



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room - 2nd Floor Norbert Hill Center
April 3, 2024
9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be Approved**
 - 1. March 20, 2024 LOC Meeting Minutes (pg. 2)
- III. Current Business**
 - 1. Oneida Veterans Affairs Committee Bylaws Amendments (pg. 4)
- IV. New Submissions**
 - 1. GTC Government Participation GWE Law (pg. 40)
 - 2. Petition C. Kestell: Address Housing Issues/Veterans Home Loan Program (pg. 46)
 - 3. Renewable Energy Law (pg. 47)
- V. Additions**
- VI. Administrative Updates**
 - 1. June 5, 2024 LOC Community Meeting Notice (HANDOUT)
- VII. Executive Session**
- VIII. Recess/Adjourn**



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
March 20, 2024
9:00 a.m.

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

Excused: Kirby Metoxen

Others Present: Clorissa N. Leeman, Grace Elliott, Maureen Perkins

Others Present on Microsoft Teams: Michelle Braaten, Janice Decorah, Carolyn Salutz, David P. Jordan, Fawn Cottrell, Michelle Tipple, Carrie Lindsey, Eric McLester, Ralinda Ninham-Lamberies, Peggy Helm-Quest, Eric McLester, Eric Boulanger, Todd Vanden Heuvel, Tavia James-Charles, Kaylynn Gresham, Kristal Hill, Fawn Billie, Sidney White, Justin Nishimoto

I. Call to Order and Approval of the Agenda

Jameson Wilson called the March 20, 2024, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster approve the agenda; seconded by Marlon Skenandore. Motion carried unanimously.

II. Minutes to be Approved

1. March 6, 2024 LOC Meeting Minutes

Motion by Jonas Hill to approve the March 6, 2024, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Marlon Skenandore. Motion carried unanimously.

III. Current Business

IV. New Submissions

1. Community Support Fund Law Amendments

Motion by Jonas Hill to add the Community Support Fund law amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.

V. Additions

VI. Administrative Items



VII. Executive Session

VIII. Adjourn

Motion by Marlon Skenandore to adjourn at 9:04 a.m.; seconded by Jennifer Webster.
Motion carried unanimously.



Legislative Operating Committee
 April 3, 2024

Oneida Nation Veterans Affairs Committee Bylaws Amendments

Submission Date: 3/28/24	Public Meeting: N/A
LOC Sponsor: Jennifer Webster and Jonas Hill	Emergency Enacted: N/A Expires: N/A

Summary: *The Oneida Nation Veterans Affairs Committee requested that the Legislative Operating Committee add the ONCAV Bylaws to the Active Files List for the purposes of revising the definition of “Active Duty” in the section of the bylaws governing membership qualifications. The Legislative Operating Committee originally added the ONVAC Bylaws Amendments to the Active Files List on February 16, 2022. This item was carried over from the last term. On October 4th, 2023, Jonas Hill motioned to add the ONVAC Bylaws Amendments to the Active Files List with Jennifer Webster and Jonas Hill as the sponsors. Marlon Skenandore seconded the motion and it carried unanimously.*

10/4/23 LOC: Motion by Jonas Hill to add the Oneida Nation Veterans Affairs Committee Bylaws Amendments to the Active Files List with Jennifer Webster and Jonas Hill as the sponsors; seconded by Marlon Skenandore. Motion carried unanimously.

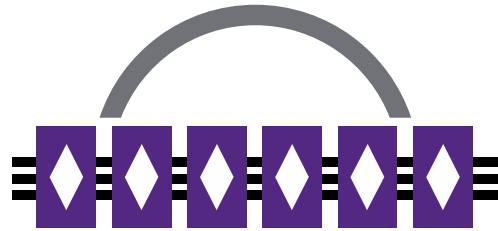
11/14/23: *Work Meeting.* Present: Jamison Wilson, Grace Elliott, John Breuninger, Gerald Cornelius, Bonnie Pigman, Floyd Hill, Arthur Cornelius, Dale Webster, Deke Suri, Conner Kestell, Benjamin Skenandore. The purpose of this meeting was to review proposed bylaw amendments with the ONVAC. The ONVAC voted to approve the amended bylaws.

3/12/24: *Work Meeting.* Present: Grace Elliott, Gerald Cornelius, Bonnie Pigman, Deke Suri, Conner Kestell, Benjamin Skenandore, Lynn Summers, Kerry Metoxen, Carol Silva, Maureen Perkins. The purpose of this meeting was to review additional proposed bylaw amendments with the ONVAC. The ONVAC voted to approve the amended bylaws.

Next Steps:

- Accept the Oneida Nation Veterans Affairs Committee bylaws amendments and legislative analysis.
- Forward the Oneida Nation Veterans Affairs Committee bylaws amendments to the Oneida Business Committee for consideration.

Oneida Nation Veterans Affairs Committee By-Laws



ONEIDA

ONVAC

**For anything not covered by these by-laws, please refer to the
Oneida Nation
Title 1. Government and Finances – Chapter 105
BOARDS, COMMITTEES AND COMMISSIONS**

**ONEIDA NATION
VETERANS AFFAIRS
COMMITTEE**

MISSION STATEMENT

Our Mission is to provide quality support service and assistance to our Oneida Veterans and their families.

We are the principal advocates for Veterans and their families, and we accept the responsibility to protect the integrity of the Veterans Community.

We advocate for the Veterans and their families within the Oneida Community by representing their needs and causes as they relate to our Veterans individually and as veterans' organizations.

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**ONEIDA NATION VETERANS AFFAIRS COMMITTEE
BYLAWS**

Article I. Authority

1-1. *Name.* The name of this entity shall be the Oneida Nation Veterans Affairs Committee and may be referred to as the Veterans Affairs Committee or abbreviated ONVAC.

1-2. *Establishment.* ONVAC was created by the Oneida Business Committee by motion on January 12, 1994, and further established through the adoption of these bylaws on October 29, 1997, which were amended on February 13, 2013, and from time-to-time hereinafter.

1-3. *Authority.*

(a) *Purpose.* The purpose of the Oneida Veterans Affairs Committee “ONVAC” is to serve as an advisory body to the Oneida Veterans Service Office (“Office”) in all matters relating to Oneida Nation Veterans’ rights and benefits and veterans’ affairs issues, and to protect the honor and integrity of the Oneida Nation and all veterans who served honorably in the United States Uniformed Services. Among other services, the Veterans Affairs Committee is to provide advice and constructive input to the Oneida Veterans Service Office Director on all veterans’ affairs issues so that the Office can formulate veterans’ services and programs; and to coordinate veterans’ events with the Office and veterans’ organizations that are representatives of Oneida Veterans and the Oneida Nation.

(b) *Powers and Duties.* The powers of ONVAC ~~the Veterans Affairs Committee~~ are advisory, with duties that include, but are not limited to, the following:

(1) Supporting the Oneida Veterans Service Office and the Oneida Nation.

(2) Being responsible to the Oneida Business Committee, all Oneida Nation Veterans and their families, and the Oneida Community.

(3) Supporting the Office in the provision and coordination of all veterans services to the Oneida Community and as requested by local, state, federal, other tribal activities and/or events and veterans associations, such as the Color/Honor Guard, funerals, parades, school visits and presentations.

(4) *Color Guard.* The ONVAC is the official Color Guard of the Oneida Nation. The ONVAC may appoint other endorsed or approved veterans or veteran groups in order to fulfill any Oneida Nation requests. This duty may be delegated to the Oneida Veterans Service Officer who also has direct contact with Oneida Veterans and the active veterans’ organization.

(A) *Designate Representatives.* The ONVAC and the Oneida Veterans Service Office Director shall verify the authenticity of groups or individuals who wish to represent Oneida Nation Veterans.

- 47 (5) *Financial Requests.* The ONVAC shall be the screening body for
48 individual veterans or veteran groups who are requesting funds from
49 the Oneida Nation for various reasons such as: (1) to alleviate a
50 financial hardship; (2) to provide a veterans service or event, such
51 as the Veterans Pow-Wow, a seminar, training or a conference; and
52 (3) to attend a veterans related project, event, training, seminar, and/
53 or some other activity, such as a military reunion.
54 (6) Responding to and acting upon any other delegated authority
55 established through the laws, policies, rules and resolutions of the
56 Oneida Nation.

57
58 1-4. *Office.* The official mailing address of the Veterans Affairs Committee shall be:
59 Oneida Nation Veterans Affairs Committee
60 ATTN: Veterans Service Office
61 P.O. Box 365
62 Oneida, Wisconsin 54155
63

64 1-5. *Membership.*

65 (a) *Number of Members.* The ONVAC shall consist of up to nine (9) appointed
66 members.

67 (1) Each member shall hold office until his or her term expires, until his
68 or her resignation, or until his or her appointment is terminated in
69 accordance with the Boards, Committees and Commissions law.

70 (A) *Term Expiration.* Although a member's term has expired, he
71 or she shall remain in office until a successor has been sworn
72 in by the Oneida Business Committee.

73 (B) *Resignation.* A member may resign at any time verbally at a
74 meeting or by delivering written notice to the Oneida
75 Business Committee Support Office and the ONVAC
76 Chairperson or Chairperson's designee. The resignation is
77 deemed effective upon acceptance by motion of a member's
78 verbal resignation or upon delivery of the written notices.

79 (b) *Appointment.* ONVAC members shall be appointed in accordance with the
80 Boards, Committees and Commissions law for terms of three (3) years.

81 (1) Terms shall be staggered with appointments to be started on the first
82 day of the year (1/1) and ending on the last day of the year (12/31).

83 (c) *Vacancies.* Vacancies shall be filled in accordance with the Boards,
84 Committees and Commissions law.

85 (1) The ONVAC Chairperson shall review application materials during
86 executive session and provide the Oneida Business Committee with
87 recommendations on applicants for appointment by the executive
88 session in which appointments are intended to be made.

89 (A) Prior to sending recommendations to the Government
90 Administrative Office for Oneida Business Committee
91 consideration, the ONVAC Chairperson may utilize a
92 portion of executive session to solicit feedback on ONVAC
93 applications.

