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

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA REVISED

Business Committee Conference Room - 2nd Floor Norbert Hill Center
May 6, 2026
9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be Approved

1. April 15, 2026 LOC Meeting Minutes (pg. 2)

III. Current Business

1. Boards, Committees, and Commissions Law Amendments (pg. 4)
2. Ten Day Notice Policy Amendments (pg. 66)
3. Elder Protection Law (pg. 88)
4. Eviction and Termination Law Amendments (pg. 146)

IV. New Submissions

1. Minors Trust Account General Welfare Assistance Law (pg. 187)

V. Additions

1. Emergency Amendments to the Real Property Law Rule No. 3 – Easements (pg. 188)

VI. Administrative Updates

1. E-Poll Results: Approval of the Updated Sanctions and Penalties Law Adoption Packet (pg. 213)
2. E-Poll Results: Approval of the LOC and LRO FY 2026 Semi-Annual Reports for GTC (pg. 261)
3. LOC FY26 Second Quarter Report (pg. 269)
4. LOC Summer Community Meeting Notice (pg. 282)

VII. Executive Session

VIII. Recess/Adjourn

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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
April 15, 2026
9:00 a.m.

Present: Jameson Wilson, Jennifer Webster, Jonas Hill
Excused: Kirby Metoxen
Unexcused: Marlon Skenandore
Others Present: Clorissa Leeman, Lux Leeman, Grace Elliott, Carolyn Salutz, Gina Powless-Buenrostro
Others Present on Microsoft Teams: Sidney White, Michelle Braaten, Maureen Metoxen, Mistylee Herzog, Isaiah Skenandore, Terri Schiltz, Josh Gerzetich, Taryn Wester, Sylvia Cornelius, Sarah Miller, Rae Skenandore, Ashley Blaker, Rhiannon Metoxen, Kristal Hill, Tavia James-Charles, Fawn Cottrell, Peggy Helm-Quest, Melissa Alvarado, Jason Martinez, Carrie Lindsey, Sarah White, Fawn Billie.

I. Call to Order and Approval of the Agenda

Jameson Wilson called the April 15, 2026, Legislative Operating Committee meeting to order at 9:00 a.m.

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

II. Minutes to be Approved

1. March 18, 2026 LOC Meeting Minutes

Motion by Jennifer Webster to approve the March 18, 2026, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

III. Current Business

1. Budget and Finances Law Amendments.

Motion by Jonas Hill to approve the adoption packet for the proposed amendments to the Budget and Finances law and forward to the Oneida Business Committee for consideration, seconded by Jennifer Webster. Motion carried unanimously.

2. Recycling and Solid Waste Disposal Law Amendments.
Motion by Jennifer Webster to approve the adoption packet for the proposed amendments to the Recycling and Solid Waste Disposal law and forward to the Oneida Business Committee for consideration, seconded by Jonas Hill; motion carried unanimously.

3. Probate Law.
Motion by Jonas Hill to approve the emergency adoption packet for the proposed Probate law and forward to the Oneida Business Committee for consideration, seconded by Jennifer Webster. Motion carried unanimously.

4. Real Property Law Amendments.
Motion by Jonas Hill to approve the adoption packet for the proposed amendments to the Real Property law and forward to the Oneida Business Committee for consideration, seconded by Jennifer Webster. Motion carried unanimously.

5. Higher Education Scholarship Law.
Motion by Jennifer Webster to approve the adoption packet for the Higher Education Scholarship law and forward to the Oneida Business Committee for consideration, seconded by Jonas Hill. Motion carried unanimously.

6. Boards, Committees, and Commissions Law Amendments.
Motion by Jennifer Webster to approve the draft and the legislative analysis for the proposed amendments to the Boards, Committees, and Commissions law; seconded by Jonas Hill. Motion carried unanimously.

IV. New Submissions

1. Attendance and Performance Duties for Elected Officials Emergency Amendments.
Motion by Jennifer Webster to deny the request to add the Election law/Removal law/Code of Ethics/Open Records and Open Meetings Emergency amendments to the Active Files List, seconded by Jonas Hill. Motion carried unanimously.

V. Additions

1. **Sanctions and Penalties Law**.
Motion by Jennifer Webster to approve the updated adoption packet with the addition of the LOC Chairman signature for the proposed Sanctions and Penalties law and forward to the Oneida Business Committee for inclusion on an upcoming General Tribal Council meeting agenda for consideration, seconded by Jonas Hill. Motion carried unanimously.

VI. Administrative Updates

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 10:09 a.m.; seconded by Jonas Hill. Motion carried unanimously.

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Legislative Operating Committee
May 6, 2026

Boards, Committees, and Commissions Law Amendments

Submission Date: 2/7/2024	**Public Meeting:** 6/11/2026
LOC Sponsor: Kirby Metoxen	**Emergency Enacted:** N/A

Summary: *This item was added to the Active Files List on February 7, 2024. On January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, Commissions law for any and all veterans to serve on any and all veteran related committees and to have open eligibility with no exclusions.*

1/10/24 OBC: Motion by Lawrence Barton to defer the Board, Committees, and Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, and Commissions law for any and all veterans to serve on any and all veterans related committees to have open eligibility with no exclusions, seconded by Jennifer Webster. Motion carried.

2/7/24 LOC: Motion by Jennifer Webster to add the Boards, Committees, and Commissions law amendments to the Active Files List with Kirby Metoxen as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

2/20/24: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen Clorissa Leeman, Grace Elliott, Lisa Summers, Shannon Davis, Kristal Hill, Maureen Perkins, Fawn Billie. The purpose of this work meeting was for the LOC to review the Boards, Committees, and Commissions law with the Government Administrative Office and discuss potential amendments to be made to the law.

10/24/24: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Maureen Perkins, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to discuss what topics should be included on the December 2024 LOC community meeting. Ultimately, the LOC decided to include the topics of the Marijuana law, Short Term Rental law, and Boards, Committees, and Commissions law amendments.

11/6/24 LOC: Motion by Kirby Metoxen to approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on December 4, 2024; seconded by Marlon Skenandore. Motion carried unanimously.

11/14/24: *Work Meeting.* Present: Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Jameson Wilson, Jonas Hill, Jennifer Webster, Marlon Skenandore, Kristal Hill, Maureen Perkins, Fawn Cottrell, Fawn Billie, Carolyn Salutz. The purpose of this work meeting was to start fresh with reviewing this law for amendments, so we started from the beginning with a line-by-line review. We reviewed the law up to section 105.11. Jenny suggested for the next meeting, we schedule 1.5 hours; we did go over one hour, and this is a lengthy law.

12/4/24: *Community Meeting*. Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Fawn Cottrell. Maureen Perkins, Kristal Hill. A community meeting was held from 5:30-7:30p.m. in the cafeteria of the Norbert Hill Center, this law was one of three laws presented for community input.

2/7/25: *Work Meeting*. Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Jameson Wilson, Jonas Hill, Marlon Skenandore, Kirby Metoxen, Jennifer Webster, Carolyn Salutz. The purpose of this work meeting was to finish a line-by-line review of the law, starting where we finished at the last work meeting. We started at Section 105.11 and were able to finish a line-by-line review of the entire law.

5/21/25: *Work Meeting*. Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Lisa Summers, Jameson Wilson, Jonas Hill, Marlon Skenandore. Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to continue reviewing for potential amendments by doing another read-through. We did a line-by-line read through, stopping at section 105.15.

9/12/25: *Work Meeting*. Present; Jennifer Webster, Kirby Metoxen, Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Fawn Billie, Fawn Cottrell, Grace Elliott, Carolyn Salutz. The purpose of this meeting was to continue reviewing edits. Group did not do a read-through, instead we stopped and discussed specific sections. Lisa said she and her team were meeting to discuss what we currently have as section 105.10 Other Responsibilities. Krystal mentioned that I should double check the draft of Sanctions and Penalties to cross reference penalties for noncompliance.

10/27/25: *Work Meeting*. Present: Lisa Summers, Brooke Doxtator, Rhiannon Metoxen, Kristal Hill, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting was to discuss section 205.10 Other Responsibilities. Lisa Summers wrote suggested language in the chat. Lisa and Brooke had a few other changes – things we changed during the meeting.

2/3/26: *Work Meeting*. Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Jennifer Webster, Jonas Hill, Shannon Davis, Mark Powless. The purpose of this work meeting was to review the newest amendments; the amendments now incorporate reference to Standards of Conduct, standards that are currently found in the Code of Ethics law, but on 1/29/26 the LOC made a policy decision to remove BCCs from the Code of Ethics law and in response, those behavioral expectations will need to be found in this law.

2/26/26: *Work Meeting*. Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Shannon Davis, Fawn Cottrell, Fawn Billie, Bonnie Pigman. The purpose of this work meeting was to review the newest amendments. The group spent majority of the work meeting discussing enforcement.

3/13/26: *Work Meeting*. Present: Brooke Doxtator, Shannon Davis, Kirby Metoxen, Jennifer Webster, Jonas Hill, Grace Elliott, Carolyn Salutz. LOC members present approved amendments.

3/18/26 LOC: Motion by Jennifer Webster to accept the draft and direct a legislative analysis be completed, seconded by Kirby Metoxen; motion carried unanimously.

4/15/26 LOC: Motion by Jennifer Webster to approve the draft and the legislative analysis, seconded by Jonas Hill; motion carried unanimously.

Next Steps:

- Accept the public meeting packet and schedule a public meeting to be held on June 11, 2026, with a public comment period held open until June 18, 2026.

ONEIDA NATION PUBLIC MEETING NOTICE

JUNE 11, 2026, 12:15 pm

Norbert Hill Center-Business Committee Conference Room
N7210 Seminary Rd., Oneida, Wisconsin

Find Public Meeting Materials at
Oneida-nsn.gov/government/register/public meetings

Send Public Comments to
LOC@oneidanation.org

Ask Questions here
LOC@oneidanation.org
920-869-4417

BOARDS, COMMITTEES, and COMMISSIONS LAW AMENDMENTS

The purpose of the Boards, Committees, and Commissions law is to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals to boards, committees, and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

The Boards, Committees, and Commissions law amendments will:

- Clarify it is the purpose of the amendments to establish clear standards of conduct.
- Clarify it is the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government.
- Strengthen, clarify, and add definitions for Conflict of Interest, fiscal year, letter, member, political appointee, and Secretary.
- Clarify the Oneida Business Committee or designee shall be responsible for drafting the initial bylaws and the Oneida Business Committee will approve the initial bylaws.
- Clarify the responsibilities of the Boards, Committees, Commissions Department, including: responsibilities once managed by the Business Committee Support Office; and managing offboarding procedures for when a member leaves an entity.
- Clarify when a member's term ends, the member may remain in their position until the successor is sworn in but no longer than sixty (60) business days. This helps prevent discontinuation of services but by setting a sixty-day (60) deadline also reinforces appropriate turnover.
- Clarify all entities must be in compliance with the Nation's travel policies.
- Clarify all entities must address conflict resolution and leaves of absence in their bylaws.
- Clarify all entities must include a procedure for withholding a member's stipend in their bylaws.
- Clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, all entities will be required to submit at least two reports each fiscal year to the Oneida Business Committee.
- Clarify all entities may hold virtual meetings pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity.
- Clarify that every appointed and elected member will receive an official Oneida Nation email address.
- Clarify standards of conduct such as: good mind; cultural accountability; several instances of prohibited conduct; attendance and meeting conduct; nepotism; gifts and honorarium; and fair dealing and impartiality.
- Clarify how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms.
- Add a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.
- Clarify all entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed.
- Clarify which positions may not be eligible to serve on an appointed or elected board because of the potential for an actual or implied conflict of interest.
- Clarify that members have an ongoing duty to disclose and shall promptly disclose and comply with the requirements of a conflict of interest mitigation plan.
- Clarify enforcement provisions.
- Include appeal rights; if applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty.
- Various grammatical changes and other minor changes throughout the law.

PUBLIC COMMENT PERIOD CLOSES JUNE 18, 2026.
Individuals may attend the public meeting for the proposed Boards, Committees, and Commissions law amendments in person at the Norbert Hill Center, or virtually through Microsoft Teams. If you wish to attend the public meeting through Microsoft Teams please contact LOC@oneidanation.org.

During the public comment period, anyone may submit written comments, questions or input. Comments may be submitted to the Oneida Nation Secretary's Office or the Legislative Reference Office in person, by U.S. mail, interoffice mail, or e-mail.

For more information on the proposed Boards, Committees, and Commissions law amendments please review the public meeting packet at oneida-nsn.gov/government/register/public meetings.

BOARDS, COMMITTEES, AND COMMISSIONS LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	

Intent of the Legislation or Amendments	▪ Clarify it is the purpose of the amendments to establish clear standards of conduct. *[1 O.C. 105.1-1]*.
	▪ Clarify it is the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. *[1 O.C 105.1-2]*.
	▪ Strengthen, clarify, and add definitions for Conflict of Interest, fiscal year, letter, member, political appointee, and Secretary. *[1 O.C. 105.3-1(h); (l); (n); (o); (r); (t)]*.
	▪ Clarify the Oneida Business Committee or designee shall be responsible for drafting the initial bylaws and the Oneida Business Committee will approve the initial bylaws. *[1 O.C 105.4-3; 105.4-4]*.
	▪ Clarify the responsibilities of the Boards, Committees, Commissions Department, including:
	  ▪ responsibilities once managed by the Business Committee Support Office; and
	  ▪ managing offboarding procedures for when a member leaves an entity. *[1 O.C. 105.10-2]*.
	▪ Clarify when a member's term ends, the member may remain in their position until the successor is sworn in but no longer than sixty (60) business days. This helps prevent discontinuation of services but by setting a sixty-day (60) deadline also reinforces appropriate turnover. *[1 O.C. 105.6-2(a)(1)]*.
	▪ Clarify all entities must be in compliance with the Nation's travel policies. *[1 O.C. 105.11-3(7)]*.
	▪ Clarify all entities must address conflict resolution and leaves of absence in their bylaws. *[1 O.C. 105.11-3(d)(6)-(7)]*.
	▪ Clarify all entities must include a procedure for withholding a member's stipend in their bylaws. *[1 O.C. 105.11-3(e)]*.
	▪ Clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, all entities will be required to submit at least two reports each fiscal year to the Oneida Business Committee. *[1 O.C. 105.13-3]*.
	▪ Clarify all entities may hold virtual meetings pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. *[1 O.C. 105.14-8]*.

	▪ Clarify that every appointed and elected member will receive an official Oneida Nation email address. *[1 O.C. 105.15]*.
	▪ Clarify standards of conduct such as:
	  ▪ good mind;
	  ▪ cultural accountability;
	  ▪ several instances of prohibited conduct;
	  ▪ attendance and meeting conduct;
	  ▪ nepotism;
	  ▪ gifts and honorarium; and
	  ▪ fair dealing and impartiality. *[1 O.C. 105.16]*.
	▪ Clarify how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms. *[1 O.C. 105.16-8(a)]*.
	▪ Add a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known. *[1 O.C 105.16-8(a)(3)]*.
	▪ Clarify all entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed. *[1 O.C. 105.16-8(b)(1)]*.
	▪ Clarify which positions may not be eligible to serve on an appointed or elected board because of the potential for an actual or implied conflict of interest. *[1 O.C. 105.16-8(c)]*.
	▪ Clarify that members have an ongoing duty to disclose and shall promptly disclose and comply with the requirements of a conflict of interest mitigation plan. *[1 O.C. 105.16-8(d)]*.
	▪ Clarify enforcement provisions. *[1 O.C. 105.19]*.
	▪ Include appeal rights; if applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty. *[1 O.C. 105.19-4]*.
	▪ Various grammatical changes and other minor changes throughout the law.

Purpose	It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions. *[1 O.C. 105.1-1]*.
Affected Entities	All Boards, Committees, and Commissions of the Nation, the Boards, Committees, and Commissions Department, the Governmental Administrative Office, the Oneida Business Committee.

Enforcement	Any appointed member of an entity found to be in violation of this law may be subject to termination of appointment by the Oneida Business Committee, loss of stipend, or any other penalty identified in the entity's bylaws. *[1 O.C. 105.19-1]*. Any elected member of an entity found to be in violation of this law may be subject to loss of stipend or any other sanction or penalty in accordance with any laws or policies of the Nation governing sanctions and penalties, removal pursuant to any laws or policies of the Nation governing removal, or any other penalty identified by the entity in their bylaws. *[1 O.C. 105.19-2]*. Enforcement provisions are also found in various subsections throughout the entire law, such as: ▪ The requirement that all entities address in their bylaws the reasons for termination and removal of a member, if any, in addition to those identified in laws or policies of the Nation. *[1 O.C. 105.11-3(6)]*. ▪ The requirement that all entities address in their bylaws behavioral expectations and requirements for members and how the entity will enforce those expectations and requirements. *[1 O.C. 105.11(3)(d)]*. ▪ The requirement that all entities shall address in their bylaws a procedure for withholding a member's stipend. *[1 O.C. 105.11-3(e)(1)]*. ▪ If an entity fails to comply with the reporting requirements of this law, the Oneida Business Committee may place a hold on the release of a stipend payment. *[1 O.C. 105.13-5]*.
Due Process	Once the Boards, Committees, Commissions Department has certified all applications for appointed positions, delivered the applications to the Oneida Business Committee, and the Oneida Business Committee has held a full and complete discussion of the merits and qualifications of the potential applicants and any recommendation made by the Chairperson of the entity during executive session, the Oneida Business Committee shall select an applicant for appointment. *[1 O.C. 105.7-1]*. All appointments shall be made during open session of the Oneida Business Committee. *[1 O.C. 105.7-1(d)-(e)]*. Once an individual is selected for appointment at an Oneida Business Committee meeting, the Secretary shall notify all applicants of the final status of their application. *[1 O.C. 105.7-2]*. All elected positions shall be nominated at a caucus called by the Oneida Election Board or by applying for ballot placement in accordance with the Nation's laws or policies governing elections. *[1 O.C. 105.8]*. All other processes for the election of a member of an entity shall be pursuant to the Nation's laws or policies governing elections. *[1 O.C. 105.8-2]*.

	If applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty. *[1 O.C. 105.19-4]*.
Public Meeting	A public meeting will be scheduled to be held on June 11, 2026, with a public comment period held open until June 18, 2026.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background.*** The Boards, Committees, and Commissions Law was originally adopted by the Oneida Business Committee on August 2, 1995, through resolution BC-08-02-95-A. The law was subsequently amended by the Oneida Business Committee on May 14, 1997, through resolution BC-05-14-97-F. The law was emergency amended by the Oneida Business Committee on April 12, 2006, through resolution BC-04-12-06-JJ. The emergency amendments were then permanently adopted by the Oneida Business Committee on September 27, 2006, through resolution BC-09-27-06-E. The law was then amended by the Oneida Business Committee on September 22, 2010, through resolution BC-09-22-10-C and on September 26, 2018, through resolution BC-09-26-18-C. The law was emergency amended by the Oneida Business Committee on March 11, 2020, through resolution BC-03-11-20-B and on March 17, 2020, through resolution BC-03-17-20-C. The law was most recently amended by the Oneida Business Committee on August 12, 2020, through resolution BC-08-12-20-B.

B. ***Request for Amendments.*** This item was added to the Active Files List on February 7, 2024, at the request of the Oneida Business Committee to address the eligibility of veterans to serve on any and all veteran related committees and to have open eligibility requirements with no exclusions. The sponsor of the Boards, Committees, Commissions law amendments is Councilman Kirby Metoxen.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - Oneida Boards, Committees, Commissions Department ("BCC Department");
  - Oneida Government Administrative Office ("GAO");
  - Oneida Law Office; and
  - CEO of Nation Services.
- The following laws of the Nation were reviewed in the drafting of this analysis:
  - Code of Ethics law *[1 O.C. 103]*;
  - Conflict of Interest *[2 O.C. 217]*;
  - Removal Law *[1 O.C. 104]*;
  - Sanctions and Penalties *[1 O.C. 120]*; and
  - Election Law *[1 O.C. 102]*.

SECTION 4. PROCESS

A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.

- On February 7, 2024, the Legislative Operating Committee added this Law to its Active Files List for amendments this legislative term.
- On March 18, 2026, the Legislative Operating Committee approved the draft of the Boards, Committees, and Commissions Law Amendments and directed the Legislative Reference Office to complete a Legislative Analysis.
- On April 15, 2026, the Legislative Operating Committee approved the draft and Legislative Analysis to the proposed amendments to the Boards, Committees, and Commissions law.

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

- February 20, 2024: LOC work meeting with GAO.
- October 24, 2024: LOC work meeting.
- February 7, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- May 21, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- September 12, 2025: LOC work meeting with the BCC Department, GAO, and the Oneida Law Office.
- October 27, 2025: LOC work meeting with the BCC Department and GAO.
- February 3, 2026: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- February 26, 2026: LOC work meeting with the BCC Department, GAO, and the Oneida Law Office.
- March 13, 2026: LOC work meeting with the BCC Department when the LOC informally approved the draft.

C. At the time this legislative analysis was developed the following community event had been held regarding the development of amendments to this law:

- December 4, 2024: Community Meeting. The Legislative Operating Committee held a community meeting in the cafeteria of the Norbert Hill Center to gather input from the community on amendments to the Boards, Committees, and Commissions law.

SECTION 5. CONTENTS OF THE LEGISLATION

A. ***Purpose and Application of the Law.*** Overall, the proposed amendments improve the governance of boards, committees, and commissions of the Nation by enhancing the procedural requirements of boards, committees, and commissions to conduct business, manage internal operations, and manage members. *[1 O.C 105.1-1; 1 O.C. 105.10; 1 O.C 105.11; 1 O.C. 105.13; 1 O.C. 105.16]*.

- *Effect.* The proposed amendments establish clear standards of conduct for appointed and elected members and clear standards for the reporting, internal maintenance and management of each board, committee, or commission of the Nation which enhances the Nation's ability to self-govern through the use of its boards, committees, and commissions.

B. ***Enhancing Policy.*** The proposed amendments expand the policy section of this law by making it the policy of the Nation to ensure appointed and elected members reflect the values of the Good Mind. *[1 O.C. 105.1-2]*.

- *Effect.* By expanding the policy section to make it a policy of the Nation that appointed and elected members of all entities carry themselves in a way that brings honor to the Oneida people and government, walk with integrity, and uphold the highest standards of ethical conduct as elaborated through principles of the Good Mind, the proposed amendments strengthen the Nation's ability to ethically and efficiently self-govern through the use of its boards, committees, and commissions and according to its traditional ways.

C. ***Transition from Business Committee Support Office to BCC Department.*** The proposed amendments clarify the BCC Department, not the Oneida Business Committee Support Office, will be responsible for all administrative responsibilities related to the posting and processing of applications, vacancies, and resignations, managing oaths of office, offboarding procedures, managing official budgetary sign-off for all entities, managing minutes and Standard Operating Procedures, managing records and materials relating to the dissolution of an entity, and providing notice to an appointed member if their stipend is withheld. *[1 O.C. 105.5; 1 O.C. 105.6; 1 O.C. 105.7; 1 O.C. 105.9; 1 O.C. 105.10-2; 1 O.C. 105.11-3(b); 1 O.C. 105.11-3(f); 1 O.C 105.13; 1 O.C. 105.18; 1 O.C. 105.19]*.

- *Effect.* The proposed amendments clarify the responsibilities of the BCC Department which is the correct Department of the Nation to assist in managing all entities of the Nation.

D. ***Onboarding and Offboarding Procedures.*** The proposed amendments require all members to complete both onboarding and offboarding procedures. *[1 O.C. 105.10]*. The proposed amendments standardize the expectations of all members before they begin official duties and at the conclusion of their official duties. *[Id]*.

- *Effect.* The proposed amendments clarify the requirements of all new members to complete before they begin official duties and the requirements when a member leaves an entity which will ensure consistency and appropriate turnover, reinforcing the ability of the Nation to self-govern through the use of its boards, committee, and commissions.

E. ***Bylaws.*** The proposed amendments clarify various provisions of the requirement for all entities to have bylaws that conform to the requirements of the law. *[1 O.C. 105.11]*.

- All entities shall address travel for training and conferences and shall be in compliance with the Nation's travel policies. *[105.11-3]*.
- All entities shall address Conflict Resolution and Leave of Absences. *[1 O.C. 105.11-3(d)]*.
- All entities shall include a procedure to withhold a member's stipend if that member does not meet the requirements, as established in the entity's bylaws, to collect a stipend. *[1 O.C. 105.11-3(e)]*.
- *Effect.* The proposed amendments clarify and strengthen each entity's ability to establish its own processes and procedures for self-governance in its bylaws which ultimately enhances the Nation's ability to self-govern through the use of its boards, committees, and commissions.

F. ***Reporting Requirements.*** The proposed amendments clarify the reporting of meeting minutes and standard operating procedures will be made to the BCC Department. *[1 O.C. 105.13-2; 1 O.C. 105.13-2]*. The proposed amendments further clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, each entity will now be required to submit two reports each fiscal year. *[1 O.C. 105.13-3]*.

- *Effect.* The proposed amendments clarify which Department will assist all entities in filing meeting minutes and standard operating procedures and by reducing the frequency of required reporting will ensure each report reflects substantive accomplishments and goals.

G. ***Virtual Meetings.*** The proposed amendments clarify all entities may hold virtual meetings if the entity complies with any requirements established by the Oneida Business Committee and any additional requirements established by the entity. *[1 O.C. 105.14-8]*. The proposed amendments also include four minimum requirements for virtual meetings. *[1 O.C. 105.14-8(a)-(d)]*.

- *Effect.* The proposed amendment clarifies all entities may hold virtual meetings subject to some conditions. The proposed amendment allows all entities to continue operations despite any unforeseen circumstances which may require virtual meetings.

H. ***Oneida Email Address.*** The proposed amendments include a new section addressing the creation, use, and management of an official Oneida Nation email address for each member of an entity. *[1 O.C. 105.15]*.

- *Effect.* The proposed amendment clarifies the Nation's responsibility to create an official Oneida Nation email address and requires all members to use the official Oneida Nation email address to conduct any business of the entity. The proposed amendments clarify both the Nation's responsibility to create and the Nation's and all members' responsibility to use and maintain an official Oneida Nation email address.

