One Stop retail
71 locations. Clarification was added to the exemption for residential buildings in recognition that a
72 lease or rental agreement may further prohibit smoking within a residential building owned by the
73 Nation.

74 **B. *Violations of the Clean Air Policy.*** The proposed amendments to the Clean Air Policy clarify that any
75 employee of the Nation who violates this law during their work hours may be subject to disciplinary
76 action in accordance with the Nation’s laws and policies governing employment, which is the Oneida
77 Personnel Policies and Procedures. [4 O.C. 411.4-4(b)]. The proposed amendments to the Clean Air
78 Policy then demonstrates that the disciplinary action an employee may be subject to includes a written
79 warning for a first-time violation; a suspension without pay for a second violation; or termination from
80 employment for any violation thereafter. [4 O.C. 411.4-4(b)(1)-(3)]. Previously, the Clean Air
81 Policy provided that a first violation of this law would result in a reprimand, but the Clean Air Policy
82 was not specific as to what that reprimand would consist of. Additionally, the Clean Air Policy
83 previously provided that a second violation of this law would result in a suspension for one (1) week.
84 The proposed amendments to the Clean Air Policy eliminated the one (1) week requirement for
85 suspensions and instead provide the supervisor with discretion to determine the appropriate length of
86 the suspension. The Oneida Personnel Policies and Procedures requires that a supervisor consult with
87 the Executive Director of the Human Resources Department to mutually determine the appropriate
88 length of the suspension, and that any suspension be limited to a maximum of three (3) weeks. [Oneida
89 Personnel Policies and Procedures Section V.D.5.f.1].

- 90 ■ *Effect.* This proposed amendments to the Clean Air Policy provide greater clarification as to how
91 violations of this law are addressed for employees who violate the Clean Air Policy during their
92 work hours.

93 **SECTION 6. EXISTING LEGISLATION**

94 **A. *Related Legislation.*** The following laws of the Nation are related to the Clean Air Policy:

- 95 ■ *Oneida Personnel Policies and Procedures.* The purpose of the Oneida Personnel Policies and
96 Procedures is to provide for the Nation’s employee related policies and procedures including
97 recruitment, selection, compensation and benefits, employee relations, safety and health, program
98 and enterprise rules and regulations, and record keeping.

- 99 ■ Section V.D of the Oneida Personnel Policies and Procedures specifically addresses
100 complaints, disciplinary actions and grievances. Section V.D.2.b of the Oneida Personnel
101 Policies and Procedures provides that a supervisor is required to initiate disciplinary actions
102 commensurate with the seriousness of the unsatisfactory performance, and a supervisor must
103 consider each disciplinary action in progressive order and justify a deviance from that
104 recommended progression.
105

- 106 ▪ The proposed amendments to the Clean Air Policy clarify that any employee of the Nation who
107 violates this law during their work hours may be subject to disciplinary action in accordance
108 with the Nation’s laws and policies governing employment, which is the Oneida Personnel
109 Policies and Procedures. [4 O.C. 411.4-4(b)].
110


111 **SECTION 7. OTHER CONSIDERATIONS**

112 A. *Fiscal Impact.* Under the Legislative Procedures Act, a fiscal impact statement is required for all
113 legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-
114 10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures*
115 *Act,*” provides further clarification on who the Legislative Operating Committee may direct complete
116 a fiscal impact statement at various stages of the legislative process, as well as timeframes for
117 completing the fiscal impact statement.

- 118 ▪ *Conclusion.* The Legislative Operating Committee has not yet directed that a fiscal impact
119 statement be completed.

120



TO: Lawrence Barton, Oneida Business Committee Treasurer
Keith Doxtator, Chief Financial Officer
Ralinda Ninham-Lamberies, Assistant Chief Financial Officer
FROM: Jameson Wilson, Legislative Operating Committee Chairman 
DATE: January 17, 2024
RE: Clean Air Policy Amendments Fiscal Impact Statement

The Legislative Operating Committee (LOC) is currently developing amendments to the Clean Air Policy. The Legislative Procedures Act requires that a fiscal impact statement be provided for all proposed legislation of the Nation. [1 O.C. 109.6-1]. The fiscal impact statement is an estimate of the total fiscal year financial effects associated with the proposed legislation, and should include:

- startup costs;
- personnel;
- office costs;
- documentation costs; and
- an estimate of the amount of time necessary for an individual or agency to comply with the law after implementation. [1 O.C. 109.3-1(c)].

The fiscal impact statement must be completed and submitted to the LOC prior to the proposed legislation being forwarded to the Oneida Business Committee for consideration. [1 O.C. 109.6-2]. The fiscal impact statement provides the Oneida Business Committee information on what the potential adoption of the proposed legislation will cost the Nation, so that the Oneida Business Committee can determine if adoption of the proposed legislation is in the best interest of the Nation.

The Legislative Procedures Act grants the LOC the authority to direct the Finance Department or any agency who may administer a program if the legislation is enacted or may have financial information concerning the subject matter of the legislation to submit a fiscal impact statement. [1 O.C. 109.6-1].

Oneida Business Committee resolution BC-10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures Act*” provides further clarification on the process for directing a fiscal impact statement be completed. This resolution provides that upon final approval of draft legislation by the LOC, the LOC may direct the Finance Department to provide a neutral and unbiased fiscal impact statement to the LOC within ten (10) business days for inclusion in adoption materials.

On January 17, 2024, the Legislative Operating Committee approved the final draft of the proposed amendments to the Clean Air Policy. Therefore, the LOC is directing the Finance Department to provide a fiscal impact statement on the proposed amendments to the Clean Air Policy by January 31, 2024.

A copy of the proposed amendments to the Clean Air Policy, as well as the legislative analysis, have been attached to this memorandum for your convenience.

Requested Action

Provide the LOC a fiscal impact statement of the proposed amendments to the Clean Air Policy by January 31, 2024.



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



AGENDA REQUEST FORM

- 1) Request Date: 01-02-2023
- 2) Contact Person(s): Melinda J. Danforth
Dept: Intergovernmental Affairs
Phone Number: 920-562-0290 Email: mdanforj@oneidanation.org
- 3) Agenda Title: Short Term Rental Regulations
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:
The Oneida Nation received information from Brown County that a tribal member living on individual trust lands operating a short term rental (AirBnB) and were not permitted nor inspected. Although Brown County doesn't have jurisdiction over this matter, it brings to light that the Nation does not currently regulate short term rentals.

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

- 1) WI Short Term Rental Law
- 2) Bay Area Room Tax Info
- 3) Town of Wrightstown Room Tax
- 4) _____

- 5) Please list any laws, policies or resolutions that might be affected:
Real Property Law, Zoning,
- 6) Please list all other departments or person(s) you have brought your concern to:
Law Office, EH&S, Land, Business Committee
- 7) Do you consider this request urgent? Yes No
If yes, please indicate why:
Health Safety and Welfare & Intergovernmental Affairs

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

Signature of Requester: _____

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

TOURISM ENTITY AGREEMENT

AGREEMENT entered into between the Bay Area Room Tax Commission (hereinafter the "Commission") and the Greater Green Bay Convention and Visitors Bureau d.b.a. Discover Green Bay (hereinafter the "Bureau") for the purpose of providing staff, support services, and assistance in developing and implementing programs to promote and develop the tourism zone to visitors pursuant to §66.75, Wis. States. This Agreement is premised on the following:

WHEREAS, the convention and tourist trade is a part of the economics of the tourism zone (the "Tourism Zone") created by the Villages of Lawrence, and Wrightstown as well as the Town of Scott (hereinafter "Municipalities"), and the continued growth of such trade is necessary for the economic well-being of the entire community.

WHEREAS, the Municipalities within the Tourism Zone have created a Room Tax Commission for the purpose of contracting for services as provided for herein and have granted necessary authority to the Commission to enter into this Agreement.

WHEREAS, the Bureau is a qualified tourism entity as defined in §66.75(1) (f), Wis. Stats.

NOW, THEREFORE, IT IS AGREED by the parties as follows:

1. The Commission hereby contracts with the Bureau to promote and develop tourism in the Tourism Zone.
2. The Bureau shall provide all services and materials reasonably necessary and proper to successfully promote, develop and attract the meetings and tourist trade to the Tourism Zone, including, but not limited to, a convention and sales staff, tourism staff, promotional and advertising material and services, maintain strong relationships with hoteliers and other Bureau "partners," supported with accounting services, administrative services, facilities, supplies and equipment for the same (the "Services").

3. The Commission shall review the Bureau's plans and programs; the means of implementing the same; and the program budget implementing Services to ensure that the room tax provided to the Bureau is being spent to fulfill the Services.

4. The municipalities shall make monthly distributions of 70% of the room tax collections to the Bureau for the Bureau's expenses and services as provided for in this Agreement.

5. The Bureau shall:

- (i) meet with the Commission at its regularly convened meetings to report Services provided during the prior period;
- (ii) submit a budget to the Commission for expenditures anticipated in providing the Services to enable the Commission to ensure those expenditures are related to the Bureau's Services.
- (ii) assist the Commission in preparing the annual report to be filed with the Clerk of each Municipality as required by statute related to the Bureau's use of the room tax.

6. The term of this Agreement shall be five (5) years and thereafter renewed on a three (3) year basis. Either party to this Agreement may terminate this Agreement at any time for due cause with at least one hundred eighty (180) days notice. The parties recognize that contracts will be entered into by the Bureau in reliance upon this Agreement.

Dated this 19th day of July, 2023.