- 94 (d) *Qualifications of Members.* ONVAC members shall meet the following
95 qualifications:
96 (1) Be an enrolled member of the Oneida Nation.
97 (2) Be a resident of Brown or Outagamie County, Wisconsin.
98 (3) Have served on and Honorably Discharged (Form DD-214
99 Required) from Active Duty in the United States Uniformed
100 Services (Army, Navy, Air Force, Marines, Coast Guard, Public
101 Health Service or National Oceanic and Atmospheric
102 Administration) or have served as a member of the Select Reserve
103 and completed at least six (6) years in the Reserves or the National
104 Guard or was discharged early because of a service connected
105 disability.
106 (A) Active Duty is defined as having served one hundred and
107 eighty-one (181) days or more of continuous active duty
108 unless discharged early, with less than one hundred and
109 eighty-one (181) days of active duty, because of a service
110 connected disability.
111 ~~(4) Have served as a member of the Selected Reserve and completed at~~
112 ~~least six (6) years in the Reserves or the National Guard or was~~
113 ~~discharged early because of a service connected disability.~~
114 (45) Be a citizen in good standing in the Oneida Community.
115
- 116 1-6. *Termination.* An ONVAC member's appointment may be terminated by the Oneida
117 Business Committee in accordance with the Boards, Committees and
118 Commissions law.
119 (a) The Veterans Affairs Committee may make recommendations to the Oneida
120 Business Committee for the termination of a member's appointment based
121 on the following:
122 (1) A failure to comply with these bylaws or with any other law and/or
123 policy of the Nation;
124 (2) Three (3) un-excused absences from an ONVAC meeting within a
125 period of one (1) year.
126 (A) An un-excused absence shall be defined as a failure by a
127 member to notify an ONVACa Board Officer, in writing, of
128 his or her pending absence ~~no less than thirty (30) minutes~~
129 ~~before prior to~~ the scheduled meeting.
130 (b) Recommendations to the Oneida Business Committee for termination of an
131 ONVAC member's appointment must be determined by a majority vote of
132 the members in attendance at an ONVAC meeting of an established
133 quorum.
134
- 135 1-7. *Training and Conferences.* ONVAC members shall attend and participate in various
136 trainings and/or conferences that the ONVAC Chairperson or a majority of
137 the members in attendance at an ONVAC meeting of an established quorum
138 deem necessary for members to responsibly serve ONVAC and/or maintain
139 the knowledge, skills and abilities required of them to perform the on-going
140 activities relating thereto.

- 141 (a) Regardless of the number of trainings/conferences that he or she is required
142 to attend, no ONVAC member shall be eligible to receive stipends for
143 attending more than five (5) full days of mandatory trainings/conferences
144 per year.
145

146 **Article II. Officers and Administrative Support**

- 147 2-1. *Officers.* The Officer positions of the Veterans Affairs Committee shall consist of a
148 Chairperson, a Vice-Chairperson and a Secretary.
149
- 150 2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the
151 Chairperson are as follows:
152 (a) Shall call and preside over all meetings of the Veterans Affairs Committee
153 and appoint members to any task forces or subcommittees of the ONVAC
154 in accordance with section 3-4 of these bylaws.
155 (b) Shall have financial sign-off authority as set forth in section 2-6 of these
156 bylaws
157 (c) Shall submit, or through a designee submit, annual and semi-annual reports
158 to the Oneida General Tribal Council, as well as quarterly reports to the
159 Oneida Business Committee, in accordance with the Boards, Committees
160 and Commissions law.
161 (d) Shall represent and/or request another Officer to represent the ONVAC at
162 all regularly scheduled/unscheduled reporting requirements to the Oneida
163 Business Committee and other business units of the Nation as may be
164 requested, including, but not limited to, the Oneida Business Committee
165 meeting in which the ONVAC's quarterly report appears on the agenda.
166 (e) In collaboration with the Vice-Chairperson, Secretary and personnel from
167 the Oneida Veterans Services Office, shall prepare agendas and handouts,
168 submit any necessary paperwork to ensure stipends are paid, and perform
169 other similar administrative functions, all in accordance with these bylaws,
170 the Boards, Committees and Commissions law, and the Open Records and
171 Open Meetings law.
172
- 173 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of
174 the Vice-Chairperson are as follows:
175 (a) Shall preside over all meetings of the Veterans Affairs Committee in the
176 absence of the Chairperson and may call emergency meetings.
177 (b) Shall have financial sign-off authority as set forth in section 2-6 of these
178 bylaws.
179 (c) In lieu of the Chairperson, shall represent and/or request another Officer
180 to represent the ONVAC at all regularly scheduled/unscheduled reporting
181 requirements to the Oneida Business Committee and other business
182 units of the Nation as may be requested, including, but not limited to, the
183 Oneida Business Committee meeting in which the ONVAC's quarterly
184 report appears on the agenda.
185 (d) In collaboration with the Chairperson, Secretary and personnel from the
186 Oneida Veterans Services Office, shall prepare agendas and handouts,
187 submit any necessary paperwork to ensure stipends are paid, and perform

188 other similar administrative functions, all in accordance with these bylaws,
189 the Boards, Committees and Commissions law and the Open Records and
190 Open Meetings law.

191
192 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the
193 Secretary are as follows:

194 (a) ~~Shall preside over meetings pursuant to section 3-5(a). In the event that~~
195 ~~both the Chairperson and the Vice-Chairperson positions become vacant~~
196 ~~before the end of their terms, shall be allowed to call meetings of the~~
197 ~~ONVAC to fill the vacancies and to preside over those meetings for the sole~~
198 ~~purpose of conducting an election of new Officers, at which point the~~
199 ~~Chairperson, or Vice-Chairperson in the absences of the Chairperson, shall~~
200 ~~preside.~~

201 (b) Shall have financial sign-off authority as set forth in section 2-6 of these
202 bylaws.

203 (c) In lieu of both the Chairperson and Vice-Chairperson, shall represent the
204 ONVAC at all regularly scheduled/unscheduled reporting requirements to
205 the Oneida Business Committee and other business units of the Nation as
206 may be requested, including, but not limited to, the Oneida Business
207 Committee meeting in which the ONVAC's quarterly report appears on the
208 agenda.

209 (d) Shall provide notice of meeting locations, agendas and minutes; prepare
210 meeting minutes, correspondence, written reports, including the annual,
211 semi-annual and quarterly reports required by the Boards, Committees and
212 Commissions law; and perform other duties on behalf of the
213 Veterans Affairs Committee as scheduled and/or required by a majority vote
214 of the members at an ONVAC meeting of an established quorum, all in
215 accordance with these bylaws, the Boards, Committees and Commissions
216 law, and the Open Records and Open Meetings law.

217 (e) In collaboration with the Chairperson, Vice-Chairperson, and personnel
218 from the Oneida Veterans Services Office, shall prepare agendas and
219 handouts, submit any necessary paperwork to ensure stipends are paid, and
220 perform other similar administrative functions, all in accordance with these
221 bylaws, the Boards, Committees and Commissions law, and the Open
222 Records and Open Meetings law.

223 (f) Shall serve as the designee for the responsibility of conducting an e-poll in
224 the absence of the Chairperson or Vice-Chairperson.

225
226 2-5. *Selection of Officers.* Officers of the Veterans Affairs Committee shall be elected on an
227 annual basis by a majority vote of the members in attendance at an ONVAC
228 meeting of an established quorum for terms of one (1) year.

229 (a) The election of Officers shall take place within thirty (30) days after the
230 newly appointed ONVAC members are present at their first scheduled
231 regular meeting of an established quorum.

232 (b) ONVAC members may be dismissed from their Officer position by majority
233 vote of the members in attendance at an ONVAC meeting of an established
234 quorum.

- 235 (c) Vacant Officer positions shall be filled by majority vote of the members in
236 attendance at an ONVAC meeting of an established quorum.
237 (d) Members of the ONVAC shall not hold more than one (1) Officer position
238 per Officer term.
239

240 2-6. *Budgetary Sign-Off Authority and Travel.* ONVAC shall follow the Nation’s policies and
241 procedures regarding purchasing and sign-off authority.

242 (a) Levels of budgetary sign-off authority for the ONVAC shall be as set forth
243 in the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing*
244 *Policies and Procedures*, for Area Directors/Enterprise Directors.

- 245 (1) All ONVAC Officers shall have sign-off authority.
246 (2) Two (2) of the ONVAC Officers are required to sign-off on all
247 budgetary requests.

248 (b) The Oneida Business Committee Support Office shall have sign-off
249 authority over requests for stipends, travel per diem and business expense
250 reimbursements.

251 (c) ONVAC shall approve a member’s request to travel on behalf of ONVAC
252 by a majority vote of the members in attendance at a regular or emergency
253 ONVAC meeting of an established quorum.
254

255 2-7. *Personnel.* The Veterans Affairs Committee shall not have authority to hire personnel
256 for its benefit.

257 (a) ONVAC may receive administrative support from staff within the Oneida
258 Business Committee Support Office and the Oneida Veterans Service
259 Office that is consistent with the Boards, Committees and Commissions
260 law for items such as preparing meeting agendas, documents and minutes;
261 providing notice of meetings, meeting agendas, documents and minutes;
262 recording meetings and meeting minutes; maintaining meeting agendas,
263 documents and minutes; and submitting any necessary paperwork to
264 facilitate stipend payments.
265

266 **Article III. Meetings**

267 3-1. *Regular Meetings.* The regular meetings of the Veterans Affairs Committee shall be held
268 every second Tuesday of each month, commencing at 5:00 p.m., in the
269 Veterans Department located at 134 Riverdale Drive in Oneida, Wisconsin.

270 (a) The meeting date, time and/or place shall be reviewed by the
271 ONVAC and may change from time-to-time by majority vote of the
272 members in attendance at an ONVAC meeting of an established quorum so
273 long as notice is provided to all members in writing and, along with the
274 public, in accordance with governing law, including, but not limited to, the
275 Open Records and Open Meetings law, prior to the implementation of a new
276 date, time and/or location.

277 (1) Meeting locations shall be within the Reservation boundaries unless
278 notice is provided to all members in writing and, along with the
279 public, consistent with governing law, prior to designating the
280 meeting location.

- 281 (b) The ONVAC Officers and personnel from the Oneida Veterans Services
282 Office shall work collaboratively to ensure all members, as well as the
283 public, are provided notice of meeting location, agenda, documents and
284 minutes pursuant to the Open Records and Open Meetings law and
285 that the meeting agenda, documents and minutes are prepared and packaged
286 for the ONVAC members consistent with the Boards, Committees and
287 Commissions law.
- 288 (c) Meetings shall be run in accordance with Robert’s Rules of Order and shall
289 be open to the public per the Open Records and Open Meetings law.
- 290 (d) ~~For the purpose of~~ In order to protect and preserve confidentiality, portions
291 of any regular meeting addressing personnel, private, or otherwise
292 confidential matters may be removed to the executive section of the
293 agenda.

294

295 3-2. *Emergency Meetings.* An emergency meeting may be called for the purpose of addressing
296 an emergent need relative to the work of the ONVAC that requires a
297 determination/decision unable to await until the monthly scheduled meeting
298 of the ONVAC.

- 299 (a) Within seventy-two (72) hours after an emergency meeting, the ONVAC
300 shall provide the Nation’s Secretary with notice of the emergency meeting,
301 the reason for the emergency meeting, and an explanation as to why the
302 matter could not wait until the next regular scheduled meeting.
- 303 (b) Subject to section 2-4(a) of these bylaws, emergency meetings
304 may be called by any ONVAC Officer upon at least twenty-four (24)
305 hour advance notice to all members of the Veterans Affairs Committee.
- 306 (1) Notice of an emergency meeting shall be provided to all
307 ONVAC members via telephone call, as well as by e-mail
308 communication sent, with a RSVP request, to the official Oneida
309 Nation e-mail address provided to each member to conduct ONVAC
310 business electronically, and, along with the public, shall further be
311 provided in accordance with the Open Records and Open Meetings
312 law.
- 313 (2) A quorum must be present at the emergency meeting in order
314 to take any action.
- 315 (c) Minutes of emergency meetings shall be taken, recorded electronically, and
316 approved for the record at the next scheduled monthly ONVAC meeting.