I. ***Standards of Conduct.*** The proposed amendments include a new section addressing various standards of conduct. *[1 O.C. 105.16]*. The new standards include:

- good mind;
- cultural accountability;
- several instances of prohibited conduct;
- attendance and meeting conduct;
- nepotism;
- gifts and honorarium;
- fair dealing and impartiality; and
- accountability and transparency. *[1 O.C. 105.16-1; 1 O.C. 105.16-2; 1 O.C. 105.16-3; 1 O.C. 105.16-4; 1 O.C. 105.16-5; 1 O.C. 105.16-6; 1 O.C. 105.16-9; 1 O.C. 105.16-10]*.
- The proposed amendments also clarify the requirement to maintain confidentiality. *[1 O.C 105.16-7]*.
- *Effect*. The proposed amendments strengthen, clarify, and standardize the Nation's expectations regarding all appointed and elected members of its boards, committees, and commissions.

J. ***Conflict of Interest.*** The proposed amendments clarify the duty to disclose conflicts of interest, the creation and maintenance of conflict of interest disclosure forms, the development of a conflict of interest mitigation plan, and identifies which individuals may be ineligible to serve on an entity of the Nation. *[1 O.C. 105.16-8]*.

- *Effect.* The proposed amendments strengthen the Nation's ability to manage conflict of interest and to protect its interests from any actual or implied or future conflict of interest.

K. ***Enforcement.*** The proposed amendments clarify the enforcement for all appointed and elected members found to be in violation of the law. *[1 O.C. 105.19]*. The proposed amendments distinguish appointed and elected members and any enforcement actions that may apply to an appointed member versus an elected member. *[1 O.C. 105.19-1; 1 O.C. 105.19-2]*.

- *Effect*. The proposed amendments clarify enforcement mechanisms against any appointed or elected member found to be in violation of the law; thereby, enhancing the Nation's ability to self-govern by ensuring its appointed and elected members are accountable and can receive enforcement actions if they are found to be in violation of the law.

L. ***Other amendments***. Overall, a variety of other amendments and revisions were made to the law to address formatting, drafting style, and organization that did not affect the substance of the law.

SECTION 6. EXISTING LEGISLATION

A. ***Related legislation.*** The following laws of the Nation are related to the proposed amendments to this law:

- *Code of Ethics Law.* The Code of Ethics law is currently being amended.
  - Currently, *"[i]*t is the policy of the Oneida Tribe of Indians of Wisconsin to promote the highest ethical conduct in all of its elected and appointed officials, and employees. This Code of Ethics represents a beginning, it is the very minimum standard of conduct which is expected. This Code is intended to create a base from which all persons are expected to work upwards and strive to work toward improving the health, safety and welfare of the Oneida Nation, citizens of the Nation, employees of the Tribe, and persons living in and around the jurisdiction of the Oneida Tribe of Indians of Wisconsin." *[1 O.C. 103.1-1]*.
  - In the proposed amendments, the purpose of the law will be "to establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve." *[1 O.C. 103.1-1]*.
  - The proposed amendments to the Code of Ethics law remove its application to appointed and elected members and because of this amendment most Standards of Conduct that were once addressed in the Code of Ethics have been moved to the proposed amendments to the Boards, Committees, and Commissions law as applicable to appointed and elected members. *[1 O.C. 105.16]*.
  - The proposed amendments align with the proposed amendments to the Code of Ethics law by streamlining the Nation's ability to monitor and establish standards regarding the behavior of its appointed and elected members.
- *Conflict of Interest Law.* The Conflict of Interest law is currently being amended.
  - Currently, "[t]he purpose of this law is for the Nation to ensure that all employees, contractors, elected officials, officers, political appointees, appointed and elected members and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation." *[2 O.C. 217.1-1]*.
  - In the proposed amendments, the amended purpose of the law will remove elected officials and appointed and elected members and only be for the purpose

of ensuring all employees, contractors, political appointees, and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation." *[Id]*.
    - The proposed amendments change the application of the conflict of interest law and remove the coverage of appointed and elected members. *[2 O.C. 217.4-1]*.
    - While appointed and elected members are being removed from the Conflict of Interest law, the provisions regarding conflicts of interest in the Boards, Committees, and Commissions law are being strengthened. *[1 O.C. 105.16-8]*.
    - The proposed amendments align with proposed amendments to the Conflict of Interest law by streamlining the Nation's ability to monitor and enforce conflict of interests. The proposed amendments to this law strengthen the Nation's ability to monitor conflict of interest as applicable solely to members of boards, committees, and commissions.
- *Removal Law*. The purpose of the Removal law is to govern the removal of persons elected to serve on boards, committees, and commissions of the Oneida Nation. *[1 O.C. 104.1-1]*.
    - The Removal law contains various grounds for removal including:
        - failure to attend four (4) regularly scheduled meetings without a written explanation;
        - failure to attend fifty percent (50%) of an entity's regular scheduled meetings within a twelve (12) month period for any reason provided that this subsection shall not apply to the Oneida Business Committee;
        - intentional misuse of Tribal funds;
        - alcohol use while performing official responsibilities or use of illegal drugs at any time;
        - if he or she no longer meets the qualifications for office;
        - violating a Tribal law which specifies removal as a penalty; or
        - felony conviction while in office. *[1O.C. 104.4]*.
    - The Removal law contains a procedure for removing an appointed or elected member. *[1 O.C. 104.5; 1 O.C. 104.6; 1 O.C. 104.7; 1 O.C. 104.8]*.
    - The proposed amendments to the Boards, Committees, and Commissions law align with the Removal law by deferring to its standards and procedures for the removal of an elected member and allowing any elected member found to be in violation of the Boards, Committees, and Commissions law to potentially face removal according to the standards of the Removal Law.
- *Sanctions and Penalties Law*. There is no currently adopted Sanctions and Penalties Law. To complete this legislative analysis, the proposed law was reviewed. Most recently, on April 15, 2026, the Oneida Business Committee approved a draft to send to the General Tribal Council for consideration. The Oneida Business Committee also attempted to gain General Tribal Council approval of the draft on January 5, 2026, when the Oneida Business Committee presented the approved draft to the General Tribal Council for adoption. The General Tribal Council did not vote to adopt the law; therefore, the Oneida Business Committee has again approved a draft and will again present that draft to the General Tribal Council for approval

and adoption. The Legislative Operating Committee and the Oneida Business Committee plan to continue addressing the adoption of a Sanction and Penalties law with the General Tribal Council; therefore, amendments to the Boards, Committees, and Commissions law keep reference to a Sanction and Penalties Law, and in preparing this legislative analysis the proposed draft was reviewed and considered.

- The purpose of a Sanctions and Penalties law would be to address the misconduct and promote accountability and improved performance of the official, to establish a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action. *[1 O.C. 120.1-1]*.
- Rather than include a new section on sanction and penalties in the Boards, Committees, Commissions law, it is the Legislative Operating Committee's and the Oneida Business Committee's belief that addressing sanctions and penalties in one law is in the best interests of the Nation and will provide the Nation a standardized process and procedure to hold accountable all individuals who are appointed or elected; thereby enhancing the Nation's self-governance.

- *Election Law*. It is the intent of the Election law to govern the procedures for the conduct of orderly elections of the Nation, including pre-election activities such as caucuses and nominations. *[1 O.C. 102.1-1]*.
  - The election law contains the requirements to conduct elections of the Nation including the election for elected members of boards, committees, or commissions. *[1 O.C. [1]02.6; 102.9]*.
  - The proposed amendments to the Boards, Committees, and Commissions law align with the Election law by citing to its requirements and requiring all elections for elected members of a board, committee, or commission align with its requirements.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

A. Amendments to the Boards, Committees, Commissions law enhance the enforcement mechanisms required of each board, committee, or commission to include in their bylaws. *[1 O. C 105.11]*.

B. Amendments to the Boards, Committees, Commissions law clarify the reporting requirements of each board, committee, or commission to submit at least two reports, rather than quarterly reports, to the Oneida Business Committee. *[1 O.C. 105.13-3]*.

C. Amendments to the Boards, Committees, and Commissions law enhance the behavioral expectations of appointed and elected members by adding a new section regarding Standards of Conduct. *[I O.C. 105.16]*.

D. Amendments to the Boards, Committees, Commissions law clarify enforcement provisions relating to the activity and functioning of a board, committee, or commission, and the conduct of individual members by strengthening the provisions of the enforcement section. *[1 O.C. 105.19]*.

SECTION 8. OTHER CONSIDERATIONS

A. ***Fiscal Impact.*** Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation *[1 O.C. 109.6-1]*. Oneida Business Committee resolution BC-

10-28-20-A titled, *"Further Interpretation of 'Fiscal Impact Statement' in the Legislative Procedures Act,"* provides further clarification on who the Legislative Operating Committee may direct complete a fiscal impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.

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

Draft 8 (Redline to Current)
PM Draft
2026 05 06

Title 1. Government and Finances – Chapter 105
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BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
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~~105.15. Conflicts of Interest~~
105.176. Use of the Nation's Assets
105.187. Dissolution of an Entity
105.198. Enforcement

105.1. Purpose and Policy

105.1-1. *Purpose.* It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals ~~persons~~ to boards, committees, and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

(a) This law shall not apply to the Oneida Business Committee~~,~~ or standing committees of the Oneida Business Committee.

(b) This law does not apply to Tribal corporations due to the corporate structure and autonomy of those entities.

105.1-2. *Policy.* It is the policy of the Nation to have consistent and standard procedures for choosing and appointing or electing the most qualified individuals ~~persons~~ to boards, committees, and commissions, for creation of bylaws governing boards, committees, and commissions, and for the maintenance of information created by, and for, boards, committees, and commissions.

(a) It is further the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All appointed and elected individuals shall strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by On<yote>a=ka, which includes:

(a) Kahletsyal&sla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhw@sla. Compassion, caring, identity, and joy of being.
(c) Ka>nikuhli=y%. The openness of the good spirit and mind.
(d) Ka>tshatst^sla. The strength of belief and vision as a People.
(e) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahts$lay<. All of us are family.
(g) Yukwats$stay<. Our fire, our spirit within each one of us.

105.2. Adoption, Amendment, Repeal

105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, ~~and~~ BC-08-12-20-B, and BC-__-___-___-__.

105.2-2. 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.

105.2-3. 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.

105.2-4. 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.

105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

105.3. Definitions

105.3-1. 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) "Application" means the form by which a person seeks to be appointed to fill a vacancy on an entity.

(b) "Appointment" means the process by which a person is chosen to fill a vacancy on an entity by the Oneida Business Committee.

(c) "BCC Department" means the Boards, Committees, and Commissions Department.

(d) "Business day" means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding holidays recognized by the Nation.

(e~~d~~) "Bylaws" means a document which provides a framework for the operation and management of a board, committee, or commission of the Nation chiefly for the government of its members and the regulation of its affairs.

(f~~e~~) "Conference" means any training, seminar, meeting, or other assembly of individuals ~~persons~~ which is not an assembly of the entity.

(g~~f~~) "Confidential information" means all information or data, whether printed, written, or oral, concerning business or customers of the Nation, disclosed to, acquired by, or generated by a member of an entity in confidence at any time during their appointed or elected ~~elected or appointed~~ term or during their employment.

(h~~g~~) "Conflict of interest" means any financial, personal, or political interest, actual or implied ~~real or apparent, whether it be personal, financial, political, or otherwise,~~= in which an appointed or elected member or any member of their immediate family ~~official~~, ~~officer, political appointee, employee, contractor, or appointed or elected member, or their immediate family members, friends or associates, or any other person with whom they have contact,~~ has~~ve~~ that conflicts with any right of the Nation to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation or to any transaction between the Nation and an outside party. ~~In addition, conflict of interest also means any financial or familial interest an elected official, officer, political appointee, employee, contractor, or appointed or elected member or their immediate family members may have in any transaction between the Nation and an outside party.~~

(ih) "Direct report" means a position which requires direct contact and supervision by the Oneida Business Committee because of the position, the duties, or the services provided. Direct reports shall be identified by the Oneida Business Committee through resolution.
(jɨ) "Entity" means a board, committee or commission created by the General Tribal Council or the Oneida Business Committee whose members are appointed by the Oneida Business Committee or elected by the Nation's membership.
(kj) "E-poll" means an electronic poll, which is the act of delivering an e-mail to all officials ~~members~~ of an entity, in order to seek a response which identifies a vote in favor of, opposing, or abstaining to an issue requiring approval by the entity.
(lk) "Fiscal year" means the one (1) year period each year from October 1st to September 30th.
(m) "Joint meeting" means a meeting with the Oneida Business Committee.
(nl) "Letter" means a written or printed message addressed to a specific person or organization; for the purposes of this law, a letter can be on paper or sent electronically.
(o) "Member" means all individuals who are appointed or elected to serve on a board, committee, or commission created by the Oneida Business Committee or the Oneida General Tribal Council.
(p) "Nation" means the Oneida Nation.
(qm) "Per dDiem" means the payment made by the Nation to offset the costs of being on travel on behalf of the ~~Oneida~~ Nation.
~~(n) "Political appointee" means a person appointed by a member of the Oneida Business Committee to provide assistance with the Oneida Business Committee member's daily activities and operations.~~
(ro) "Political appointee" means a person who assists an elected member of the Oneida Business Committee in their daily activities and operations.
(s) "Prohibited drugs" means marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.
~~(p)~~ (t) "Secretary" means the person elected and serving as the Nation's Secretary; an officer position of the Oneida Business Committee.
(u) "Stipend" means the amount paid by the ~~Oneida~~ Nation to a person serving on a board, committee, or commission of the Nation in order to compensate the individual for ~~his or her~~their contribution of time, effort, and work for ~~his or her~~their board, committee, or commission for the betterment of the Nation.
(vq) "Subcommittee" means a subgroup of an entity; which is comprised of fewer than all members of the entity; which is designated one (1) or more specific responsibilities on behalf of the entity.
(wr) "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.
(xs) "Task Force or Ad Hoc" means a group of individuals ~~persons~~ gathered to pursue a single goal, the accomplishment of which means the disbanding of the group. The goal is

generally accomplished in a short time period, i.e. less than one year, but the goal itself may be long term.

(yt) "Vacancy" means any position on any board, committee, or commission caused by resignation, end of term, removal, termination, or creation of a new position.

105.4. Creation of an Entity

105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida Business Committee or General Tribal Council.

105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all powers and responsibilities delegated to the entity.

105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial bylaws of the entity.

105.4-4. The Oneida Business Committee shall be responsible for approving drafting the initial bylaws of the entity.

105.5. Applications

105.5-1. The BCC Department Oneida Business Committee shall approve all applications to serve on an entity of the Nation. All application materials shall be available in the Business Committee Support Office any location identified by, or in the offices of, the BCC Department and any other location specified by the Business Committee Support Office.

(a) All applications shall include:

(1) a statement explaining the attendance reporting requirements of section 105.132-3; and

(2) a section regarding disclosures of conflicts of interest.

(b) An additional application form shall be required for those entities that require a background investigation. This background investigation application shall include the applicant's social security number and any other information required for a background investigation. The background investigation application shall be solely used for the background investigation and not included in the application materials that are then shared with the Oneida Business Committee, entity, and/or the Election Board.

105.5-2. Applications shall be filed with the Business Committee Support OfficeBCC Department by 4:30 p.m. of the deadline date.

105.5-3. Within eight (8) business days after the posted deadline for filing applications, the Business Committee Support OfficeBCC Department shall notify all individuals persons who have filed an application of the date his or her their application was received and if his or hertheir application met the deadline to be considered for the election or appointment.

105.5-4. Applications for elected positions shall be verified according to the Nation's laws, bylaws, and/or policies governing elections. Applications for appointed positions shall be verified by the Business Committee Support OfficeBCC Department as needed or as required in the bylaws of the entity.

105.5-5. *Insufficient Applicants*. In the event that there are an insufficient number of applicants after the deadline date has passed for appointed positions, the Business Committee Support OfficeBCC Department may repost. for an additional time period.

(a) If the number of applicants is equal to or less than the number of vacancies then it shall be determined to be an insufficient number of applicants.

(b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida Business Committee if a position will be reposted. ~~for an additional time period.~~

(c) In the event of reposting, prior applicants will be considered to have filed applications within the deadline period.

(d) The Oneida Business Committee may ~~elect to~~ consider ~~include~~ late applicants. ~~within the pool of appointed persons late applications.~~

~~The manner by which an individual fills a vacancy, either through election or appointment, shall determine that member's status as an appointed or official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.~~

105.6. Vacancies

105.6-1. The manner by which an individual fills a vacancy, either through appointment or election, ~~or appointment,~~ shall determine that member's status as an appointed or elected official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.

105.6-2. A position on an entity shall be considered vacant in the following situations:

(a) *End of Term.* A vacancy is effective as of 4:30 p.m. of the last day of the month in which the term ends.

(1) Although a position is considered vacant once the term ends, the member of the entity may remain in office until the member's successor has been sworn in by the Oneida Business Committee, provided that the position may not be held by the predecessor for longer than sixty (60) business days, in an effort to prevent a discontinuation of business or a loss of quorum for the entity.

(b) *Removal*. Removal is effective, pursuant to any law ~~and/~~or policy of the Nation regarding removal.

(c) *Termination of Appointment.* A termination is effective upon a two-thirds (2/3) majority vote of the Oneida Business Committee in favor of a member's termination of appointment.

(d) *Resignation*. A resignation is effective upon:

(1) ~~D~~deliverance of a letter to the ~~Business Committee Support Office~~BCC Department and to the Chairperson of the entity, or designee; or

(2) ~~A~~acceptance by motion of the entity of a verbal resignation; and

(3) certification and acceptance by the Secretary.

(e) *New Positions.* Vacancies on new entities are effective upon adoption of bylaws.

105.6-3. An entity shall notify the ~~Business Committee Support Office~~BCC Department as soon as the entity learns that a position has or will become vacant. All notices of vacancy shall be sent to the entities for clarification or confirmation prior to notification to the Oneida Business Committee.

105.6-4. The ~~Business Committee Support Office~~BCC Department shall forward the notice of vacancy to the Secretary. The Secretary shall request and receive approval from the Oneida Business Committee to post the notice of vacancy. The ~~Business Committee Support Office~~BCC Department shall post notice of vacancies at the following times:

(a) *End of Term*. Automatically sixty (60) days prior to completion of the term.

(b) *Removal*. No later than the next Oneida Business Committee meeting following the effective date of the removal.

(c) *Resignation*. No later than the next Oneida Business Committee meeting following the ~~Business Committee Support Office~~BCC Department's receipt of notice of an effective resignation from the entity.

(d) *New Positions*. Upon one of the following conditions:

(1) if not specified, immediately upon the creation of an entity or the adoption of bylaws, whichever is later, or

(2) upon the date specified when creating the entity.

(e) *Termination of appointment*. No later than the next Oneida Business Committee meeting following the effective date of the termination.

105.6-5. Notice of vacancies shall be posted by the ~~Business Committee Support Office~~BCC Department in all official media outlets of the Nation, as determined by the Oneida Business Committee, as well as any other location deemed appropriate by the Secretary.

105.7. Appointment to an Entity

105.7-1. *Appointment Selection.* The following procedures shall be used to determine how the applicant for an appointed position is selected:

(a) Within eight (8) business days after the posted deadline for submitting an application, or within twenty-one (21) business days of the posted deadline if the entity requires a background investigation to be completed as part of the application process, the ~~Business Committee Support Office~~BCC Department shall:

(1) deliver all applications, along with a summary of qualifications to hold office, and the results of the background investigation if required, to each member of the Oneida Business Committee as well as the entity's Chairperson; and

(2) place the appointment for the entity on the next executive session portion of the agenda of a regular or special Oneida Business Committee meeting in which the appointment is intended to be made; or

(3) if delays in compiling the applications, summary of qualifications, or results of any investigations exist, request additional time from the Oneida Business Committee to complete requirements of section 105.7-1(a)(1)-(2).

(b) Each member of the Oneida Business Committee shall review the application materials prior to executive session and be prepared to discuss and select an applicant for appointment.

(1) The entity's Chairperson may review the application materials and submit a recommendation to the ~~Business Committee Support Office~~BCC Department to include in the application materials to be reviewed by ~~a recommendation to~~ the Oneida Business Committee. ~~of an applicant for appointment.~~

(A) The recommendation shall be submitted to the ~~Business Committee Support Office~~BCC Department in accordance with the submission deadlines for the Oneida Business Committee meeting in which the appointment is intended to be made.

(c) The Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants~~,~~ and any recommendations made by

the Chairperson of the entity~~,~~ during executive session. After completing a thorough discussion~~,~~ the Oneida Business Committee shall:

(1) select an applicant for appointment;~~,~~ or

(2) ask the ~~Oneida Nation's~~ Secretary to re-notice the vacancy because of ineligible, unqualified, or under qualified applicants.

(d) All appointments shall be made by the Oneida Business Committee during the open session of a regular or special Oneida Business Committee meeting. The Oneida Business Committee shall not appoint an applicant who fails to meet the requirements set out in the entity's bylaws.

(e) During the open session of the regular or special Oneida Business Committee meeting, a member of the Oneida Business Committee may make a motion to appoint an individual. Oneida Business Committee members may:

(1) accept the selected applicant and vote to appoint the individual to the vacant position;~~,~~ or

(2) reject the selected applicant and vote to oppose the appointment.~~ of the individual~~.

(f) If the Oneida Business Committee rejects the selected applicant, the matter will be deferred to the next Oneida Business Committee meeting where another applicant may be recommended by the Oneida Business Committee~~,~~ or the Oneida Business Committee may direct the vacancy to be re-posted. When a vacancy is re-posted under this section, all applications from the first posting shall be considered to have been filed within the deadline period.

105.7-2. *Notification of Appointment*. Once an individual is selected for appointment at an Oneida Business Committee meeting, the ~~Nation's~~ Secretary shall notify all applicants of the final status of their application.

~~(a) The Nation's Chairperson shall forward a list of all applicants to the Nation's Secretary and the final decision regarding the selection after the procedures for selection of an applicant described in section 105.7-1 are completed.~~

(a~~b~~) The ~~Nation's~~ Secretary shall include on the notice to the applicant selected for appointment the following paragraph: "The Oneida Nation reports all income paid by the Oneida Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.7-3. *Declination of Appointment*. An individual who has been selected for appointment to an entity by the Oneida Business Committee may decline the appointment.

(a) An individual may decline an appointment to an entity in the following ways:

(1) delivery of a letter to the BCC Department stating that the individual wishes to decline the appointment~~ to the Business Committee Support Office~~; or

(2) failure to take the oath of office within thirty (30) days or within two (2) regularly scheduled Oneida Business Committee meetings of being selected for appointment by the Oneida Business Committee.

(b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida Business Committee if an individual declines an appointment to an entity. The Oneida Business Committee shall then use the original pool of applications for the vacancy posting and the process outlined in section 105.7-1 to select another applicant for appointment.

105.7-4. *Termination of Appointment*. An appointed member of an entity serves at the discretion of the Oneida Business Committee. Upon the recommendation of a member of the Oneida Business Committee or the entity, a member of an appointed entity may have ~~his or her~~their appointment terminated by the Oneida Business Committee.

(a) A two-thirds majority vote of the Oneida Business Committee shall be required in order to terminate the appointment of an individual.

(b) The Oneida Business Committee's decision to terminate an appointment is final and not subject to appeal.

105.8. Election to an Entity

105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election Board, or apply for ballot placement, in accordance with the Nation's laws ~~and/~~or policies governing elections, except where an entity's bylaws allow for a vacancy to be filled by appointment.

(a) When the Election Board notifies an applicant or nominee that they are ~~he or she is~~ eligible to be placed on the ballot, the following paragraph shall be included: "The Oneida Nation reports all income paid by the Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.8-2. All other processes for the election of a member of an entity shall be pursuant to ~~as directed by~~ the Nation's laws ~~and/~~or policies governing elections.

105.9. Oath of Office

105.9-1. All appointed and elected positions are official upon taking an oath during a regular or special Oneida Business Committee meeting~~,~~ or at an alternative time and location as determined by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon taking the oath. The ~~Nation's~~ Secretary shall notify the chosen individuals ~~persons~~ when they shall appear for taking the oath.

(a) When taking an oath, the appointed or elected member shall appear in person to take ~~his or her~~their oath, except if granted permission by the Secretary to appear through video conferencing, or through other telecommunications.

(b) If an oath is administered outside of an Oneida Business Committee meeting, a quorum of Oneida Business Committee members shall be present to witness the oath.

105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file by the ~~Business Committee Support Office~~BCC Department.

105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath, shall be maintained by the ~~Business Committee Support Office~~BCC Department. Copies of the oath shall be forwarded to the new member of the entity and the entity.
105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is pre-approved by the Oneida Business Committee: "I, [name], hereby promise to uphold the laws and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida people with honor, respect, dignity, and sincerity and will strictly maintain confidential information. I will carry out the duties and responsibilities as a member of the [entity name], and all recommendations shall be made in the best interest of the Oneida Nation as a whole."
105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware of their duty to the Nation and as members of the entity.

105.10. Other Responsibilities
105.10-1. *Onboarding*. Before a new member begins performing their duties and in addition to taking the oath of office, the new member must complete the entity's onboarding requirements in accordance with an approved standard operating procedure. This procedure shall include, but is not limited to the following:
(a) Conflict of Interest.
(b) Confidentiality Agreement.
(c) Training:
(1) Regarding the Nation and the State of the Nation, in general. Such training may include, but will not be limited to, the Nation's Economic Impact Statement, organizational chart, and government goals and vision.
(2) Regarding the training required by the specific entity's bylaws.
(3) Regarding human resources as determined by the Nation's Human Resources Department to the extent that entity directly supervises employees of the Nation.
105.10-2. *Offboarding*. When a member leaves an entity that member and the BCC Department or the Government Administrative Office shall be responsible for ensuring the member completes offboarding in accordance with an approved standard operating procedure. The offboarding procedure may include, but is not limited to:
(a) Transition of assigned duties and responsibilities.
(b) Return of equipment.
(c) De-activation of email, identification card, and access card.
(d) Exit interview or survey.