BAY AREA ROOM TAX COMMISSION

By: _____
Chair

Attest: _____
Vice Chair

Dated this _____ day of _____, 2022.

GREATER GREEN BAY CONVENTION & VISITORS
BUREAU dba DISCOVER GREEN BAY

By: _____
Chair of the Board

Attest: _____
President/CEO

TOURISM ZONE AGREEMENT/CONTRACT

BAY AREA ROOM TAX ZONE

BAY AREA ROOM TAX COMMISSION

SEPTEMBER 2022

Pursuant to SS 66.0615 Wis. Stats., the municipalities of the Village of Wrightstown and Town of Scott enter into this agreement/contract for the purposes of coordinating tourism promotion and tourism development for a tourism zone.

Whereas, the Green Bay Area Room Tax Commission currently exists as a tourism zone and room tax commission including the municipalities of Green Bay, Ashwaubenon, Allouez, Bellevue, De Pere, Howard and Suamico.

Whereas, the municipalities of Town of Scott and Village of Wrightstown wish to create a tourism zone for surrounding Green Bay Area municipalities not currently participating in the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone.

Whereas, Discover Green Bay is currently the approved Tourism Entity of the exiting Green Bay Area Room Tax Commission and Green Bay Area Room Tax Zone.

Whereas, the municipalities of Town of Scott, and Village of Wrightstown upon creation of this tourism zone, will also approve Discover Green Bay as the approved Tourism Entity for the new Bay Area Room Tax Zone.

Whereas, the contracting municipalities desire to create a room tax commission consistent with state statutes.

Whereas, the contracting municipalities agree and acknowledge the geographic area encompassing the municipalities is a single destination of surrounding and participating Green Bay Area municipalities that are not currently under agreement with the Green Bay Area Room Tax Commission or existing Green Bay Area Room Tax Zone.

Whereas the state legislature has established statutory guidelines for the collection of room tax, the promotion of tourism, and the make up of multiple jurisdiction room tax commissions which is set forth in SS 66.0615 Wis Stats.

Now therefore, for valuable consideration and mutual benefit, it is agreed by the contracting municipalities as follows:

1. That the geographic area encompassing the contracting municipalities is a single destination, of surrounding Green Bay Area municipalities that are not part of the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone, as perceived by the traveling public, and therefore, a tourism zone, as that term is used in SS 66.0615 (1) (h), Wis. Stats.

2. That the Bay Area Room Tax Commission (the commission) is hereby established for the purpose of coordinating tourism promotion and tourism development for the Bay Area Tourism Zone (zone) under SS 66.0615, Wis. Stats.
3. That the Commission is established herein for the purposes of enforcing the collection of room tax, Budgeting for tourism services, contracting with the tourism entity under SS 66.0615 (1) (f), Wis. Stats. , in order for the tourism entity to obtain staff, support services and assistance in developing and implementing programs to promote the Zone to visitors, and do all the things necessary as provided for by State Statute.
4. That the Commission shall appoint Discover Green Bay as the tourism entity upon creation of the Bay Area Room Tax Zone and Commission.
5. That the Commission shall have the following powers rights and duties:
 - a. Monitoring the collection of room taxes from each municipality within the zone that imposes as room tax
 - b. Contracting with a tourism entity qualified under SS66.0615 (1) (f) Wis. Stats., to provide staff support services, development, and promotional services for the purpose of promoting the zone to visitors
 - c. Appointing additional members to the commission according to state statute.
 - d. Approving the tourism entity's plans and programs, the means of implementing, and the program budget.
 - e. Meeting regularly to review room tax collections and expenditures of the tourism entity, approving said expenditures and marketing plans.
 - f. Reporting delinquencies or inadequate reporting to the municipality that is due the tax
 - g. Collecting delinquent room taxes
6. It is anticipated that additional municipalities may join this agreement in the future, and the membership composition below will be adjusted accordingly as outlined in SS 66.0615 Wis. Stats. Membership shall be formally recognized upon the principal elected official of the municipality presenting verification of municipal council/board action of approval of a room tax ordinance and approval of a resolution to join the commission, and a majority vote of the current members of the commission to approve acceptance.
7. Membership on the commission shall be consistent with SS 66.0615 Wis. Stats, with the initial composition of the commission made up of the following members, to be appointed by the principal elected official in the municipality and confirmed per statute of the commission chairman:

Village of Wrightstown	1
Town of Scott	1
Wisconsin Hotel & Motel Industry (To be appointed by Commission Chairman)	2

8. The contracting municipalities shall enact such ordinances and resolutions necessary to satisfy this agreement and effect the contract with the commission provided for by SS 66.0615 Wis. Stats.
9. Each contracting municipality shall forward to the commission, for funding of tourism promotion or tourism development, an amount not less than the statutory amount required by SS 66.0615 Wis. Stats.
10. Any increase in the percentage of room tax put into effect during the life of this agreement will be remitted to the commission for tourism promotion and tourism development pursuant to requirements of SS 66.0615 Wis Stats.
11. Each contracting municipality, as a voting member of the Bay Area Room Tax Commission, shall vote to determine use and or payout of occupancy taxes collected, for the funding of tourism promotion and tourism development activities, less any administrative fee allowed to be retained by the municipality as per SS 66.0615 Wis Stats. This commission shall also vote to determine the percentage of funds allocated to the tourism entity, defined in this agreement as Discover Green Bay as per SS 66.0615 Wis Stats.
12. In signing this agreement, representatives of the respective municipalities represent and warrant this contract has been approved by the legislative body of that municipality and that appropriate authority rests in the signatories on behalf of the respective municipalities
13. The effective date of this agreement shall be the date upon which the last listed municipality so enters.

Dated this _____ day of _____ 2022.

Village of Wrightstown

By _____

Town of Scott

By _____

TOURISM ZONE AGREEMENT/CONTRACT

BAY AREA ROOM TAX ZONE

BAY AREA ROOM TAX COMMISSION

SEPTEMBER 2022

Resolution 09062022 - Creation of Bay Area Room Tax Zone and Bay Area Room Tax Commission

Pursuant to SS 66.0615 Wis. Stats., the municipalities of the Village of Wrightstown and Town of Scott enter into this agreement/contract for the purposes of coordinating tourism promotion and tourism development for a tourism zone.

Whereas, the Green Bay Area Room Tax Commission currently exists as a tourism zone and room tax commission including the municipalities of Green Bay, Ashwaubenon, Allouez, Bellevue, De Pere, Howard and Suamico.

Whereas, the municipalities of Town of Scott and Village of Wrightstown wish to create a tourism zone for surrounding Green Bay Area municipalities not currently participating in the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone.

Whereas, Discover Green Bay is currently the approved Tourism Entity of the exiting Green Bay Area Room Tax Commission and Green Bay Area Room Tax Zone.

Whereas, the municipalities of Town of Scott, and Village of Wrightstown upon creation of this tourism zone, will also approve Discover Green Bay as the approved Tourism Entity for the new Bay Area Room Tax Zone.

Whereas, the contracting municipalities desire to create a room tax commission consistent with state statutes.

Whereas, the contracting municipalities agree and acknowledge the geographic area encompassing the municipalities is a single destination of surrounding and participating Green Bay Area municipalities that are not currently under agreement with the Green Bay Area Room Tax Commission or existing Green Bay Area Room Tax Zone.

Whereas the state legislature has established statutory guidelines for the collection of room tax, the promotion of tourism, and the make up of multiple jurisdiction room tax commissions which is set forth in SS 66.0615 Wis Stats.

Now therefore, for valuable consideration and mutual benefit, it is agreed by the contracting municipalities as follows:

1. That the geographic area encompassing the contracting municipalities is a single destination, of surrounding Green Bay Area municipalities that are not part of the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone, as perceived by the traveling public, and therefore, a tourism zone, as that term is used in SS 66.0615 (1) (h), Wis. Stats.


2. That the Bay Area Room Tax Commission (the commission) is hereby established for the purpose of coordinating tourism promotion and tourism development for the Bay Area Tourism Zone (zone) under SS 66.0615, Wis. Stats.
3. That the Commission is established herein for the purposes of enforcing the collection of room tax, Budgeting for tourism services, contracting with the tourism entity under SS 66.0615 (1) (f), Wis. Stats. , in order for the tourism entity to obtain staff, support services and assistance in developing and implementing programs to promote the Zone to visitors, and do all the things necessary as provided for by State Statute.
4. That the Commission shall appoint Discover Green Bay as the tourism entity upon creation of the Bay Area Room Tax Zone and Commission.
5. That the Commission shall have the following powers rights and duties:
 - a. Monitoring the collection of room taxes from each municipality within the zone that imposes as room tax
 - b. Contracting with a tourism entity qualified under SS66.0615 (1) (f) Wis. Stats., to provide staff support services, development, and promotional services for the purpose of promoting the zone to visitors
 - c. Appointing additional members to the commission according to state statute.
 - d. Approving the tourism entity's plans and programs, the means of implementing, and the program budget.
 - e. Meeting regularly to review room tax collections and expenditures of the tourism entity, approving said expenditures and marketing plans.
 - f. Reporting delinquencies or inadequate reporting to the municipality that is due the tax
 - g. Collecting delinquent room taxes
6. It is anticipated that additional municipalities may join this agreement in the future, and the membership composition below will be adjusted accordingly as outlined in SS 66.0615 Wis. Stats. Membership shall be formally recognized upon the principal elected official of the municipality presenting verification of municipal council/board action of approval of a room tax ordinance and approval of a resolution to join the commission, and a majority vote of the current members of the commission to approve acceptance.
7. Membership on the commission shall be consistent with SS 66.0615 Wis. Stats, with the initial composition of the commission made up of the following members, to be appointed by the principal elected official in the municipality and confirmed per statute of the commission chairman:

Village of Wrightstown	1
Town of Scott	1
Wisconsin Hotel & Motel Industry (To be appointed by Commission Chairman)	2

8. The contracting municipalities shall enact such ordinances and resolutions necessary to satisfy this agreement and effect the contract with the commission provided for by SS 66.0615 Wis. Stats.
9. Each contracting municipality shall forward to the commission, for funding of tourism promotion or tourism development, an amount not less than the statutory amount required by SS 66.0615 Wis. Stats.
10. Any increase in the percentage of room tax put into effect during the life of this agreement will be remitted to the commission for tourism promotion and tourism development pursuant to requirements of SS 66.0615 Wis Stats.
11. Each contracting municipality, as a voting member of the Bay Area Room Tax Commission, shall vote to determine use and or payout of occupancy taxes collected, for the funding of tourism promotion and tourism development activities, less any administrative fee allowed to be retained by the municipality as per SS 66.0615 Wis Stats. This commission shall also vote to determine the percentage of funds allocated to the tourism entity, defined in this agreement as Discover Green Bay as per SS 66.0615 Wis Stats.
12. In signing this agreement, representatives of the respective municipalities represent and warrant this contract has been approved by the legislative body of that municipality and that appropriate authority rests in the signatories on behalf of the respective municipalities
13. The effective date of this agreement shall be the date upon which the last listed municipality so enters.

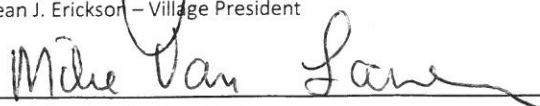
Dated this 6th of September, 2022.

Village of Wrightstown
By



Dean J. Erickson – Village President

Town of Scott
By



Mike Van Lane



2621 Jody Drive - New Franken, WI - 54229
 Ph: (920) 406-9380 www.townofscott.com Fx: (920) 406-9381
clerk@townofscott.com

Resolution 2022-09-02 Bay Area Room Tax Commission

Pursuant to SS 66.0615 Wis. Stats., the municipalities of the Village of Wrightstown and Town of Scott enter into this agreement/contract for the purposes of coordinating tourism promotion and tourism development for a tourism zone.

Whereas, the Green Bay Area Room Tax Commission currently exists as a tourism zone and room tax commission including the municipalities of Green Bay, Ashwaubenon, Allouez, Bellevue, De Pere, Howard and Suamico.

Whereas, the municipalities of Town of Scott and Village of Wrightstown wish to create a tourism zone for surrounding Green Bay Area municipalities not currently participating in the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone.

Whereas, Discover Green Bay is currently the approved Tourism Entity of the exiting Green Bay Area Room Tax Commission and Green Bay Area Room Tax Zone.

Whereas, the municipalities of Town of Scott, and Village of Wrightstown upon creation of this tourism zone, will also approve Discover Green Bay as the approved Tourism Entity for the new Bay Area Room Tax Zone.

Whereas, the contracting municipalities desire to create a room tax commission consistent with state statutes.

Whereas, the contracting municipalities agree and acknowledge the geographic area encompassing the municipalities is a single destination of surrounding and participating Green Bay Area municipalities that are not currently under agreement with the Green Bay Area Room Tax Commission or existing Green Bay Area Room Tax Zone.

Whereas the state legislature has established statutory guidelines for the collection of room tax, the promotion of tourism, and the make-up of multiple jurisdiction room tax commissions which is set forth in SS 66.0615 Wis Stats.

Now therefore, for valuable consideration and mutual benefit, it is agreed by the contracting municipalities as follows:

1. That the geographic area encompassing the contracting municipalities is a single destination, of surrounding Green Bay Area municipalities that are not part of the existing Green Bay Area Room Tax Commission or Green Bay Area Room Tax Zone, as perceived by the traveling public, and therefore, a tourism zone, as that term is used in SS 66.0615 (1) (h), Wis. Stats.

2. That the Bay Area Room Tax Commission (the commission) is hereby established for the purpose of coordinating tourism promotion and tourism development for the Bay Area Tourism Zone (zone) under SS 66.0615, Wis. Stats.
3. That the Commission is established herein for the purposes of enforcing the collection of room tax, Budgeting for tourism services, contracting with the tourism entity under SS 66.0615 (1) (f), Wis. Stats., in order for the tourism entity to obtain staff, support services and assistance in developing and implementing programs to promote the Zone to visitors, and do all the things necessary as provided for by State Statute.
4. That the Commission shall appoint Discover Green Bay as the tourism entity upon creation of the Bay Area Room Tax Zone and Commission.
5. That the Commission shall have the following powers rights and duties:
 - a. Monitoring the collection of room taxes from each municipality within the zone that imposes as room tax
 - b. Contracting with a tourism entity qualified under SS66.0615 (1) (f) Wis. Stats., to provide staff support services, development, and promotional services for the purpose of promoting the zone to visitors
 - c. Appointing additional members to the commission according to state statute.
 - d. Approving the tourism entity's plans and programs, the means of implementing, and the program budget.
 - e. Meeting regularly to review room tax collections and expenditures of the tourism entity, approving said expenditures and marketing plans.
 - f. Reporting delinquencies or inadequate reporting to the municipality that is due the tax
 - g. Collecting delinquent room taxes
6. It is anticipated that additional municipalities may join this agreement in the future, and the membership composition below will be adjusted accordingly as outlined in SS 66.0615 Wis. Stats. Membership shall be formally recognized upon the principal elected official of the municipality presenting verification of municipal council/board action of approval of a room tax ordinance and approval of a resolution to join the commission, and a majority vote of the current members of the commission to approve acceptance.
7. Membership on the commission shall be consistent with SS 66.0615 Wis. Stats, with the initial composition of the commission made up of the following members, to be appointed by the principal elected official in the municipality and confirmed per statute of the commission chairman:
 - Village of Wrightstown 1
 - Town of Scott 1
 - Wisconsin Hotel & Motel Industry 2
 (To be appointed by Commission Chairman)
8. The contracting municipalities shall enact such ordinances and resolutions necessary to satisfy this agreement and effect the contract with the commission provided for by SS 66.0615 Wis. Stats.
9. Each contracting municipality shall forward to the commission, for funding of tourism promotion or tourism development, an amount not less than the statutory amount required by SS 66.0615 Wis. Stats.
10. Any increase in the percentage of room tax put into effect during the life of this agreement will be remitted to the commission for tourism promotion and tourism development pursuant to requirements of SS 66.0615 Wis Stats.
11. Each contracting municipality, as a voting member of the Bay Area Room Tax Commission, shall vote to determine use and or payout of occupancy taxes collected, for the funding of tourism promotion and tourism development activities, less any administrative fee allowed to be retained by the municipality as per SS 66.0615 Wis Stats. This commission shall also vote to

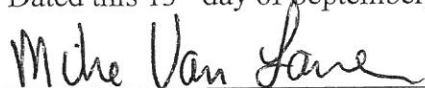
determine the percentage of funds allocated to the tourism entity, defined in this agreement as Discover Green Bay as per SS 66.0615 Wis. Stats.

- 12. In signing this agreement, representatives of the respective municipalities represent and warrant this contract has been approved by the legislative body of that municipality and that appropriate authority rests in the signatories on behalf of the respective municipalities
- 13. The effective date of this agreement shall be the date upon which the last listed municipality so enters.

Dated this 13th day of September, 2022.
Village of Wrightstown and By Town of Scott

BE IT FURTHER RESOLVED that this Resolution is permanently entered in the record of the proceedings of the Town of Scott, Brown County.

Dated this 13th day of September, 2022



Mike Van Lanen, Chairman




Kurt Baenen, Supervisor



Kenneth Jacobs, Supervisor



Cari Langenberg, Supervisor



Norm Stuebel, Supervisor



Attest: John J. Roth, Clerk



2621 Jody Drive - New Franken, WI - 54229
Ph: (920) 406-9380 www.townofscott.com Fx: (920) 406-9381
clerk@townofscott.com

September 14, 2022

Jason Hager, President, Bay Area Room Tax Commission

This letter is to certify that Al Herrman has been appointed to the Bay Area Room Tax Commission, representing the Town of Scott. This appointment was approved by the Town Board of the Town of Scott at their September 13, 2022 meeting.

Sincerely,

A handwritten signature in black ink that reads 'John J. Roth'.

John J. Roth
Clerk/Treasurer
Town of Scott
2621 Jody Drive
New Franken, WI 54229
920-406-9380
920-406-9381 (Fax)
clerk@townofscottbrownwi.gov
Population: 3679



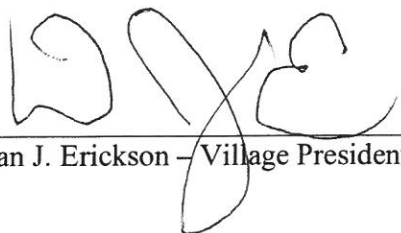
Office of the Village Administrator
352 High St.
Wrightstown, WI 54180
Phone - 920-532-5567
Fax - 920-532-4564
www.tcoenen@wrightstown.us

September 7, 2022

To whom it may concern at the Bay Area Tax Commission,

I, Dean J. Erickson, Village President report to you that the Village board took action at the September 6, 2022 board meeting to appoint Travis Coenen, the village administrator, to be our representative on the Bay Area Room Tax Commission. The board approved the vote unanimously with confidence that Travis will serve both groups well.