317

318 3-3. *Joint Meetings.* Joint Meetings may be held in the Oneida Business Committee
319 Conference Room of the Norbert Hill Center as frequently as agreed upon
320 between the Oneida Business Committee and the ONVAC.

- 321 (a) Notice of the joint meeting agenda, documents and minutes shall be
322 provided, and the joint meeting conducted, in accordance with resolution
323 BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with
324 Boards, Committees and Commissions – Definitions and Impact, as may be
325 amended from time-to-time hereafter.
- 326

- 327 3-4. *Task Forces and Subcommittees.* Task forces and subcommittees of the ONVAC may be
328 created and dissolved when necessary, so long as in accordance with the
329 Boards, Committees and Commissions law.
- 330 (a) The Chairperson shall be an ex officio member of all task forces
331 and subcommittees.
- 332 (b) A task force created by the ONVAC shall dissolve upon either a set date
333 or acceptance of a final report by the ONVAC at its next scheduled monthly
334 meeting.
- 335 (1) At a minimum, task forces created by the ONVAC must have
336 mission or goal statements for completion of tasks.
- 337 (2) Materials generated by the task force shall be forwarded to the
338 Oneida Business Committee Support Office for proper disposal
339 within two (2) weeks of dissolution.

- 341 3-5. *Quorum.* All meetings of the ONVAC shall have at least a quorum in attendance,
342 with quorum being defined as ~~five (5)~~ a majority of the current ONVAC
343 members, one (1) of ~~whom must be the Chairperson or Vice-Chairperson.~~
344 ~~which is an ONVAC Officer; provided the Secretary may only~~
345 ~~complete a quorum for meetings called pursuant to section 2-4(a) of these~~
346 ~~bylaws.~~
- 347 ~~(1) If there are eight (8) or nine (9) ONVAC members a quorum~~
348 ~~requires that five (5) are present.~~
- 349 ~~(2) If there are six (6) or seven (7) ONVAC members a quorum requires~~
350 ~~that four (4) are present.~~
- 351 ~~(3) If there are four (4) or five (5) ONVAC members a quorum requires~~
352 ~~that three (3) are present.~~
- 353 ~~(4) If there are two (2) or three (3) ONVAC members a quorum requires~~
354 ~~that two (2) are present.~~
- 355 (a) ~~In the event that both the Chairperson and Vice-Chairperson positions~~
356 ~~become vacant before the end of their terms, the Secretary shall be~~
357 ~~authorized to call meetings of the ONVAC to fill the vacancies and to~~
358 ~~preside over those meetings for the sole purpose of conducting an election~~
359 ~~of new Officers. Under such circumstances, a quorum shall be established~~
360 ~~by the attendance of a majority of the current ONVAC members, one of~~
361 ~~whom must be the Secretary. A quorum shall be established at least five (5)~~
362 ~~minutes before the~~ scheduled meeting time.
- 363 ~~(1) Failure to establish a quorum will result in rescheduling of the~~
364 ~~meeting.~~

- 365
- 366 3-6. *Order of Business.* The order of business shall be:
- 367 (a) Call to Order/Pledge of Allegiance ~~Opening Ceremony~~
- 368 ~~(a)(b) Roll Call~~
- 369 (c) Approval of Agenda
- 370 (d) Approval of Minutes
- 371 ~~(d) Task Force and Subcommittee Reports or Reports by Invited Guests~~
- 372 (e) Old Business/Tabled Business
- 373 (f) New Business

- 374 (g) Reports
- 375 (1) Veteran Service Officer Report (FYI)
- 376 (h) Public Comment (5-minute limit per speaker per subject)
- 377 (i) Executive Session
- 378 (j) Other Additional Agenda Items and/or Reports by Individual ONVAC
- 379 Members
- 380 (k) Roll Call
- 381 (l) Adjournment
- 382

- 383 3-7. *Voting.* Decisions of the ONVAC shall be by majority vote of the members in
- 384 attendance at an ONVAC meeting of an established quorum.
- 385 (a) Each ~~of the nine (9)~~ ONVAC members, including the Chairperson, shall
 - 386 be entitled to one (1) vote on each matter submitted to a vote of the ONVAC.
 - 387 (b) E-polls are permissible so long as conducted in accordance with the Boards,
 - 388 Committees and Commissions law.
 - 389 (1) The Vice-Chairperson or Secretary shall serve as the Chairperson's
 - 390 designee for the responsibility of conducting an e-poll in the absence
 - 391 or discretion of the Chairperson.
 - 392
 - 393

394 **Article IV. Expectations**

395 4-1. Behavior of Members.

- 396 (a) Members of the ONVAC shall present and conduct themselves in a
- 397 professional manner when acting in their official capacity as members of
- 398 the ONVAC by, among other actions, speaking in a respectful and courteous
- 399 manner to ONVAC members, as well as non-members, and dressing in
- 400 appropriate attire when attending meetings and/or other ONVAC events.
- 401 (b) No member shall act independently of the ONVAC, on behalf of the
- 402 ONVAC, or express and/or represent views of the ONVAC
- 403 without its specific approval as established by a majority vote of the
- 404 members present at an ONVAC meeting of an established quorum.
- 405 (c) Members shall prepare for and attend all meetings of the ONVAC unless
- 406 excused in accordance with these bylaws.
- 407 (d) Members shall comply with these bylaws and all other laws and/or policies
- 408 of the Nation.
- 409 (e) *Enforcement.* Any action by a member contrary to the above shall be
- 410 discussed at the next ONVAC regularly scheduled monthly meeting or
- 411 emergency meeting and appropriate warnings and/or actions may be taken
- 412 by the ONVAC as agreed upon by a majority vote of the ONVAC members
- 413 in attendance at the monthly or emergency meeting of an established
- 414 quorum, including, but not limited to:
- 415 (1) That the ONVAC may make a recommendation to the Oneida
- 416 Business Committee for termination of the member's appointment
- 417 in accordance with the Boards, Committees and Commissions law
- 418 or any other law of the Nation governing the termination of
- 419 appointed officials.

- 420 (2) That the ONVAC may discipline the member in accordance with
421 any law of the Nation governing sanctions and penalties for
422 appointed officials.
423
- 424 4-2. *Prohibition of Violence.* ONVAC members are prohibited from participating in or
425 committing any intentional acts of violence that inflict, attempt to inflict, or
426 threaten to inflict emotional or bodily harm on another person or damage to
427 property. No intentional act of violence will be tolerated and/or accepted by
428 any member of the ONVAC while acting in an official capacity as a member
429 of the ONVAC.
430
- 431 4-3. *Drug and Alcohol Use.* ONVAC members shall not use any alcohol, illegal drugs or legal
432 drugs, other than as prescribed/directed, while acting in their official
433 capacity as members of the ONVAC.
434
- 435 4-4. *Social Media.* Expectations for use of social media is for official business of the ONVAC
436 (a) While engaged in social media activities, no member shall use
437 his or her status on the ONVAC for individual gain or purpose.
438 (b) Members of the ONVAC shall comply with the Oneida Nation’s Social
439 Media Policy and their oath of office when using social media while acting
440 on behalf of or as a representative of the ONVAC.
441
- 442 4-5. *Conflict of Interest.* ONVAC members shall comply with all laws and policies of the Nation
443 governing conflicts of interest.
444 (a) Members on the ballot for an Officer position with the ONVAC shall recuse
445 themselves from voting on the position for which they are running to fill.

446 **Article V. Stipends and Compensation**

- 447 5-1. *Stipends.* ONVAC members shall be eligible for the following stipends as set forth
448 in and subject to these bylaws, the Boards, Committees and Commissions
449 law, and resolution BC-05-08-19-B titled, Amending Resolution BC-04-13-
450 ~~22 B09-26~~ ~~18-D~~ Boards, Committees and Commissions Law Stipends, as may
451 be further amended from time-to time-hereafter:
452 (a) One (1) meeting stipend per month, provided that:
453 (1) A quorum was established;
454 (2) The meeting of the established quorum lasted for at least one (1)
455 hour; and
456 (3) The member collecting the stipend was physically present for the
457 entire meeting.
458 (b) A stipend for attending a duly called joint meeting between the
459 ONVAC and the Oneida Business Committee, provided that:
460 (1) A quorum was established by the ONVAC;
461 (2) The joint meeting lasted for at least one (1) hour; and
462 (3) The ONVAC member collecting the stipend was physically present
463 for the entire joint meeting.
464 (c) For attending a conference or training, provided that:

- 465 (1) The member attended a full day of training or was present at the
466 conference for a full day; and
467 (2) The member's attendance at the training or conference was required
468 by law, bylaws or resolution.
469 (d) A stipend for attending a Judiciary hearing if the member's attendance at
470 the Judiciary hearing was required by official subpoena.
471 (e) Task force and subcommittee members shall not be eligible for stipends
472 unless specific exception is made by the Oneida Business Committee or the
473 Oneida General Tribal Council.
474
- 475 5-2. *Compensation.* Besides travel, per diem and business expense reimbursements authorized
476 by the Boards, Committees and Commissions law, ONVAC members shall
477 not be eligible for any other form of compensation for duties/activities
478 they perform on behalf of the ONVAC.
479
480

481 **Article VI. Records and Reporting**

- 482 6-1. *Agenda Items.* Agenda items shall be consistently maintained in the format identified in
483 Article III, section 3-6 of these bylaws as the Order of Business.
484
- 485 6-2. *Minutes.* Meeting minutes of the ONVAC shall be typed in a consistent format
486 provided by the Oneida Business Committee Support Office to generate the
487 most informative record of all meetings of the ONVAC.
488 (a) The minutes shall provide a summary of the action(s) taken by the
489 ONVAC during the meeting that includes the decision, any motions and/or
490 amendments, the vote and any other pertinent information that would lend
491 to the record.
492 (b) Minutes shall be submitted to the Oneida Business Committee Support
493 Office within thirty (30) days of their approval by the ONVAC.
494
- 495 6-3. *Attachments.* All meeting handouts, reports, memorandum, and the like shall be attached
496 to the minutes and agenda to be maintained as a packet upon submission to
497 the Oneida Business Committee Support Office.
498
- 499 6-4. *Oneida Business Committee Liaison.* All three (3) Officers of the ONVAC shall be made
500 aware of the need to meet with the Oneida Business Committee member
501 who is ONVAC's designated liaison and any and/or all of the Officers may
502 meet with the liaison on an as-needed basis, the frequency and format of
503 which may be as agreed upon between the liaison and the Officers so long
504 as no less than as required by law or policy on reporting developed by the
505 Oneida Business Committee or Oneida General Tribal Council.
506 (a) The purpose of the liaison relationship is to uphold the ability of the liaison
507 to act as support to the ONVAC.
508
- 509 6-5. *Audio Recordings.* All meetings of the ONVAC shall be audio recorded using a recording
510 device approved of and/or supplied by the Oneida Business Committee
511 Support Office.