105.11~~0~~. Bylaws
105.11~~0~~-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless ~~where~~ General Tribal Council approval is additionally required.
(a) All existing entities shall comply with this format and present bylaws for adoption within a reasonable time after creation of the entity, or within a reasonable time after adoption or amendment of this law.

(b) Bylaws shall contain at least the minimum information required by law, although more information is not prohibited.

(c) *Exception*. Task Forces and Ad Hoc Committees are excepted from the requirement to have bylaws. However, these entities shall have, at minimum, mission or goal statements for completion of the task.

105.110-2. *Articles*. Bylaws shall contain, at a minimum, the following Articles:

(a) Article I. Authority.

(b) Article II. Officers.

(c) Article III. Meetings.

(d) Article IV. Expectations.

(e) Article V. Stipends and Compensation.

(f) Article VI. Records and Reporting.

(g) Article VII. Amendments.

105.110-3. *Sections*. Articles shall be divided into the following "sSections" as set out.

(a) "Article I. Authority" shall consist of the following:

(1) *Name*. The full name of the entity shall be stated, along with any short name that will be officially used.

(2) *Establishment*. This section shall state the citation and name, if any, of the creation document.

(3) *Authority*. This section shall state the purpose for which the entity was created and what, if any, authority the entity is delegated.

(4) *Office*. There shall be listed the official office or post box of the entity.

(5) *Membership*. The following information shall be in this section:

(A) Nnumber of members on the entity;

(B) Iif members on the entity are appointed or elected or appointed, and how a member is appointed or elected or appointed;

(C) Hhow vacancies are filled; and

(D) Qqualifications for membership on the entity.

(i) In order to qualify for membership on an entity, a person shall meet the minimum age requirements set forth for status as a qualified voter of the Nation, unless a law, policy, or directive sets forth a minimum age requirement.

(6) *Termination or Removal.* This section shall identify causes for termination or removal, if any, in addition to those already identified in laws and/or policies of the Nation.

(7) *Trainings and Conferences*. This section shall address travel for training and conferences. Travel for training and conferences is allowable in accordance with the Nation's travel policies. All entities shall be in compliance with the Nation's travel policies. describe any trainings and/or conferences that the entity deems necessary for members to responsibly serve the entity, if any.

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the cChairperson and vVice-cChairperson positions of the entity. Other officer positions may also be created here.

(2) *Responsibilities of the Chairperson*. Because of the importance of this position, all duties and responsibilities of the ~~c~~Chairperson, as well as limitations of the ~~c~~Chairperson shall be specifically listed here.

(3) *Responsibilities of the Vice-Chairperson*. Because of the importance of this position, all duties and responsibilities of the ~~v~~Vice-~~c~~Chairperson, as well as limitations of the ~~v~~Vice-~~c~~Chairperson shall be specifically listed here.

(4) *Responsibilities of Additional Officers*. There may be additional sections as needed for every officer position created in subsection one (1) above. These sections shall state all duties and responsibilities of the officer, as well as any limitations of the officer.

(5) *Selection of Officers*. This section shall identify how a member of the entity shall be selected for an official officer position in the entity.

(6) *Purchases and Travel*. This section shall identify how the entity shall approve purchases or travel on behalf of the entity.

(A) An entity shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

(B) Upon formal approval of a purchase by an entity, the ~~Business Committee Support Office~~BCC Department shall have official budgetary sign off authority for the entity.

(C) An entity shall approve a member's request to travel on behalf of the entity by majority vote at a regular or emergency meeting of the entity.

(7) *Personnel*. This section shall state the entity's authority for hiring personnel, if any, and the duties of such personnel.

(c) "Article III. Meetings" shall consist of the following:

(1) *Regular meetings*. This section shall identify when and where regular meetings shall be held, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(2) *Emergency meetings*. This section shall identify what constitutes an emergency meeting, how emergency meetings shall be called, and how the entity shall provide notice of the emergency meeting.

(A) All bylaws shall include a provision requiring that within seventy-two (72) hours after an emergency meeting, the entity shall provide the ~~Nation's~~ Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.

(3) *Joint Meetings*. This section shall identify if joint meetings shall be held, the frequency and location of joint meetings, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(4) *Quorum*. This section shall identify how many members of an entity create a quorum.

(5) *Order of Business*. This section sets out how the agenda will be set up.

(6) *Voting*. This section shall identify voting requirements, such as, but not limited to:

(A) the percentages that shall be needed to pass different items;

(B) if, and when, the ~~e~~Chairperson is allowed to vote;
(C) if the use of an e-poll is permissible; and
(D) if the use of an~~d~~ e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

(d) "Article IV. Expectations" shall consist of the following information:

(1) *Behavior of Members*. This section shall identify the behavioral expectations and requirements of a member of the entity required by this law and any additional expectations and requirements specific to the entity~~,~~ and identify how the entity shall enforce these behavioral expectations.

(2*) Prohibition of Violence*. This section shall prohibit any violent, intentional act committed by a member of the entity that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property, and set forth any further expectations regarding the prohibition of violence.

(3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and prohibited drugs for a member of an entity when acting in their official capacity~~,~~ and set forth any further expectations regarding the use of prohibited drugs and alcohol.

(4) *Social Media*. This section shall identify expectations for the use of social media regarding ~~in regards to~~ official business of the entity.

(5) *Conflict of Interest*. This section shall state any standards and expectations additional to those required by this law ~~of the Nation~~ regarding ~~in regards to~~ conflicts of interest and how they are handled, as well as requirements related to prohibited activities resulting from disclosed conflicts of interest, and means by which a party can alleviate or mitigate the conflict of interest.

(6) *Conflict Resolution.* This section shall address how the entity will handle conflict resolution. At a minimum, the entity's procedures and requirements for conflict resolution shall conform to any policy of the Nation's Human Resources Department.

(7) *Leave of Absence*. This section shall address leave of absence, at a minimum, as it is allowed to employees of the Nation pursuant to policies of the Nation's Human Resources Department.

(e) "Article V. Stipends and Compensation" shall consist of the following information:

(1) *Stipends*. This section shall include a comprehensive list of all stipends members are eligible to receive and the requirements for collecting each stipend, if any, in addition to those contained in this law. This section shall also include the procedure to withhold a member's stipend if a member does not meet the identified requirements needed to collect each stipend.

(2) *Compensation*. This section shall include details regarding all other forms of compensation members are eligible to receive and the requirements for collecting such compensation, if any, in addition to those contained in this law.

(f) "Article VI. Records and Reporting" shall consist of the following information:

(1) *Agenda Items*. Agenda items shall be maintained in a consistent format as identified by this section.

(2) *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record of the meetings of the entity. This may include a summary of action taken by the entity. This section shall identify the format for minutes, and a reasonable timeframe by which minutes shall be submitted to the ~~Business Committee Support Office~~BCC Department.

(3) *Attachments*. Handouts, reports, memoranda, or other relevant documents ~~and the like~~ may be attached to the minutes and agenda, or may be kept separately, provided that all materials can be identified to the meeting in which they were presented. This section shall identify how records of attachments shall be kept.

(4) *Oneida Business Committee Liaison*. Entities shall regularly communicate with the Oneida Business Committee member who is their designated liaison. This section shall identify a format and frequency for communication which may be as the liaison and entity agree to, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council. The ~~purpose of the~~ liaison shall act ~~relationship is to uphold the ability of the liaison to act~~ as a support to that entity.

(5) *Audio Recordings*. An entity shall audio record all meetings. This section shall state how the entity shall audio record meetings~~,~~ and how the entity shall maintain the audio records.

(A) Exception. Audio recordings of executive session portions of a meeting shall not be required.

(g) "Article VII. Amendments" consists of:

(1) *Amendments to Bylaws*. This section shall describe how amendments to the bylaws are made. Any amendments to bylaws shall conform to the requirements of this law and any other policy of the Nation. Amendments to bylaws shall be approved by the Oneida Business Committee, in addition to the General Tribal Council when applicable, prior to implementation.

105.12~~1~~. Electronic Polling

105.12~~1~~-1. An entity may utilize an e-poll when approval of an action may be required before the next available meeting agenda of the entity.

105.12~~1~~-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail address of the entity. The e-poll's message shall include the following information:

~~(a) The e-mail subject line shall begin with "E-poll Request:" and include a short title describing the purpose of the request.~~

~~(b) The body of the e-poll shall contain the following elements:~~

(a~~1~~) ~~An executive~~a summary of the reason for the request and why the request cannot be presented at the next available meeting of the entity; and

~~(2) A proposed motion which shall be in bold and identified in a separate paragraph by the words "Requested Action;"~~

~~(3) All attachments in *.pdf format, which are necessary to understand the request being made; and~~

(b4)~~.~~ a deadline date for a response. ~~to be returned regarding the results of the electronic poll which shall be in bold and identified in a separate paragraph by the words "Deadline for Response."~~

(1~~A~~) E-poll requests shall be open for response not less than one (1) hour and no more than twenty-four (24) hours.

(2~~B~~) The Chairperson of the entity, or designee, is responsible for creating a time frame for responses ~~shall be determined by the Secretary of the entity, or designee,~~ based on urgency, scheduling, and any other pertinent factors.

105.12~~1~~-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A response from a member of an entity shall be valid if received from an official e-mail address of the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll request shall receive responses from a majority of members of the entity in order to be an official vote.

(a) E-polls that receive at least a majority of supporting votes by the deadline are considered to be approved.

(b) E-polls for which insufficient responses were received by the deadline are considered to have failed to receive support, and result in a denied request.

(c) E-polls that result in a denied request may be reconsidered by the entity at the next available meeting.

(d) The Chairperson, or designee, shall monitor all responses and deadline dates for responses.

105.12~~1~~-4. *Entering an E-Poll in the Record*. Both approved and denied e-poll requests shall be placed on the next meeting agenda of the entity to be entered into the record. The agenda item shall contain the following information:

(a) Original e-poll request and all supporting documentation;

(b) A summary of the e-poll results identifying each member of the entity and ~~his or her~~their response; and

(c) A copy of any comment by a member of the entity if comments are made beyond a vote.

105.13~~2~~. Reporting Requirements

105.13~~2~~-1. *Minutes*. All minutes shall be submitted to the ~~Business Committee Support Office~~BCC Department within a reasonable time after approval by the entity, as identified in the entity's bylaws.

(a) Actions taken by an entity are valid upon approval of the action by vote, unless the bylaws of the entity otherwise require minutes to be approved by the entity before the actions are valid.

(b) Minutes shall be filed according to this section, and any specific directions within approved bylaws.

(c) No action or approval of minutes is required by the Oneida Business Committee on minutes submitted by an entity unless specifically required by the bylaws of that entity.

105.13~~2~~-2. *Standard Operating Procedures*. All standard operating procedures established by an entity shall be submitted to the ~~Business Committee Support Office~~BCC Department~~,~~ where they shall be kept on file.

105.132-3. *~~Quarterly~~ Reports to the Oneida Business Committee*. Every fiscal year e~~E~~ntities shall provide ~~quarterly~~ at least two reports to the Oneida Business Committee in accordance with the ~~quarterly~~ reporting schedule approved by the Oneida Business Committee. ~~All quarterly~~ The reports shall be approved by official entity action before they are submitted. The ~~quarterly~~ reports shall not contain any information that conflicts with any law, resolution, or policy of the Nation. At least one (1) member of the entity shall attend the Oneida Business Committee meeting where the ~~quarterly~~ report is an agenda item. ~~Quarterly r~~Reports shall follow a format prescribed by the Oneida Business Committee and contain the following information:

(a) *Contact Information*. The name of the entity, the member submitting the report, the Oneida Business Committee liaison; and a list of the members and their titles, term expiration dates, and contact information.

(b) *Meetings*. When and how often the entity is holding meetings and whether any emergency meetings have been held.

(1) If emergency meetings were held, the report shall indicate the basis of the emergency for each meeting.

(c) *Accomplishments*. Details of what the entity has accomplished since the last report~~that quarter~~, including any special events held during the reporting period and any travel by the members ~~and/~~or staff.

(d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next ~~quarter~~reporting period, and projected ~~quarterly~~ activities during the next reporting period.

(e) *Budget*. The amount of the entity's budget, the status of the budget ~~at that quarter~~, the amount of each stipend a member may be eligible to receive, how the budget is being utilized by the entity, and projected budgetary uses for the next ~~quarter~~reporting period.

(f) *Requests*. Details of any requests to the Oneida Business Committee.

(g) *Other*. And any other information deemed appropriate by the entity, as well as any other information required by a law or policy of the Nation.

105.132-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall provide annual reports to the Oneida General Tribal Council based on their activities during the previous fiscal year~~,~~ and semi-annual reports based on their activities during the current fiscal year. All annual and semi-annual reports shall follow a format prescribed by the Oneida Business Committee.

(a) Annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

(b) Each entity with oversight of a department shall also submit annual and semi-annual reports for each department the entity oversees.

105.132-5. Any failure to comply with the reporting requirements may result in the Oneida Business Committee placing a hold on the release of a stipend payment.

105.143. Stipends, Reimbursement and Compensation

105.143-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this section and according to procedures for payment as set out by the Nation, unless otherwise declined by the entity through its bylaws, or declined by a member.

105.143-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida Business Committee shall periodically review the amounts provided for stipends and, based on the availability of funds, shall adjust those amounts accordingly by amending the resolution. Stipends are paid in the form of cash or cash equivalent~~, which may include, but is not limited to, gift cards~~.

105.143-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a regular or emergency meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) *Meeting Stipends for an Appointed Entity*. An individual serving on an appointed entity shall be paid no more than twelve (12) meeting stipends per fiscal year.

(b) *Meeting Stipends for an Elected Entity*. An individual serving on an elected entity shall be paid no more than twenty-four (24) meeting stipends per fiscal year.

(c) *Demonstrating Presence During a Meeting*. An entity shall demonstrate the presence of its members during a meeting by taking roll call on the record at both the beginning and conclusion of a meeting.

(d) *Technological Issues Affecting Presence During a Meeting*. If a member of an entity experiences a technological issue during a regular or emergency meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the meeting despite the technological issue which disrupted the member's presence during the meeting.

105.143-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) An individual shall receive a stipend for ~~his or her~~their attendance at a duly called joint meeting.

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.13-3(a)-(b).

(b) *Demonstrating Presence During a Joint Meeting*. An entity shall demonstrate the presence of its members during a joint meeting by taking roll call on the record at both the beginning and conclusion of a joint meeting.

(c) *Technological Issues Affecting Presence During a Joint Meeting*. If a member of an entity experiences a technological issue during a joint meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the joint meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire joint meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the joint meeting despite the technological issue which disrupted the member's presence during the joint meeting.

105.143-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

105.143-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may obtain one~~a~~ hearing stipend for conducting a hearing~~s~~ administered by the entity. A hearing consists of all functions related to the resolution of the matter ~~notwithstanding the amount of time it takes to resolve the matter~~, including, but not limited to, ~~any continuations of the hearing and~~ decision drafting. A member may receive additional stipends for any continuation if a continuation is necessary to resolve the matter.

105.143-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any other stipends are appropriate to compensate members of entities for their official actions. All possible stipends shall be included in the Oneida Business Committee resolution which sets stipend amounts.

105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. At a minimum those requirements for members shall be:

(a) The Chairperson shall open the meeting with an explanation for the record as to why the meeting is being held virtually.

(b) The Chairperson shall take roll call at both the beginning and end of the virtual meeting.

(c) All members shall keep their video camera on during the entire meeting.

(d) The Chairperson shall poll each individual member to vocalize their support, opposition, or abstention to any motion.

105.143-9~~8~~. ~~*Conferences and Training*~~ *Conferences, Training, and Travel*. An appointed or elected member of any entity~~, elected or appointed,~~ shall be reimbursed in accordance with the Nation's policy for travel and per diem, for attending a conference or training~~. P~~ provided that:

(a) All entities shall be in compliance with the Nation's travel policies.

(b) A member shall be eligible for a stipend for attending a conference or training, when attendance at the conference or training is required by law, bylaw, or resolution.

(1) The amount of the stipend a member is eligible to receive for attendance at a conference or training shall be dependent on whether the member attended up to four (4) hours of a conference or training, or more than four (4) hours of a conference or training.

(c~~b~~) A member shall not be eligible for a conference and training stipend if that training is not required by law, bylaw, or resolution.

(d~~c~~) No stipend payments shall be made for those days spent traveling to and from the conference or training.

(e) The board, committee, or commission approves reimbursement for the member.

105.143-10~~9~~. *Business Expenses*. All members of entities shall be eligible for reimbursement for normal business expenses naturally related to membership in the entity.

(a) Before a member is eligible for reimbursement of normal business expenses, the board, committee, or commission must approve such expenses.

105.143-110. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees and subcommittees shall not be eligible for stipends unless specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

105.15. **Official Oneida Nation E-mail Address**.

105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.

(a) If a member is also an employee of the Nation, they shall receive a separate email address from their regular work e-mail address.

(b) A member of an entity shall have thirty (30) days after appointment or election to activate their official e-mail address.

(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided with an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.

(d) A member of an entity shall sign an acknowledgment form provided by the Secretary indicating notice of the Nation's applicable computer and media related laws, policies, and rules. The Secretary shall maintain a record of all such acknowledgment forms.

(e) A member of an entity shall exclusively use their official e-mail address to electronically conduct any business of the entity.

(f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the Digital Technology Services department to disable the e-mail address for the member having vacated the position.

105.164. Standards of Conduct

105.16-1. *Good Mind.* All members shall serve with a Good Mind guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism.

105.16-2. *Cultural Accountability*. Members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind, protect the well-being of the community, and serve with humility, honor, and respect.

105.16-3. *Prohibited Conduct*. Members are expected to walk with the Good Mind, honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.

(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.

(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.

(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.
(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.
(f) Falsify records, reports, or communications related to their official duties.
(g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.
(h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-8.
(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.15-9.
(k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

105.16-4. *Attendance and Meeting Conduct*. Members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in members by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.
(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:
(1) Actively and thoughtfully participate.
(2) Contribute to deliberations with clarity and respect.
(3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.
(4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.
(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:
(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.
(2) Maintain confidentiality of closed-session discussions and sensitive information.
(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.
(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of trust and be subject to review under enforcement provisions.

105.16-5. *Fair Dealing and Impartiality*. Members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:
(a) Refrain from granting special treatment beyond what is available to others under the law.

(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest.

(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.

(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

105.16-6. *Accountability and Transparency*. Public service is a sacred responsibility. Members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, but also a cultural duty rooted in respect for the people and the teachings of the Good Mind.

(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Members shall:

(1) conduct public business in a manner that is open, honest, and accessible to the community;

(2) provide timely and accurate information about decisions, policies, and the use of Nation resources; and

(3) ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

(c) *Community Engagement*. Members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

105.16-7. *Confidentiality ~~Information~~*.~~105.14-1.~~ All members of an entity shall maintain in a confidential manner all information obtained through their position on the entity. The Nation requires that all members of an entity who have access to the Nation's confidential information be subject to specific limitations in order to protect the interest of the Nation and ensure that no individuals ~~persons~~ engaged ~~in~~ by the Nation, nor their relatives or associates, benefit from the use of confidential information.

(a) Confidential information shall be considered and kept as the private and privileged records of the Nation and will not be divulged to any person, firm, corporation, or other entity except by direct written authorization of the Oneida Business Committee.

(b) A member of an entity will continue to treat as private and privileged any confidential information, and will not release any such information to any person, firm, corporation, or other entity, either by statement, deposition, or as a witness, except upon direct written authority of Oneida Business Committee, and the Nation shall be entitled to an injunction by any competent court to enjoin and restrain the unauthorized disclosure of such information. Such restriction continues after termination of the relationship with the Nation and the entity.

(c) Upon completion or termination of ~~his or her~~their appointed or elected ~~or appointed~~ term of membership in an entity, for any cause ~~whatsoever~~, the member of the entity will surrender to the Nation, in good condition, all records kept by the member of the entity.

(d) No member of an entity shall disclose confidential information acquired by reason of ~~his~~ their other relationship or status with the Nation for ~~his or her~~ their personal advantage, gain, or profit, or for the advantage, gain, or profit of a relative or associate~~.~~

(e) If a member does intentionally disclose confidential information, that member will be subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida Business Committee.

~~105.14-8.~~ (f) Any records created or obtained while serving as a member~~n official~~ of an entity are the property of the Nation and shall only be removed or destroyed by approval from a majority vote of the entity at a duly called meeting. All removal or destruction of documents shall be made in accordance with the Nation's laws and policies governing open records and open meetings.

~~105.14-3. *Official Oneida Nation E-mail Address*. Each member of an entity shall be provided an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.~~

~~(a) If a member is also an employee of the Nation, he or she shall receive a separate email address from his or her regular work e-mail address.~~

~~(b) A member of an entity shall have thirty (30) days upon election or appointment to an entity to activate his or her e-mail address.~~

~~(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.~~

~~(d) A member of an entity shall sign an acknowledgment form provided by the Nation's Secretary indicating notice of the Nation's applicable computer and media related laws, policies and rules. The Nation's Secretary shall maintain a record of all such acknowledgment forms.~~

~~(e) A member of an entity shall exclusively use his or her official e-mail address to electronically conduct any business of the entity, and shall not use a personal or work e-mail address to electronically conduct any business of the entity.~~

~~(f) Immediately upon receipt of notice of an entity vacancy, the Nation's Secretary shall instruct the Management Information Systems department to disable the e-mail address for the member having vacated the position.~~

105.16~~5~~-8. *Conflicts of Interest*. ~~05.15-1. All members of an entity are required to adhere to the Nation's laws and policies governing conflicts of interest.105.15-2. A m~~Members of an entity shall disclose a conflict of interest in writing to the ~~Nation's~~ Secretary as soon as the conflict arises and update a conflict of interest disclosure form with the ~~Nation's~~ Secretary on an annual basis.

(a) *Disclosure Forms*.

(1) The Oneida Law Office shall create both annual and as-needed disclosure forms.

(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these disclosure forms.

(3) All members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

(b~~a~~) Upon receiving information of a potential conflict of interest, the ~~Nation's~~ Secretary shall request a determination from the Oneida Law Office whether further action shall be taken by the Nation regarding the status of the official.

(1) Entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed.

~~105.15-3.~~ (c) *Ineligibility Due to Conflicts of Interest*. Due to the potential for an actual or implied ~~a real or perceived~~ conflict of interest ~~to exist~~, the following individuals ~~shall~~ may not be eligible to serve on an appointed or elected entity unless they obtain approval from their immediate supervisor; the individual may also be required to complete a conflict mitigation plan:

(1~~a~~) political appointees;

(2~~b~~) an employee of the Nation's Internal Audit Department, Finance Administration, Oneida Law Office, ~~Business Committee Support Office~~BCC Department, Government Administrative Office, or Intergovernmental Affairs ~~and Communications~~; and

(3~~c~~) an employee who serves as a direct report to the Oneida Business Committee or the Chief Executive Officer of Nation Services. ~~General Manager~~.

(d) *Ongoing Duty to Disclose*. Members who become aware of a conflict of interest shall promptly disclose and comply with the requirements of the conflict of interest mitigation plan.

105.16-9. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining the trust between the government and the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Members shall be guided by fairness, respect, and the Good Mind. Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

(b) *Preferential Treatment Prohibited.* No member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

105.16-10. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Members shall report any gift, honorarium, or sponsored event with a fair market value of $1000 or more that is given in connection with activities organized by or participated in on behalf of the Nation.

(1) Sponsored events not paid for or reimbursed by the Nation or another government entity for official duties, including fundraisers, social events, recreational events, or entertainment events and any associated travel costs must be recorded as a gift.

(2) Travel provided or reimbursed by a federal, state, or tribal government entity for the purpose of carrying out official government functions, such as tribal consultations, meetings, or trainings, is considered official business and is not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 105.15-10(a) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at $999.00 or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange may be exempt from reporting requirements, provided they are not of significant monetary value and do not create a conflict of interest. Members are encouraged to consult with the Oneida Law Office when in doubt.

105.176. Use of the Nation's Assets

105.176-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the ~~Oneida~~ Nation. Bank accounts will be reflected on the ~~Oneida~~ Nation's books in accordance with Generally Accepted Accounting Principles.

105.176-2. Each member of an entity shall comply with the system of internal accounting controls sufficient to provide assurances that:

(a) all transactions are executed in accordance with management's authorization; and

(b) access to assets is permitted only in accordance with management's authorization; and

(c) all transactions are recorded to permit preparation of financial statements in conformity with Generally Accepted Accounting Principles or other applicable criteria.

105.176-3. Any evidence of noncompliance with any policy regarding the use of the Nation's ~~tribal~~ assets shall be immediately reported to the Internal Audit department. If the Internal Audit ~~d~~department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will then provide a recommendation to the Government Administrative Office on how to proceed. ~~make a determination of further action to be taken, if any~~.

105.187. Dissolution of an Entity

105.187-1. *Dissolution of a Task Force or Ad Hoc Committee*. A task force or ad hoc committee dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the materials generated by a task force or ad hoc committee shall be forwarded to the ~~Business Committee Support Office~~BCC Department for proper disposal within ~~two~~ four (~~2~~4) weeks of the dissolution.

105.187-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by motion of the Oneida General Tribal Council or the Oneida Business Committee.

105.187-3. *Notice of Dissolution*. Within five (5) business days of the Oneida General Tribal Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida Business Committee shall provide the entity written notice of the dissolution.

105.187-4. *Management of Records and Materials*. All Chairpersons and Secretaries of dissolved entities shall be responsible for finalizing ~~closing out~~ open business of the entity and forwarding all materials and records to the ~~Business Committee Support Office~~BCC Department for proper storage and disposal within ~~two~~ four (~~2~~4) weeks of dissolution. The entity shall not alter or destroy any records. The ~~Business Committee Support Office~~BCC Department may utilize the assistance of the Records Management Department ~~and/~~or any other appropriate department for the storage and disposal of the records and materials.

(a) The entity may request the Oneida Business Committee to grant an ~~one (1) week~~ extension of the time allowed to close out open business of the entity and forward all materials and records to the ~~Business Committee Support Office~~BCC Department.