Sincerely,



Dean J. Erickson - Village President

9-7-2022

Date

Sub. Sec. 12.9 - ROOM TAX REGULATIONS

Sub. Sec. 12.9a - Room tax- Outagamie County.

- (a) *Definitions.* In addition to the terms defined in this section, the terms used in this article shall have the definitions, if any, set forth in the Room Tax Act (as defined below).

CVB shall mean the Fox Cities Convention and Visitors Bureau, Inc., a Wisconsin nonstock corporation, and its successors.

Fiscal agent shall mean a financial institution acting in the capacity as an agent, on behalf of the village, for the receipt and allocation of the room taxes in accordance with this article.

Fiscal agency agreement shall mean an agreement entered into by and among the municipalities and the fiscal agent that sets forth the duties of the fiscal agent with respect to the room taxes as described in this article.

Operators shall mean hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, which are located in the village and are obligated to pay room taxes under this article.

Pledge agreement shall mean any pledge agreement entered into by the municipalities and the CVB, pursuant to which a portion of the room tax is pledged to support tourism and visitors bureau initiatives.

Quarterly payment date shall mean each January 31, April 30, July 31, and October 31, each of which is the last day of the month next succeeding the end of a calendar quarter.

Room tax shall mean a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by the operators, pursuant to the Room Tax Act.

Room Tax Act shall mean Wis. Stats. § 66.0615, as amended from time to time.

- (b) *Imposition of room tax.* Pursuant to the Room Tax Act, there is hereby imposed a eight percent room tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients, by the operators. Operators shall remit all room taxes to (i) the village's Clerk/Treasurer or (ii) to a fiscal agent on behalf of the village pursuant to a fiscal agency agreement in accordance with the requirements of this article and the Room Tax Act. Such eight percent room tax shall be allocated as follows:
- (i) A six percent room tax shall be imposed and allocated toward the support of the CVB, to be used for the promotion of the Fox Cities Tourism Zone as a tourism destination (the "CVB Room Tax").
 - (ii) A two percent room tax shall be imposed and retained by the village to be used for general tourism support and development in the village in accordance with the requirements of the Room Tax Act (the "municipal room tax").

The village or its fiscal agent shall forward the room taxes it has received, to be used as described above, to the following parties: (i) the CVB Room Tax to the CVB, (ii) the municipal room tax to the village.

- (d) *Priority of payment.* In the event any operator fails to remit the entire room tax amounts due on any quarterly payment date under this article, the village directs that the amounts actually received by the village (or its fiscal agent) shall be applied in the following priority order:
- (1) First, to the CVB room tax until paid in full;
 - (2) Second, and to the municipal room tax.

- (e) *Tourism entity.* The CVB shall act as the "tourism entity," as that term is defined in the Room Tax Act, for purposes of providing staff, support services and assistance to the room tax commission in developing and implementing programs to promote the Fox Cities Tourism Zone to visitors, as more fully set forth in an agreement between the room tax commission and the CVB. The CVB may also hold and administer the tourism facilities room tax on behalf of the room tax commission in furtherance of the purpose of the tourism facilities room tax, except when a related pledge agreement is in effect.
- (f) *Collection and administration of room tax; operator reports.* This article shall be administered by the village's clerk. The room tax imposed by this article shall be payable on each quarterly payment date to the village (or to a fiscal agent on behalf of the village pursuant to a fiscal agency agreement). A report shall be filed by each operator with the village's Clerk/Treasurer (or with a fiscal agent) on or before each quarterly payment date. Such report shall show the gross room receipts of the preceding calendar quarter from such retail furnishing of rooms or lodging, the amount of room tax imposed for such period, and such other information as the village deems necessary. Every operator required to file such quarterly report shall, with its first report, elect to file an annual report based on either the calendar year or its fiscal year. Such annual report shall be filed within 90 days after the close of each such calendar or fiscal year. The annual report shall summarize the quarterly reports, shall reconcile and adjust for errors in the quarterly reports, and shall contain certain such additional information, as the village requires. Such annual reports shall be signed by a representative of the operator or its duly authorized agent, but need not be verified by oath. The village may, for good cause, extend the due date for filing any report, but in no event shall such extension be longer than one month after the due date.
- (g) *Rental application required.* Every operator is required under this ordinance to file with the village's clerk an application for a permit for each place of business that is required to pay room tax hereunder. Every application for a permit shall be submitted to the village's clerk using a form prescribed by the village and shall set forth the name under which the operator transacts or intends to transact business, the location of its place of business, and such other information as the village requires. The application shall be signed by the owner if the operator is a sole proprietor and, if not a sole proprietor, by an authorized representative of such operator. Together with the permit application, each operator shall pay the village an initial fee of \$500.00 for each permit plus \$250 for each additional unit. A permit issued hereunder is non-transferable.
Chapter 123-2A(M)
- (h) *Penalty for violations.* In addition to the schedule of forfeiture described in subsection (j) hereof, any operator in violation of the terms of this ordinance by failing to obtain a permit shall be subject to a penalty in accordance to Chapter 102-1, §CH 123-2a for each violation. Each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation. In addition, injunctive relief is hereby authorized to discontinue any violation of this article. Any operator deemed to have violated any of the provisions of this article shall be obligated to pay the costs of prosecution, in addition to actual attorney fees expended in the course of said enforcement. The village may revoke or suspend any permit issued hereunder for failure to comply with the provisions hereof.
- (i) *Liability for room tax on sale or transfer of business.* If any operator sells or transfers all or substantially all of its interest in its hotel, motel or other lodging accommodation, its successors or assigns shall withhold sufficient amounts from the purchase price to pay any amount of room tax liability due through the sale or transfer date until the operator produces a receipt from the village's treasurer that its liability has been paid in full or a certificate stating that no room tax amount is due. If a successor operator fails to withhold such amount from the purchase price as required, such successor operator shall become liable for payment of the room tax amount it is required to withhold.
- (j) *Schedule of forfeiture.* In addition to paying the room taxes due hereunder, any operator that has failed to pay any room tax when due shall be required to pay a forfeiture in an amount equal to 25 percent of the room tax due from the operator to the village for the previous year and unpaid, or \$5,000.00, whichever is less, for failure to pay the room tax due hereunder.

- (k) *Confidentiality of information.* To the extent permitted under the law, the information provided to the village under Wis. Stats. § 66.0615(2) shall remain confidential; provided, however, that the village or any employee thereof may use such information in the discharge of duties imposed by law or of the duties of their office or by order of a court. Persons violating the provisions of this subsection may be required to forfeit not less than \$100.00 nor more than \$500.00.
- (l) *Enforcement.* The village shall enforce this article in accordance with the Room Tax Act.

Sub. Sec. 12.9b - Room tax- Brown County.

- (a) *Definitions.* In addition to the terms defined in this section, the terms used in this article shall have the definitions, if any, set forth in the Room Tax Act (as defined below).

CVB shall mean the Bay Area Tax Commission, a Wisconsin nonstock corporation, and its successors.

Fiscal agent shall mean a financial institution acting in the capacity as an agent, on behalf of the village, for the receipt and allocation of the room taxes in accordance with this article.

Fiscal agency agreement shall mean an agreement entered into by and among the municipalities and the fiscal agent that sets forth the duties of the fiscal agent with respect to the room taxes as described in this article.

Operators shall mean hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, which are located in the village and are obligated to pay room taxes under this article.

Pledge agreement shall mean any pledge agreement entered into by the municipalities and the CVB, pursuant to which a portion of the room tax is pledged to support tourism and visitors bureau initiatives.

Quarterly payment date shall mean each January 31, April 30, July 31, and October 31, each of which is the last day of the month next succeeding the end of a calendar quarter.

Room tax shall mean a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by the operators, pursuant to the Room Tax Act.

Room Tax Act shall mean Wis. Stats. § 66.0615, as amended from time to time.

- (b) *Imposition of room tax.* Pursuant to the Room Tax Act, there is hereby imposed a eight percent room tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients, by the operators. Operators shall remit all room taxes to (i) the village's Clerk/Treasurer or (ii) to a fiscal agent on behalf of the village pursuant to a fiscal agency agreement in accordance with the requirements of this article and the Room Tax Act. Such eight percent room tax shall be allocated as follows:
- (i) A six percent room tax shall be imposed and allocated toward the support of the CVB, to be used for the promotion of Bay Area Tourism Zone as a tourism destination (the "CVB Room Tax").
 - (ii) A two percent room tax shall be imposed and retained by the village to be used for general tourism support and development in the village in accordance with the requirements of the Room Tax Act (the "municipal room tax").

The village or its fiscal agent shall forward the room taxes it has received, to be used as described above, to the following parties: (i) the CVB Room Tax to the CVB, (ii) the municipal room tax to the village.