- 512 (a) Audio recordings shall be maintained by the Oneida Business Committee
513 Support Office in accordance with the Open Records and Open Meetings
514 law.
515 (b) *Exception.* Audio recordings of executive session portions of a meeting
516 shall not be recorded.
517

518 **Article VII. Amendments.**

- 519 7-1. *Amendments.* The Veterans Affairs Committee, upon written notice, may at any of its
520 regular meetings, by a majority vote of the members present at a meeting of
521 an established quorum, amend or repeal these bylaws, provided that
522 the amendment or repeal has been submitted in writing at the previous
523 regular meeting.
524 (a) Any amendments to these bylaws shall conform to the requirements of the
525 Boards, Committees and Commissions law and any other policy of the
526 Nation.
527 (b) All amendments and/or repeals of these bylaws shall be approved by the
528 Oneida Business Committee prior to implementation.
529 (c) These bylaws shall be reviewed on an annual basis.

530
531

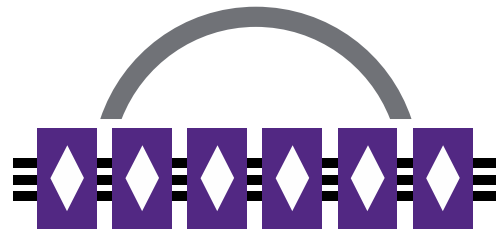
532 These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee
533 at a duly called meeting held on this _____ day of _____ 2023, by the Secretary
534 of the Oneida Business Committee's signature.

535

536 _____
537 Lisa Liggins, Tribal Secretary
538 Oneida Business Committee
539

540
541

Oneida Nation Veterans Affairs Committee By-Laws



ONEIDA

ONVAC

**For anything not covered by these by-laws, please refer to the
Oneida Nation
Title 1. Government and Finances – Chapter 105
BOARDS, COMMITTEES AND COMMISSIONS**

**ONEIDA NATION
VETERANS AFFAIRS
COMMITTEE**

MISSION STATEMENT

Our Mission is to provide quality support service and assistance to our Oneida Veterans and their families.

We are the principal advocates for Veterans and their families, and we accept the responsibility to protect the integrity of the Veterans Community.

We advocate for the Veterans and their families within the Oneida Community by representing their needs and causes as they relate to our Veterans individually and as veterans' organizations.

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**ONEIDA NATION VETERANS AFFAIRS COMMITTEE
BYLAWS**

Article I. Authority

1-1. *Name.* The name of this entity shall be the Oneida Nation Veterans Affairs Committee and may be referred to as the Veterans Affairs Committee or abbreviated ONVAC.

1-2. *Establishment.* ONVAC was created by the Oneida Business Committee by motion on January 12, 1994, and further established through the adoption of these bylaws on October 29, 1997, which were amended on February 13, 2013, and from time-to-time hereinafter.

1-3. *Authority.*

(a) *Purpose.* The purpose of the Oneida Veterans Affairs Committee (“ONVAC”) is to serve as an advisory body to the Oneida Veterans Service Office (“Office”) in all matters relating to Oneida Nation Veterans’ rights and benefits and veterans’ affairs issues, and to protect the honor and integrity of the Oneida Nation and all veterans who served honorably in the United States Uniformed Services. Among other services, the Veterans Affairs Committee is to provide advice and constructive input to the Oneida Veterans Service Office Director on all veterans’ affairs issues so that the Office can formulate veterans’ services and programs; and to coordinate veterans’ events with the Office and veterans’ organizations that are representatives of Oneida Veterans and the Oneida Nation.

(b) *Powers and Duties.* The powers of the ONVAC are advisory, with duties that include, but are not limited to, the following:

(1) Supporting the Oneida Veterans Service Office and the Oneida Nation.

(2) Being responsible to the Oneida Business Committee, all Oneida Nation Veterans and their families, and the Oneida Community.

(3) Supporting the Office in the provision and coordination of all veterans’ services to the Oneida Community and as requested by local, state, federal, other tribal activities and/or events and veterans associations, such as the Color/Honor Guard, funerals, parades, school visits and presentations.

(4) *Color Guard.* The ONVAC is the official Color Guard of the Oneida Nation. The ONVAC may appoint other endorsed or approved veterans or veteran groups in order to fulfill any Oneida Nation requests. This duty may be delegated to the Oneida Veterans Service Officer who also has direct contact with Oneida Veterans and the active veterans’ organization.

(A) *Designate Representatives.* The ONVAC and the Oneida Veterans Service Office Director shall verify the authenticity of groups or individuals who wish to represent Oneida Nation Veterans.

- 47 (5) *Financial Requests.* The ONVAC shall be the screening body for
48 individual veterans or veteran groups who are requesting funds from
49 the Oneida Nation for various reasons such as: (1) to alleviate a
50 financial hardship; (2) to provide a veterans service or event, such
51 as the Veterans Pow-Wow, a seminar, training or a conference; and
52 (3) to attend a veterans related project, event, training, seminar, and/
53 or some other activity, such as a military reunion.
54 (6) Responding to and acting upon any other delegated authority
55 established through the laws, policies, rules and resolutions of the
56 Oneida Nation.
57

58 1-4. *Office.* The official mailing address of the Veterans Affairs Committee shall be:
59 Oneida Nation Veterans Affairs Committee
60 ATTN: Veterans Service Office
61 P.O. Box 365
62 Oneida, Wisconsin 54155
63

64 1-5. *Membership.*

- 65 (a) *Number of Members.* The ONVAC shall consist of up to nine (9) appointed
66 members.
67 (1) Each member shall hold office until his or her term expires, until his
68 or her resignation, or until his or her appointment is terminated in
69 accordance with the Boards, Committees and Commissions law.
70 (A) *Term Expiration.* Although a member's term has expired, he
71 or she shall remain in office until a successor has been sworn
72 in by the Oneida Business Committee.
73 (B) *Resignation.* A member may resign at any time verbally at a
74 meeting or by delivering written notice to the Oneida
75 Business Committee Support Office and the ONVAC
76 Chairperson or Chairperson's designee. The resignation is
77 deemed effective upon acceptance by motion of a member's
78 verbal resignation or upon delivery of the written notices.
79 (b) *Appointment.* ONVAC members shall be appointed in accordance with the
80 Boards, Committees and Commissions law for terms of three (3) years.
81 (1) Terms shall be staggered with appointments to be started on the first
82 day of the year (1/1) and ending on the last day of the year (12/31).
83 (c) *Vacancies.* Vacancies shall be filled in accordance with the Boards,
84 Committees and Commissions law.
85 (1) The ONVAC Chairperson shall review application materials during
86 executive session and provide the Oneida Business Committee with
87 recommendations on applicants for appointment by the executive
88 session in which appointments are intended to be made.
89 (A) Prior to sending recommendations to the Government
90 Administrative Office for Oneida Business Committee
91 consideration, the ONVAC Chairperson may utilize a
92 portion of executive session to solicit feedback on ONVAC
93 applications.

- 94 (d) *Qualifications of Members.* ONVAC members shall meet the following
95 qualifications:
96 (1) Be an enrolled member of the Oneida Nation.
97 (2) Be a resident of Brown or Outagamie County, Wisconsin.
98 (3) Have served on and Honorably Discharged (Form DD-214
99 Required) from Active Duty in the United States Uniformed
100 Services (Army, Navy, Air Force, Marines, Coast Guard, Public
101 Health Service or National Oceanic and Atmospheric
102 Administration) or have served as a member of the Select Reserve
103 and completed at least six (6) years in the Reserves or the National
104 Guard or was discharged early because of a service connected
105 disability.
106 (A) Active Duty is defined as having served one hundred and
107 eighty-one (181) days or more of continuous active duty
108 unless discharged early, with less than one hundred and
109 eighty-one (181) days of active duty, because of a service
110 connected disability.
111 (4) Be a citizen in good standing in the Oneida Community.
112
- 113 1-6. *Termination.* An ONVAC member's appointment may be terminated by the Oneida
114 Business Committee in accordance with the Boards, Committees and
115 Commissions law.
116 (a) The Veterans Affairs Committee may make recommendations to the Oneida
117 Business Committee for the termination of a member's appointment based
118 on the following:
119 (1) A failure to comply with these bylaws or with any other law and/or
120 policy of the Nation;
121 (2) Three (3) un-excused absences from an ONVAC meeting within a
122 period of one (1) year.
123 (A) An un-excused absence shall be defined as a failure by a
124 member to notify an ONVAC Officer, of his or her pending
125 absence prior to the scheduled meeting.
126 (b) Recommendations to the Oneida Business Committee for termination of an
127 ONVAC member's appointment must be determined by a majority vote of
128 the members in attendance at an ONVAC meeting of an established
129 quorum.
130
- 131 1-7. *Training and Conferences.* ONVAC members shall attend and participate in various
132 trainings and/or conferences that the ONVAC Chairperson or a majority of
133 the members in attendance at an ONVAC meeting of an established quorum
134 deem necessary for members to responsibly serve ONVAC and/or maintain
135 the knowledge, skills and abilities required of them to perform the on-going
136 activities relating thereto.
137 (a) Regardless of the number of trainings/conferences that he or she is required
138 to attend, no ONVAC member shall be eligible to receive stipends for
139 attending more than five (5) full days of mandatory trainings/conferences
140 per year.

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Article II. Officers and Administrative Support

2-1. *Officers.* The Officer positions of the Veterans Affairs Committee shall consist of a Chairperson, a Vice-Chairperson and a Secretary.

2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson are as follows:

- (a) Shall call and preside over all meetings of the Veterans Affairs Committee and appoint members to any task forces or subcommittees of the ONVAC in accordance with section 3-4 of these bylaws.
- (b) Shall have financial sign-off authority as set forth in section 2-6 of these bylaws
- (c) Shall submit, or through a designee submit, annual and semi-annual reports to the Oneida General Tribal Council, as well as quarterly reports to the Oneida Business Committee, in accordance with the Boards, Committees and Commissions law.
- (d) Shall represent and/or request another Officer to represent the ONVAC at all regularly scheduled/unscheduled reporting requirements to the Oneida Business Committee and other business units of the Nation as may be requested, including, but not limited to, the Oneida Business Committee meeting in which the ONVAC’s quarterly report appears on the agenda.
- (e) In collaboration with the Vice-Chairperson, Secretary and personnel from the Oneida Veterans Services Office, shall prepare agendas and handouts, submit any necessary paperwork to ensure stipends are paid, and perform other similar administrative functions, all in accordance with these bylaws, the Boards, Committees and Commissions law, and the Open Records and Open Meetings law.

2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the Vice-Chairperson are as follows:

- (a) Shall preside over all meetings of the Veterans Affairs Committee in the absence of the Chairperson and may call emergency meetings.
- (b) Shall have financial sign-off authority as set forth in section 2-6 of these bylaws.
- (c) In lieu of the Chairperson, shall represent and/or request another Officer to represent the ONVAC at all regularly scheduled/unscheduled reporting requirements to the Oneida Business Committee and other business units of the Nation as may be requested, including, but not limited to, the Oneida Business Committee meeting in which the ONVAC’s quarterly report appears on the agenda.
- (d) In collaboration with the Chairperson, Secretary and personnel from the Oneida Veterans Services Office, shall prepare agendas and handouts, submit any necessary paperwork to ensure stipends are paid, and perform other similar administrative functions, all in accordance with these bylaws, the Boards, Committees and Commissions law and the Open Records and Open Meetings law.