105.198. Enforcement

105.198-1. Any appointed member of an entity found to be in violation of this law may be subject to:

(a) termination of appointment by the Oneida Business Committee;

(b) loss of stipend; or

(1) When an appointed member's stipend is withheld, the Secretary shall submit written notices to the member, the entity's Chairperson or Vice-Chairperson, as applicable, and the BCC Department.

(c) Any other penalty identified by the entity in the entity's bylaws.

105.19-2. Any elected member of an entity found to be in violation of this law may be subject to:

(a) loss of stipend or any other sanction~~s~~ and penalty~~ies~~ in accordance with any laws or policies of the Nation governing sanctions and~~/or~~ penalties;

(b) removal pursuant to any laws or policies of the Nation~~'s~~ governing removal; or

(c) any other penalty identified by the entity in the entity's bylaws.

~~, if the individual is a member of an elected entity; or~~

~~(c) termination of appointment by the Oneida Business Committee, if the individual is a member of an appointed entity.~~

105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's stipend and any other sanctions or penalties identified by that entity as long as those sanctions or penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.

105.19-4. *Appeal*. If applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty.

End.

Adopted - BC-08-02-95-A
Amended - BC-05-14-97-F
Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency amendments)
Amended – BC-09-22-10-C
Amended – BC-09-26-18-C
Emergency Amended – BC-03-11-20-B
Emergency Amended – BC-03-17-20-C
Amended – BC-08-12-20-B

Title 1. Government and Finances – Chapter 105
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BOARDS, COMMITTEES, AND COMMISSIONS

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105.1. Purpose and Policy

105.1-1. *Purpose*. It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals to boards, committees, and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

(a) This law shall not apply to the Oneida Business Committee or standing committees of the Oneida Business Committee.

(b) This law does not apply to Tribal corporations due to the corporate structure and autonomy of those entities.

105.1-2. *Policy*. It is the policy of the Nation to have consistent and standard procedures for choosing and appointing or electing the most qualified individuals to boards, committees, and commissions, for creation of bylaws governing boards, committees, and commissions, and for the maintenance of information created by, and for, boards, committees, and commissions.

(a) It is further the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All appointed and elected individuals shall strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by On<yote>a=ka, which includes:

(1) Kahletsyal&sla. The heartfelt encouragement of the best in each of us.

(2) Kanolukhw@sla. Compassion, caring, identity, and joy of being.

(3) Ka>nikuhli=y%. The openness of the good spirit and mind.

(4) Ka>tshatst^sla. The strength of belief and vision as a People.

(5) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.

(6) Twahwahts$lay<. All of us are family.

(7) Yukwats$stay<. Our fire, our spirit within each one of us.

105.2. Adoption, Amendment, Repeal

105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, BC-08-12-20-B, and BC-__-___-___-__.
105.2-2. 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.
105.2-3. 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.
105.2-4. 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.
105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

105.3. Definitions

105.3-1. 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) "Application" means the form by which a person seeks to be appointed to fill a vacancy on an entity.
(b) "Appointment" means the process by which a person is chosen to fill a vacancy on an entity by the Oneida Business Committee.
(c) “BCC Department” means the Boards, Committees, and Commissions Department.
(d) “Business day” means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding holidays recognized by the Nation.
(e) “Bylaws” means a document which provides a framework for the operation and management of a board, committee, or commission of the Nation chiefly for the government of its members and the regulation of its affairs.
(f) “Conference” means any training, seminar, meeting, or other assembly of individuals which is not an assembly of the entity.
(g) “Confidential information” means all information or data, whether printed, written, or oral, concerning business or customers of the Nation, disclosed to, acquired by, or generated by a member of an entity in confidence at any time during their appointed or elected term or during their employment.
(h) “Conflict of interest” means any financial, personal, or political interest, actual or implied in which an appointed or elected member or any member of their immediate family, has that conflicts with any right of the Nation to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation or to any transaction between the Nation and an outside party.
(i) “Direct report” means a position which requires direct contact and supervision by the Oneida Business Committee because of the position, the duties, or the services provided. Direct reports shall be identified by the Oneida Business Committee through resolution.
(j) “Entity" means a board, committee or commission created by the General Tribal Council or the Oneida Business Committee whose members are appointed by the Oneida Business Committee or elected by the Nation’s membership.

(k) “E-poll” means an electronic poll, which is the act of delivering an e-mail to all officials of an entity, in order to seek a response which identifies a vote in favor of, opposing, or abstaining to an issue requiring approval by the entity.
(l) “Fiscal year” means the one (1) year period each year from October 1st to September 30th.
(m) “Joint meeting” means a meeting with the Oneida Business Committee.
(n) “Letter” means a written or printed message addressed to a specific person or organization; for the purposes of this law, a letter can be on paper or sent electronically.
(o) “Member” means all individuals who are appointed or elected to serve on a board, committee, or commission created by the Oneida Business Committee or the Oneida General Tribal Council.
(p) “Nation” means the Oneida Nation.
(q) “Per diem” means the payment made by the Nation to offset the costs of being on travel on behalf of the Nation.
(r) “Political appointee” means a person who assists an elected member of the Oneida Business Committee in their daily activities and operations.
(s) “Prohibited drugs” means marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.
(t) “Secretary” means the person elected and serving as the Nation’s Secretary; an officer position of the Oneida Business Committee.
(u) “Stipend” means the amount paid by the Nation to a person serving on a board, committee, or commission of the Nation in order to compensate the individual for their contribution of time, effort, and work for their board, committee, or commission for the betterment of the Nation.
(v) “Subcommittee” means a subgroup of an entity; which is comprised of fewer than all members of the entity; which is designated one (1) or more specific responsibilities on behalf of the entity.
(w) “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.
(x) "Task Force or Ad Hoc" means a group of individuals gathered to pursue a single goal, the accomplishment of which means the disbanding of the group. The goal is generally accomplished in a short time period, i.e. less than one year, but the goal itself may be long term.
(y) "Vacancy" means any position on any board, committee, or commission caused by resignation, end of term, removal, termination, or creation of a new position.

105.4. Creation of an Entity

105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida Business Committee or General Tribal Council.
105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all powers and responsibilities delegated to the entity.

105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial bylaws of the entity.
105.4-4. The Oneida Business Committee shall be responsible for approving the initial bylaws of the entity.

105.5. Applications
105.5-1. The BCC Department shall approve all applications to serve on an entity of the Nation. All application materials shall be available in any location identified by, or in the offices of, the BCC Department
(a) All applications shall include:
(1) a statement explaining the reporting requirements of section 105.13-3; and
(2) a section regarding disclosures of conflicts of interest.
(b) An additional application form shall be required for those entities that require a background investigation. This background investigation application shall include the applicant's social security number and any other information required for a background investigation. The background investigation application shall be solely used for the background investigation and not included in the application materials that are then shared with the Oneida Business Committee, entity, or the Election Board.
105.5-2. Applications shall be filed with the BCC Department by 4:30 p.m. of the deadline date.
105.5-3. Within eight (8) business days after the posted deadline for filing applications, the BCC Department shall notify all individuals who have filed an application of the date their application was received and if their application met the deadline to be considered for the election or appointment.
105.5-4. Applications for elected positions shall be verified according to the Nation's laws, bylaws, or policies governing elections. Applications for appointed positions shall be verified by the BCC Department as needed or as required in the bylaws of the entity.
105.5-5. *Insufficient Applicants*. In the event that there are an insufficient number of applicants after the deadline has passed for appointed positions, the BCC Department may repost.
(a) If the number of applicants is equal to or less than the number of vacancies then it shall be determined to be an insufficient number of applicants.
(b) The BCC Department shall notify the Oneida Business Committee if a position will be reposted.
(c) In the event of reposting, prior applicants will be considered to have filed applications within the deadline period.
(d) The Oneida Business Committee may consider late applicants.

105.6. Vacancies
105.6-1. The manner by which an individual fills a vacancy, either through appointment or election, shall determine that member's status as an appointed or elected official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.
105.6-2. A position on an entity shall be considered vacant in the following situations:
(a) *End of Term.* A vacancy is effective as of 4:30 p.m. on the last day of the month in which the term ends.
(1) Although a position is considered vacant once the term ends, the member of the entity may remain in office until the member's successor has been sworn in by

the Oneida Business Committee, provided that the position may not be held by the predecessor for longer than sixty (60) business days, in an effort to prevent a discontinuation of business or a loss of quorum for the entity.

(b) *Removal*. Removal is effective, pursuant to any law or policy of the Nation regarding removal.

(c) *Termination of Appointment.* A termination is effective upon a two-thirds (2/3) majority vote of the Oneida Business Committee in favor of a member's termination of appointment.

(d) *Resignation*. A resignation is effective upon:

(1) deliverance of a letter to the BCC Department and to the Chairperson of the entity, or designee; or

(2) acceptance by motion of the entity of a verbal resignation; and

(3) certification and acceptance by the Secretary.

(e) *New Positions.* Vacancies on new entities are effective upon adoption of bylaws.

105.6-3. An entity shall notify the BCC Department as soon as the entity learns that a position has or will become vacant. All notices of vacancy shall be sent to the entities for clarification or confirmation prior to notification to the Oneida Business Committee.

105.6-4. The BCC Department shall forward the notice of vacancy to the Secretary. The Secretary shall request and receive approval from the Oneida Business Committee to post the notice of vacancy. The BCC Department shall post notice of vacancies at the following times:

(a) *End of Term*. Automatically sixty (60) days prior to completion of the term.

(b) *Removal*. No later than the next Oneida Business Committee meeting following the effective date of the removal.

(c) *Resignation*. No later than the next Oneida Business Committee meeting following the BCC Department's receipt of notice of an effective resignation from the entity.

(d) *New Positions*. Upon one of the following conditions:

(1) if not specified, immediately upon the creation of an entity or the adoption of bylaws, whichever is later; or

(2) upon the date specified when creating the entity.

(e) *Termination of appointment*. No later than the next Oneida Business Committee meeting following the effective date of the termination.

105.6-5. Notice of vacancies shall be posted by the BCC Department in all official media outlets of the Nation, as determined by the Oneida Business Committee, as well as any other location deemed appropriate by the Secretary.

105.7. Appointment to an Entity

105.7-1. *Appointment Selection.* The following procedures shall be used to determine how the applicant for an appointed position is selected:

(a) Within eight (8) business days after the posted deadline for submitting an application, or within twenty-one (21) business days of the posted deadline if the entity requires a background investigation to be completed as part of the application process, the BCC Department shall:

(1) deliver all applications, along with a summary of qualifications to hold office, and the results of the background investigation if required, to each member of the Oneida Business Committee as well as the entity's Chairperson; and

(2) place the appointment for the entity on the next executive session portion of the agenda of a regular or special Oneida Business Committee meeting in which the appointment is intended to be made; or

(3) if delays in compiling the applications, summary of qualifications, or results of any investigations exist, request additional time from the Oneida Business Committee to complete requirements of section 105.7-1(a)(1)-(2).

(b) Each member of the Oneida Business Committee shall review the application materials prior to executive session and be prepared to discuss and select an applicant for appointment.

(1) The entity's Chairperson may review the application materials and submit a recommendation to the BCC Department to include in the application materials to be reviewed by the Oneida Business Committee.

(A) The recommendation shall be submitted to the BCC Department in accordance with the submission deadlines for the Oneida Business Committee meeting in which the appointment is intended to be made.

(c) The Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants and any recommendations made by the Chairperson of the entity during executive session. After completing a thorough discussion the Oneida Business Committee shall:

(1) select an applicant for appointment; or

(2) ask the Secretary to re-notice the vacancy because of ineligible, unqualified, or under qualified applicants.

(d) All appointments shall be made by the Oneida Business Committee during the open session of a regular or special Oneida Business Committee meeting. The Oneida Business Committee shall not appoint an applicant who fails to meet the requirements set out in the entity's bylaws.

(e) During the open session of the regular or special Oneida Business Committee meeting, a member of the Oneida Business Committee may make a motion to appoint an individual. Oneida Business Committee members may:

(1) accept the selected applicant and vote to appoint the individual to the vacant position; or

(2) reject the selected applicant and vote to oppose the appointment.

(f) If the Oneida Business Committee rejects the selected applicant, the matter will be deferred to the next Oneida Business Committee meeting where another applicant may be recommended by the Oneida Business Committee or the Oneida Business Committee may direct the vacancy to be re-posted. When a vacancy is re-posted under this section, all applications from the first posting shall be considered to have been filed within the deadline period.

105.7-2. *Notification of Appointment*. Once an individual is selected for appointment at an Oneida Business Committee meeting, the Secretary shall notify all applicants of the final status of their application.

(a) The Secretary shall include on the notice to the applicant selected for appointment the following paragraph: "The Oneida Nation reports all income paid by the Oneida Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be

offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.7-3. *Declination of Appointment*. An individual who has been selected for appointment to an entity by the Oneida Business Committee may decline the appointment.

(a) An individual may decline an appointment to an entity in the following ways:

(1) delivery of a letter to the BCC Department stating that the individual wishes to decline the appointment; or

(2) failure to take the oath of office within thirty (30) days or within two (2) regularly scheduled Oneida Business Committee meetings of being selected for appointment by the Oneida Business Committee.

(b) The BCC Department shall notify the Oneida Business Committee if an individual declines an appointment to an entity. The Oneida Business Committee shall then use the original pool of applications for the vacancy posting and the process outlined in section 105.7-1 to select another applicant for appointment.

105.7-4. *Termination of Appointment*. An appointed member of an entity serves at the discretion of the Oneida Business Committee. Upon the recommendation of a member of the Oneida Business Committee or the entity, a member of an appointed entity may have their appointment terminated by the Oneida Business Committee.

(a) A two-thirds majority vote of the Oneida Business Committee shall be required in order to terminate the appointment of an individual.

(b) The Oneida Business Committee's decision to terminate an appointment is final and not subject to appeal.

105.8. Election to an Entity

105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election Board, or apply for ballot placement, in accordance with the Nation's laws or policies governing elections, except where an entity's bylaws allow for a vacancy to be filled by appointment.

(a) When the Election Board notifies an applicant or nominee that they are eligible to be placed on the ballot, the following paragraph shall be included: "The Oneida Nation reports all income paid by the Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.8-2. All other processes for the election of a member of an entity shall be pursuant to the Nation's laws or policies governing elections.

105.9. Oath of Office

105.9-1. All appointed and elected positions are official upon taking an oath during a regular or special Oneida Business Committee meeting or at an alternative time and location as determined by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon taking the oath. The Secretary shall notify the chosen individuals when they shall appear for taking the oath.

(a) When taking an oath, the appointed or elected member shall appear in person to take their oath, except if granted permission by the Secretary to appear through video conferencing, or through other telecommunications.

(b) If an oath is administered outside of an Oneida Business Committee meeting, a quorum of Oneida Business Committee members shall be present to witness the oath.

105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file by the BCC Department.

105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath, shall be maintained by the BCC Department. Copies of the oath shall be forwarded to the new member of the entity and the entity.

105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is pre-approved by the Oneida Business Committee: "I, [name], hereby promise to uphold the laws and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida people with honor, respect, dignity, and sincerity and will strictly maintain confidential information. I will carry out the duties and responsibilities as a member of the [entity name], and all recommendations shall be made in the best interest of the Oneida Nation as a whole."

105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware of their duty to the Nation and as members of the entity.

105.10. Other Responsibilities

105.10-1. *Onboarding*. Before a new member begins performing their duties and in addition to taking the oath of office, the new member must complete the entity's onboarding requirements in accordance with an approved standard operating procedure. This procedure shall include, but is not limited to the following:

(a) Conflict of Interest.

(b) Confidentiality Agreement.

(c) Training:

(1) Regarding the Nation and the State of the Nation, in general. Such training may include, but will not be limited to, the Nation's Economic Impact Statement, organizational chart, and government goals and vision.

(2) Regarding the training required by the specific entity's bylaws.

(3) Regarding human resources as determined by the Nation's Human Resources Department to the extent that entity directly supervises employees of the Nation.

105.10-2. *Offboarding*. When a member leaves an entity that member and the BCC Department or the Government Administrative Office shall be responsible for ensuring the member completes offboarding in accordance with an approved standard operating procedure. The offboarding procedure may include, but is not limited to:

(a) Transition of assigned duties and responsibilities.

(b) Return of equipment.

(c) De-activation of email, identification card, and access card.

(d) Exit interview or survey.

105.11. Bylaws

105.11-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless General Tribal Council approval is additionally required.

(a) All existing entities shall comply with this format and present bylaws for adoption within a reasonable time after creation of the entity, or within a reasonable time after adoption or amendment of this law.

(b) Bylaws shall contain at least the minimum information required by law, although more information is not prohibited.

(c) *Exception*. Task Forces and Ad Hoc Committees are excepted from the requirement to have bylaws. However, these entities shall have, at minimum, mission or goal statements for completion of the task.

105.11-2. *Articles*. Bylaws shall contain, at a minimum, the following Articles:

(a) Article I. Authority.

(b) Article II. Officers.

(c) Article III. Meetings.

(d) Article IV. Expectations.

(e) Article V. Stipends and Compensation.

(f) Article VI. Records and Reporting.

(g) Article VII. Amendments.

105.11-3. *Sections*. Articles shall be divided into the following Sections.

(a) "Article I. Authority" shall consist of the following:

(1) *Name*. The full name of the entity shall be stated, along with any short name that will be officially used.

(2) *Establishment*. This section shall state the citation and name, if any, of the creation document.

(3) *Authority*. This section shall state the purpose for which the entity was created and what, if any, authority the entity is delegated.

(4) *Office*. There shall be listed the official office or post box of the entity.

(5) *Membership*. The following information shall be in this section:

(A) number of members on the entity;

(B) if members on the entity are appointed or elected, and how a member is appointed or elected;

(C) how vacancies are filled; and

(D) qualifications for membership on the entity.

(i) In order to qualify for membership on an entity, a person shall meet the minimum age requirements set forth for status as a qualified voter of the Nation, unless a law, policy, or directive sets forth a minimum age requirement.

(6) *Termination or Removal.* This section shall identify causes for termination or removal, if any, in addition to those already identified in laws or policies of the Nation.

(7) *Trainings and Conferences*. This section shall address travel for training and conferences. Travel for training and conferences is allowable in accordance with the Nation's travel policies. All entities shall be in compliance with the Nation's travel policies.

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the Chairperson and Vice-Chairperson positions of the entity. Other officer positions may also be created here.

(2) *Responsibilities of the Chairperson*. Because of the importance of this position, all duties and responsibilities of the Chairperson, as well as limitations of the Chairperson shall be specifically listed here.

(3) *Responsibilities of the Vice-Chairperson*. Because of the importance of this position, all duties and responsibilities of the Vice-Chairperson, as well as limitations of the Vice-Chairperson shall be specifically listed here.

(4) *Responsibilities of Additional Officers*. There may be additional sections as needed for every officer position created in subsection one (1) above. These sections shall state all duties and responsibilities of the officer, as well as any limitations of the officer.

(5) *Selection of Officers*. This section shall identify how a member of the entity shall be selected for an official officer position in the entity.

(6) *Purchases and Travel*. This section shall identify how the entity shall approve purchases or travel on behalf of the entity.

(A) An entity shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

(B) Upon formal approval of a purchase by an entity, the BCC Department shall have official budgetary sign off authority for the entity.

(C) An entity shall approve a member's request to travel on behalf of the entity by majority vote at a regular or emergency meeting of the entity.

(7) *Personnel*. This section shall state the entity's authority for hiring personnel, if any, and the duties of such personnel.

(c) "Article III. Meetings" shall consist of the following:

(1) *Regular meetings*. This section shall identify when and where regular meetings shall be held, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(2) *Emergency meetings*. This section shall identify what constitutes an emergency meeting, how emergency meetings shall be called, and how the entity shall provide notice of the emergency meeting.

(A) All bylaws shall include a provision requiring that within seventy-two (72) hours after an emergency meeting, the entity shall provide the Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.

(3) *Joint Meetings*. This section shall identify if joint meetings shall be held, the frequency and location of joint meetings, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(4) *Quorum*. This section shall identify how many members of an entity create a quorum.

(5) *Order of Business*. This section sets out how the agenda will be set up.

(6) *Voting*. This section shall identify voting requirements, such as, but not limited to:

(A) the percentages that shall be needed to pass different items;

(B) if, and when, the Chairperson is allowed to vote;

(C) if the use of an e-poll is permissible; and

(D) if the use of an e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

(d) "Article IV. Expectations" shall consist of the following information:

(1) *Behavior of Members*. This section shall identify the behavioral expectations and requirements of a member of the entity required by this law and any additional expectations and requirements specific to the entity and identify how the entity shall enforce these behavioral expectations.

(2*) Prohibition of Violence*. This section shall prohibit any violent, intentional act committed by a member of the entity that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property, and set forth any further expectations regarding the prohibition of violence.

(3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and prohibited drugs for a member of an entity when acting in their official capacity and set forth any further expectations regarding the use of prohibited drugs and alcohol.

(4) *Social Media*. This section shall identify expectations for the use of social media regarding official business of the entity.

(5) *Conflict of Interest*. This section shall state any standards and expectations additional to those required by this law regarding conflicts of interest and how they are handled, as well as requirements related to prohibited activities resulting from disclosed conflicts of interest and means by which a party can alleviate or mitigate the conflict of interest.

(6) *Conflict Resolution.* This section shall address how the entity will handle conflict resolution. At a minimum, the entity's procedures and requirements for conflict resolution shall conform to any policy of the Nation's Human Resources Department.

(7) *Leave of Absence*. This section shall address leave of absence, at a minimum, as it is allowed to employees of the Nation pursuant to policies of the Nation's Human Resources Department.

(e) "Article V. Stipends and Compensation" shall consist of the following information:

(1) *Stipends*. This section shall include a comprehensive list of all stipends members are eligible to receive and the requirements for collecting each stipend, if any, in addition to those contained in this law. This section shall also include the procedure to withhold a member's stipend if a member does not meet the identified requirements needed to collect each stipend.

(2) *Compensation*. This section shall include details regarding all other forms of compensation members are eligible to receive and the requirements for collecting such compensation, if any, in addition to those contained in this law.

(f) "Article VI. Records and Reporting" shall consist of the following information:

(1) *Agenda Items*. Agenda items shall be maintained in a consistent format as identified by this section.

(2) *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record of the meetings of the entity. This may include a summary of action taken by the entity. This section shall identify the format for minutes, and a reasonable timeframe by which minutes shall be submitted to the BCC Department.

(3) *Attachments*. Handouts, reports, memoranda, or other relevant documents may be attached to the minutes and agenda, or may be kept separately, provided that all materials can be identified to the meeting in which they were presented. This section shall identify how records of attachments shall be kept.

(4) *Oneida Business Committee Liaison*. Entities shall regularly communicate with the Oneida Business Committee member who is their designated liaison. This section shall identify a format and frequency for communication which may be as the liaison and entity agree to, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council. The liaison shall act as a support to that entity.

(5) *Audio Recordings*. An entity shall audio record all meetings. This section shall state how the entity shall audio record meetings and how the entity shall maintain the audio records.

(A) Exception. Audio recordings of executive session portions of a meeting shall not be required.

(g) "Article VII. Amendments" consists of:

(1) *Amendments to Bylaws*. This section shall describe how amendments to the bylaws are made. Any amendments to bylaws shall conform to the requirements of this law and any other policy of the Nation. Amendments to bylaws shall be approved by the Oneida Business Committee, in addition to the General Tribal Council when applicable, prior to implementation.

105.12. Electronic Polling

105.12-1. An entity may utilize an e-poll when approval of an action may be required before the next available meeting agenda of the entity.

105.12-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail address of the entity. The e-poll's message shall include the following information:

(a) a summary of the reason for the request and why the request cannot be presented at the next available meeting of the entity; and

(b) a deadline date for a response.

(1) E-poll requests shall be open for response not less than one (1) hour and no more than twenty-four (24) hours.

(2) The Chairperson of the entity, or designee, is responsible for creating a time frame for responses based on urgency, scheduling, and any other pertinent factors.

105.12-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A response from a member of an entity shall be valid if received from an official e-mail address of the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll

request shall receive responses from a majority of members of the entity in order to be an official vote.

(a) E-polls that receive at least a majority of supporting votes by the deadline are considered to be approved.

(b) E-polls for which insufficient responses were received by the deadline are considered to have failed to receive support, and result in a denied request.

(c) E-polls that result in a denied request may be reconsidered by the entity at the next available meeting.

(d) The Chairperson, or designee, shall monitor all responses and deadline dates for responses.

105.12-4. *Entering an E-Poll in the Record*. Both approved and denied e-poll requests shall be placed on the next meeting agenda of the entity to be entered into the record. The agenda item shall contain the following information:

(a) Original e-poll request and all supporting documentation;

(b) A summary of the e-poll results identifying each member of the entity and their response; and

(c) A copy of any comment by a member of the entity if comments are made beyond a vote.

105.13. Reporting Requirements

105.13-1. *Minutes*. All minutes shall be submitted to the BCC Department within a reasonable time after approval by the entity, as identified in the entity's bylaws.

(a) Actions taken by an entity are valid upon approval of the action by vote, unless the bylaws of the entity otherwise require minutes to be approved by the entity before the actions are valid.

(b) Minutes shall be filed according to this section, and any specific directions within approved bylaws.

(c) No action or approval of minutes is required by the Oneida Business Committee on minutes submitted by an entity unless specifically required by the bylaws of that entity.

105.13-2. *Standard Operating Procedures*. All standard operating procedures established by an entity shall be submitted to the BCC Department where they shall be kept on file.

105.13-3. *Reports to the Oneida Business Committee*. Every fiscal year entities shall provide at least two reports to the Oneida Business Committee in accordance with the reporting schedule approved by the Oneida Business Committee. The reports shall be approved by official entity action before they are submitted. The reports shall not contain any information that conflicts with any law, resolution, or policy of the Nation. At least one (1) member of the entity shall attend the Oneida Business Committee meeting where the report is an agenda item. Reports shall follow a format prescribed by the Oneida Business Committee and contain the following information:

(a) *Contact Information*. The name of the entity, the member submitting the report, the Oneida Business Committee liaison; and a list of the members and their titles, term expiration dates, and contact information.