- (d) *Priority of payment.* In the event any operator fails to remit the entire room tax amounts due on any quarterly payment date under this article, the village directs that the amounts actually received by the village (or its fiscal agent) shall be applied in the following priority order:

- (1) First, to the CVB room tax until paid in full;
 - (2) Second, and to the municipal room tax.
- (e) *Tourism entity.* The CVB shall act as the "tourism entity," as that term is defined in the Room Tax Act, for purposes of providing staff, support services and assistance to the room tax commission in developing and implementing programs to promote the Bay Area Tourism Zone to visitors, as more fully set forth in an agreement by the Bay Area Room Tax Commission (CVB). The CVB may also hold and administer the tourism facilities room tax in furtherance of the purpose of the tourism facilities room tax, except when a related pledge agreement is in effect.
- (f) *Collection and administration of room tax; operator reports.* This article shall be administered by the village's clerk. The room tax imposed by this article shall be payable on each quarterly payment date to the village (or to a fiscal agent on behalf of the village pursuant to a fiscal agency agreement). A report shall be filed by each operator with the village's Clerk/Treasurer (or with a fiscal agent) on or before each quarterly payment date. Such report shall show the gross room receipts of the preceding calendar quarter from such retail furnishing of rooms or lodging, the amount of room tax imposed for such period, and such other information as the village deems necessary. Every operator required to file such quarterly report shall, with its first report, elect to file an annual report based on either the calendar year or its fiscal year. Such annual report shall be filed within 90 days after the close of each such calendar or fiscal year. The annual report shall summarize the quarterly reports, shall reconcile and adjust for errors in the quarterly reports, and shall contain certain such additional information, as the village requires. Such annual reports shall be signed by a representative of the operator or its duly authorized agent, but need not be verified by oath. The village may, for good cause, extend the due date for filing any report, but in no event shall such extension be longer than one month after the due date.
- (g) *Rental application required.* Every operator is required under this ordinance to file with the village's clerk an application for a permit for each place of business that is required to pay room tax hereunder. Every application for a permit shall be submitted to the village's clerk using a form prescribed by the village and shall set forth the name under which the operator transacts or intends to transact business, the location of its place of business, and such other information as the village requires. The application shall be signed by the owner if the operator is a sole proprietor and, if not a sole proprietor, by an authorized representative of such operator. Together with the permit application, each operator shall pay the village an initial fee of \$500.00 for each permit plus \$250 for each additional unit. A permit issued hereunder is non-transferable.
Chapter 123-2A(M)
- (h) *Penalty for violations.* In addition to the schedule of forfeiture described in subsection (j) hereof, any operator in violation of the terms of this ordinance by failing to obtain a permit shall be subject to a penalty in accordance to Chapter 102-1, §CH 123-2a for each violation. Each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation. In addition, injunctive relief is hereby authorized to discontinue any violation of this article. Any operator deemed to have violated any of the provisions of this article shall be obligated to pay the costs of prosecution, in addition to actual attorney fees expended in the course of said enforcement. The village may revoke or suspend any permit issued hereunder for failure to comply with the provisions hereof.
- (i) *Liability for room tax on sale or transfer of business.* If any operator sells or transfers all or substantially all of its interest in its hotel, motel or other lodging accommodation, its successors or assigns shall withhold sufficient amounts from the purchase price to pay any amount of room tax liability due through the sale or transfer date until the operator produces a receipt from the village's treasurer that its liability has been paid in full or a certificate stating that no room tax amount is due. If a successor operator fails to withhold such amount from the purchase price as required, such successor operator shall become liable for payment of the room tax amount it is required to withhold.
- (j) *Schedule of forfeiture.* In addition to paying the room taxes due hereunder, any operator that has failed to pay any room tax when due shall be required to pay a forfeiture in an amount equal to 25 percent of the

room tax due from the operator to the village for the previous year and unpaid, or \$5,000.00, whichever is less, for failure to pay the room tax due hereunder.

- (k) *Confidentiality of information.* To the extent permitted under the law, the information provided to the village under Wis. Stats. § 66.0615(2) shall remain confidential; provided, however, that the village or any employee thereof may use such information in the discharge of duties imposed by law or of the duties of their office or by order of a court. Persons violating the provisions of this subsection may be required to forfeit not less than \$100.00 nor more than \$500.00.
- (l) *Enforcement.* The village shall enforce this article in accordance with the Room Tax Act.

Secs. 12.10 -12.15 Reserved.

DRAFT

ORDINANCE SUMMARY

Hotel, Motel, and Room Tax Ordinance

The Town of Scott will be gathering public input concerning the creation of a Hotel, Motel, and Room Tax. The intent of the ordinance is to tax the rental of lodging facilities, whether inns, motels, hotels, tourist rooms, tourist houses, summer camps, apartment hotels, resort lodges, cabins, and any other building in which accommodations are available to the public, except for accommodations rented for a continuous period more than one month.

Chapter _____

Hotel, Motel, and Room Tax Ordinance

Based on 2021 Wisconsin State Statute 66.0615

12-3-134 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Customer means any person residing for a continuous period of time less than one month in a hotel, motel or furnished accommodation available to the public.

Gross receipts means, insofar as applicable, as defined in Wis. Stats. § 77.51(4)(a), (b) and (c).

Hotel or motel means a building or group of buildings in which the public may obtain accommodations for a consideration including, without limitation, inns, motels, hotels, tourist rooms, tourist houses or courts, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins and any other building in which accommodations are available to the public, except accommodations including mobile homes as defined in Wis. Stats. § 66.0435(1)(d), rented for a continuous period of more than one month and accommodations furnished by hospitals, sanitariums or nursing homes or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes, provided no part of the net earnings of such corporations and associations inure to the benefit of any private shareholder or individual.

One month means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of the rental.

Person responsible means the sole owner of the business subject to this article; the partners if a partnership owns the business subject to this article, the corporate president or designated general manager or agent if a corporation owns the business subject to this article.

Transient means any person residing for a continuous period of less than one month in a hotel, motel or other furnished accommodations available to the public.

Such other definitions as contained in s 66.0615.

12-3-135 Tax Imposed

Pursuant to Wis. Stats. § 66.0615 *(1m)(a)*, a tax is imposed on the privilege of furnishing at retail rooms or lodging to customers by hotelkeepers, motel operators, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for the use of the accommodation. Such tax shall be at the rate of *eight* percent of the gross receipts from such retail furnishing of rooms or lodging. Such tax shall be collected from the customer when the customer's bill is paid, and shall be paid by the person responsible to *the Financial Custodian as directed by* the Town clerk-treasurer on a monthly basis. Such tax shall not be subject to the selective sales tax imposed by Wis. Stats. § 77.52(2). The proceeds of such tax shall be remitted to and received by *the Financial*

Custodian monthly on or before the 20th day of the following month.

- (A) Such tax shall be distributed as provided by resolution of the board.

12-3-136 Permit

Every person furnishing rooms or lodging under section 12-135 shall file with the clerk-treasurer an application for each place of business. Every application shall be made upon a form prescribed by the treasurer and shall set forth the name under which the applicant intends to transact business, location of the place of business and such other information as the treasurer requires. The application shall be signed by the owner, if a sole proprietor, or, if not a sole proprietor, by the person responsible who is authorized to act on behalf of the business.

12-3-137 Tax Number

The clerk-treasurer shall issue to each applicant a separate number for each place of business within the Town. Such number is not assignable and is valid only for the person in whose name it is issued and for the collection of the room tax at the place designated therein.

12-3-138 Records Retention

Every person liable for the tax imposed by this article shall keep or cause to be kept such records, receipts, invoices and other pertinent papers in such form as required by the clerk-treasurer and the State of Wisconsin.

12-3-139 Filing Returns

- (A) *Returns to be filed.* Returns shall be filed with the clerk-treasurer by persons subject to section 12-135 on or before the day such tax is due and payable. The return shall show the gross receipts from such retail furnishing of rooms or lodging of the preceding calendar month, the amount of tax imposed and such other information as the treasurer deems necessary for administrative purposes. An annual return shall be filed within 90 days of the close of each calendar or fiscal year and shall contain such information as the clerk-treasurer requires to administer this section. Each return shall be signed by the person required to file a return or an authorized agent, but need not be verified by oath. The clerk-treasurer may for good cause extend the time of filing any return, but not longer than 30 days from the filing date.
- (B) *Failure to file.* If any person required to make a return fails, neglects or refuses to do so for the amount and in the manner, form and time prescribed herein, the clerk-treasurer, according to their best judgment, shall determine the amount of the tax due the Town and make a doomsday assessment upon the person who fails to file and pay on a timely basis. Each person whose tax is determined by the clerk-treasurer shall pay the amount determined plus interest at the rate of one percent per month on the unpaid balance. No refund or modification of the payment as determined by the clerk-treasurer may be granted until the person files a correct room tax return and permits the clerk-treasurer or an authorized agent to inspect and audit the records of the business required to be kept in section 12- 138.
- (C) *Late filing fee.* In addition to any other forfeiture provided herein, whether imposed or not, a

forfeiture of \$100.00 shall be imposed upon and collected from any person each time such person fails to file the return required in subsection (A) of this section on a timely basis.

12-3-140 Clerk-Treasurer's Right of Inspection, Audit, and Cure.

- (A) Whenever the clerk-treasurer has probable cause to believe that the correct amount of room tax has not been assessed upon and collected from customers or that the tax return is not correct, the clerk-treasurer may cause an inspection and audit of the financial records of any person subject to section 12-135 to determine whether or not the correct amount of room tax is assessed, collected and paid according to sections 12-135 and 12-139
- (B) If any person subject to section 12-135 fails to comply with a request by the clerk-treasurer or an authorized agent to inspect and audit the person's financial records as in subsection (a) of this section, such person shall be subject to a forfeiture in the amount of five percent of the tax due the Town at the time of the audit.
- (C) If any person subject to section 12-135 fails to comply with a request by the clerk-treasurer or an authorized agent to inspect and audit the person's financial records as in subsections *(a) or (b) of this section, such person shall be subject to any other forms of cure identified below and as permitted under Wisconsin statutes applicable at that time.*

12-3-141 Confidentiality

Information obtained under this article shall be confidential, except the clerk-treasurer may provide information to persons using the information in the discharge of duties imposed by law, the duties of their office, such as the duties of the office of room tax commissioner, or by order of a court. The clerk-treasurer may publish statistics classified so as not to disclose the identity of particular returns. Any person who violates any provision of this section shall forfeit not less than \$100.00 nor more than \$500.00.