- 188 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the
189 Secretary are as follows:
- 190 (a) Shall preside over meetings pursuant to section 3-5(a).
 - 191 (b) Shall have financial sign-off authority as set forth in section 2-6 of these
192 bylaws.
 - 193 (c) In lieu of both the Chairperson and Vice-Chairperson, shall represent the
194 ONVAC at all regularly scheduled/unscheduled reporting requirements to
195 the Oneida Business Committee and other business units of the Nation as
196 may be requested, including, but not limited to, the Oneida Business
197 Committee meeting in which the ONVAC's quarterly report appears on the
198 agenda.
 - 199 (d) Shall provide notice of meeting locations, agendas and minutes; prepare
200 meeting minutes, correspondence, written reports, including the annual,
201 semi-annual and quarterly reports required by the Boards, Committees and
202 Commissions law; and perform other duties on behalf of the
203 Veterans Affairs Committee as scheduled and/or required by a majority vote
204 of the members at an ONVAC meeting of an established quorum, all in
205 accordance with these bylaws, the Boards, Committees and Commissions
206 law, and the Open Records and Open Meetings law.
 - 207 (e) In collaboration with the Chairperson, Vice-Chairperson, and personnel
208 from the Oneida Veterans Services Office, shall prepare agendas and
209 handouts, submit any necessary paperwork to ensure stipends are paid, and
210 perform other similar administrative functions, all in accordance with these
211 bylaws, the Boards, Committees and Commissions law, and the Open
212 Records and Open Meetings law.
 - 213 (f) Shall serve as the designee for the responsibility of conducting an e-poll in
214 the absence of the Chairperson or Vice-Chairperson.
215
- 216 2-5. *Selection of Officers.* Officers of the Veterans Affairs Committee shall be elected on an
217 annual basis by a majority vote of the members in attendance at an ONVAC
218 meeting of an established quorum for terms of one (1) year.
- 219 (a) The election of Officers shall take place within thirty (30) days after the
220 newly appointed ONVAC members are present at their first scheduled
221 regular meeting of an established quorum.
 - 222 (b) ONVAC members may be dismissed from their Officer position by majority
223 vote of the members in attendance at an ONVAC meeting of an established
224 quorum.
 - 225 (c) Vacant Officer positions shall be filled by majority vote of the members in
226 attendance at an ONVAC meeting of an established quorum.
 - 227 (d) Members of the ONVAC shall not hold more than one (1) Officer position
228 per Officer term.
229
- 230 2-6. *Budgetary Sign-Off Authority and Travel.* ONVAC shall follow the Nation's policies and
231 procedures regarding purchasing and sign-off authority.
- 232 (a) Levels of budgetary sign-off authority for the ONVAC shall be as set forth
233 in the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing
234 Policies and Procedures*, for Area Directors/Enterprise Directors.

- 235 (1) All ONVAC Officers shall have sign-off authority.
236 (2) Two (2) of the ONVAC Officers are required to sign-off on all
237 budgetary requests.
238 (b) The Oneida Business Committee Support Office shall have sign-off
239 authority over requests for stipends, travel per diem and business expense
240 reimbursements.
241 (c) ONVAC shall approve a member's request to travel on behalf of ONVAC
242 by a majority vote of the members in attendance at a regular or emergency
243 ONVAC meeting of an established quorum.
244

- 245 2-7. *Personnel.* The Veterans Affairs Committee shall not have authority to hire personnel
246 for its benefit.
247 (a) ONVAC may receive administrative support from staff within the Oneida
248 Business Committee Support Office and the Oneida Veterans Service
249 Office that is consistent with the Boards, Committees and Commissions
250 law for items such as preparing meeting agendas, documents and minutes;
251 providing notice of meetings, meeting agendas, documents and minutes;
252 recording meetings and meeting minutes; maintaining meeting agendas,
253 documents and minutes; and submitting any necessary paperwork to
254 facilitate stipend payments.
255

256 **Article III. Meetings**

- 257 3-1. *Regular Meetings.* The regular meetings of the Veterans Affairs Committee shall be held
258 every second Tuesday of each month, commencing at 5:00 p.m., in the
259 Veterans Department located at 134 Riverdale Drive in Oneida, Wisconsin.
260 (a) The meeting date, time and/or place shall be reviewed by the
261 ONVAC and may change from time-to-time by majority vote of the
262 members in attendance at an ONVAC meeting of an established quorum so
263 long as notice is provided to all members in writing and, along with the
264 public, in accordance with governing law, including, but not limited to, the
265 Open Records and Open Meetings law, prior to the implementation of a new
266 date, time and/or location.
267 (1) Meeting locations shall be within the Reservation boundaries unless
268 notice is provided to all members in writing and, along with the
269 public, consistent with governing law, prior to designating the
270 meeting location.
271 (b) The ONVAC Officers and personnel from the Oneida Veterans Services
272 Office shall work collaboratively to ensure all members, as well as the
273 public, are provided notice of meeting location, agenda, documents and
274 minutes pursuant to the Open Records and Open Meetings law and
275 that the meeting agenda, documents and minutes are prepared and packaged
276 for the ONVAC members consistent with the Boards, Committees and
277 Commissions law.
278 (c) Meetings shall be run in accordance with Robert's Rules of Order and shall
279 be open to the public per the Open Records and Open Meetings law.

280 (d) In order to protect and preserve confidentiality, portions of any regular meeting
281 addressing personnel, private, or otherwise confidential matters may be
282 removed to the executive section of the agenda.
283

284 3-2. *Emergency Meetings.* An emergency meeting may be called for the purpose of addressing
285 an emergent need relative to the work of the ONVAC that requires a
286 determination/decision unable to await until the monthly scheduled meeting
287 of the ONVAC.

288 (a) Within seventy-two (72) hours after an emergency meeting, the ONVAC
289 shall provide the Nation’s Secretary with notice of the emergency meeting,
290 the reason for the emergency meeting, and an explanation as to why the
291 matter could not wait until the next regular scheduled meeting.

292 (b) Subject to section 2-4(a) of these bylaws, emergency meetings
293 may be called by any ONVAC Officer upon at least twenty-four (24)
294 hour advance notice to all members of the Veterans Affairs Committee.

295 (1) Notice of an emergency meeting shall be provided to all
296 ONVAC members via telephone call, as well as by e-mail
297 communication sent, with a RSVP request, to the official Oneida
298 Nation e-mail address provided to each member to conduct ONVAC
299 business electronically, and, along with the public, shall further be
300 provided in accordance with the Open Records and Open Meetings
301 law.

302 (2) A quorum must be present at the emergency meeting in order
303 to take any action.

304 (c) Minutes of emergency meetings shall be taken, recorded electronically, and
305 approved for the record at the next scheduled monthly ONVAC meeting.
306

307 3-3. *Joint Meetings.* Joint Meetings may be held in the Oneida Business Committee
308 Conference Room of the Norbert Hill Center as frequently as agreed upon
309 between the Oneida Business Committee and the ONVAC.

310 (a) Notice of the joint meeting agenda, documents and minutes shall be
311 provided, and the joint meeting conducted, in accordance with resolution
312 BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with
313 Boards, Committees and Commissions – Definitions and Impact, as may be
314 amended from time-to-time hereafter.
315

316 3-4. *Task Forces and Subcommittees.* Task forces and subcommittees of the ONVAC may be
317 created and dissolved when necessary, so long as in accordance with the
318 Boards, Committees and Commissions law.

319 (a) The Chairperson shall be an ex officio member of all task forces
320 and subcommittees.

321 (b) A task force created by the ONVAC shall dissolve upon either a set date
322 or acceptance of a final report by the ONVAC at its next scheduled monthly
323 meeting.

324 (1) At a minimum, task forces created by the ONVAC must have
325 mission or goal statements for completion of tasks.

- 326 (2) Materials generated by the task force shall be forwarded to the
327 Oneida Business Committee Support Office for proper disposal
328 within two (2) weeks of dissolution.
329
- 330 3-5. *Quorum.* All meetings of the ONVAC shall have at least a quorum in attendance,
331 with quorum being defined as a majority of the current ONVAC
332 members, one (1) of whom must be the Chairperson or Vice-Chairperson.
333 (1) If there are eight (8) or nine (9) ONVAC members a quorum
334 requires that five (5) are present.
335 (2) If there are six (6) or seven (7) ONVAC members a quorum requires
336 that four (4) are present.
337 (3) If there are four (4) or five (5) ONVAC members a quorum requires
338 that three (3) are present.
339 (4) If there are two (2) or three (3) ONVAC members a quorum requires
340 that two (2) are present.
341 (a) In the event that both the Chairperson and Vice-Chairperson positions
342 become vacant before the end of their terms, the Secretary shall be
343 authorized to call meetings of the ONVAC to fill the vacancies and to
344 preside over those meetings for the sole purpose of conducting an election
345 of new Officers. Under such circumstances, a quorum shall be established
346 by the attendance of a majority of the current ONVAC members, one of
347 whom must be the Secretary.
348
- 349 3-6. *Order of Business.* The order of business shall be:
350 (a) Call to Order/Pledge of Allegiance
351 (b) Roll Call
352 (c) Approval of Agenda
353 (d) Approval of Minutes
354 (e) Old Business/Tabled Business
355 (f) New Business
356 (g) Reports
357 (1) Veteran Service Officer Report (FYI)
358 (h) Public Comment (5-minute limit per speaker per subject)
359 (i) Executive Session
360 (j) Other Additional Agenda Items and/or Reports by Individual ONVAC
361 Members
362 (k) Roll Call
363 (l) Adjournment
364
- 365 3-7. *Voting.* Decisions of the ONVAC shall be by majority vote of the members in
366 attendance at an ONVAC meeting of an established quorum.
367 (a) Each ONVAC member, including the Chairperson, shall be entitled to one
368 (1) vote on each matter submitted to a vote of the ONVAC.
369 (b) E-polls are permissible so long as conducted in accordance with the Boards,
370 Committees and Commissions law.