(b) *Meetings*. When and how often the entity is holding meetings and whether any emergency meetings have been held.

(1) If emergency meetings were held, the report shall indicate the basis of the emergency for each meeting.

(c) *Accomplishments*. Details of what the entity has accomplished since the last report, including any special events held during the reporting period and any travel by the members or staff.

(d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next reporting period, and projected activities during the next reporting period.

(e) *Budget*. The amount of the entity's budget, the status of the budget, the amount of each stipend a member may be eligible to receive, how the budget is being utilized by the entity, and projected budgetary uses for the next reporting period.

(f) *Requests*. Details of any requests to the Oneida Business Committee.

(g) *Other*. And any other information deemed appropriate by the entity, as well as any other information required by a law or policy of the Nation.

105.13-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall provide annual reports to the Oneida General Tribal Council based on their activities during the previous fiscal year and semi-annual reports based on their activities during the current fiscal year. All annual and semi-annual reports shall follow a format prescribed by the Oneida Business Committee.

(a) Annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

(b) Each entity with oversight of a department shall also submit annual and semi-annual reports for each department the entity oversees.

105.13-5. Any failure to comply with the reporting requirements may result in the Oneida Business Committee placing a hold on the release of a stipend payment.

105.14. Stipends, Reimbursement and Compensation

105.14-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this section and according to procedures for payment as set out by the Nation, unless otherwise declined by the entity through its bylaws, or declined by a member.

105.14-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida Business Committee shall periodically review the amounts provided for stipends and based on the availability of funds shall adjust those amounts accordingly by amending the resolution. Stipends are paid in the form of cash or cash equivalent.

105.14-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a regular or emergency meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) *Meeting Stipends for an Appointed Entity*. An individual serving on an appointed entity shall be paid no more than twelve (12) meeting stipends per fiscal year.

(b) *Meeting Stipends for an Elected Entity*. An individual serving on an elected entity shall be paid no more than twenty-four (24) meeting stipends per fiscal year.

(c) *Demonstrating Presence During a Meeting*. An entity shall demonstrate the presence of its members during a meeting by taking roll call on the record at both the beginning and conclusion of a meeting.

(d) *Technological Issues Affecting Presence During a Meeting*. If a member of an entity experiences a technological issue during a regular or emergency meeting held by

telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the meeting despite the technological issue which disrupted the member's presence during the meeting.

105.14-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) An individual shall receive a stipend for their attendance at a duly called joint meeting.

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.13-3(a)-(b).

(b) *Demonstrating Presence During a Joint Meeting*. An entity shall demonstrate the presence of its members during a joint meeting by taking roll call on the record at both the beginning and conclusion of a joint meeting.

(c) *Technological Issues Affecting Presence During a Joint Meeting*. If a member of an entity experiences a technological issue during a joint meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the joint meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire joint meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the joint meeting despite the technological issue which disrupted the member's presence during the joint meeting.

105.14-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

105.14-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may obtain one hearing stipend for conducting a hearing administered by the entity. A hearing consists of all functions related to the resolution of the matter, including, but not limited to, decision drafting. A member may receive additional stipends for any continuation if a continuation is necessary to resolve the matter.

105.14-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any other stipends are appropriate to compensate members of entities for their official actions. All possible stipends shall be included in the Oneida Business Committee resolution which sets stipend amounts.

105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. At a minimum those requirements for members shall be:

(a) The Chairperson shall open the meeting with an explanation for the record as to why the meeting is being held virtually.

(b) The Chairperson shall take roll call at both the beginning and end of the virtual meeting.

(c) All members shall keep their video camera on during the entire meeting.

(d) The Chairperson shall poll each individual member to vocalize their support, opposition, or abstention to any motion.

105.14-9. *Conferences, Training, and Travel*. An appointed or elected member of any entity shall be reimbursed in accordance with the Nation's policy for travel and per diem, for attending a conference or training provided that:

(a) All entities shall be in compliance with the Nation's travel policies.

(b) A member shall be eligible for a stipend for attending a conference or training, when attendance at the conference or training is required by law, bylaw, or resolution.

(1) The amount of the stipend a member is eligible to receive for attendance at a conference or training shall be dependent on whether the member attended up to four (4) hours of a conference or training, or more than four (4) hours of a conference or training.

(c) A member shall not be eligible for a conference and training stipend if that training is not required by law, bylaw, or resolution.

(d) No stipend payments shall be made for those days spent traveling to and from the conference or training.

(e) The board, committee, or commission approves reimbursement for the member.

105.14-10. *Business Expenses*. All members of entities shall be eligible for reimbursement for normal business expenses naturally related to membership in the entity.

(a) Before a member is eligible for reimbursement of normal business expenses, the board, committee, or commission must approve such expenses.

105.14-11. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees and subcommittees shall not be eligible for stipends unless specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

105.15. Official Oneida Nation E-mail Address

105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.

(a) If a member is also an employee of the Nation, they shall receive a separate email address from their regular work e-mail address.

(b) A member of an entity shall have thirty (30) days after appointment or election to activate their official e-mail address.

(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided with an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.

(d) A member of an entity shall sign an acknowledgment form provided by the Secretary indicating notice of the Nation's applicable computer and media related laws, policies, and rules. The Secretary shall maintain a record of all such acknowledgment forms.

(e) A member of an entity shall exclusively use their official e-mail address to electronically conduct any business of the entity.

(f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the Digital Technology Services department to disable the e-mail address for the member having vacated the position.

105.16. Standards of Conduct

105.16-1. *Good Mind.* All members shall serve with a Good Mind guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism.

105.16-2. *Cultural Accountability*. Members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind, protect the well-being of the community, and serve with humility, honor, and respect.

105.16-3. *Prohibited Conduct*. Members are expected to walk with the Good Mind, honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.

(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.

(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.

(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.

(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.

(f) Falsify records, reports, or communications related to their official duties.

(g) Accept gifts, gratuities, or honoraria in violation of Section 105.16-10.

(h) Participate in decisions where a conflict of interest exists, as defined in Section 105.16-8.

(i) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.16-9.

(j) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

105.16-4. *Attendance and Meeting Conduct*. Members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in members by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:

(1) Actively and thoughtfully participate.

(2) Contribute to deliberations with clarity and respect.

(3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.

(4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.

(2) Maintain confidentiality of closed-session discussions and sensitive information.

(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of trust and be subject to review under enforcement provisions.

105.16-5. *Fair Dealing and Impartiality*. Members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:

(a) Refrain from granting special treatment beyond what is available to others under the law.

(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest.

(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.

(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

105.16-6. *Accountability and Transparency*. Public service is a sacred responsibility. Members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, but also a cultural duty rooted in respect for the people and the teachings of the Good Mind.

(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Members shall:

(1) conduct public business in a manner that is open, honest, and accessible to the community;

(2) provide timely and accurate information about decisions, policies, and the use of Nation resources; and

(3) ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

(c) *Community Engagement*. Members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional

knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

105.16-7. *Confidentiality*. All members of an entity shall maintain in a confidential manner all information obtained through their position on the entity. The Nation requires that all members of an entity who have access to the Nation's confidential information be subject to specific limitations in order to protect the interest of the Nation and ensure that no individuals engaged by the Nation, nor their relatives or associates, benefit from the use of confidential information.

(a) Confidential information shall be considered and kept as the private and privileged records of the Nation and will not be divulged to any person, firm, corporation, or other entity except by direct written authorization of the Oneida Business Committee.

(b) A member of an entity will continue to treat as private and privileged any confidential information, and will not release any such information to any person, firm, corporation, or other entity, either by statement, deposition, or as a witness, except upon direct written authority of Oneida Business Committee, and the Nation shall be entitled to an injunction by any competent court to enjoin and restrain the unauthorized disclosure of such information. Such restriction continues after termination of the relationship with the Nation and the entity.

(c) Upon completion or termination of their appointed or elected term of membership in an entity, for any cause, the member of the entity will surrender to the Nation, in good condition, all records kept by the member of the entity.

(d) No member of an entity shall disclose confidential information acquired by reason of their other relationship or status with the Nation for their personal advantage, gain, or profit, or for the advantage, gain, or profit of a relative or associate

(e) If a member does intentionally disclose confidential information, that member will be subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida Business Committee.

(f) Any records created or obtained while serving as a member of an entity are the property of the Nation and shall only be removed or destroyed by approval from a majority vote of the entity at a duly called meeting. All removal or destruction of documents shall be made in accordance with the Nation's laws and policies governing open records and open meetings.

105.16-8. *Conflicts of Interest.* Members of an entity shall disclose a conflict of interest in writing to the Secretary as soon as the conflict arises and update a conflict of interest disclosure form with the Secretary on an annual basis.

(a) *Disclosure Forms*.

(1) The Oneida Law Office shall create both annual and as-needed disclosure forms.

(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these disclosure forms.

(3) All members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

(b) Upon receiving information of a potential conflict of interest, the Secretary shall request a determination from the Oneida Law Office whether further action shall be taken by the Nation regarding the status of the official.

(1) Entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed.

(c) *Ineligibility Due to Conflicts of Interest*. Due to the potential for an actual or implied conflict of interest, the following individuals may not be eligible to serve on an appointed or elected entity unless they obtain approval from their immediate supervisor; the individual may also be required to complete a conflict mitigation plan:

(1) political appointees;

(2) an employee of the Nation's Internal Audit Department, Finance Administration, Oneida Law Office, BCC Department, Government Administrative Office, or Intergovernmental Affairs; and

(3) an employee who serves as a direct report to the Oneida Business Committee or the Chief Executive Officer of Nation Services.

(d) *Ongoing Duty to Disclose*. Members who become aware of a conflict of interest shall promptly disclose and comply with the requirements of the conflict of interest mitigation plan.

105.16-9. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining the trust between the government and the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Members shall be guided by fairness, respect, and the Good Mind. Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

(b) *Preferential Treatment Prohibited.* No member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

105.16-10. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Members shall report any gift, honorarium, or sponsored event with a fair market value of $1000 or more that is given in connection with activities organized by or participated in on behalf of the Nation.

(1) Sponsored events not paid for or reimbursed by the Nation or another government entity for official duties, including fundraisers, social events, recreational events, or entertainment events and any associated travel costs must be recorded as a gift.

(2) Travel provided or reimbursed by a federal, state, or tribal government entity for the purpose of carrying out official government functions, such as tribal

consultations, meetings, or trainings, is considered official business and is not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 105.16-10(b) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at $999.00 or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange may be exempt from reporting requirements, provided they are not of significant monetary value and do not create a conflict of interest. Members are encouraged to consult with the Oneida Law Office when in doubt.

105.17. Use of the Nation's Assets

105.17-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the Nation. Bank accounts will be reflected on the Nation's books in accordance with Generally Accepted Accounting Principles.

105.17-2. Each member of an entity shall comply with the system of internal accounting controls sufficient to provide assurances that:

(a) all transactions are executed in accordance with management's authorization; and

(b) access to assets is permitted only in accordance with management's authorization; and

(c) all transactions are recorded to permit preparation of financial statements in conformity with Generally Accepted Accounting Principles or other applicable criteria.

105.17-3. Any evidence of noncompliance with any policy regarding the use of the Nation's assets shall be immediately reported to the Internal Audit department. If the Internal Audit department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will then provide a recommendation to the Government Administrative Office on how to proceed.

105.18. Dissolution of an Entity

105.18-1. *Dissolution of a Task Force or Ad Hoc Committee*. A task force or ad hoc committee dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the materials generated by a task force or ad hoc committee shall be forwarded to the BCC Department for proper disposal within four (4) weeks of the dissolution.

105.18-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by motion of the Oneida General Tribal Council or the Oneida Business Committee.

105.18-3. *Notice of Dissolution*. Within five (5) business days of the Oneida General Tribal Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida Business Committee shall provide the entity with a written notice of the dissolution.

105.18-4. *Management of Records and Materials*. All Chairpersons and Secretaries of dissolved entities shall be responsible for finalizing open business of the entity and forwarding all materials and records to the BCC Department for proper storage and disposal within four (4) weeks of dissolution. The entity shall not alter or destroy any records. The BCC Department may utilize

assistance of the Records Management Department or any other appropriate department for the storage and disposal of the records and materials.

(a) The entity may request the Oneida Business Committee grant an extension of the time allowed to close out open business of the entity and forward all materials and records to the BCC Department.

105.19. Enforcement

105.19-1. Any appointed member of an entity found to be in violation of this law may be subject to:

(a) termination of appointment by the Oneida Business Committee;

(b) loss of stipend; or

(1) When an appointed member's stipend is withheld, the Secretary shall submit written notices to the member, the entity's Chairperson or Vice-Chairperson, as applicable, and the BCC Department.

(c) any other penalty identified by the entity in the entity's bylaws.

105.19-2. Any elected member of an entity found to be in violation of this law may be subject to:

(a) loss of stipend or any other sanction and penalty in accordance with any laws or policies of the Nation governing sanctions and penalties;

(b) removal pursuant to any laws or policies of the Nation governing removal; or

(c) any other penalty identified by the entity in the entity's bylaws.

105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's stipend and any other sanctions or penalties identified by that entity as long as those sanctions or penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.

105.19-4. *Appeal*. If applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty.

End.

Adopted - BC-08-02-95-A
Amended - BC-05-14-97-F
Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency amendments)
Amended – BC-09-22-10-C
Amended – BC-09-26-18-C
Emergency Amended – BC-03-11-20-B
Emergency Amended – BC-03-17-20-C
Amended – BC-08-12-20-B

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

Legislative Operating Committee
May 6, 2026

Ten Day Notice Policy Amendments

Submission Date: 2/5/25	**Public Meeting:** N/A
LOC Sponsors: Jameson Wilson, Jennifer Webster	**Emergency Enacted:** N/A

Summary: *This item was added to the Active Files List on February 5, 2025. At the July 1, 2024, Semi-Annual General Tribal Council meeting the General Tribal Council directed the Oneida Business Committee to bring back proposed amendments to the Ten Day Notice Policy to authorize notice of all GTC meetings and make materials available by request or access electronically and to expand the time frame to fifteen (15) days or more.*

2/5/25 LOC: Motion by Jennifer Webster to add the Ten Day Notice Policy Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.

3/6/25: *Work Session*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Jennifer Webster, Kristal Hill, Fawn Cottrell, Fawn Billie, Clorissa Leeman, Grace Elliott, Carolyn Salutz. One purpose of this work session was to update the LOC on which LRO attorney will be assigned as the drafter: Carolyn was assigned these amendments.

4/16/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Kristal Hill, Fawn Cottrell, Fawn Billie. The purpose of this work meeting was to decide on what topics will be included on the June 4, 2025, LOC Community Meeting. The LOC decided to cover the Election Law Amendments, Ten Day Notice Policy Amendments, and Renewable Energy Law.

5/1/25: *E-Poll Conducted*. This e-poll was titled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. The requested action of this e-poll was to approve the public meeting packet for the Sanctions and Penalties law and forward the Sanctions and Penalties law to a public meeting to be held on June 13, 2025; and approve the Summer LOC Community Meeting Notice and schedule a community meeting to be held on June 4, 2025. This

e-poll was approved by Jennifer Webster, Marlon Skenandore, Jonas Hill, and Kirby Metoxen.

5/7/25 LOC: Motion by Jennifer Webster to enter into the record the results of the May 1, 2025, e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice; seconded by Marlon Skenandore. Motion carried unanimously.

5/9/25: *Work Meeting*. Present: Lisa Liggins, Lisa Summers, Jameson Wilson, Marlon Skenandore, Kirby Metoxen, Clorissa Leeman, Carolyn Salutz, Kristal Hill, Fawn Billie. Fawn Cottrell. The purpose of this meeting was to do an initial review of the law. We did a read-through. Drafting attorney will make changes to draft and schedule the next work meeting.

6/18/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell. The purpose of this work meeting was to review the PowerPoint presentation for the summer LOC community meeting.

6/18/25: *Community Meeting Held*. Present: A community meeting was held in the NHC Cafeteria from 5:30 pm through 7:30 pm regarding the Ten Day Notice Policy Amendments, Election Law Amendments, and the development of a Renewable Energy law.

9/30/25: *Work Meeting*. Present: Jo Anne House, Jennifer Webster, Jameson Wilson, Lisa Liggins, Carolyn Salutz, Jonas Hill, Kirby Metoxen. The purpose of the meeting was for Jo Anne and Lisa to talk though the actual processes, not necessarily what the law requires, but what is actually done – including what can be reasonably amended to continue to serve the purpose of the ten day notice policy while still setting standards that logistically and administratively make sense and are doable.

10/24/24: *Work Meeting*. Present: Jameson Wilson, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting was to review the work meeting recording from 9/30/25 to capture comments and suggestions; comments from Jo Anne House and Lisa Summers.

1/26/26: *Work Meeting*. Present: Lisa Liggins, Lisa Summers, Jo Anne House, Jameson Wilson, Jonas Hill, Kirby Metoxen, Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to review changes to the draft since the last work meeting in September.

2/19/26: *Work Meeting*. Present: Jameson Wilson, Carolyn Salutz. The purpose of this work meeting was to review the amendments to make sure they address all changes discussed during the January 26th work meeting.

2/27/26: *Work Meeting*. Present: Jo Anne House, Lisa Liggins, Lisa Summers, Brooke Doxtator, Tehassi Hill, David Jordan, Kirby Metoxen, Jameson Wilson, Rhiannon Metoxen, Fawn Cottrell, Fawn Billie, Kristal Hill. The purpose of this work meeting

was to review the newest draft. Group is in agreement with how "notice" is being changed but we still need to resolve issues regarding timeframes and how often to send a postcard/letter to a member regarding notice.

3/26/26: *Work Meeting*. Present: Jo Anne House, Lisa Liggins, Lisa Summers, Fawn Billie, Kristal Hill, Jennifer Webster, Carolyn Salutz. The purpose of this work meeting was to review the latest amendments. Overall, group satisfied with amendments. Final edits should be made to section 110.4-2 and when Trust Enrollments will mail the postcard. Also, section 110.4-4 on new information and "posting" the new information not providing notice of the new information, since we are changing what notice means. Group suggested I reach out to Bonnie Pigman and the Trust Enrollments Department for a third-party review, to see if the changes are feasible, if implementation and changes, in practice, will work.

4/17/26: *Work Meeting*. Present: Jo Anne House, Lisa Liggins, Lisa Summers, Fawn Billie, Jennifer Webster, Jameson Wilson, Fawn Cottrell. The purpose of this work meeting was to review the comments received from Bonnie Pigman and Kelly Danforth, discuss the DTS ticket, and discuss overall amendments and potential draft approval. LOC did approve the draft – noting that the LRO will need to include in the legislative analysis a backwards timeline and flowchart.

Next Steps:

- Accept the draft.
- Accept the Legislative Analysis.
- Accept the public meeting packet and schedule a public meeting to be held on June 11, 2026, with a public comment period held open until June 18, 2026.

ONEIDA NATION PUBLIC MEETING NOTICE

JUNE 11, 2026, 12:15 pm

Norbert Hill Center-Business Committee Conference Room
N7210 Seminary Rd., Oneida, Wisconsin

Find Public Meeting Materials at
Oneida-nsn.gov/government/register/public meetings

Send Public Comments to
LOC@oneidanation.org

Ask Questions here
LOC@oneidanation.org
920-869-4417

TEN DAY NOTICE POLICY AMENDMENTS

The purpose of the Ten Day Notice Policy is to provide how, when, and what types of items require notice to General Tribal Council.

The Ten Day Notice Policy amendments will:

- Rename the law from "Ten Day Notice Policy" to "Prior Notice".
- Redefine what it means to provide notice to the membership of a scheduled General Tribal Council meeting.
- Require the Nation to mail to all eligible members notice of every General Tribal Council Meeting; the mailed notice will contain information regarding the upcoming meeting such as the agenda, location, date, and time.
- Require the Nation's Trust Enrollments Department to mail to all eligible members, or all members who will be eligible on or after the anticipated dates of the Annual and Semi-annual meetings, an instruction for that member to completed regarding how that member prefers to receive meeting materials.
- Require all eligible members to select to receive General Tribal Council meeting materials by either online access through the members' only portal on the Nation's website or by selecting to receive in the mail a mailed, paper copy.
- Require the meeting materials to be posted online as soon as they are approved by the Business Committee but no later than thirty days before a General Tribal Council meeting.
- Require a member who has selected to receive a paper packet in the mail, receive the packet at least fifteen days before a General Tribal Council meeting.
- Require the Business Committee to post any new information it receives that the General Tribal Council must consider.
- Require that any presentations can only be based on information included in the meeting materials or any new information that was properly posted.
- Various grammatical changes and other minor changes throughout the law.

PUBLIC COMMENT PERIOD CLOSES JUNE 18, 2026.

Individuals may attend the public meeting for the proposed Ten Day Notice Policy amendments in person at the Norbert Hill Center, or virtually through Microsoft Teams. If you wish to attend the public meeting through Microsoft Teams please contact LOC@oneidanation.org.

During the public comment period, anyone may submit written comments, questions or input. Comments may be submitted to the Oneida Nation Secretary's Office or the Legislative Reference Office in person, by U.S. mail, interoffice mail, or e-mail.

For more information on the proposed Ten Day Notice Policy amendments please review the public meeting packet at oneida-nsn.gov/government/register/public meetings.

TEN DAY NOTICE POLICY AMENDMENTS
LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	
Intent of the Legislation or Amendments	▪ Rename the law from "Ten Day Notice Policy" to "Prior Notice." *[1 O.C. 110]*. ▪ Redefine what it means to provide notice to the membership of a scheduled General Tribal Council meeting. *[1 O.C. 110.3-1(e); 1 O.C. 110.4-1]*. ▪ Require the Nation to mail to all eligible members notice of every General Tribal Council Meeting; the mailed notice will contain information regarding the upcoming meeting such as the agenda, location, date, and time. *[1 O.C. 110.4-1]*. ▪ Require the Nation's Trust Enrollments Department to mail to all eligible members, or all members who will be eligible on or after the anticipated dates of the Annual and Semi-annual meetings, instructions for that member to follow regarding how that member prefers to receive meeting materials for the next year. *[1 O.C. 110.4-2]*. ▪ Require all eligible members to select to receive General Tribal Council meeting materials by either online access through the members' only portal on the Nation's website or by selecting to receive in the mail a mailed, paper packet. *[1 O.C. 110.4-2(a)]*. ▪ Require the meeting materials to be posted online as soon as they are approved by the Business Committee but no later than thirty days before a General Tribal Council meeting. *[1 O.C. 110.4-3(b)]*. ▪ Require a member, who has selected to receive a paper packet in the mail, to receive the packet at least fifteen days before a General Tribal Council meeting. *[1 O.C. 110.4-3(a)]*. ▪ Require the Business Committee to post any new information it receives that the General Tribal Council must consider. *[1 O.C. 110.4-4]*. ▪ Require that any presentations shall only be based on information included in the meeting materials or any new information that was properly posted. *[1 O.C. 110.5-2]*. ▪ Various grammatical changes and other minor changes throughout the law.
Purpose	The purpose of this law is to provide how, when, and what types of items require notice to General Tribal Council. *[1 O.C. 110.1]*.
Affected Entities	The Oneida Nation Trust Enrollments Department, the Oneida Nation Government Administrative Office, the Oneida Business Committee, all eligible, voting age members of the Nation that comprise the Oneida Nation General Tribal Council, all

	entities or persons with business to conduct before the Oneida Nation General Tribal Council.
Enforcement	Once per calendar year the Nation's Trust Enrollments Department will mail a postcard by the last day of October to members who are, or will be, voting age or over on or after the proposed dates of the annual or semi-annual General Tribal Council meetings with instructions for the member to follow regarding how they prefer to receive meeting materials for the next year. *[1 O.C. 110.4-2]*. The annual mailer will provide two (2) options for members to select to receive the meeting materials; either a mailed, paper copy or access to an electronic copy. *[1 O.C. 110.4-2(a)]*. There will be a deadline to respond and once the deadline has passed, no member will be able to select and receive mailed, paper copies of the meeting materials for that calendar year. *[1 O.C. 110.4-2(b)]*.
Due Process	At least thirty (30) calendar days before every General Tribal Council meeting, all voting age members shall receive a mailed notice containing the meeting's agenda, location, date, and time. *[1 O.C. 110.4-1]*. Once per calendar year the Nation's Trust Enrollments Department will mail a postcard by the last day of October to members who are or will be voting age or over on or after the proposed dates of the annual and semi-annual General Tribal Council meeting with instructions for the member to follow regarding how they prefer to receive meeting materials for the next year. *[1 O.C. 110.4-2]*. The annual postcard will provide two options to receive the meeting materials for the next year: a mailed, paper copy or access to an electronic copy. *[1 O.C. 110.4-2(a)]*. If a member selects to receive a mailed, paper copy of meeting materials for the next year, the member shall receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before the meeting. *[1 O.C. 110.4-3(a)]*. Meeting materials shall be posted on the members' only portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee but no later than thirty (30) calendar days before a meeting. *[1 O.C. 110-4.3(b)]*. When the Oneida Business Committee learns or becomes aware of new information that is required meeting material(s), after meeting materials have been posted but prior to the meeting, the Oneida Business Committee shall: (a) post the new information on the members only portal of the Nation's website; and (b) post information on the homepage of the Nation's website that new information and additional material(s) have been posted and the agenda item(s) the new information and additional material(s) reference. *[1 O.C. 110.4-4]*.

	Notice of General Tribal Council meetings shall be posted at all places of prominence as identified by the Oneida Business Committee through resolution. *[1 O.C. 110-4-5]*.
Public Meeting	A public meeting will be scheduled to be held on June 11, 2026, with a public comment period held open until June 18, 2026.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background.*** The Ten Day Notice Policy was originally adopted by the Oneida General Tribal Council on March 4, 1991, by motion. The law was subsequently amended on August 2, 2000, by a special BC resolution #8-02-00-A.