12-3-142 Administration and Payment of Taxes

This section shall be administered by the clerk-treasurer and the finance committee. The tax imposed for the month is due and payable on the 20th day of the month following the collection of the tax from the customer under section 12-135.

12-3-143 Failure to Pay Tax When Due

- (A) *Forfeitures.* In addition to the forfeitures provided in this chapter and the tax due under this article, a forfeiture of 25 percent of the room tax due for the previous year under section 12-135 or \$5,000.00, whichever is less, shall be imposed upon any person or business that allows the monthly tax imposed to be delinquent under this article.
- (B) *Delinquent taxes.* The tax imposed by this article shall become delinquent if not paid within 30 days after the due date of the return or within 30 days after the expiration of an extension prior

if one has been granted. If a return is filed late or there is no return filed, the due date for the taxes imposed is the due date of the return.

- (C) *Security may be required.* In order to protect the revenue of the Town, the Town clerk-treasurer shall require any person liable for the tax imposed by this section, who fails to pay the tax as herein required, to file with the treasurer before or after the permit is issued such security not in excess of \$5,000.00 cash or a surety bond equal to the prior months tax as the Town clerk-treasurer may refuse or revoke its permit. If any taxpayer is delinquent in the payment of the taxes imposed by this section, the Town clerk-treasurer may, upon ten days notice and after giving the taxpayer an opportunity to confer, recover the taxes, interest and penalties from the security or surety placed with the Town clerk-treasurer by such taxpayer. No interest shall be paid or allowed by the Town to any person for the deposit of such security.



Village of Wrightstown
 352 High St. • Wrightstown, WI 54180
 P: 920.532-5567 F: 920.532-4564
<https://wrightstown.us/>

LICENSE EXPIRES EACH YEAR
 (ANNUALLY) ON JUNE 30

\$250 per additional unit
 Primary (1st) STR. License #:

Short-Term Rental: Additional Unit Application

This completed application must be submitted with all other required documents & fees (paid in full) in order to be accepted. Following submittal of complete application packet and fees, you will be contacted to schedule fire & building inspections.

Short-Term Rental (STR) Site Information

Address _____
 Parcel ID # _____ Maximum Occupancy _____ State Lodging License # * _____
 FEIN # _____ WI Seller's Permit # * _____

* Copies of permits/licenses must be included with application

Owner Information

Name _____
 Address _____
 Mailing Address _____
 Phone _____ Date of Birth _____ Email _____

Owner is also Property Manager YES NO (If no, complete Property Manager Information below)

Property Manager Information (if not Owner)

Name _____
 Address _____
 Phone _____ Date of Birth _____ Email _____

Items to Submit with Application (REQUIRED AT TIME OF SUBMITTAL)

- Copy of State of Wisconsin License for a Tourist Rooming House License issued by Brown County Public Health Division under Wis. Stat. Sec. 254.64
- Copy of completed State Lodging Establishment Inspection form from Brown County Public Health Division dated within one year of the date of issuance or renewal
- Proof of dwelling insurance
- Copy of Seller's Permit from the Department of Revenue
- Floor plan and requested maximum occupancy
- Site plan including available on-site parking
- Completed Short Term Rental Property Manager Application (if applicable)
- Employer identification number (FEIN) issued by the Internal Revenue Service (if applicable)

I state that I have read the foregoing answers and the same are true to the best of my knowledge. I understand that any short-term rental license shall comply with all provisions of Wrightstown Municipal Code Chapter 123- 2A, and I hereby certify that the property meets those requirements. I hereby additionally designate the Property Manager, if any, as an agent for the purposes of accepting service of process in any civil action arising out of or in conjunction with the use of this license. Wrightstown Municipal Code Chapter 123- 2A(F)(4) requires that every applicant must disclose on his or her application for any license any and all amounts of money owed to the Village by the applicant or the property's prior owner. Any applicant failing to disclose such debts will not be issued a license until all debts are paid in full. I hereby further certify that I do not have any outstanding debts owing the Village of Wrightstown.

Owner Signature: _____ Date: _____

Remit application, fees and all other required documents to:

Clerk-Treasurer, Village of Wrightstown, 352 High St., Wrightstown, WI 54180

FOR OFFICE USE ONLY			
Date Received: _____	\$250 Fee Paid: <input type="checkbox"/> yes / <input type="checkbox"/> no	License #: _____	
Outstanding Debt: <input type="checkbox"/> yes / <input type="checkbox"/> no	Fire Inspection: <input type="checkbox"/> yes / <input type="checkbox"/> no	Building Inspection: <input type="checkbox"/> yes / <input type="checkbox"/> no	
License Approved: <input type="checkbox"/> yes / <input type="checkbox"/> no	Clerk/Treasurer Signature: _____	Date: _____	
Explanation, if denied:			

Once license is received, the Property Owner or Property Manager shall notify the Office of the Clerk-Treasurer IN WRITING when the first rental begins



Village of Wrightstown
 352 High St. • Wrightstown, WI 54180
 P: 920.532.5567 F: 920.532.4564
<https://wrightstown.us/>

LICENSE EXPIRES EACH YEAR
 (ANNUALLY) ON JUNE 30
 62 of 73

TYPE	FEE
<input type="checkbox"/> New	\$500.00
<input type="checkbox"/> Renewal	\$500.00

Short-Term Rental Application

This completed application must be submitted with all other required documents & fees (paid in full) in order to be accepted. Following submittal of complete application packet and fees, you will be contacted to schedule fire & building inspections.

Short-Term Rental (STR) Site Information

Address _____
 Parcel ID # _____ Maximum Occupancy _____ State Lodging License # * _____
 FEIN # _____ WI Seller's Permit # * _____ *Wisconsin Tourist Rooming Houses License*

* Copies of permits/licenses must be included with application

Owner Information

Name _____
 Address _____
 Mailing Address _____
 Phone _____ Date of Birth _____ Email _____

Owner is also Property Manager YES NO (If no, complete Property Manager Information below)

Property Manager Information (if not Owner)

Name _____
 Address _____
 Phone _____ Date of Birth _____ Email _____

Items to Submit with Application (REQUIRED AT TIME OF SUBMITTAL)

- Copy of State of Wisconsin License for a Tourist Rooming House License issued by Brown County Public Health Division under Wis. Stat. Sec. 254.64
- Copy of completed State Lodging Establishment Inspection form from Brown County Public Health Division dated within one year of the date of issuance or renewal
- Proof of dwelling insurance
- Copy of Seller's Permit from the Department of Revenue
- Floor plan and requested maximum occupancy
- Site plan including available on-site parking
- Completed Short Term Rental Property Manager Application (if applicable)
- Employer identification number (FEIN) issued by the Internal Revenue Service (if applicable)
- Property Manager Agreement (if applicable)
- Property Manager Designation (if applicable)

I state that I have read the foregoing answers and the same are true to the best of my knowledge. I understand that any short-term rental license shall comply with all provisions of Wrightstown Municipal Code Chapter 123-2A, and I hereby certify that the property meets those requirements. I hereby additionally designate the Property Manager, if any, as an agent for the purposes of accepting service of process in any civil action arising out of or in conjunction with the use of this license. Wrightstown Municipal Code 123-2A(F)(4) requires that every applicant must disclose on his or her application for any license any and all amounts of money owed to the Village by the applicant or the property's prior owner. Any applicant failing to disclose such debts will not be issued a license until all debts are paid in full. I hereby further certify that I do not have any outstanding debts owing the Village of Wrightstown

Owner Signature: _____ Date: _____

Remit application, fees and all other required documents to:

Clerk-Treasurer, Village of Wrightstown, 352 High St., Wrightstown, WI 54180

<u>FOR OFFICE USE ONLY</u>			
Date Received: _____	\$500 Fee Paid: <input type="checkbox"/> yes / <input type="checkbox"/> no	License #: _____	
Outstanding Debt: <input type="checkbox"/> yes / <input type="checkbox"/> no	Fire Inspection: <input type="checkbox"/> yes / <input type="checkbox"/> no	Building Inspection: <input type="checkbox"/> yes / <input type="checkbox"/> no	
License Approved: <input type="checkbox"/> yes / <input type="checkbox"/> no	Clerk/Treasurer Signature: _____	Date: _____	
Explanation, if denied: _____			

Once license is received, the Property Owner or Property Manager shall notify the Office of the Clerk-Treasurer IN WRITING when the first rental begins



352 High St. • Wrightstown, WI 54180
 P: 920.532.5567 F: 920.532.4564
<https://wrightstown.us/>

LICENSE EXPIRES EACH YEAR
 (ANNUALLY) ON JUNE 30
 64 of 73

TYPE	FEE
<input type="checkbox"/> New	\$100.00
<input type="checkbox"/> Renewal	\$100.00

Short-Term Rental: Property Manager Application

Property Manager must be on call 24/7 and reside within 25 miles of the Village of Wrightstown.

This completed application must be submitted along with all fees (paid in full)

Applicant Information

Name _____
 Address _____
 Mailing Address _____
 24 HR. Phone No. _____ Date of Birth _____ Email _____

Applicant Criminal History

HAVE YOU EVER been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another? Yes / No

If YES, please list all convictions below. If more space needed, please use back of this application.

Year	Offense / Conviction	Agency

Do you have any PENDING charges? Yes / No

If YES, please list pending charges below. If more space needed, please use back of this application.