371 (1) The Vice-Chairperson or Secretary shall serve as the Chairperson's
372 designee for the responsibility of conducting an e-poll in the absence
373 or discretion of the Chairperson.
374

375 **Article IV. Expectations**

376 4-1. *Behavior of Members.*

- 377 (a) Members of the ONVAC shall present and conduct themselves in a
378 professional manner when acting in their official capacity as members of
379 the ONVAC by, among other actions, speaking in a respectful and courteous
380 manner to ONVAC members, as well as non-members, and dressing in
381 appropriate attire when attending meetings and/or other ONVAC events.
382 (b) No member shall act independently of the ONVAC, on behalf of the
383 ONVAC, or express and/or represent views of the ONVAC
384 without its specific approval as established by a majority vote of the
385 members present at an ONVAC meeting of an established quorum.
386 (c) Members shall prepare for and attend all meetings of the ONVAC unless
387 excused in accordance with these bylaws.
388 (d) Members shall comply with these bylaws and all other laws and/or policies
389 of the Nation.
390 (e) *Enforcement.* Any action by a member contrary to the above shall be
391 discussed at the next ONVAC regularly scheduled monthly meeting or
392 emergency meeting and appropriate warnings and/or actions may be taken
393 by the ONVAC as agreed upon by a majority vote of the ONVAC members
394 in attendance at the monthly or emergency meeting of an established
395 quorum, including, but not limited to:
396 (1) That the ONVAC may make a recommendation to the Oneida
397 Business Committee for termination of the member's appointment
398 in accordance with the Boards, Committees and Commissions law
399 or any other law of the Nation governing the termination of
400 appointed officials.
401 (2) That the ONVAC may discipline the member in accordance with
402 any law of the Nation governing sanctions and penalties for
403 appointed officials.
404

405 4-2. *Prohibition of Violence.* ONVAC members are prohibited from participating in or
406 committing any intentional acts of violence that inflict, attempt to inflict, or
407 threaten to inflict emotional or bodily harm on another person or damage to
408 property. No intentional act of violence will be tolerated and/or accepted by
409 any member of the ONVAC while acting in an official capacity as a member
410 of the ONVAC.
411

412 4-3. *Drug and Alcohol Use.* ONVAC members shall not use any alcohol, illegal drugs or legal
413 drugs, other than as prescribed/directed, while acting in their official
414 capacity as members of the ONVAC.
415

416 4-4. *Social Media.* Expectations for use of social media is for official business of the ONVAC

- 417 (a) While engaged in social media activities, no member shall use
418 his or her status on the ONVAC for individual gain or purpose.
419 (b) Members of the ONVAC shall comply with the Oneida Nation's Social
420 Media Policy and their oath of office when using social media while acting
421 on behalf of or as a representative of the ONVAC.
422

- 423 4-5. *Conflict of Interest.* ONVAC members shall comply with all laws and policies of the Nation
424 governing conflicts of interest.
425 (a) Members on the ballot for an Officer position with the ONVAC shall recuse
426 themselves from voting on the position for which they are running to fill.

427 **Article V. Stipends and Compensation**

- 428 5-1. *Stipends.* ONVAC members shall be eligible for the following stipends as set forth
429 in and subject to these bylaws, the Boards, Committees and Commissions
430 law, and resolution BC-05-08-19-B titled, Amending Resolution BC-04-13-
431 22 B Boards, Committees and Commissions Law Stipends, as may be
432 further amended from time-to time-hereafter:
433 (a) One (1) meeting stipend per month, provided that:
434 (1) A quorum was established;
435 (2) The meeting of the established quorum lasted for at least one (1)
436 hour; and
437 (3) The member collecting the stipend was physically present for the
438 entire meeting.
439 (b) A stipend for attending a duly called joint meeting between the
440 ONVAC and the Oneida Business Committee, provided that:
441 (1) A quorum was established by the ONVAC;
442 (2) The joint meeting lasted for at least one (1) hour; and
443 (3) The ONVAC member collecting the stipend was physically present
444 for the entire joint meeting.
445 (c) For attending a conference or training, provided that:
446 (1) The member attended a full day of training or was present at the
447 conference for a full day; and
448 (2) The member's attendance at the training or conference was required
449 by law, bylaws or resolution.
450 (d) A stipend for attending a Judiciary hearing if the member's attendance at
451 the Judiciary hearing was required by official subpoena.
452 (e) Task force and subcommittee members shall not be eligible for stipends
453 unless specific exception is made by the Oneida Business Committee or the
454 Oneida General Tribal Council.
455

- 456 5-2. *Compensation.* Besides travel, per diem and business expense reimbursements authorized
457 by the Boards, Committees and Commissions law, ONVAC members shall
458 not be eligible for any other form of compensation for duties/activities
459 they perform on behalf of the ONVAC.
460
461

462 **Article VI. Records and Reporting**

- 463 6-1. *Agenda Items.* Agenda items shall be consistently maintained in the format identified in
464 Article III, section 3-6 of these bylaws as the Order of Business.
465
- 466 6-2. *Minutes.* Meeting minutes of the ONVAC shall be typed in a consistent format
467 provided by the Oneida Business Committee Support Office to generate the
468 most informative record of all meetings of the ONVAC.
469 (a) The minutes shall provide a summary of the action(s) taken by the
470 ONVAC during the meeting that includes the decision, any motions and/or
471 amendments, the vote and any other pertinent information that would lend
472 to the record.
473 (b) Minutes shall be submitted to the Oneida Business Committee Support
474 Office within thirty (30) days of their approval by the ONVAC.
475
- 476 6-3. *Attachments.* All meeting handouts, reports, memorandum, and the like shall be attached
477 to the minutes and agenda to be maintained as a packet upon submission to
478 the Oneida Business Committee Support Office.
479
- 480 6-4. *Oneida Business Committee Liaison.* All three (3) Officers of the ONVAC shall be made
481 aware of the need to meet with the Oneida Business Committee member
482 who is ONVAC's designated liaison and any and/or all of the Officers may
483 meet with the liaison on an as-needed basis, the frequency and format of
484 which may be as agreed upon between the liaison and the Officers so long
485 as no less than as required by law or policy on reporting developed by the
486 Oneida Business Committee or Oneida General Tribal Council.
487 (a) The purpose of the liaison relationship is to uphold the ability of the liaison
488 to act as support to the ONVAC.
489
- 490 6-5. *Audio Recordings.* All meetings of the ONVAC shall be audio recorded using a recording
491 device approved of and/or supplied by the Oneida Business Committee
492 Support Office.
493 (a) Audio recordings shall be maintained by the Oneida Business Committee
494 Support Office in accordance with the Open Records and Open Meetings
495 law.
496 (b) *Exception.* Audio recordings of executive session portions of a meeting
497 shall not be recorded.
498

499 **Article VII. Amendments.**

- 500 7-1. *Amendments.* The Veterans Affairs Committee, upon written notice, may at any of its
501 regular meetings, by a majority vote of the members present at a meeting of
502 an established quorum, amend or repeal these bylaws, provided that
503 the amendment or repeal has been submitted in writing at the previous
504 regular meeting.
505 (a) Any amendments to these bylaws shall conform to the requirements of the
506 Boards, Committees and Commissions law and any other policy of the
507 Nation.

- 508 (b) All amendments and/or repeals of these bylaws shall be approved by the
509 Oneida Business Committee prior to implementation.
510 (c) These bylaws shall be reviewed on an annual basis.

511

512

513 These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee
514 at a duly called meeting held on this _____ day of _____ 2023, by the Secretary
515 of the Oneida Business Committee's signature.

516

517

518 _____
518 Lisa Liggins, Tribal Secretary
519 Oneida Business Committee

520

521

522



Oneida Nation Veterans Affairs Committee Bylaws Amendments Legislative Analysis

SECTION 1. EXECUTIVE SUMMARY

REQUESTER: Legislative Reference Office	SPONSOR: Jennifer Webster	DRAFTER: Grace Elliott
Complies with Boards, Committees and Commissions Law	These amendments comply with all requirements established by the Boards, Committees and Commissions law. [1 O.C. 107] Additional information and requirements included in these bylaws beyond what is required in the Boards, Committees and Commissions law is not prohibited [1 O.C. 105.10].	
Intent of the Bylaws	The bylaws provide a framework for the operation and management of the Oneida Nation Veterans Affairs Committee (ONVAC) to govern the standard procedures regarding the way the committee conducts its affairs, including: the appointment of persons to the committee, the membership qualifications, duties and responsibilities of both members and officers, terms and filling vacancies of members, selection of officers, establishment of expectations of members, maintenance of official records, stipends, termination process, required training and how the bylaws are amended.	
Purpose	It is the purpose of the ONVAC to serve as an advisory body to the Oneida Veterans Service Office in all matters related to Oneida Nation veteran's rights and benefits and veteran's affairs issues, and to protect the honor and integrity of the Oneida Nation and all veterans who served honorably in the United States Armed Forces. The ONVAC provides advice and constructive input to the Veterans Service Office Director on all veterans' affairs issues to assist the office with formulating veteran services and programs for the Oneida Veterans. The ONVAC coordinates veteran events with the assistance of the Veterans Service Office and other organized groups that are representatives of Oneida Veterans and the Oneida Nation.	
Related Legislation	Oneida Nation Constitution; Boards, Committees and Commissions law; Travel and Expense Policy; Conflict of Interest law; Social Media Policy; Computer Resources Ordinance; Open Records and Open Meetings law.	
Enforcement/Due Process	An ONVAC member is appointed to serve at the discretion of the Oneida Business Committee (OBC). Upon the recommendation of a member of the OBC or by majority vote of the ONVAC, a member of the ONVAC may have his or her appointment terminated by the OBC. A two-thirds majority vote of the OBC is required to terminate the appointment of an individual. The OBC's decision to terminate an appointment is final and not subject to appeal [1 O.C. 105-7.4].	
Public Meeting	Public meetings are not required for bylaws.	
Fiscal Impact	A fiscal impact statement is not required for bylaws.	

SECTION 2. BACKGROUND

- A. The ONVAC was created by motion of the Oneida Business Committee (OBC) on January 12, 1994, and by adoption of the bylaws on October 29, 1997, which were amended on February 13, 2013, and September 25, 2019.
- B. The ONVAC bylaw amendments were added to the Active Files List on February 16, 2022, at the request of the Oneida Nation Veterans Affairs Committee (ONVAC), for the purpose of revising membership qualifications. This item was carried over from last term with Jennifer Webster as the sponsor.

SECTION 3. COMPLIANCE WITH THE BOARDS, COMMITTEES AND COMMISSIONS LAW

- A. The bylaws comply with the Boards, Committees and Commissions law.

SECTION 4. AMENDMENTS

This section details the changes to the bylaws from the previously adopted bylaws.

A. ARTICLE I. AUTHORITY

- a. The number of members was amended from “nine (9) appointed members” to “up to nine (9) appointed members.” [*Current Bylaws 1-5(a)*], [*Proposed Bylaws 1-5(a)*]. This amendment reflects the reality that there are often less than nine (9) members appointed to the committee.
- b. A provision was added to explicitly allow the ONVAC Chairperson to consult with the ONVAC regarding applicants during executive session prior to submitting recommendations for consideration to the OBC. [*Proposed Bylaws (1-5(c)(1)(A))*]. This addition aligns with the Boards Committees and Commissions law which authorizes the Chairperson to review applications and make recommendations to the Oneida Business Committee. [*1 O.C. 105.7-1(b)(1)*]. The provision delegating discussion on applicants to executive section also complies with the Open Records and Open Meeting law which allows for discussions relating to personnel matters to be conducted during closed or executive sessions. [*1 O.C. 107.17-1.*].
- c. The Qualifications of Members section has been amended to delete that one must have “served as a member of the Selected Reserve and completed at least six (6) years in the Reserves or National Guard or was discharged early because of a service connected disability” in addition to meeting several other qualifications. [*Current Bylaws 1-5. (d)(4)*]. The Qualification of Members section has been amended to include “Have served as a member of the Selected Reserve and completed at least six (6) years in the Reserves or National Guard or was discharged early because of a service connected disability” as an alternative requirement for service rather than a stand-alone requirement. [*Proposed Bylaws 1-5(d)(3)*]. The purpose of this amendment is to open ONVAC membership up to allow a greater number of veterans to meet the ONVAC membership requirements.
- d. The requirement that to avoid an unexcused absence, an ONVAC member must notify an ONVAC Officer of their absence in writing at least thirty (30) minutes prior to a meeting has been deleted. [*Current Bylaws 1-6(a)(2)(A)*]. An unexcused absence may now be avoided by providing notice to an ONVAC Officer in any manner, and at any time, prior to the meeting. [*Proposed Bylaws 1-6(a)(2)(A)*]. This amendment has been made to allow for greater flexibility as to, when and how, ONVAC members provide notice that they will be unable to attend a meeting.
- e. The title of “Board Officer” has been deleted and replaced with the more precise identification of “ONVAC Officer” [*Proposed Bylaws 1-6(a)(2)(A)*].