B. **Request for Amendments**. This item was added to the Active Files List on February 5, 2025. At the July 1, 2024, Semi-Annual General Tribal Council meeting the General Tribal Council directed the Oneida Business Committee to bring back proposed amendments to the Ten Day Notice Policy to authorize notice of all GTC meetings and make materials available by request or access electronically and to expand the time frame to fifteen (15) days or more. The sponsors of the Ten Day Notice Policy amendments are Councilwoman Jennifer Webster and Councilman Jameson Wilson.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - Oneida Law Office;
  - Oneida Nation Business Committee; and
  - Oneida Nation Government Administrative Office.
- The following laws and policies of the Nation were reviewed in the drafting of this analysis:
  - Oneida Nation Constitution;
  - Robert's Rules of Order as Used by the General Tribal Council; and
  - GTC Resolution #01-21-19-A, Amending the 120-Day Petition Timeline Adopted by the General Tribal Council.

SECTION 4. PROCESS

A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
  - On February 5, 2025, the Legislative Operating Committee added this Law to its Active Files List for amendments this legislative term.
  - On May 6, 2026, the Legislative Operating Committee approved the draft and legislative analysis of the Ten Day Notice Policy Amendments and directed the Legislative Reference Office to schedule a public meeting to be held on June 11, 2026, with a public comment period held open until June 18, 2026.

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

- May 9, 2025: LOC work meeting with Oneida Nation Secretary and Government Administrative Office.
- September 30, 2025: LOC work meeting with the Oneida Nation Secretary and Oneida Law Office.
- October 24, 2025: LOC work meeting.
- January 26, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law Office, and the Government Administrative Office.
- February 19, 2026: LOC work meeting.
- February 27, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law Office, and the Government Administrative Office.
- March 26, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law Office, and the Government Administrative Office.
- April 17, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law Office, and the Government Administrative Office where the LOC informally approved the final draft.

C. At the time this legislative analysis was developed the following community outreach event had been held regarding the development of the amendments to this law:

- June 18, 2025: Community Meeting Held. The LOC held a community meeting in the cafeteria of the Norbert Hill Center to gather input from the community on proposed amendments to this law.

SECTION 5. CONTENTS OF THE LEGISLATION

A. ***Purpose and Policy.*** The proposed amendments clarify the purpose is to provide how, when, and what types of items require notice to General Tribal Council. *[1 O.C 110.1-1]*. The proposed amendments further clarify it is the policy of the Nation to provide the General Tribal Council notice of, and items, regarding Annual, Semi-Annual, or Special General Tribal Council meetings. *[1 O.C. 110.1-2]*.

- *Effect.* The proposed amendments clarify the Nation is required to provide notice to the General Tribal Council in order for the General Tribal Council to have information to make an informed decision.

B. ***Redefining "notice."*** The proposed amendments redefine "notice" to mean the official document used to inform the membership of a regular or special meeting of the General Tribal Council by mailing an agenda and stating a location, date, and time. *[1 O.C. 110.3-1(e)]*. The proposed amendments require the Trust Enrollments department mail all voting-age members, at least thirty calendar days before every General Tribal Council meeting, notice of an upcoming General Tribal Council meeting; the notice shall contain the agenda, location, date, and time. *[1 O.C. 110.4-1].*

- *Effect.* The proposed amendments clarify that providing notice to the membership of a General Tribal Council meeting will no longer mean providing the entire packet of materials and rather will simplify the meaning to notifying the membership of the meeting agenda, location, date, and time. The proposed amendments comply with the General Tribal Council directive to authorize notice to the membership.

C. ***Defining "action" and "agenda item."*** The proposed amendments define "action" to mean a formal proposal which can be a procedure, motion, resolution, petition, or referendum made by a member in a

duly called meeting, requesting the General Tribal Council take a certain action and which must be included as part of the meeting materials. *[1 O.C. 110.3-1(a)]*. The proposed amendments define "agenda item" to mean any other item included on the meeting agenda and which must be part of the meeting materials. *[1 O.C. 110.3-1(b)]*.

- *Effect.* The proposed amendments clarify the types of items the Nation is required to provide General Tribal Council by redefining what an "action" or an "agenda item" mean; and clarifying that both must be included as part of the meeting materials.

D. ***Annual Mailer to Select Type of Meeting Materials.*** Once per calendar year the Nation's Trust Enrollments Department will mail a postcard by the last day of October to members who are, or will be, voting age or over on or after the proposed dates of the annual or semi-annual General Tribal Council meetings with instructions for the member to follow regarding how they prefer to receive meeting materials for the next year. *[1 O.C. 110.4-2]*. The annual mailer will provide two (2) options for members to select to receive the meeting materials; either a mailed, paper copy or access to an electronic copy. *[1 O.C. 110-4-2(a)]*. There will be a deadline to respond and once the deadline has passed, no member will be able to select and receive mailed, paper copies of meeting materials for that calendar year. *[1 O.C. 110.4-2(b)]*.

- *Effect.* The proposed amendments clarify how the Nation will continue to provide information to the General Tribal Council and will provide that information to the General Tribal Council in the format each eligible member selects; either through online access or by the member selecting to receive in the mail a mailed, paper copy of the meeting materials.

E. ***Type of Meeting Materials.*** The proposed amendments require the Nation to mail meeting materials to members that select to receive a mailed, paper copy of the meeting materials and to ensure those members receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before a General Tribal Council meeting. *[1 O.C. 110.4-3(a)]*. The proposed amendments further require the meeting materials to be posted on the members' only portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee but no later than thirty days before the meeting. *[1 O.C. 110.4-3(b)]*.

- *Effect.* At the July 1, 2024, Semi-Annual General Tribal Council meeting the General Tribal Council directed the Oneida Business Committee to bring back proposed amendments to the Ten Day Notice Policy to authorize notice of all GTC meetings and make materials available by request or access electronically and to expand the time frame to fifteen (15) days or more. The proposed amendments comply with the General Tribal Council directive by requiring the materials to be made electronically available at least thirty (30) days before a meeting and requiring the Nation to mail to all members who have selected to receive materials in the mail a paper copy of the materials so the materials are received at least fifteen (15) calendar days before a meeting. Additionally, meeting materials will be available, once approved, and by request, because any member that selects to receive the meeting materials, by electronic copy through the members' only portal of the Nation's website, will maintain access to those materials until the meeting date.

F. ***New Information.*** The proposed amendments require that when the Business Committee learns or becomes aware of new information that is required meeting materials, information the General Tribal Council must consider, after meeting materials have been posted but prior to the meeting, the Business Committee shall:

(a) Post the new information on the members only portal of the Nation's website.

(b) Post information on the homepage of the Nation's website that new information and additional material(s) have been posted and the agenda item(s) the new information and additional material(s) reference. *[1 O.C. 110.4-4]*.

- *Effect.* The proposed amendments clarify that after meeting materials have been posted but prior to a meeting, the Business Committee may learn or become aware of information the General Tribal Council is required to consider; therefore, the General Tribal Council must be provided with that new information before the meeting.

G. ***General Tribal Council Meeting Procedure.*** The proposed amendments clarify presentations shall only be based on information included in the meeting materials or on new information properly posted according to the proposed amendments to this law. *[1 O.C. 110.5-2].*

- *Effect.* The proposed amendment clarifies the General Tribal Council shall consider any presentation only if the presentation is based on information the General Tribal Council received as part of the meeting materials, or on any new information that was properly posted. This proposed amendment strengthens the requirement of the Nation to properly notify the General Tribal Council of information it must consider in order for the General Tribal Council to make informed decisions.

H. ***Other amendments***. Overall, a variety of other amendments and revisions were made to the law to address formatting, drafting style, and organization that did not affect the substance of the law.

I. ***Timeline.*** To assist the Nation in understanding and executing these proposed amendments, the Legislative Operating Committee has included a sample timeline and notes.

A	B	C	D	E	F	G	H	I	J	K	L	M	N
GTC Meeting Type	**GTC Meeting Date**	**15 Day Notice**	**Latest Mail Date**	**Materials to Big Bear Media**	**Materials posted online**	**Notice mailed**	**Packet & Notice Due Date and OBC Meeting**	**OBC Materials Review Session**	**GTC Meeting Packet Materials Due Date**	**Leg., Lgl., and Fin. Mailing Deadline to Petitioner**	**Analyses Due Date and OBC Meeting**	**Admin. Impact Statements Due**	**180 Day Petition Horizon**
Annual	**Monday 1/25/27**	Friday 1/15/2027	Thursday 1/4/2027	Tuesday 12/17/2026 Last day to send is 12/17/2026, can be sent after materials approved on 12/9/2026.	12/9/2026 Materials posted after 12/9/2026 OBC meeting to approve.	12/9/2026 Notice mailed after 12/9/2026 OBC meeting to approve.	Due Date: 12/1/2026 OBC Meeting: 12/9/2026	OBC Work Session: 11/17/2026	Friday 11/13/2026	Friday 10/30/2026	Due Date: 10/20/2026 OBC Meeting: 10/28/2026	Wednesday 9/9/2026	Petition received by 8/18/2026 OBC Mtg for action: 08/26/2026
Annual, Semi-annual, or Special.	Set by OBC. If for a petition, must be within 180 days of the petition's submission.	Materials need to be received at least fifteen (15) days before scheduled meeting.		Three (3) holidays do not count: New Year's Day, Christmas Day, Christmas Eve. Fifteen (15) days based on current capacity; staff & number of printed packets ordered. Could change with less printed packets.	Materials need to be posted on the members' only portal of the Nation website thirty (30) days before scheduled meeting.	Notice of the scheduled meeting: agenda, date, time, location.	Submission for OBC Meeting is always the Tuesday before.		Staff has three (3) days to compile a draft packet and get it to the OBC for review.	Only applies if there is petition.	Only applies if there is petition.	Only applies if there is petition. Can be adjusted if needed.	Only applies if there is petition.

- 15-day Notice: Includes weekends & holidays – set by law. Only applies to members who have selected to receive a mailed, paper packet of meeting materials.
- Latest Mail Date: 5 USPS business days; if on a Saturday, then becomes Friday prior – set by Big Bear Media recommendation.
- Materials to Big Bear Media: 15 business days – set by Big Bear Media recommendation.
- Packet & Notice Due Date and OBC Meeting: Generally, 2 regular OBC Meetings prior to Materials to Oneida Printing Date – set by GAO recommendation.
- OBC Materials Review Session: Session to review materials and formulate recommendation(s) to get to OBC agenda for action – set by GAO recommendation.
- GTC Meeting Packet Materials Due Date: Materials from the organization or petitioner; Staff puts together draft Packet and notes places for OBC memos and/or recommendations – set by GAO recommendation.
- Legal, Legislative, and Financial Mailing Deadline to Petitioner: No less than 10 days prior to GTC Meeting Packet Materials Due Date. 15 days preferred. This provides mailing time to the petitioner, time for the petitioner to review, and time for the petitioner to submit. May need a special meeting to approve the documents if they haven't been submitted to a prior OBC agenda – set by GAO recommendation.
- Analyses Due Date and OBC Meeting: 1 regular OBC meeting prior to mailing deadline to Petitioner – set by GAO recommendation.
- Administrative Impact Statement Due: 3 Wednesdays after OBC meeting where action to accept petition occurs – set by GAO recommendation.

SECTION 6. EXISTING LEGISLATION

A. ***Related legislation.*** The following laws and policy of the Nation are related to the proposed amendments to this law:

- *Oneida Nation Constitution.* The purpose of the Constitution is to establish the governing framework of the Nation. The Constitution identifies jurisdiction, establishes membership requirements, identifies the General Tribal Council as the governing body of the Oneida Nation, and identifies the requirements to be a qualified voter of the Nation. *[Oneida Nation Constitution]*.
  - According to the Constitution the governing body of the Nation shall be the General Tribal Council which is composed of all qualified voters of the Oneida Nation. *[Oneida Nation Const. art III, § 1]*.
  - The Constitution defines a qualified voter to be all enrolled members of the Oneida Nation who are eighteen (18) years of age or over. *[Oneida Nation Const. art III, § 2]*.
  - The Constitution enumerates the powers of the General Tribal Council. *[Oneida Nation Const. art IV, § 1]*.
  - The proposed amendments align with the Constitution by requiring the Nation to provide the General Tribal Council with appropriate and adequate information regarding any action requesting the General Tribal Council take certain action in order for the General Tribal Council, as the governing body of the Nation, to make an informed decision.
- *Robert's Rules of Order as Used by the General Tribal Council.* The purpose of Robert's Rules of Order is to establish a standard guide for parliamentary procedure, and ensure meetings are orderly, fair, and efficient. *[Henry Martyn Robert, Robert's Rules of Order (12 ed. 2020)].*

Robert's Rules of Order as Used by the General Tribal Council has adopted some of the established rules of Robert's Rules of Order in a manner which suits the needs of the General Tribal Council. *[Oneida Law Office, 2024, Robert's Rules of Order as Used by General Tribal Council, internal report, Oneida Nation]*.

- According to Robert's Rules of Order as Used by the General Tribal Council there are requirements regarding the agenda, speaking limitations, presentations, the suspension of the rules for discussion, the main motion/amendments, adoption of minutes, motions to adjourn/recess to a specific date, point of order, privileged question, appeal the decision of the chair, call for the question, motion to table, motion to reconsider motion to postpone indefinitely, voting, counting votes, object to consideration of the question, authority to remove disorderly member, and maximum capacity. *[Id]*.
- Robert's Rules of Order as Used by the General Tribal Council acknowledges that in the past, many actions by the General Tribal Council conflicted with Robert's Rules of Order; because of the fluctuating nature of the membership attending each meeting, it has been accepted that the membership's application of the rules of order supersedes any version of Robert's Rules of Order. *[Id]*.
- The proposed amendments align with Robert's Rules of Order as Used by the General Tribal Council by reinforcing any information presented to the General Tribal Council or any information regarding a requested action must be properly noticed giving the General Tribal Council sufficient time to review the information and make an informed decision.

▪ *GTC Resolution #01-21-19-A, Amending the 120-Day Petition Timeline Adopted by the General Tribal Council.*

- According to the Resolution, in order for the Nation to adequately address any issue raised by a petition, the Nation requires one hundred and eighty (180) days to review the petition through administrative impact, legislative, legal, and financial impact statements. *[General Tribal Council Res. #01-21-19-A (2019)]*.
- The one hundred and eighty (180) day timeframe begins the date of receiving and accepting the petition at an Oneida Business Committee meeting and ends the date of presenting the petition and supporting materials to the General Tribal Council. *[Id]*.
- The proposed amendments align with the Resolution by continuing to address the requirement to provide complete information to the General Tribal Council in a timely manner regarding the impacts of a petition and allowing the General Tribal Council to make informed decisions.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

A. The Ten Day Notice Policy amendments require the Nation's Trust Enrollment Department to mail to all eligible members, who will be voting age or over on or before the scheduled dates of the Annual and Semi-Annual General Tribal Council meetings, a postcard in order for the member to select how they prefer to receive the meeting materials for the next calendar year. *[1 O.C. 110.4-2]*.

B. When the member receives the postcard, the member will be required to select how they prefer to receive the meeting materials for the next year: either by receiving a mailed, paper copy of the meeting materials or online access by an electronic copy. *[1 O.C. 110.4-2]*.

C. The proposed amendments require the Nation to mail meeting materials to members that select to receive a mailed, paper copy of the meeting materials and to ensure those members receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before a General Tribal Council meeting. *[1 O.C. 110.4-3(a)]*.

D. The proposed amendments further require the meeting materials to be posted on the members' only portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee but no later than thirty days before the meeting. *[1 O.C. 110.4-3(b)]*.

E. The proposed amendments require that when the Business Committee learns or becomes aware of new information that is required meeting materials, information the General Tribal Council must consider, after meeting materials have been posted but prior to the meeting, the Business Committee shall:

(a) Post the new information on the members only portal of the Nation's website.

(b) Post information on the homepage of the Nation's website that new information and additional material(s) have been posted and the agenda item(s) the new information and additional material(s) reference. *[1 O.C. 110.4-4]*.

F. The proposed amendments clarify presentations shall only be based on information included in the meeting materials or on new information properly posted according to the proposed amendments to this law. *[1 O.C. 110.5-2]*.

SECTION 8. OTHER CONSIDERATIONS

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

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

Title 1. Government and Finances – Chapter 110
PRIORONEIDA GENERAL TRIBAL COUNCIL TEN DAY NOTICE POLICY

110.1. Statement of Purpose and Policy
110.2. Adoption, Amendment, Repeal
110.3. Definitions
110.3. 110.4. Procedure
110.4. Filing Process of Proposed Resolutions
110.5. General Tribal Council Meeting Procedure Notice to Membership
110.6. Process for Introducing Resolutions at GTC Meeting

110.1.

110.1. Statement of Purpose and Policy

110.1-1. 110.1-1. *Purpose*. Provide how, when, and what types of items require notice to General Tribal Council. (GTC) of regular or special business to be conducted or action taken at a GTC meeting.

110.1-2. *Policy*. It is the policy of the Nation to provide the General Tribal Council notice of, and items, regarding Annual, Semi-Annual, or Special General Tribal Council meetings.

110.2 Adoption, Amendment, Repeal

110.2-1. This law was adopted by the Oneida General Tribal Council by motion on March 4, 1991, and amended by Special BC resolution #8-02-00-A. Date, Time, Place

110.2-2. This law may be amended or repealed by the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

110.2-3. Should a provision of this law or the application thereof to any persons or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered published to have legal force without the invalid portions. give notice of

110.2-4. In the event of a conflict between a provision of this law and a provision of another policy, the provisions of this law shall control.

110.2-5. This law is adopted under the authority of the Constitution of the Oneida Nation.

110.3. Definitions

110.3-1. 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) "Action" means a formal proposal which can be a procedure, motion, resolution, petition, or referendum made by a member in a duly called meeting, requesting the General Tribal Council take a certain action and which must be included as part of the meeting materials.

(b) "Agenda item" means any other item included on the meeting agenda and which must be part of the meeting materials.

(c) "Nation" mean the Oneida Nation.

(d) "New Information" means any information the Oneida Business Committees receives or becomes aware of that is required by this law to be noticed to the General Tribal Council but was information previously unknown to the Oneida Business Committee when meeting materials notice was mailedthe membership.

110.1-3. Provide a clear and concise statement of procedures to be followed by the GTC and the Oneida Business Committee during conducting of GTC meetings.

~~(a) Agenda~~

~~(b) Motions~~

~~(c) Resolutions~~

~~110.2~~(e) "Notice" means the official document used to~~. **Definitions**~~

~~(a) *Due Process:* A process or procedure designed to give actual notice of a meeting or event that will or may effect the person(s) to whom the notice is given.~~

~~(b) *Motion:* Means a formal proposal by a member in a duly called meeting, that the body take a certain action.~~

~~(c) *Notice:* Means actually~~ inform~~ing~~ the membership of a regular or special meeting of the General Tribal Council by mailing~~by:~~

~~(1) Publishing~~ an agenda and stating

~~(2) Stating~~ a location,

~~(3) Stating the~~ date, and time. ~~in a reasonable time for the members to attend.~~
~~(d) *Places of Prominence:* See attachment.~~

~~(e) *Resolution:* Means a proposed action of a substantial nature. It is introduced by a motion and includes statements of preamble setting forth its purpose, or reason, or statements of need or desirable goals and statements of resolve clearly and concisely setting forth actions to be taken or implemented.~~

(f) "Voting age" means ~~*Preamble:* A preliminary statement,~~ the age, as identified in~~introduction to a formal document that explains its purpose.~~

~~(g) *Secretary:* Means~~ the Nation's constitution, a member ~~duly elected Secretary~~ of the Nation may vote in the Nation's elections or ~~Oneida~~ General Tribal Council functions. ~~.~~
~~(h) *Ten (10) Day Notice:* Means ten (10) calendar days, including weekends and holidays.~~

110.4.~~3.~~ Procedure

110.4-1. *Notice*. At least thirty (30) calendar days before every General Tribal Council meeting, all voting-age members shall receive mailed notice containing the meeting's agenda, location, date, and time.
110.4-2. *Annual mailer to select ~~T~~type of meeting materials*. Once per calendar year the Nation's Trust Enrollments Department will mail a postcard by the last day of October to members who are, or will be, voting age or over on or after the proposed dates of the annual or semi-annual General

Tribal Council meetings ~~all voting-age members~~ with instructions for the member to follow regarding how they prefer to receive meeting materials for the next year.

(a) The annual mailer will provide two (2) options ~~available~~ for members to select to receive the meeting materials; ~~are~~ either a mailed, paper copy or access to an electronic copy.

(b) There will be a deadline to respond and once the deadline has passed, no member will be able to select and receive mailed, paper copies of meeting materials for that calendar year.

~~(c) *Paper Meeting Materials*. If a member selects to receive a mailed, paper copy of meeting materials for the year, the member shall receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before the meeting.~~

~~(1) The Tribal Secretary will mail only one paper copy of meeting materials per household.~~

~~(d) *Electronic Meeting Materials*. Meeting materials shall be posted on the members' only portal of the Nation's website as soon as they are approved by the Oneida Business Committee but no later than thirty (30) calendar days before a meeting.110.3-1. Any resolution or motion pertaining to due process, or action that would have a direct impact on budgets or operations of the tribe shall be subject to a 10-day notice requirement.~~

~~(a) Motions:~~

~~(1) Reports: Motions to approve, disapprove, delete, correct or table do not require 10-day notice as long as they pertain to agenda reports.~~

~~(2) Reports with recommendations that call for motions to be made that have a direct impact on the budget or operations of the tribe shall be required to adhere to the 10-day notice procedures.~~

~~(3) Action to over rule~~

110.4-3. *Required Meeting Materials*. Any requested action or agenda item shall be required to be included as part of the meeting materials.

(a) *Paper Meeting Materials*. If a member selects to receive a mailed, paper copy of meeting materials for the next year, the member shall receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before the meeting.

(1) The Tribal Secretary will mail only one paper copy of meeting materials per household.

(b) *Electronic Meeting Materials*. Meeting materials shall be posted on the members' only portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee but no later than thirty (30) calendar days before a meeting.

110.4-4. *New Information*. When the Oneida Business Committee learns or becomes aware of new information that is required meeting material(s) pursuant to section 110.4-3 of this law, after meeting materials have been posted but prior to the meeting, the Oneida Business Committee shall:

(a) Post the new information on the members only portal of the Nation's website.

(b) Post information on the homepage of the Nation's website that new information and additional material(s) have been posted and the agenda item(s) the new information and additional material(s) reference.

110.4-5. *Places of Prominence.* Notice of General Tribal Council ~~the next~~ meetings shall be posted at all places of prominence as identified by the Oneida Business Committee through resolution.

110.5. General Tribal Council Meeting Procedure

110.5-1. Actions to overrule a previous, passed motion~~motions~~ or resolution~~resolutions~~ shall require a two-third (2/3) majority vote.

110.5-2. *Presentations*. Presentations~~(4) Points of Order and other processes that relate to the conducting of meeting are not subject to a 10-day notice.~~

~~(b) Motions: that call for action that will have a direct impact on the budget or operations of the Tribe~~ shall only be ~~required to adhere to the following procedures:~~

~~(1) If a motion is introduced that is of impact nature the motion will be referred to the Business Committee. The Business Committee shall be responsible for follow up and reporting back to the GTC at next meeting in written form.~~

~~(A) Upon receipt of the fact finding report by the GTC, the GTC will then entertain motion for vote.~~

~~(B) Motions that have been passed by GTC shall be carried out and adhered to whole heartedly by the Business Committee or as directed by the GTC.~~

~~(c) Resolutions: All resolutions to be introduced shall be subject to the 10-day notice requirement.~~

~~(1) Author(s) of resolution shall be identified by name and signature(s). This includes Oneida Business Committee members.~~

~~(2) Anonymous resolutions will not be considered.~~

~~110.~~**~~4. Filing Process of Proposed Resolutions~~**

~~110.4-1. Five (5) copies of resolution to be introduced shall be provided to the Tribal Secretary for purpose of providing copies to the General Tribal Council meeting not later than Ten (10) calendar days prior to the ten day notice.~~

~~(a) The Legislative Operating Committee shall be established to implement resolution procedures, this committee shall not have authority to Veto or change the resolution in any manner.~~

~~(b) The Legislative Operating Committee shall be made up of the Oneida Business Committee members who are not officers.~~

~~110.4-2. Upon receipt of the resolution, the Tribal Secretary shall acknowledge formal acceptance in the following manner:~~

~~(a) A signed receipt shall be given to the sponsor of the resolution.~~

~~(b) Receipt of resolution shall be recorded in a special log and shall include the date, time, subject, and author(s).~~

~~(c) A separate file shall be maintained by the Tribal Secretary of all submitted resolutions that pertain to the GTC meeting(s).~~

~~110.4-3. A standardized resolution form shall be available from the Tribal Secretary=s office to to any tribal member who desires to develop a Resolution for the GTC meeting.~~

~~(a) The form shall include a statement of purpose and reason for the resolution.~~

~~(b) The form shall include a clear statement of corrective action to be carried out.~~

~~110.5.~~ Notice to Membership

~~110.5-1.~~based ~~The Tribal Secretary shall provide adequate copies for the GTC meeting and notice of all actions to be introduced shall be posted~~ on ~~defined APlaces of Prominence=.~~

~~(a) The Tribal Secretary shall give notice in the Kaliwisaks, and other places of all actions to be introduced or considered in a timely manner to the membership.~~

~~(b) Membership shall be encouraged to submit their items or concerns to the Tribal Secretary for the agenda.~~

~~110.5-2. Notice to Department: A resolution pertaining to any department, program, or enterprise shall be sent to the director or manager of that department immediately upon receipt of the resolution by the Tribal Secretary.~~

~~110.5-3. General Tribal Council Meetings - Annual and Semi-Annual: Notice will be sent to all Tribal members identified by the Enrollment Department as: head of household who is age 21 or over. The notice shall contain the following~~ information~~:~~

~~(a) Information that the Annual or Semi-Annual General Tribal Council report is in the process of completion and if the head of household wishes to receive the report, he or she must return the postage paid card on or before the deadline date.~~

~~(b) return postage paid card.~~

~~(c) deadline date.~~

~~110.~~ included in the meeting materials or on new information~~6. Process for Introducing Resolutions at GTC Meeting~~

~~110.6-1. Introduction of Resolution by author(s).~~

~~110.6-2. Discussion.~~

~~110.6-3. Chair shall entertain a motion.~~

~~(a) Action should address the introduced Resolution.~~

~~110.6-4. Vote on the motion.~~

~~110.6-5. Results of the vote on all resolutions shall be published in the Kaliwisaks in next scheduled Kaliwisaks publication.~~

~~(a) Resolutions that have been passed by GTC shall be implemented whole heartedly by the Business Committee or as directed by the GTC.~~

~~(1) Written progress reports shall be reported back to the GTC at next meeting.~~

~~(2) Failure by the BC to~~ properly posted according to section 110.4-4 of this law~~implement, or demonstrate progress of GTC actions may be subject to grounds of suspension and/or removal~~.