Year	Offense / Arrest	Agency

Properties Managed (If more space needed, please include additional properties on separate page)

- Address _____
 Parcel ID # _____ STR License # _____ Owner Name _____
 Maximum Days of Occupancy _____
- Address _____
 Parcel ID # _____ STR License # _____ Owner Name _____
 Maximum Days of Occupancy _____
- Address _____
 Parcel ID # _____ STR License # _____ Owner Name _____
 Maximum Days of Occupancy _____
- Address _____
 Parcel ID # _____ STR License # _____ Owner Name _____
 Maximum Days of Occupancy _____

I state that I have read the foregoing answers and the same are true to the best of my knowledge. I understand that any short-term rental license shall comply with all provisions of Wrightstown Municipal Code Chapter 123-2A, and I hereby certify that the properties meet those requirements. I further acknowledge that I may be the agent for the purposes of accepting service of process in any violation of the Wrightstown Municipal Code arising out of/or in conjunction with the use of the short-term rental licenses.

Applicant Signature: _____ Date: _____

Remit application & fees to:

<u>FOR OFFICE USE ONLY</u>		65 of 73
Date Received: _____	\$100 Fee Paid: <input type="checkbox"/> yes / <input type="checkbox"/> no	License #: _____
Criminal History Checked: <input type="checkbox"/> yes / <input type="checkbox"/> no	Employee Initial: _____	Chief of Public Safety Check: <input type="checkbox"/> yes / <input type="checkbox"/> no
License Approved: <input type="checkbox"/> yes / <input type="checkbox"/> no	Clerk/Treasurer Signature: _____	Date: _____
Explanation, if denied:		

Village Clerk/Treasurer must be notified in writing when additional properties are added to management

(1) In this section:

(a) **"Commission" means an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.**

(am) "District" has the meaning given in s. 229.41 (4m).

(4m) "District" means a special purpose district created under this subchapter.

(b) "Hotel" has the meaning given in s. 77.52 (2) (a) 1.

(bt) "Marketplace provider" has the meaning given in s. 77.51 (7i), to the extent that the marketplace provider facilitates the sale or furnishing of rooms, lodging, or other accommodations to transients under sub. (1m) (a).

(bu) "Marketplace seller" has the meaning given in s. 77.51 (7j).

(c) "Motel" has the meaning given in s. 77.52 (2) (a) 1.

(d) "Municipality" means any city, village or town.

(de) "Occupant" means a person who rents a short-term rental through a marketplace provider.

(df) "Owner" means the person who owns the residential dwelling that has been rented.

(di) "Residential dwelling" means any building, structure, or part of the building or structure, that is used or intended to be used as a home, residence, or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(dk) "Short-term rental" means a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days.

(dm) "Sponsoring municipality" means a city, village or town that creates a district either separately or in combination with another city, village, town or county.

(e) "Tourism" means travel for recreational, business or educational purposes.

(f) "Tourism entity" means a nonprofit organization that came into existence before January 1, 2015, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists, a municipality may contract with one of the following entities:

1. A nonprofit organization that spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality.
2. A nonprofit organization that was incorporated before January 1, 2015, spends 100 percent of the room tax revenue it receives from a municipality on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality.

(fm) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.
2. Transient tourist informational services.
3. Tangible municipal development, including a convention center.

(g) "Transient" has the meaning given in s. 77.52 (2) (a) 1.

(h) "Zone" means an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public.

(1m)

(a) The **governing body of a municipality may enact an ordinance**, and **a district, under par. (e), may adopt a resolution, imposing a tax** on the sales price from selling or furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators, marketplace providers, owners of short-term rentals, and other persons or

retailers selling or furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a municipality shall be paid to the municipality and, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded by the municipality to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8 percent of the sales price. Except as provided in par. (am), if a tax greater than 8 percent of the sales price under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8 percent, effective on June 1, 1994.

(am) A municipality that imposes a room tax under par. (a) is not subject to the limit on the maximum amount of tax that may be imposed under that paragraph if any of the following apply:

1. The municipality is located in a county with a population of at least 380,000 and a convention center is being constructed or renovated within that county.
2. The municipality intends to use at least 60 percent of the revenue collected from its room tax, of any room tax that is greater than 7 percent, to fund all or part of the construction or renovation of a convention center that is located in a county with a population of at least 380,000.
3. The municipality is located in a county with a population of less than 380,000 and that county is not adjacent to a county with a population of at least 380,000, and the municipality is constructing a convention center or making improvements to an existing convention center.
4. The municipality has any long-term debt outstanding with which it financed any part of the construction or renovation of a convention center.

(b)

1. If a single municipality imposes a room tax under par. (a), the municipality may create a commission under par. (c). The commission shall contract with another organization to perform the functions of a tourism entity if no tourism entity exists in that municipality.
2. If 2 or more municipalities in a zone impose a room tax under par. (a), the municipalities shall enter into a contract under s. 66.0301 to create a commission under par. (c). If no tourism entity exists in any of the municipalities in the zone that have formed a commission, the commission shall contract with another organization in the zone to perform the functions of the tourism entity. Each municipality in a single zone that imposes a room tax shall levy the same percentage of tax. If the municipalities are unable to agree on the percentage of tax for the zone, the commission shall set the percentage.
3. A commission shall monitor the collection of room taxes from each municipality in a zone that has a room tax.
4. A commission shall contract with one tourism entity from the municipalities in the zone to obtain staff, support services and assistance in developing and implementing programs to promote the zone to visitors.

(c)

1. If a commission is created by a single municipality, the commission shall consist of 4 to 6 members. One of the commission members shall represent the Wisconsin hotel and motel industry. Members shall be appointed under subd. 3.
2.
 - a. If the commission is created by more than one municipality in a zone, the commission shall consist of 3 members from each municipality in which annual tax collections exceed \$1,000,000, 2 members from each municipality in which annual tax collections exceed \$300,000 but are not more than \$1,000,000 and one member from each municipality in which annual tax collections are \$300,000 or less. Except as provided in subd. 2. b., members shall be appointed under subd. 3.
 - b. Two additional members, who represent the Wisconsin hotel and motel industry, shall be appointed to the commission by the chairperson of the commission, shall serve for a one-year term at the pleasure of the chairperson and may be reappointed.
3. Members of the commission shall be appointed by the principal elected official in the municipality and shall be confirmed by a majority vote of the members of the municipality's governing body who are present when the

vote is taken. Commissioners shall serve for a one-year term, at the pleasure of the appointing official, and may be reappointed.

4. The commission shall meet regularly, and, from among its members, it shall elect a chairperson, vice chairperson and secretary.

5. The commission shall report any delinquencies or inaccurate reporting to the municipality that is due the tax.

(d)

1. A municipality that first imposes a room tax under par. (a) after May 13, 1994, shall spend at least 70 percent of the amount collected on tourism promotion and tourism development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

2. Subject to par. (dm), if a municipality collects a room tax on May 13, 1994, it may retain not more than the same percentage of the room tax that it retains on May 13, 1994. If a municipality that collects a room tax on May 1, 1994, increases its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retains on May 1, 1994, except that if the municipality is not exempt under par. (am) from the maximum tax that may be imposed under par. (a), the municipality shall spend at least 70 percent of the increased amount of room tax that it begins collecting after May 1, 1994, on tourism promotion and development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

3. A commission shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone or in the municipality.

4. The commission shall report annually to each municipality from which it receives room tax revenue the purposes for which the revenues were spent.

5. The commission may not use any of the room tax revenue to construct or develop a lodging facility.

6. If a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention center or conference center, nothing in this section may prevent the municipality from meeting all of the terms of its obligation.

7. Notwithstanding the provisions of subs. 1. and 2., any amount of room tax revenue that a municipality described under s. 77.994 (3) is required to spend on tourism promotion and tourism development shall be forwarded to, and spent by, the municipality's tourism entity, unless the municipality creates a commission and forwards the revenue to the commission.

8. The governing body of a tourism entity shall include either at least one owner or operator of a lodging facility that collects the room tax described in this section and that is located in the municipality for which the room tax is collected or at least 4 owners or operators of lodging facilities that collect the room tax described in this section and that are located in the zone for which the room tax is collected. Subdivision 4., as it applies to a commission, applies to a tourism entity.

(dm) Beginning with the room tax collected on January 1, 2017, by a municipality that collected a room tax on May 13, 1994, as described in par. (d) 2., and retained more than 30 percent of the room tax collected for purposes other than tourism promotion and tourism development, such a municipality may continue to retain, each year, the greater of either 30 percent of its current year revenues or one of the following amounts:

1. For fiscal year 2017, the same dollar amount of the room tax retained as the municipality retained in its 2014 fiscal year.

2. For fiscal year 2018, the same dollar amount of the room tax retained as the municipality retained in its 2013 fiscal year.

3. For fiscal year 2019, the same dollar amount of the room tax retained as the municipality retained in its 2012 fiscal year.

4. For fiscal year 2020, the same dollar amount of the room tax retained as the municipality retained in its 2011 fiscal year.

5. For fiscal year 2021 and thereafter, the same dollar amount of the room tax retained as the municipality retained in its 2010 fiscal year.