B. ARTICLE II. OFFICERS AND ADMINISTRATIVE SUPPORT

- a. A provision was added to the responsibilities of the Secretary to include serving as the designee for the responsibility of conducting an e-poll in the absence of the Chairperson or Vice-Chairperson. [*Proposed Bylaws 2-4(f)*]. This allows the ONVAC greater flexibility in conducting e-polls. This additional responsibility complies with the Boards Committees and Commissions law which authorizes the Chairperson’s designee to conduct an e-poll. [*1 O.C. 105.11-2*].

C. ARTICLE III. MEETINGS

- a. A provision has been added to emphasize the confidential nature of some of the matters discussed by identifying that those discussions may be moved to executive session. [*Proposed Bylaws 3-1(d)*]. This amendment recognizes that it is useful to officially acknowledge certain information as confidential and move the topic to executive session. This provision is in accord with the Open Records and Open Meetings law which permits closed or executive sessions when topics relate to personnel matters or other exceptions listed in section 7.4-1 of Subchapter I of the law. [*1 O.C. 107.17-1*].
- b. The definition of a “quorum” is amended to define a “quorum” as a majority of the current ONVAC members. This replaces the requirement that at least five (5) members be in attendance to complete a quorum regardless of how many members are currently serving on the ONVAC. [*Current Bylaws 3-5*]. This change supports the ability to conduct business and reflects the fact that the number that comprises a majority changes as the number of members on the ONVAC changes. [*Proposed Bylaws 3-5*].
- c. The current language defining a quorum as requiring “five (5) ONVAC members, one (1) of which is an ONVAC Officer; provided the Secretary may only complete a quorum for meetings called pursuant to section 2-4(a) of these bylaws” is deleted and replaced to enhance clarity. [*Current Bylaws 3-5*]. A provision is added to clarify that the Secretary may call a meeting when both the Chairperson and Vice-Chairperson positions are vacant for the purpose of conducting a vote to elect a Chairperson and Vice-Chairperson. [*Proposed Bylaws 3-5(a)*].
- d. The requirement that a quorum be established at least five (5) minutes prior to the scheduled meeting time is deleted to allow for greater flexibility when calling a meeting to order. [*Current Bylaws 3-5(a)*]. This deletion supports ONVAC’s ability to conduct business by removing the arbitrary requirement that a quorum be established at least five (5) minutes before the scheduled meeting time.
- e. The requirement that a meeting must be rescheduled in the event that it is canceled due to a failure to establish a quorum is deleted. [*Current Bylaws 3-5(a)(1)*]. This deletion allows ONVAC to evaluate whether a meeting requires rescheduling on a case by case basis, thereby allowing ONVAC to utilize resources more efficiently.
- f. The Order of Business is amended to delete “Opening Ceremony” from the call-to-order. [*Proposed Bylaws 3-6(a)*]. A provision is added to include the Pledge of Allegiance in the call-to-order. [*Proposed Bylaws 3-6(a)*]. The ONVAC prefers to utilize the Pledge of Allegiance to call their meetings to order instead of utilizing an Opening Ceremony.
- g. A provision is added to include a Roll Call on the agenda at both the beginning and the conclusion of the meeting. [*Proposed Bylaws 3-6(b) and (k)*]. This addition complies with the Boards Committees and Commissions law requirement that an entity must demonstrate the presence of its members during a meeting by taking a Roll Call at both the beginning and the conclusion of a meeting. [*10.C. 105.13-4(b)*].
- h. The “Task Force and Subcommittee Reports or Reports by Invited Guests” is deleted from the agenda. [*Current Bylaws 3-6(d)*]. A provision is made to add Reports to the agenda. [*Proposed Bylaws 3-6(g)*]. The Task Force and Subcommittee Reports or Reports by

Invited Guests agenda item was rarely used and if such subject matter is to be included on an agenda it can appropriately fit under the more broadly applicable proposed Reports item. [*Current Bylaws 3-6(d)*], [*Proposed Bylaws 3-6(g)*].

- i. The Veteran Service Officer Report (FYI) is deleted as a standalone agenda item. [*Current Bylaws 3-6(d)*]. The Veteran Service Officer Report (FYI) is reintroduced under the proposed Report section of the agenda. [*Proposed Bylaws 3-6(g)(1)*]. The general proposed Reports item is an appropriate agenda item to place the more specific and deleted Veteran Service Officer Report (FYI) under when requested.
- j. The voting section has been amended to delete the specific reference to the number of nine (9) ONVAC members and amended to read without reference to a number of ONVAC members. [*Current Bylaws 3-7(a)*], [*Proposed Bylaws 3-7(a)*]. This deletion more accurately reflects the reality that there may be less than nine (9) ONVAC members serving on the ONVAC at any given time.
- k. The Secretary has been added as a potential designee of the Chairperson for the responsibility of conducting an e-poll in the absence of the Chairperson. This is in accord with the amended duties of the Secretary noted earlier. E-polls are permissible with the Secretary as the designee responsible for conducting an e-poll in the absence or discretion of the Chairperson and must be conducted in accordance with the Boards, Committees and Commissions law. [*1 O.C. 105.10-3(c)(6)(C) and (D) and 105.11-2*], [*Proposed Bylaws 3-7(b)(1)*].

SECTION 5. LEGISLATION RELATED TO BOARDS, COMMITTEES AND COMMISSIONS

There are no conflicts between these bylaws and the Oneida Code of Laws. Below is a detailed list of laws that establish requirements related to boards, committees and commissions generally.

- A. Oneida Nation Constitution. The Constitution of the Oneida Nation contains a provision that allows for the creation of committees for the proper conduct of tribal business of the Nation [*Oneida Nation Constitution, Article IV, Section 1(g)*]. There are no conflicts between these bylaws and the Oneida Nation Constitution.
- B. Boards, Committees and Commissions [1 O.C. 105]. This law establishes all requirements related to elected and appointed boards, committees and commissions of the Nation; excluding the Oneida Business Committee or standing committees of the Oneida Business Committee and the Nation's corporations. The law governs the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions. The requirements for the ONVAC bylaws are contained in this law as well as a requirement that all existing entities of the Nation comply with the format detailed in the law [*1 O.C. 105.10*]. These proposed bylaws comply and there are no conflicts with the Boards, Committees and Commissions law.
- C. Social Media Policy [2 O.C. 218]. This law applies to the ONVAC and regulates the Nation's social media accounts including how content is managed and who has authority to post on social media on behalf of the Nation. Boards, committees and commissions must register social media accounts with the Nation's Secretary's Office to include specific information related to access to the account, acknowledgment and compliance with the Computer Resources Ordinance and this policy, use a Nation issued email address, and ensure all content complies with all applicable laws of the Nation, state or federal laws. The bylaws identify that the ONVAC must comply with the Social Media Policy in accordance with the Boards, Committees and Commissions law [*1 O.C. 105.10-3(d)(4) and [Current Bylaws 4.4(a) and (b)]*]. The proposed bylaws comply and there are no conflicts with the Social Media Policy.

- D. Open Records and Open Meetings [1 O.C. 107]. The ONVAC must comply with the Open Records and Open Meetings law. This law details how records must be maintained and made available to the public and that meetings are open to the public unless specific criteria are met which allow the meetings to be closed [1 O.C. 107.15 and 107.17]. The ONVAC meetings are open to the public except portions that meet the exceptions in this law related to personnel matters or contracts that are being discussed and deemed confidential in accordance with this law [1 O.C. 107.12-2 and 107.17]. The proposed bylaws comply and there are no conflicts with the Open Records and Open Meetings law.



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



AGENDA REQUEST FORM

- 1) Request Date: 03/21/2024
- 2) Contact Person(s): Lawrence Barton
Dept: Treasurer
Phone Number: _____ Email: lbarton2@oneidation.org
- 3) Agenda Title: General Welfare Exclusion Title 10 Chapter GTC Government Participation
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:
.See attached.

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

- 1) _____ 3) _____
- 2) _____ 4) _____

5) Please list any laws, policies or resolutions that might be affected:
Chapter 111 GTC Meeting Stipend Payment Policy and Chapter 10 GWE

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

7) Do you consider this request urgent? Yes No

If yes, please indicate why:

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

Signature of Requester:

L. A. Barton

Please send this form and all supporting materials to:

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



Memorandum

To: Legislative Operating Committee

From: Larry Barton, Treasurer

Date: March 26, 2024

Re: Chapter 11 GTC Meeting Stipend Payment Policy and Chapter 10 GWE

Detailed description of the item and the reason/justification it is being brought before the LOC:

Request LOC to draft a new Chapter in Title 10 to add a chapter for the General Tribal Council Meeting participation under Rev Proc 2014-35 Section 5.2.(d) Other Qualifying Assistance programs (i) Pay expenses including but not limited to admission fees, transportation, food and lodging to attend or participate in Tribe's cultural, social, religious, or community activities and (v) Pay transportation costs and admission fees to attend educational, social, or cultural programs offered or supported by the Tribe or another Tribe.

Title 10. General Welfare Exclusion - Chapter 1001
ONEIDA GENERAL WELFARE

1001.1. Purpose and Policy
 1001.2. Adoption, Amendment, Repeal
 1001.3. Definitions
 1001.4. General Welfare Assistance
 1001.5. Approved Program Guidelines

1001.6. Non-Recourse Designation
 1001.7. Governing Law; Sovereignty
 1001.8. Federal Trust Obligations

1001.1. Purpose and Policy

1001.1-1. *Purpose.* The purpose of this law is to govern how the Nation provides assistance to eligible members on a non-taxable basis, pursuant to the principles of the General Welfare Exclusion.

(a) The federal government through the Tribal General Welfare Exclusion Act of 2014, codified at 26 U.S.C §139E and the Internal Revenue Service, through its traditional application of the general welfare doctrine and subsequent guidance, has recognized the sovereign right of Indian tribal governments to provide financial assistance to its members under certain circumstances on a non-taxable basis.

1001.1-2. *Policy.* It is the policy of the Nation to provide assistance to members through approved programs that promote the general welfare of the Nation. This law provides a framework for approved programs to follow to ensure compliance with the General Welfare Exclusion, 26 U.S.C. §139E, and applicable Internal Revenue Service regulations or revenue procedures including I.R.S. Rev. Proc. 2014-35. Further, it is the intent of the Oneida Business Committee that all assistance provided under this law:

- (a) is available to any recipients who satisfy the program policies, subject to budgetary restraints;
- (b) is made under an approved program that does not discriminate in favor of members of the Nation's governing body;
- (c) is not provided as compensation for goods or services; and
- (d) is not lavish or extravagant under the facts and circumstances, as determined by the Oneida Business Committee.