~~(A) Refer to the Business Committee Removal Ordinance.~~

End.

Adopted - GTC, motion March 4, 1991
(See also 7/8/00 GTC attachment pg. 101 for 4-14-00 memo – Re: Places of Prominence)
Amended - Special BC Resolution #8-02-00-A.

To: General Tribal Council

From: Vince DelaRosa, Chairman Legislative Operating Committee

Date: April 14, 2000

Re: **Amended Ten Day Notice Policy for Adoption**
Places of Prominence

The Amended Ten Day Notice policy is ready for adoption by the General Tribal Council which was tabled at the July 12, 1999 GTC meeting due to a lack of a quorum. It was also tabled at the January 2000 Annual GTC meeting and at the February 23,2000 Special Oneida Business Committee meeting regarding the January 3,2000 GTC meeting until the July 2000 Semi-Annual GTC meeting. The OBC also noted for the record that an attachment for places of prominence will need to be supplied by the LOC, which is a required component for the Ten Day Notice policy, at the July 2000 GTC Semi-Annual Meeting.

Places of prominence are intended for locations where the Legislative Operating Committee, Oneida Business Committee, and General Tribal Council official meeting notices can be posted for the public. These locations have been identified by the past Legislative Operating Committee back in January 1994 along with the purchase of locked glass cases for this purpose. The current Legislative Operating Committee also identifies the same locations and recommends these be the designated areas, and incorporated in the Ten Day Notice policy upon adoption. The following are the designated locations:

- Hwy 54 & EEE Oneida One Stops
- Norbert Hill Center - Main Office
- Library .
- Main Casino & IMAC
- Senior Center

Thank you.

Title 1. Government and Finances – Chapter 110
PRIOR NOTICE

110.1. Purpose and Policy
110.2. Adoption, Amendment, Repeal
110.3. Definitions
110.4. Procedure
110.5. General Tribal Council Meeting Procedure

110.1. Purpose and Policy

110.1-1. *Purpose*. Provide how, when, and what types of items require notice to General Tribal Council.

110.1-2. *Policy*. It is the policy of the Nation to provide the General Tribal Council notice of, and items, regarding Annual, Semi-Annual, or Special General Tribal Council meetings.

110.2 Adoption, Amendment, Repeal

110.2-1. This law was adopted by the Oneida General Tribal Council by motion on March 4, 1991, and amended by Special BC resolution #8-02-00-A.

110.2-2. This law may be amended or repealed by the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

110.2-3. Should a provision of this law or the application thereof to any persons 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.

110.2-4. In the event of a conflict between a provision of this law and a provision of another policy, the provisions of this law shall control.

110.2-5. This law is adopted under the authority of the Constitution of the Oneida Nation.

110.3. Definitions

110.3-1. 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) “Action” means a formal proposal which can be a procedure, motion, resolution, petition, or referendum made by a member in a duly called meeting, requesting the General Tribal Council take a certain action and which must be included as part of the meeting materials.

(b) “Agenda item” means any other item included on the meeting agenda and which must be part of the meeting materials.

(c) “Nation” mean the Oneida Nation.

(d) “New Information” means any information the Oneida Business Committees receives or becomes aware of that is required by this law to be noticed to the General Tribal Council but was information previously unknown to the Oneida Business Committee when meeting materials was mailed.

(e) “Notice” means the official document used to inform the membership of a regular or special meeting of the General Tribal Council by mailing an agenda and stating a location, date, and time.

(f) “Voting age” means the age, as identified in the Nation’s constitution, a member of the Nation may vote in the Nation’s elections or General Tribal Council functions.

110.4. Procedure

110.4-1. *Notice*. At least thirty (30) calendar days before every General Tribal Council meeting, all voting-age members shall receive mailed notice containing the meeting's agenda, location, date, and time.

110.4-2. *Annual Mailer to Select Type of Meeting Materials*. Once per calendar year the Nation's Trust Enrollments Department will mail a postcard by the last day of October to members who are, or will be, voting age or over on or after the proposed dates of the annual or semi-annual General Tribal Council meetings with instructions for the member to follow regarding how they prefer to receive meeting materials for the next year.

(a) The annual mailer will provide two (2) options for members to select to receive the meeting materials; either a mailed, paper copy or access to an electronic copy.

(b) There will be a deadline to respond and once the deadline has passed, no member will be able to select and receive mailed, paper copies of meeting materials for that calendar year.

110.4-3. *Required Meeting Materials*. Any requested action or agenda item shall be required to be included as part of the meeting materials.

(a) *Paper Meeting Materials*. If a member selects to receive a mailed, paper copy of meeting materials for the next year, the member shall receive the mailed, paper copy of the meeting materials at least fifteen (15) calendar days before the meeting.

(1) The Tribal Secretary will mail only one paper copy of meeting materials per household.

(b) *Electronic Meeting Materials*. Meeting materials shall be posted on the members' only portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee but no later than thirty (30) calendar days before a meeting.

110.4-4. *New Information*. When the Oneida Business Committee learns or becomes aware of new information that is required meeting material(s) pursuant to section 110.4-3 of this law, after meeting materials have been posted but prior to the meeting, the Oneida Business Committee shall:

(a) Post the new information on the members only portal of the Nation's website.

(b) Post information on the homepage of the Nation's website that new information and additional material(s) have been posted and the agenda item(s) the new information and additional material(s) reference.

110.4-5. *Places of Prominence.* Notice of General Tribal Council meetings shall be posted at all places of prominence as identified by the Oneida Business Committee through resolution.

110.5. General Tribal Council Meeting Procedure

110.5-1. Actions to overrule a previous, passed motion or resolution shall require a two-third (2/3) majority vote.

110.5-2. *Presentations*. Presentations shall only be based on information included in the meeting materials or on new information properly posted according to section 110.4-4 of this law.

End.

Adopted - GTC, motion March 4, 1991
(See also 7/8/00 GTC attachment pg. 101 for 4-14-00 memo – Re: Places of Prominence)
Amended - Special BC Resolution #8-02-00-A.

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

Legislative Operating Committee
May 6, 2026

Elder Protection Law

Submission Date: 1/4/23	**Public Meeting:** N/A
LOC Sponsor: Jennifer Webster	**Emergency Enacted:** N/A

Summary: *This item was carried over from last term and originally added to the Active Files List on January 4, 2023 at the request of the Governmental Services Division Director for the purpose of developing a law which would protect elders of the Oneida community from abuse, neglect, and exploitation.*

10/4/23 LOC: Motion by Jennifer Webster to add the Elder Protection Law to the Active Files List with Jennifer Webster and Marlon Skenandore as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

11/1/23 LOC: Motion by Jonas Hill to approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on December 6, 2023; seconded by Jennifer Webster. Motion carried unanimously.

11/27/23: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Marlon Skenandore, Jonas Hill, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins. The purpose of this work meeting was to review the PowerPoint presentation for the December 6th community meeting.

12/6/23: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Marlon Skenandore, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins. The purpose of this work meeting was to run through and practice the presentation for the community meeting.

Community Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Marlon Skenadore, Clorissa N. Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Fawn Billie, Kristal Hill, Maureen Perkins, Lori Webster, Leon Webster, Larry Barton, Nancy Barton, Daniel Leyo, John E. Powless III, Carol Silva, Jeanette Ninham, Raeann Skenadore, Gina Powless Buenrostro, Jackie Smith, Rocky Hill, Carole Liggins, Kaylee Schuyler, Trina Schuyler, Quincy Granquist, Dan Webster, Marie Cornelius, Barbara Salutz, Carol Elm, Majorie Stevens, Misty Herzog, Josh, Gerzetich, Ann McCotter, Mitchel Metoxen, Katsi Danforth, Nova Danforth, Bill Gollnick, Bonnie Pigman, Nadine Escamea, Alyssa Perkins, Emma King, Dr. Rosa King, Margaret King, Garth Webster, Daniel Doyen, Mark W. Powless, Kanani Nunies, Ululan Ninies, Beverly DeCoteau, Lexi Sickles, Laura Manthe, Tina Jorgensen, Stephanie Miscavitch VanEvery, Mark A. Powless Sr., and others. The Legislative Operating Committee held a community meeting regarding

the Elder Protection law, the Oneida Language law, and the Higher Education Scholarship Law.

12/20/23: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Marlon Skenandore, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins. The purpose of this work meeting was to discuss and debrief the December 6th community meeting – such as what went well, what could be improved, and the comments and input received.

10/4/24: *Work Meeting*. Present: Kelly Mc Andrews, Grace Elliott. The purpose of this meeting was to provide an opportunity for the OLO to share any concerns or preferences they might have regarding the elder protection law with the LRO.

10/7/24: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Tina Jorgensen, Sandra Skenandore, Neoma Orsburn, Maureen Perkins, Mark Powless, Kelly Mc Andrews, Fawn Billie, Eric Boulanger, Claudia Skenandore, Carol Liggins, Carrie Lindsey, Jodi Tess, Kristal Hill, Fawn Cottrell, Grace Elliott, Amber Martinez. The purpose of this meeting was to begin discussions on the development of Elder/Vulnerable Adult Protection Law for the Nation. Topics included; identifying what issues the Nation is facing, the intended purpose of the law and how this law can address the issues.

10/18/24 : *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Clorissa Leeman, Carolyn Salutz, Kristal Hill, Fawn Billie, Fawn Cottrell, Maureen Perkins, Grace Elliott. The purpose of this meeting was to discuss the intended scope of the Elder Protection law.

11/26/24: *Community Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Grace Elliott, Jodi Tess, Eli Metoxen, and eight Oneida elders. The purpose of this meeting was for the LOC to gather feedback from Oneida elders about what topics they would like an elder protection law to address.

12/3/24: *Work Meeting.* Present: Clorissa Leeman, Tina Jorgenson, Jodi Tess, Kelly McAndrews, Carrie Lindsey, Eric Boulanger, Eli Metoxen, Fawn Billie, Marlon Skenandore. The purpose of this meeting was to review reporting sections from various tribal elder protection laws and discuss which provisions might be appropriate for Oneida.

1/9/25: *Work Meeting.* Present: Clorissa Leeman, Tina Jorgenson, Jodi Tess, Kelly McAndrews, Carrie Lindsey, Mark Powless, Fawn Billie, Marlon Skenandore. The purpose of this meeting was to review options for how citations might be addressed within an elder protection law.

1/17/25: *Work Meeting*. Present: Andrea Gage, Grace Elliott. The purpose of this meeting was to collaborate with the new attorney who has previous legal experience practicing elder protection law.

2/3/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Kristal Hill, Maureen Perkins, Grace Elliott, Carolyn Salutz,

Fawn Billie. The purpose of this work meeting was to select the topics for the March 5th LOC community meeting. The LOC decided the topics to be discussed should include Elder Protection law, Indian Preference in Contracting law amendments, and Hunting, Fishing, and Trapping law amendments.

2/5/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Marlon Skenandore, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review laws of the Nation as they apply to elder protection.

2/18/25: *Work Meeting*. Present: Tina Jorgensen, Jodi Tess, Shelly Hill, Adriana Chacon, Carrie Lindsey, Mark Powless, Fawn Billie, Clorissa Leeman, Grace Elliott. The purpose of this meeting was to review laws of the Nation as they apply to elder protection.

2/19/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Marlon Skenandore, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting is to consider the infrastructure that may support an elder protection law.

3/5/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Metoxen, - Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Fawn Billie. The purpose of this work meeting was to review the PowerPoint presentation for the March 19th LOC community meeting.

3/19/25: *Community Meeting*. Present: The Legislative Operating Committee held a community meeting in the NHC's cafeteria from 5:30 p.m. through 7:30 p.m. regarding the development of an Elder Protection law.

3/27/25: *Work Meeting*. Present: Mary Loeffler, Richard Baird, Carrie Lindsey, Layatalati Hill, Jodi Tess, Andrea Gage, Joyce Johnson, Diane Polzak, Claudia Skenandore, Barbra Cornelius, Grace Elliott. The purpose of this meeting was to review information related to investigations conducted based on reports of potential elder abuse.

4/18/25: *Work Meeting*. Present: Kelly McAndrews, Andrea Gage, Grace Elliott. The purpose of this meeting was to discuss the processes outlined in Oneida Elder Service's MOUs with the counties for handling elder abuse investigations.

4/24/25: *Work meeting*. Present: Kelly McAndrews, Andrea Gage, Jodi Tess, Grace Elliott. The purpose of this meeting was to discuss how Oneida is currently handling investigations into elder abuse and what it might be ideal to include in an Elder Protection law.

6/6/25: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Marlon Skenandore, Kristal Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting is to provide an update to the LOC on the status of the Elder Protection law.

6/12/25: *Work Meeting*. Present: Eric Boulanger, Ronald King, Jodi Tess, Carrie Lindsey, Andrea Gage, Tina Jorgenson, Kelly McAndrews, Fawn Billie, Grace Elliott. The purpose of this meeting was to review the investigation section of the Elder Protection law and discuss how Oneida Aging and Disability might be empowered to fulfil a more active role. Potential solutions brought forward by the team included hiring additional staff.

7/29/25: *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Marlon Skenandore, Tina Jorgensen, Mark Powless, Eric Boulanger, Andrea Gage, Carrie Lindsey, Jodi Tess, Grace Elliott. The purpose of this meeting was to discuss multidisciplinary teams and confidentiality.

10/8/25: *Work Meeting*. Present: Tina Jorgenson, Jodi Tess, Breanna Phillips, Grace Elliott. The purpose of this meeting was to discuss the roles stakeholders would like to see Oneida Aging and Disability and county partners to play in the elder protection process.

11/5/25: *Work Meeting*. Present: Tina Jorgenson, Carrie Lindsey, Jodi Tess, Breanna Phillips, Grace Elliott, Mark Powless. The purpose of this meeting was to review the draft of elder protection law.

11/21/25: *Work Meeting*. Present: Grace Elliott, Kelly McAndrews. The purpose of this meeting was to review any questions, concerns, or suggestions from the law office regarding the draft elder protection law.

12/1/25: *Work Meeting*. Present: Jameson Wilson, Tina Jorgenson, Carrie Lindsey, Jodi Tess, Breanna Phillips, Grace Elliott, Mark Powless. The purpose of this meeting was to review the draft of elder protection law.

12/16/25: *Work Meeting*. Present: Grace Elliott, Amber Martinez, ONCOA. The purpose of this meeting was for the drafting attorney to provide an update on the development of the Elder Protection Law to ONCOA and listen to any feedback they had. ONCOA expressed strong support for the draft law.

1/26/26: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Mark Powless, Carrie Lindsey, Eric Boulanger, Tina Jorgenson, Jodi Tess, Breanna Phillips, Kristal Hill, Fawn Cottrell. The purpose of this meeting was to complete a final readthrough of the draft elder protection law and review next steps which include reviewing scenarios for process next Monday, sharing the draft with ONCOA, and presenting the draft to the LOC for initial approval at the next scheduled LOC meeting.

2/2/26: *Work Meeting*. Present: Tina Jorgenson, Jodi Tess, Mark Powless, Ronald King, Joel Maxam, Grace Elliott. The purpose of this meeting was to review hypothetical elder protection scenarios against the draft Elder Protection law.

2/4/26 LOC: Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. Motion by Jennifer Webster to approve the draft of the Elder

Protection law with noted change, and direct that a legislative analysis be completed; seconded by Kirby Metoxen. Motion carried unanimously.

4/16/26: *Public Meeting Held*. Present: Jennifer Webster, Jonas Hill, Carolyn Salutz, Grace Elliott, Nancy Barton, Judy Sprangers, Tina Jorgensen, Jodi Tess, Melinda Danforth, Barbra Cornelius, Cathy Metoxen, Mary Loeffler, via Teams Clorissa Leeman, Rae Skenandore, Lisa Duff, Margaret Kruse, Efren Rivera, Melissa Alvarado, Bonnie Pigman, Shad Webster, Michelle Tipple, Diane Wilson, Eric Boulanger, Nacy Barton, Joel Maxam, Alyssa Hudak, Carrie Lindsey, Sarah Miller, Mark Powless, Debra Santiago. Four (4) individuals provided oral comments.

4/23/26: *Public Comment Period Closes*. Three (3) individuals provided written comments.

Next Steps:

- Accept the public comment review memorandum for the Elder Protection law and defer to a LOC work session for consideration.

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

TO: Legislative Operating Committee (LOC)
FROM: Grace Elliott, Legislative Reference Office, Staff Attorney
DATE: May 6, 2026
RE: Elder Protection Law: Public Comment Review

On April 16, 2026, a public meeting was held regarding the proposed Elder Protection law. Four (4) individuals provided comments during the public meeting. The public comment period was then held open until April 23, 2026. Three (3) individuals submitted comments during the comment period. This memorandum is submitted as a review of the comments received during the public comment period. The public meeting draft, public meeting transcript, and written comments received are attached to this memorandum for review.

Comment 1 – Clarifying the Purpose of the Elder Protection Law:

706.1. Purpose and Policy
706.1-1. *Purpose*. The purpose of this law is to uphold the Nation's responsibility to honor and protect its elders. This law establishes a process to safeguard elders from harm, including abuse, neglect, self-neglect, and exploitation. This process includes:
(a) reporting concerns of abuse, neglect, self-neglect, and exploitation of elders;
(b) investigating reports to ensure the safety and well-being of elders; and
(c) providing services and support for elders who require protection from abuse, neglect, self-neglect, and exploitation.
706.1-2. *Policy*. It is the policy of the Nation to honor, respect, and protect its elders. The Nation recognizes that elders possess unique and irreplaceable stores of knowledge, skill, and experience that enhance and enrich the lives of the entire Nation. The interests of the Nation, now and in the future, are advanced when its elders are confident that they are protected from abuse, neglect, self-neglect, and exploitation. In honoring these principles, the Nation embraces Yukwatsístayʌ the fire, the animating spirit within each of us as a reminder that protecting our elders is an expression of who we are as a People and a reflection of The Good Mind we strive to uphold as expressed by Onʌyoteʔa·ka, which includes:
(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.
(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.
(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

Joyce Johnson (written): I do have a significanty personal comment: I do not understand how or when the Oneida Nation decided to write it's own Elder Abuse Laws. I guess at this time it is what it is though. The tribe had a very mutually respectful relationship with Bown County, Outagmie County and the State of Wisconsin at the time of my retirement in 2015. Our Oneida Nation was granted Lead Agency status around 1993. That meant we held equal status to other of our state's counties in

Wisconsin. We received reports from other counties when elder abuse was reported to them regarding elders resideing within reservation boundaries. We had Memorandum's of Understanding's (MOU's) with both counties; Oneida Police Department (OPD); as well as Oneida Domestic Violence (ODV). Our program and Tribe were way ahead of the other Tribes within the State of Wisconsin. It took many years to reach an amazingly well working miutually respectful system with our cohorts that seriously proclaimed and upheld any fotm of elder abuse as a categorical and prosecutable crime.

In around 2004 the Great Lkes Native Akmerican Elder Abuse program began to gather Elder Abuse Codes or Resolutions to support each other in proclaiming elder abuse as something we would not tolerate in our ative communities. At each bi-monthly meeting we discussed confidential elder abuse issues & advised each other on how to report or how to assist individuals much like is being proposed with this new law. We had Elder Abuse Attorney's come to present at these meetings also. I took our Tribal Resolution to the Great Lakes Inter-Tribal (GLITC) meeting in about 2005 for their support & signatures. It was then signed by Gerald Danforth, Oneida Tribal Chairman and the other (11) Wisconsin Tribal Chairmen. Tent was merely to support each oher as we were and have an official acknowldgement of that elder abuse stance from our (GLITC) Board.

Nancy Barton (oral): Okay, I'll address the Elder Protection law and my own personal comment about this is how unfortunate that in this day and age and historically that we have to have a law to protect our elders. And we had this conversation on this floor about the way that we treat each other and the way that our elders are treated at GTC. You know, people will push an elbow and stampede our elders. And that goes to, you know, what happened to us, what happened to the way that we're being taught to treat our elders and how unfortunate.

Kathy Metoxen (oral): Okay, I thought there was going to be a lot of other people before me. It's good to see more people than just two of us up here today. Or one, you know, it's always good to see other people, don't you agree? And I'm going to take my time because this is confusing. And it's...it's um…
You know, when I come up here a lot of times, my issues that I raise are usually across the board. You know, it's not about the people. It's about, it's supposed to be about all of us. But I want to know, and I just got this document, so my question, my questions were going to start out with, when's your deadline? You know, because my understanding is we had a public hearing and I came to it and there was only one person here and I felt like it was illegal. And then you were moving on. And now there's another public hearing, which I was surprised to actually see again.
It's good to see that you are changing. I see change in this room today. And it's, you know, you're trying to be more professional and be act more courteous and stuff like that. But, I want to know, like with the chain of command, because, you know, in other laws, I have questioned, what about you guys? You know, I don't, I was going to come up here today and say, can I see your ID so I know who you are? Because I have to show my ID at the door. So I don't know who I'm talking to. Anybody in this room could be a pedophile, and I wouldn't know it. And I'd I'd like to see some ID, you know, of who you are. And we have to do that every day when we come up here, is show our IDs. And I, I disagree with that, anyway.
I want to know what's in this law that protects us from the leadership, from the chain of command, from the people who abuse and micromanage and all of this stuff, because that's abuse too. And I'm an elder now, and I get abused at the front desk of a lot of entities. You know, and we all know about that story. We know there's, I'm not the only one, there's other

people. You know, I've been up here talking about the term, you know, snotty, you know, snotty attitudes and stuff like that. How do we deal with people across the board? And is this a fair law, and are these things gonna be covered? You know, because what what you don't want us to get away with, it's okay for you guys to get away with. And that's where I come from when I say across the board. It's good that you guys are, you know, changing, and it's good to see that. And we've accomplished a lot over the years, and we've come a long ways, and we deserve a lot, but we're also lacking, and there's a lot of lack.
And I agree with the lady that was sitting here with so many laws, which is actually true. I believe Madeline Genso said that in the GTC meeting, you know, a law on top of a law on top of a law. In these terminations of leases and stuff, and I'm trying to get a place to live. And I'm hearing people are being kicked out, you know, on a whim. And I don't know what's true and what's not. Maybe they are pedophiles. Maybe they are drug addicts and alcohol functioning alcoholics. They're everywhere. They they do the job at the top and at the bottom. But how do we protect? The true abuse that you're talking about in these laws, because...I don't. I don't see it. I see, I see division. I see, um let's, you know.
We're not savages. You know, the Europeans came here and they called us savages, and we're not supposed to be that to our own people. You know, so your expectations may be a little bit high. And when I come in and I ask these questions, you know, if you don't like what I'm saying, you know, too bad. That's the way my mind works. And it's not just my mind. There's others, and and...

Response

The commenters bring forward substantial professional experience, historical knowledge, and deeply held concern for the well-being and dignity of Oneida elders. Their comments reflect both pride in the Nation's long-standing leadership in elder protection and frustration that, despite cultural values and past successes, formal legal mechanisms are still necessary to safeguard elders in modern institutional and community settings.

One commenter questions how and why the Oneida Nation determined to adopt a formal Elder Protection Law, emphasizing the strong, collaborative systems previously in place, including Lead Agency status, robust memoranda of understanding with Brown County, Outagamie County, law enforcement, and domestic violence programs, and regional and intertribal coordination through the Great Lakes Native American Elder Abuse Program and the Great Lakes Inter-Tribal Council. These efforts established elder abuse as a serious, prosecutable matter and positioned Oneida as a leader among Wisconsin tribes. This history is acknowledged and respected. The proposed law does not replace or diminish those achievements; rather, it seeks to formally codify and preserve their core principles, institutional knowledge, and collaborative practices within Oneida law. By doing so, the Nation strengthens its sovereign authority over elder protection and ensures continuity as personnel, funding structures, and external relationships change over time.

Another commenter speaks to the cultural and moral dimensions of elder protection, expressing concern that the very existence of such a law reflects broader challenges in how elders are treated within contemporary systems and public spaces. These comments underscore that elder protection is not only a legal obligation, but also a reflection of community values, respect, and responsibility. The law is intended to reinforce these values by establishing clear expectations, accountability, and processes that support respectful treatment and intervention when harm occurs.

A third commenter questions whether the law protects elders "across the board," including from mistreatment by leadership, staff, or institutions, and raises concerns about fairness, transparency, chain of command, and unequal power dynamics. Section 706.1 makes clear that the purpose of the law is to honor and protect elders from abuse, neglect, self-neglect, and exploitation through a comprehensive framework that includes reporting, investigation, intervention, and services. In addition, the law's mandated reporting requirements, investigation provisions, and creation of an Interdisciplinary Team are designed to ensure that concerns involving individuals, employees, or institutions are addressed through coordinated and accountable processes, not ignored or handled informally.

While the commenters appropriately identify the importance of intergovernmental relationships, MOUs, cultural practices, staff conduct, community education, and respectful implementation, these matters are operational rather than statutory in nature. The proposed law deliberately establishes a durable legal framework while leaving room for departments, leadership, and the Interdisciplinary Team to develop and maintain partnerships, protocols, training, and culturally grounded practices through policy and administration. This approach ensures flexibility while maintaining clear legal authority and protections for elders.

No changes to the proposed law are recommended in response to these comments. The law reflects a continuation and formalization of the Nation's historic commitment to elder protection, provides tools to address contemporary challenges, and supports accountability and respect consistent with Oneida values and sovereignty.