(e)

1. Subject to subd. 2., a district may adopt a resolution imposing a room tax under par. (a) in an amount not to exceed 3 percent of total room charges. A majority of the authorized members of the district's board may vote that, if the balance in a special debt service reserve fund of the district is less than the requirement under s. 229.50 (5), the room tax imposed by the district under this subdivision is 3 percent of total room charges beginning on the next January 1, April 1, July 1 or October 1 after the payment and this tax is irrevocable if any bonds issued by the district and secured by the special debt service reserve fund are outstanding. A room tax imposed by a district under this subdivision applies within the district's jurisdiction, as specified in s. 229.43, and the proceeds of the tax may be used only for the district's debt service on its bond obligations. If a district stops imposing and collecting a room tax, the district's sponsoring municipality may impose and collect a room tax under par. (a) on the date on which the district stops imposing and collecting its room tax.

2. In addition to the room tax that a district may impose under subd. 1., if the district's only sponsoring municipality is a 1st class city, the district may adopt a resolution imposing an additional room tax. The additional percentage of room tax under this subdivision shall be equal to the percentage of room tax imposed by the sponsoring municipality on the date on which the sponsoring municipality agrees to stop imposing and collecting its room tax, as described under s. 229.44 (15). A district shall begin collecting the additional room tax imposed under this subdivision on the date on which the sponsoring municipality stops imposing and collecting its room tax. A room tax imposed by a district under this subdivision applies only within the borders of the sponsoring municipality and may be used for any lawful purpose of the district.

3. A district adopting a resolution to impose the taxes under subd. 1. or 2. shall deliver a certified copy of the resolution to the secretary of revenue at least 120 days before its effective date.

(f)

1. The department of revenue shall administer the tax that is imposed under par. (a) by a district and may take any action, conduct any proceeding and impose interest and penalties.

2. Sections 77.51 (12m), (13), (14), (14g), (15a), (15b), and (17), 77.52 (3), (3m), (13), (14), (18), and (19), 77.522, 77.523, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

3. From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute 97.45 percent of the taxes collected under this paragraph for each district to that district and shall indicate to the district the taxes reported by each taxpayer in that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Any district that receives a report along with a payment under this subdivision or subd. 2. is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

5. Persons who are subject to the tax under this subsection, if that tax is administered by the department of revenue, shall register with the department. Any person who is required to register, including any person authorized to act on behalf of a person who is required to register, who fails to do so is guilty of a misdemeanor.

(g) Sections 77.51 (10), (12m), (13), (13g), (14), (14g), (15a), (15b), and (17), 77.52 (3), (3m), (13), (14), (18), and (19), 77.522, 77.523, 77.53 (7), 77.54, 77.58 (6m), and 77.585, as they apply to the taxes under subch. III of ch. 77, shall apply to the tax imposed under par. (a) by a municipality.

(1r)

(a) A marketplace provider shall collect the tax imposed by a municipality under sub. (1m) for a marketplace seller, unless the marketplace provider has been issued a waiver under s. 77.52 (3m) (b) or (c), and forward it to the municipality, on a quarterly basis, along with a form prepared by the department of revenue as described under par. (b), except that a marketplace provider shall forward the tax to the municipality more frequently if the marketplace provider

and the municipality enter into a written agreement providing for more frequent submissions. The marketplace provider shall notify the marketplace seller that the marketplace provider has collected and forwarded the taxes described in this paragraph. A municipality may not impose and collect a room tax from the marketplace seller if the municipality collects the room tax as described in this paragraph.

(b) The form prepared by the department of revenue as described under par. (a) shall contain at least the following information about the room tax imposed under sub. (1m) on the marketplace provider:

1. The total sales for properties located in a municipality with a room tax.
2. The total number of nights properties located in a municipality with a room tax were rented.
3. The rate of the room tax applied to the amount specified in subd. 1.
4. The total tax due for properties located in a municipality with a room tax.

(c) No later than September 29, 2021, and updated annually, the department of revenue shall create a website that contains the following information about room tax collections:

1. The name and mailing address of each municipality that imposes a room tax under sub. (1m).
2. The rate of the room tax imposed by each municipality specified in subd. 1.

(2) As a means of enforcing the collection of any room tax imposed by a municipality or a district under sub. (1m), the municipality or district may do any of the following:

(a) If a municipality or district has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, inspect and audit the records of any person subject to sub. (1m) pertaining to the furnishing or selling of accommodations to determine the correct amount of room tax due. A determination under this paragraph shall be provided in writing within 4 years after the due date of the return, unless no return has been filed.

(b) Enact a schedule of forfeitures, not to exceed 5 percent of the tax under sub. (1m) or par. (c), to be imposed on any person subject to sub. (1m) who fails to comply with a request to inspect and audit the person's records under par. (a).

(c) Determine the tax under sub. (1m) according to its best judgment if a person required to make a return fails, neglects or refuses to do so for the amount, in the manner and form and within the time prescribed by the municipality or district.

(d) Require each person who is subject to par. (c) to pay an amount of taxes that the municipality or district determines to be due under par. (c) plus interest at the rate of 1 percent per month on the unpaid balance. No refund or modification of the payment determined may be granted until the person files a correct room tax return and permits the municipality or district to inspect and audit his or her financial records under par. (a).

(e) Enact a schedule of forfeitures, not to exceed 25 percent of the room tax due for the previous year under sub. (1m) or par. (c) or \$5,000, whichever is less, to be imposed for failure to pay the tax under sub. (1m). This paragraph also applies to a marketplace provider that is required to collect and remit taxes imposed by a municipality under sub. (1m), but that fails to file a return as required in sub. (1r) or pay the required tax.

(2m)

(a) To enforce the collection of a room tax imposed by a district under sub. (1m), the district may exchange audit and other information relating to the room tax with the department of revenue.

(b) To enforce the collection of a room tax imposed by a municipality under sub. (1m), the municipality may jointly inspect and audit the room tax records of a person subject to sub. (1m) with other municipalities only for the purpose of conducting a joint room tax audit. A municipality may provide audit and other information to the department of revenue, and may exchange audit and other room tax related information with any municipality that took part in conducting the joint audit.

(3) The municipality shall provide by ordinance and the district shall provide by resolution for the confidentiality of information obtained under subs. (1r) and (2) but shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of a court. The municipality or district may provide for the publishing of statistics classified so as not to disclose the identity of particular returns. The municipality

or district shall provide that persons violating ordinances or resolutions enacted under this subsection may be required to forfeit not less than \$100 nor more than \$500.

(4)

(a) Except as provided in par. (d), annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department all of the following:

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.
2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least \$1,000 made by a commission or a tourism entity.
3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.
4. For a municipality subject to sub. (1m) (dm), the amount of the room tax retained by the municipality in each of the following fiscal years: 2010, 2011, 2012, 2013, and 2014.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than \$3,000 on a municipality that does not submit to the department the reports described in par. (a). A municipality may not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

(d) Notwithstanding the requirement in par. (a) (intro.), the information specified in par. (a) 4. may be certified and reported to the department only once if the municipality submits the information not later than May 1, 2022. The department shall make such information available to the public annually in the report described in par. (a) (intro.).



APPLICATION FOR
**HOTEL, MOTEL AND SHORT-TERM RENTAL
ROOM TAX LICENSE**

VILLAGE OF WRIGHTSTOWN

NAME OF ESTABLISHMENT _____

ADDRESS OF ESTABLISHMENT OR SHORT-TERM RENTAL

OWNER _____

OWNER'S ADDRESS

TELEPHONE NUMBER _____

EMAIL ADDRESS _____

If Corporation, NAME OF REGISTERED AGENT _____

If Corporation, NAME OF RESIDENT MANAGER _____

STATE SALES TAX NUMBER _____

NUMBER OF ROOMS _____

The applicant hereby authorizes the Wrightstown Village Clerk – Treasurer to make the necessary examination and inspection of all books, records and memoranda as required ensuring the enforcement of all provisions of Chapter 12, § 12.9a and 12.9b of the Wrightstown Municipal Code.

Signature of Applicant

Date

SUBMIT COMPLETED APPLICATION TO:

Village of Wrightstown
Office of the Clerk – Treasurer
352 High St.
Wrightstown, WI 54180

January 2024

January 2024

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

February 2024

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

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p>Jan 1, 24</p> <p>8:00am New Year's Day</p>	<p>2</p>	<p>3</p> <p>8:30am LOC Prep Meeting (Microsoft Teams Meeting);</p> <p>9:00am Legislative Operating Committee Meeting (Microsoft)</p> <p>1:30pm LOC Work Session (Microsoft)</p>	<p>4</p>	<p>5</p> <p>3:00pm Data Sovereignty Law (Microsoft Teams Meeting) - Grace L. Elliott</p>
<p>8</p> <p>1:30pm Investigative Leave Policy (Microsoft Teams Meeting) - Grace L. Elliott</p>	<p>9</p>	<p>10</p>	<p>11</p> <p>10:00am LOC Work Session (Microsoft Teams Meeting; BC_Exec_Conf_Room) - Clorissa N. Leeman</p>	<p>12</p>
<p>15</p> <p>10:00am Land Trust Law Discussion (BC_Exec_Conf_Room) - Grace L. Elliott</p>	<p>16</p>	<p>17</p> <p>8:30am LOC Prep Meeting (Microsoft Teams Meeting);</p> <p>9:00am Legislative Operating Committee Meeting (Microsoft)</p> <p>1:30pm LOC Work Session (Microsoft)</p>	<p>18</p>	<p>19</p>
<p>22</p>	<p>23</p>	<p>24</p>	<p>25</p> <p>10:00am LOC Work Session (Microsoft Teams Meeting; BC_Exec_Conf_Room) - Clorissa N. Leeman</p>	<p>26</p>
<p>29</p>	<p>30</p>	<p>31</p>	<p>Feb 1</p>	<p>2</p>