1001.2. Adoption, Amendment, Repeal

1001.2-1. This law was adopted by the Oneida Business Committee by resolution BC-12-08-21-A.

1001.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

1001.2-3. 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.

1001.2-4. 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.

1001.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

1001.3. Definitions

1001.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Approved program" means any program(s) to provide general welfare assistance that is intended to qualify as non-taxable as a General Welfare Exclusion, administered under specific guidelines, and is adopted by the Oneida Business Committee through resolution

or law of the Nation.

(b) "Assistance" means benefits or payments under an approved program, which are paid to or on behalf of a recipient pursuant to this law. Assistance provided under an approved program shall not be considered income of the recipient.

(c) "Lavish" or "Extravagant" shall have the meaning determined by the Oneida Business Committee in its discretion and based on the circumstances, taking into account needs unique to the Nation as well as the social purpose being served by the particular assistance at hand, except as otherwise may be required for compliance with final guidance issued under 26 U.S.C. §139E following consultation between the Nation and the federal government.

(d) "Limited term" means a defined start and end date, or utilizes third-party funding and is not intended to be permanent.

(e) "Member" means an individual who is an enrolled member of the Nation.

(f) "Nation" means the Oneida Nation.

(g) "Recipient" means any member entitled to receive assistance in accordance with approved program requirements.

1001.4. General Welfare Assistance

1001.4-1. *General.* The Nation may provide general welfare assistance to eligible members on a non-taxable basis pursuant to the principles of General Welfare Exclusion. The federal government recognizes that benefits to recipients under an approved program for the promotion of the general welfare of the Nation is excludable from the gross income of those recipients. General Welfare Exclusion provides that any assistance shall be treated as non-taxable under federal law so long as it:

(a) satisfies the requirements for exclusion under 26 U.S.C. §139E;

(b) is provided under a Safe Harbor Program listed and detailed in I.R.S. Rev. Proc. 2014-35 or subsequent Internal Revenue Service procedures or regulations; or

(c) meets the criteria of the General Test under the I.R.S. General Criteria of General Welfare exclusion listed in I.R.S. Rev. Proc. 2014-35, section 5.02(1).

1001.4-2. *General Test.* The General Test provides criteria used to determine if any assistance provided through an approved program to a recipient shall be treated as a General Welfare Exclusion. The criteria of the General Test include the following:

(a) The assistance is paid on behalf of the Nation;

(b) The assistance was provided pursuant to an approved program;

(c) The assistance does not discriminate in favor of members of the governing body of the Nation;

(d) The assistance is available to any member who meets the guidelines of the approved program;

(e) The assistance is provided for the promotion of general welfare;

(f) The assistance is not lavish or extravagant;

(g) The assistance is not compensation for services; and

(h) The assistance is not a per capita payment.

1001.4-3. *Approved Programs.* Any assistance provided by the Nation under the General Welfare Exclusion shall occur through an approved program and qualify as non-taxable under the principles of the General Welfare Exclusion to the fullest extent permitted at law.

(a) An approved program shall be established and operated to promote the general welfare

of the Nation, including programs designed to enhance the promotion of health, education, self-sufficiency, self-determination, and the maintenance of culture and tradition, entrepreneurship, and employment.

(b) Each approved program shall be limited to purposes consistent with treatment under the General Welfare Exclusion as to purpose, eligibility, and funding.

(d) An approved program shall meet all criteria of the General Test.

(d) Assistance provided through an approved program is not subject to information reporting by the Nation to the Internal Revenue Service.

1001.4-4. *Ratification of Prior Acts.* This law shall not be construed as creating new general welfare assistance rights which are an inherent right of Nation. Rather, this law is intended to codify existing procedures used by the Nation to administer its general welfare assistance. Assistance provided prior to the enactment of this law is hereby ratified and confirmed as general welfare assistance provided pursuant to the exercise by the Nation of its inherent tribal sovereignty.

1001.5. Approved Program Guidelines

1001.5-1. *Creation of an Approved Program.* An approved program shall be adopted by the Oneida Business Committee through a resolution or law of the Nation. Approved programs adopted by the Oneida Business Committee are considered in force and effect and in accordance with this law

(a) *Law.* An approved program shall be adopted by the Oneida Business Committee through a law if the approved program will function on a permanent basis.

(1) Adoption of an approved program by the Oneida Business Committee through a law of the Nation shall comply with the process and procedures of the Legislative Procedures Act.

(b) *Resolution.* An approved program shall be adopted by the Oneida Business Committee through a resolution if the approved program will function for a limited term.

(1) An approved program to be considered for adoption through resolution by the Oneida Business Committee shall be accompanied by a statement of effect and submitted in accordance with the Oneida Business Committee's submission procedure and deadlines.

(c) *Contents of Proposed Approved Programs.* The law or resolution establishing an approved program shall contain the following information:

- (1) Name of the approved program;
- (2) Purpose of the approved program;
- (3) Eligibility rules and limitations for approved program;
- (4) Funding source for approved program;
- (5) How the approved program qualifies for General Welfare Exclusion; and
- (6) Start and end date of approved program, if applicable.

1001.5-2. *Eligibility.* Assistance provided by an approved program shall be limited to members of the Nation. Each approved program shall set forth any specific eligibility rules and limitations applied to that program.

1001.5-3. *Funding of Approved Programs.* Assistance authorized by this law shall be limited to funds appropriated, at the discretion of the Oneida Business Committee and no matter the source of the funds. All amounts budgeted by the Nation for assistance shall remain general assets of the Nation until payments are disbursed. The Oneida Business Committee shall designate approved programs for which funds shall be budgeted each fiscal year, consistent with the purposes of this

law. Approved programs may also be funded through third-party funding if available.

1001.5-4. *Use of Assistance.* All assistance provided through an approved program shall be used for the purpose stated in the approved program description. If assistance is used or pledged for a purpose inconsistent with the purpose set forth in an approved program the payment shall be deemed forfeited. The Nation may secure repayment from any recipient who forfeited their assistance.

1001.5-5. *Anti-Alienation.* Assistance provided to a member through an approved program shall not be subject to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, attachment or garnishment by creditors of the member.

1001.6. Non-Recourse Designation

1001.6-1. The Nation does not guarantee assistance under this law. Assistance shall not be treated as a resource or asset of a recipient for any purpose; and no recipient shall have an interest in or right to any funds budgeted for, or set aside for, approved programs until paid.

1001.6-2. The Oneida Business Committee reserves the right to cancel, adjust, modify or revoke any benefit.

1001.6-3. Approved programs shall be administered at all times to avoid triggering of the doctrines of “constructive receipt” or “economic benefit.”

1001.7. Governing Law; Sovereignty

1001.7-1. All the rights and liabilities associated with the enactment of this law, or the assistance made hereunder, shall be construed and enforced according to the Nation’s laws and applicable federal law. Nothing in this law or the related laws, policies, or procedures adopted for its implementation, if any, shall be construed to make applicable to the Nation any laws or regulations which are otherwise inapplicable to the Nation, or from which the Nation is entitled to exemption because of its sovereign status.

1001.8. Federal Trust Obligations

1001.8-1. The Nation reserves the right to provide assistance in circumstances where federal funding is insufficient to operate federal programs designed to benefit applicants and when federal funding is insufficient to adequately and consistently fulfill federal trust obligations. The Nation’s adoption of its approved programs is not intended to relieve or diminish the federal government of its funding and trust responsibilities. Nothing herein shall waive the Nation’s right to seek funding shortfalls or to enforce the trust rights of the Nation and its members. The Nation shall be entitled to government-to-government consultation and coordination with the federal government regarding these obligations.

End.

Emergency Adopted – BC-08-12-20-D
 Emergency Amended – BC-02-10-21-B
 Emergency Extended – BC-07-28-21-M
 Adopted – BC-12-08-21-A



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



AGENDA REQUEST FORM

- 1) Request Date: March 27, 2024
- 2) Contact Person(s): Clorissa N. Leeman
 Dept: Legislative Reference Office (LRO)
 Phone Number: (920) 869-4417 Email: cleeman@oneidation.org
- 3) Agenda Title: Petition C. Kestell: Address Housing Issues/Veterans Home Loan Program
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:
On 3/27/24 the OBC acknowledged receipt of the Petition C. Kestell:
Address Housing Issues/Veterans Home Loan Program and directed the
LRO to complete a statement of effect with status updates to be
submitted for the 4/24/24 OBC meeting agenda.

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

- 1) For materials please see members only website.
- 2) _____
- 3) _____
- 4) _____
- 5) Please list any laws, policies or resolutions that might be affected:
Budget and Finances law; Leasing law; Mortgage and Foreclosure law; Administrative Rulemaking law
- 6) Please list all other departments or person(s) you have brought your concern to:

- 7) Do you consider this request urgent? Yes No
 If yes, please indicate why:
Resolution GTC-01-21-19-A requires all petitions be presented to GTC within 180 days of receipt.

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



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 Oneida Business Committee
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AGENDA REQUEST FORM

- 1) Request Date: March 29, 2024
- 2) Contact Person(s): Clorissa N. Leeman
 Dept: Legislative Operating Committee
 Phone Number: (920) 869-4417 Email: cleeman@oneidanation.org
- 3) Agenda Title: Renewable Energy Law
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:
LOC Chair Jameson Wilson has requested the development of a
Renewable Energy law. This law could govern how the Nation assesses
when & how to use renewable energy and regulate its use, create a
Renewable Energy fund, and create a Tribal Coalition for advocacy.

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

- | | |
|----------|----------|
| 1) _____ | 3) _____ |
| 2) _____ | 4) _____ |

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

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

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

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

Signature of Requester:

Please send this form and all supporting materials to:

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or
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April 2024

April 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
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28	29	30				

May 2024

Su	Mo	Tu	We	Th	Fr	Sa
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19	20	21	22	23	24	25
26	27	28	29	30	31	

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Apr 1	2 12:00pm LOC Community Work Session: Eviction and Termination Law Amendments 12:00pm LOC Community Work Session: Eviction and Termination Law Amendments	3 8:30am LOC Prep Meeting (Microsoft Teams Meeting); 9:00am Legislative Operating Committee Meeting (Microsoft Teams Meeting); 1:30pm LOC Work Session (Microsoft Teams Meeting)	4	5
8	9	10	11	12 12:15pm PUBLIC MEETING: Back Pay Law Amendments (Microsoft Teams Meeting; BC Conf. Room) - LOC
15	16 2:30pm Guardianship Law Review (Microsoft Teams Meeting) - Grace L. Elliott	17 8:30am LOC Prep Meeting (Microsoft Teams Meeting); 9:00am Legislative Operating Committee Meeting (Microsoft Teams Meeting); 1:30pm LOC Work Session (Microsoft Teams Meeting)	18	19
22	23	24	25	26
29	30 8:30am Investigative Leave law (Microsoft Teams Meeting) - Grace L. Elliott	May 1	2	3