LOC Consideration

Comment 2 – Adult Protective Services Structure, Funding Eligibility, and Multidisciplinary Coordination:

706.4. Interdisciplinary Team
706.4-1. *Composition.* The Interdisciplinary Team consists of representatives from Aging and Disability Services, Oneida Police Department, Comprehensive Health Division, Oneida Behavioral Health, Oneida Law Office, Oneida Community Resource and Economic Support, Comprehensive Housing Department, Oneida Family Services, and any additional agencies designated by the Team as necessary to fulfill its duties.

Florence Petri (written): Wisconsin Tribes are eligible for Adult Protective Services APS funds and resource April 20, 2026

Elder Abuse Components

- Prompt intake and investigation and reporting
- Multidisciplinary Team of professionals
- Assessment and Case Management
- Intervention and service planning
- Case Closing and follow up

- Confidentiality
- Staff training and development
- Data reporting and tracking
- Remain status of Lead State agency for Elder Abuse (DHS)

Needs updating: Oneida is listed in the Tribal section under Wis Adult Protection Agency

- MOUs with Brown County and Outagamie County APS
- MOUs with Law Enforcement Mous are important in case of absent Oneida APS

Multidisciplinary Team

- Law Enforcement
- Legal Services
- Mental Health Providers
- Medical Providers
- Brown County and Outagamie County APS
- Banks (Address Financial Exploitation) recommend Bay Bank, they have been on previously
- Churches (support vulnerable adults)
- Aging Program Benefit Specialist
- Legal Guardianship

Team Member Agreements (To ensure Confidentiality)
Florence Petri

Response

The commenter raises important and complementary points regarding the structure, fairness, accountability, and implementation of elder protection systems within the Oneida Nation. Taken together, the comments emphasize the need for both strong institutional coordination and clear protections for elders who experience mistreatment by individuals or entities in positions of authority.

The commenter recommends aligning the Elder Protection Law with recognized Wisconsin Adult Protective Services (APS) frameworks by incorporating core APS components, including prompt intake and investigation, multidisciplinary collaboration, assessment and case management, intervention and service planning, confidentiality protections, staff training, data tracking, and follow-up. The commenter further notes that Wisconsin tribes may be eligible for APS funding and resources, identifies the need to update state listings to reflect Oneida's status, and recommends formal memoranda of understanding (MOUs) with county APS agencies and law enforcement to address cross-jurisdictional matters and continuity of services. The commenter also outlines potential multidisciplinary team membership, including legal, medical, mental health, financial institutions, aging program specialists, and faith-based organizations, and emphasizes the importance of confidentiality agreements among team members.

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The Elder Protection Law substantially addresses these concerns through its overall structure and, in particular, through the establishment of an Interdisciplinary Team. The law incorporates many of the core APS elements identified by the commenter, including mandatory reporting, investigation procedures, confidentiality standards, coordinated response mechanisms, and follow-up. The Interdisciplinary Team is specifically designed to promote shared responsibility among Nation departments and professionals, facilitate coordinated investigations and service planning, and strengthen accountability when abuse, neglect, or exploitation is suspected. Importantly, the law authorizes appropriate referrals and reporting when institutions, employees, or individuals in positions of responsibility fail to comply, directly responding to concerns about leadership, chain of command, and institutional accountability.

While the commenter correctly identifies the importance of funding eligibility, MOUs, specific team composition, staff identification practices, and cross-jurisdictional coordination, these matters are operational and administrative in nature. The law intentionally establishes a clear legal framework for elder protection while allowing departments, the Interdisciplinary Team, and Nation leadership the flexibility to develop detailed protocols, partnerships, agreements, and funding strategies through policy, intergovernmental agreements, and implementation planning. This approach allows the system to adapt over time without requiring frequent statutory amendments.

Accordingly, no changes to the proposed Elder Protection Law are recommended in response to these comments. The concerns raised are either already addressed within the existing statutory framework or are more appropriately resolved through implementation, training, interagency coordination, and administrative practice rather than through additional statutory provisions.

LOC Consideration

Comment 3: Health Equity and Service-Based Approaches to Elder Protection

706.1. Purpose and Policy

706.1-1. *Purpose*. The purpose of this law is to uphold the Nation's responsibility to honor and protect its elders. This law establishes a process to safeguard elders from harm, including abuse, neglect, self-neglect, and exploitation. This process includes:

(a) reporting concerns of abuse, neglect, self-neglect, and exploitation of elders;

(b) investigating reports to ensure the safety and well-being of elders; and

(c) providing services and support for elders who require protection from abuse, neglect, self-neglect, and exploitation.

706.1-2. *Policy*. It is the policy of the Nation to honor, respect, and protect its elders. The Nation recognizes that elders possess unique and irreplaceable stores of knowledge, skill, and experience that enhance and enrich the lives of the entire Nation. The interests of the Nation, now and in the future, are advanced when its elders are confident that they are protected from abuse, neglect, self-neglect, and exploitation. In honoring these principles, the Nation

embraces Yukwatsístayʌ the fire, the animating spirit within each of us as a reminder that protecting our elders is an expression of who we are as a People and a reflection of The Good Mind we strive to uphold as expressed by Onʌyoteʔa·ka, which includes:

- **(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.**
- **(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.**
- **(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.**
- **(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.**
- **(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.**
- **(f) Twahwahtsílayʌ. All of us are family.**
- **(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.**

Carrie Lindsey (written):

To: Legislative Operating Committee (LOC)
From: Carrie Lindsey, BSW, CSW, LTC Case Management Programs Manager, Community Health Services
Thru: Debra Danforth RN, BSN, Oneida Comprehensive Health Division Director
Date: April 16, 2026
RE: Written public recommendation for the Oneida Elder Protection Law

Community Health Services supports the intent of the Oneida Nation Elder Protection Law and affirms the Nation's commitment to honoring, protecting, and sustaining our elders. Within Oneida governance and cultural teachings, elders hold essential roles as respected knowledge keepers, caregivers, and community anchors. Effective elder protection policy should reflect this status as well as provide the protection that elders deserve, protection that recognizes not only physical safety, but also health equity, cultural continuity, and access to holistic, culturally appropriate care.

In review of the proposed Oneida Elder Protection Law and participation in the public comment meeting held on April 16, 2026, the Oneida Community Health Services Department of the Oneida Comprehensive Health Division respectfully submits the following public health recommendations.

The Oneida Nation has long recognized elders as carriers of our history, language, teachings, and responsibilities. Within the clan system and under the Great Law of Peace, elders are more than recipients of care—they are advisors, teachers, and living links between generations.

1. **Elder protection must extend beyond reacting to abuse.** True protection requires health equity—ensuring that all elders can access care, support, and connection in ways that honor dignity, autonomy, and Oneida ways of knowing.

2. **Elder protection grounded in health equity.** "Health Equity" means the attainment of the highest level of health and well-being for all Oneida Elders through the elimination of preventable, unfair, and unjust disparities, and through policies and practices that recognize cultural strengths, historical context, and differing needs. Many Oneida elders carry the impact of historical trauma, displacement, boarding school experiences, and long-standing health inequities. These experiences affect physical health, mental wellness, and trust in systems of care. An Elder Protection Law grounded in health equity acknowledges these realities and ensures responses are

trauma-informed, culturally respectful, and community-centered. Policies that do not account for these realities, risk being incomplete.

Consistent with the Great Law of Peace, which emphasizes balance, good mind, and collective responsibility, elder protection should address the conditions that place elders at risk—such as lack of transportation to medical care, limited access to behavioral health services, caregiver strain, digital/technological barriers, and social isolation. When access gaps go unaddressed, even well-intentioned systems can unintentionally contribute to neglect.

Community Health Services encourage the Nation to explicitly recognize these access barriers as elder protection issues and to strengthen coordination among health services, elder nutrition, housing, case management, and legal supports. Elders experience better outcomes and benefit most when services work together rather than in silos.

3. **Elder protection must uphold self-determination.** Elders living with chronic illness, disability, or memory loss should be supported through approaches that balance safety with autonomy, drawing on family, clan, and community roles when appropriate rather than defaulting to punitive or overly restrictive measures.

   In keeping with our responsibility to future generations, effective elder protection includes prevention measures such as—caregiver education, respite supports, wellness checks, and opportunities for elders to remain socially and culturally connected. These supports honor elders not only as individuals in need of protection, but as essential contributors to the Nation's strength.

4. **Include elder voices in ongoing review and implementation of the law.** Community Health Services encourages the Oneida Nation to include elder voices in ongoing review and implementation of the Elder Protection Law. This will strengthen health equity and policy effectiveness. Health equity is strongest when those most affected help guide decisions. The law should include opportunities for elder input, advisory roles, or periodic review informed by elder voices

Protecting Oneida elders means ensuring they can age with dignity, safety, cultural connection, and equitable access to health and social supports. Community Health Services encourages the Nation to incorporate explicit integration of health equity principles into the Elder Protection Law to strengthen its impact for current and future generations and align policy implementation with Oneida Nation mission, vision, values and responsibilities to our elders.

CC: Debra Danforth, Oneida Comprehensive Health Division Director
Mark Powless, CEO Nation Services

Response

Commenter asserts that while Community Health Services supports the intent of the proposed Elder Protection Law, effective elder protection should extend beyond a legal response to abuse and be grounded in health equity, cultural context, and prevention. The commenter recommends

that the law explicitly recognize access barriers (such as transportation, behavioral health availability, caregiver strain, digital barriers, and social isolation) as elder protection issues; strengthen coordination among service providers; prioritize prevention and supportive services; uphold elder self-determination by favoring autonomy and family or community-based supports over restrictive measures; and incorporate ongoing elder input in implementation and review through advisory roles or structured engagement mechanisms.

The purpose of the proposed Elder Protection Law is not to comprehensively define or expand health or social service delivery, but rather to establish a legal framework for the prevention, reporting, investigation, and response to elder abuse, neglect, self-neglect, and exploitation. The law is designed to clarify authority, responsibilities, due process protections, and interdepartmental coordination in circumstances where elder safety may be at risk.

To that end, a central feature of the proposed law is the creation of an Interdisciplinary Team, which represents a significant evolution in how the Nation addresses elder protection. This team is intended to bring together relevant departments and expertise to coordinate responses, share information consistent with confidentiality requirements, and recommend appropriate actions within their respective authorities. Through this structure, the law enables collaboration without duplicating or redefining existing service mandates.

Many of the recommendations raised—such as caregiver support, transportation access, wellness promotion, service coordination, and culturally responsive care—are important programmatic considerations that are appropriately addressed through departmental policy, funding decisions, intergovernmental coordination, and service delivery frameworks rather than through statutory elder protection enforcement provisions. The Elder Protection Law is not intended to replace or subsume those systems.

With respect to autonomy and self-determination, the proposed law already incorporates protections through due process requirements, consent standards, confidentiality provisions, and limits on emergency interventions, ensuring that protective actions are taken only when legally justified and necessary.

The Oneida elder community has been extensively involved in the development of the proposed Elder Protection Law. Throughout the drafting process, the LOC engaged in sustained outreach and consultation with elders, including meeting multiple times with the Oneida Nation Commission on Aging (ONCOA), having the legislative attorney attend ONCOA meetings, and conducting in-person outreach at the Oneida Elder Services Congregate Meal site to meet elders in their own space and hear directly from them regarding elder protection needs and concerns. In addition, the LOC held community meetings to gather broader public input, including evening sessions with light meals provided to support participation. This comprehensive engagement informed the structure and substance of the law and reflects the LOC's commitment to developing elder protection legislation that is responsive to elder voices while establishing a clear, effective legal framework for protection and coordinated response.

The proposed Elder Protection Law appropriately balances elder safety, legal accountability, and respect for individual rights, while providing a strong foundation for coordinated action among

Nation departments. Incorporating broad service delivery standards into enforcement statutes may unintentionally limit flexibility and create obligations best addressed through policy and programmatic channels. No changes are recommended to the draft in response to this comment.

LOC Consideration

Comment 4 – Mandated Reporters:

706.5. Reporting
706.5-1. ***Duty to Report*****. Any person who knows or has reasonable cause to suspect that an elder is being or has been abused, neglected, self-neglected, or exploited shall immediately report the information to the Oneida Police Department or Oneida Aging and Disability Services, unless prohibited by a legally recognized privilege. Individuals bound by a privileged relationship may only make an anonymous disclosure if there is an urgent need for hospitalization, guardianship, protective services, or protective placement.**
706.5-2. ***Mandated Reporters*****. The following individuals have a mandated duty to report suspected abuse, neglect, self-neglect, and exploitation of elders:**

- **(a) The elder's family members or caretakers;**
- **(b) Any elected official of the Nation;**
- **(c) Any employee of the Nation, including but not limited to:**
  - **(1) physicians, surgeons, dentists, podiatrists, chiropractors, nurses, dental hygienists, optometrists, medical examiners, emergency medical technicians, paramedics, or other health care providers;**
  - **(2) psychiatrists, psychologists, or psychological assistants;**
  - **(3) licensed or unlicensed social workers, professional counselors, or marriage and family therapists;**
  - **(4) persons employed in the mental or behavioral health profession;**
  - **(5) persons employed as physical or occupational therapists, or their assistants;**
  - **(6) law enforcement officers;**
  - **(7) judges, attorneys, court counselors, clerks of court, and other judicial system officials or staff;**
- **(d) Any person or agency with fiduciary responsibilities to an elder, such as accountants, property managers, financial advisors, or financial institutions.**

706.5-3. ***Anonymous Reports*****. Except for mandated reporters identified in section 706.5-2, any person reporting elder abuse, neglect, self-neglect, or exploitation may remain anonymous.**
706.5-4. ***Immunity from Liability*****. Any person who in good faith, reports suspected abuse, neglect,**
self-neglect, or exploitation of an elder shall be immune from any legal action arising from that report.

Nancy Barton (oral): The other part that I wanted included was mandated reporters. We have people who are delivering meals, delivering medicine, doing jobs at elders' homes that have access

to elders where other people don't. And so I'm glad to see that the mandated reporter part has been included in here.

Response
The commenter expresses support for the inclusion of mandated reporters in the Elder Protection law and highlights the importance of this provision for individuals who have access to elders in their homes. Specifically, the commenter notes that individuals who deliver meals, medications, or provide in-home services may have regular contact with elders in private settings where potential abuse, neglect, or exploitation might otherwise go unnoticed.

The law's mandated reporter provisions are intended to address this concern by ensuring that individuals who, through their employment or duties, have access to elders and reasonably suspect abuse, neglect, or exploitation are required to report those concerns to the appropriate authorities. This requirement strengthens early detection, enhances elder safety, and helps ensure accountability when elders may be particularly vulnerable due to isolation or limited contact with others.

No change is recommended based on this comment, as the current law already reflects the concerns raised and aligns with the commenter's expressed support for mandated reporting requirements.

LOC Consideration

Comment 5 – Empathy and Tone:

706.1. Purpose and Policy
706.1-1. *Purpose*. The purpose of this law is to uphold the Nation's responsibility to honor and protect its elders. This law establishes a process to safeguard elders from harm, including abuse, neglect, self-neglect, and exploitation. This process includes:
(a) reporting concerns of abuse, neglect, self-neglect, and exploitation of elders;
(b) investigating reports to ensure the safety and well-being of elders; and
(c) providing services and support for elders who require protection from abuse, neglect, self-neglect, and exploitation.
706.1-2. *Policy*. It is the policy of the Nation to honor, respect, and protect its elders. The Nation recognizes that elders possess unique and irreplaceable stores of knowledge, skill, and experience that enhance and enrich the lives of the entire Nation. The interests of the Nation, now and in the future, are advanced when its elders are confident that they are protected from abuse, neglect, self-neglect, and exploitation. In honoring these principles, the Nation embraces Yukwatsístayʌ the fire, the animating spirit within each of us as a reminder that protecting our elders is an expression of who we are as a People and a reflection of The Good Mind we strive to uphold as expressed by Onʌyoteʔa·ka, which includes:
(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.
(d) KaʔtshatstʌÍsla. The strength of belief and vision as a People.

(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

Barb Cornelieus (oral): OK. With elders, we should get 10 minutes. I'm just saying, okay, I don't have nothing specific on one of the, in any of the laws, but in general, I think our laws have to be written more compassionately, with more empathy, and we need to quit following how the state and the federal government produces their laws, because their laws are produced with conflict, a natural conflict to them.

There's you against me, me against you. And in our law, and as far as I know, traditionally, that wasn't how we wrote the laws. We didn't write laws to pit me against you or you against me. It should be more empathy. We have to have more empathy.

And then under abuse, the Elder abuse law, I just, I think we just need to have softer language. We need to have more empathy and we need to give. There's such a thing as the spirit of the law and the letter of the law. And what the tribe has done, or the Nation has done, is gone so heavily on the letter of the law. This is what the law says, this is what we have to do, this is what we have to enforce. The spirit of the law says, hey, that there's extenuating circumstances, there's things that should be changed. And if you had time, you know, if they apologize and they do the things they need to do, then then do the spirit of the law. And so I think, I don't know how we get our attorneys to be trained in that type of law development, but I think that's what we need to do as a Nation. We need to start um...developing our laws a little more friendly, a little more with empathy and with compassion.

So because you are doing it to our own people. So you can't say, no, they say we're all family, we all treat one another, we all do all this stuff. But the laws don't allow you to do that because it's so strict. So, um, governmental or law? I guess that's the only word I could say. It's too much law, and I think we need to, we need to...to soften those laws and all the laws. And my personal belief is we have too many laws.

You know, we only have 17,000 people who are overseen and have to, I mean, we don't oversee those many because we only have jurisdiction on within the reservation boundaries and stuff. So we might have 3,000. Then there's 3000, half of those are kids and everything. So we have about 1500 people we only have jurisdiction over and we have tons and tons of laws, you know, and so I, that's my general statement is that we need to start softening the language and our laws and we need to use the spirit of the law when we're trying to enforce it. And there is nothing wrong with being soft and being kind to your own people. That's it.

Response

The commenter offers thoughtful reflections on the importance of empathy, compassion, and cultural values in the development and enforcement of the Nation's laws, particularly those affecting elders. These concerns speak not only to legal structure, but to community relationships, responsibility to one another, and the traditional Oneida understanding that law should promote

balance rather than conflict. These perspectives are deeply respected and are directly relevant to the Elder Protection Law.

From a legal drafting standpoint, the purpose of the Elder Protection Law is to establish clear, reliable, and enforceable protections for elders who may be vulnerable to abuse, neglect, or exploitation. Statutory language must be sufficiently precise to ensure consistent application, due process, and accountability when harm occurs. Without this clarity, protections can become uneven or discretionary in ways that may unintentionally place elders at risk. For that reason, statutes often rely on defined standards and structured language. Precision in drafting is not intended to create rigidity for its own sake, but to ensure safety, fairness, and enforceability.

At the same time, the commenter's emphasis on empathy, compassion, and relational responsibility is reflected in the structure and intent of the Elder Protection Law. At the direction of the Legislative Operating Committee, the law expressly incorporates the **Good Mind principles** within its purpose and policy provisions. The inclusion of the Good Mind represents an intentional effort to ground the law in Oneida values and worldview, distinguishing it from purely adversarial or external legal models. These principles are intended to guide interpretation, inform discretionary decisions, and clarify that elder protection is rooted in respect, balance, and care for one another, not solely regulation or punishment.

The commenter also raises the distinction between the "letter of the law" and the "spirit of the law," including acknowledgment of extenuating circumstances, accountability through apology, and opportunities for healing when appropriate. From a legal perspective, statutes typically define authority, minimum protections, and baseline standards. The exercise of flexibility, restorative approaches, and culturally grounded responses is often implemented through prosecutorial discretion, judicial practices, restorative justice processes, diversion options, and administrative policy, rather than detailed statutory language. This approach allows laws to remain clear and enforceable while still permitting humane, contextual, and culturally appropriate application in individual cases.

Concerns about the number of laws and reliance on external legal frameworks are also noted. While references to established legal structures are sometimes necessary to ensure enforceability and jurisdictional clarity, the ongoing incorporation of Oneida teachings—such as the Good Mind—reflects a deliberate effort to shape tribal law in a way that is consistent with Oneida values. Periodic review and reflection on how laws function in practice are a vital part of good governance, and public comment plays a critical role in that process.

The Elder Protection Law is not intended to criminalize family relationships or create unnecessary conflict, but to provide a tool for preventing serious harm, intervening when elders are at risk, and ensuring accountability when abuse occurs. Compassion, kindness, and respect are not diminished by having a clear legal framework; rather, the law seeks to support elders while allowing space for culturally informed and humane decision-making where appropriate and safe.
These comments have been documented and included in the legislative record for the consideration of the Legislative Operating Committee and other appropriate policy-making bodies. While the values expressed are strongly acknowledged and respected, no changes to the proposed law are recommended based on this comment.

LOC Consideration

Comment 6 – Elder Abuse Definitions:

706.3. Definitions
706.3-1. 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) "Abuse" means any of the following:

(1) Physical abuse.
(2) Emotional abuse.
(3) Sexual abuse.
(4) Treatment without consent.
(5) Unreasonable confinement or restraint.

(i) "Emotional abuse" means language or behavior that serves no legitimate purpose and is intended to be intimidating, humiliating, threatening, frightening, or otherwise harassing, and that does or reasonably could intimidate, humiliate, threaten, frighten, or otherwise harass the individual to whom the conduct or language is directed.

(s) "Unreasonable confinement or restraint" includes the intentional and unreasonable confinement of an individual in a locked room, involuntary separation of an individual from his or her living area, use on an individual of physical restraining devices, or the provision of unnecessary or excessive medication to an individual, but does not include the use of these methods or devices in entities regulated by the department if the methods or devices are employed in conformance with state and federal standards governing confinement and restraint.

Joyce Johnson (written): Elder Protection Law As an elder Oneida Tribal member and previous EAs the Elder Abuse Prevention Coordinator/Services Supervisor from 2004-2015 I would uld like to add one more item to the elder abuse classifications list. e more item or ...

that would be Unreasonable Confinement or Restraint; as prosecutable in Wisconsin's Elder Abuse (Statute 46.90). It is defined as: The intentional and unnecessary confinement of an individual in a locked room, involuntary separation from his or her living area, use of physical restraints on an individual, or the provision of unnecessary or excessive medication. This does not include the use of these methods or devices if they conform with state and federal standards governing confinenment and restraint.

Response

The commenter raises closely related concerns regarding how elder abuse is defined, categorized, and applied within the Elder Protection Law, with particular emphasis on non-physical mistreatment, abuse of authority, and specific forms of control such as confinement or restraint. The comments reflect a desire for clarity, completeness, and assurance that the law meaningfully addresses the lived experiences of elders and the realities encountered by practitioners.

The commenter, drawing on extensive professional experience in elder abuse prevention and familiarity with Wisconsin Statute § 46.90, recommends explicitly including "unreasonable confinement or restraint" as a distinct category of elder abuse. The comment appropriately underscores the seriousness of coercive or restrictive practices—such as unnecessary confinement, physical restraint, involuntary isolation, or the provision of excessive or unnecessary medication—and the importance of recognizing these practices as abusive when not clinically or legally justified.

To clarify, unreasonable confinement or restraint is already expressly included in the draft Elder Protection Law. The definition closely parallels Wisconsin's statutory framework and recognized best practices by prohibiting intentional and unnecessary confinement, restraint, or excessive medication, while expressly excluding interventions that comply with applicable state and federal standards governing professional care. This approach ensures comprehensive coverage of both physical and non-physical forms of abuse while preserving appropriate clinical discretion and regulatory compliance.

Taken as a whole, the Elder Protection Law intentionally incorporates recognized categories of elder abuse while allowing flexibility in implementation through professional judgment, investigation protocols, and coordinated response mechanisms. The structure is designed to reflect both established elder protection standards and real-world conditions faced by elders and service providers within the Nation.

Accordingly, the concerns raised by the commenters are already addressed within the existing definitions and framework of the draft Elder Protection Law. No changes to the proposed law are recommended in response to these comments.

LOC ***Consideration***

Comment 7 – Enforcement and Role of the Elder Protection Law in Relation to the Public Peace Law:

706.5-4. *Immunity from Liability*. Any person who in good faith, reports suspected abuse, neglect,
self-neglect, or exploitation of an elder shall be immune from any legal action arising from that report.

706.5-5. *Civil Penalty for Failure to Report*.

(a) Any person required by this law to report suspected elder abuse, neglect, self-neglect, or exploitation who fails to do so is subject to a civil penalty not to exceed two thousand dollars ($2,000).

(b) The Court shall impose the penalty only after petition, notice, an opportunity for hearing, and a determination that the person had a mandated duty to report and failed to comply.

(c) A person who fails to report may also be subject to civil liability for damages suffered by the elder as a result of the failure to report, notwithstanding any determination by the Court regarding violation of this law.

706.5-6. *Civil Penalty for Bad Faith Reports*.

(a) Any person who knowingly makes a false report of suspected abuse, neglect, self-neglect, or exploitation is subject to a civil penalty not to exceed two thousand dollars ($2,000).

(b) The Court shall impose the penalty only after petition, notice, an opportunity for hearing, and a determination that the person knowingly made a false report.

(c) A person making a false report may also be subject to civil liability for damages suffered by the person(s) named in the false report.

706.8. Jurisdiction

706.8-1. The Oneida Trial Court has jurisdiction over any action brought under this law. Personal jurisdiction over an individual under this law may be established where the parties are members of the Nation, or employees of the Nation.

Joyce Johnson (written): The Sate of Wisconsin enhances penalties such as assault when the crime involves an elder 60+ years old. And they also may add to that sentance maximum sentences depending on the severity of the abuse. Please do not treat our Oneida members as any less important; to do so would be a great injustice. I do not understand why anyone thinks this new law will benefit our Tribe oir why some think change is necessary. I did my Social Work internships through Outagamike County. And after graduation a few years later I accepted employment with the Oneida Nation from 2004-2015. It was an honor & pleasure to work with my elders.

I do hold the highest hopes that this new Oneida Elder Abuse Law is absolutely in the best interest of our vulnerable elderly community. Our elders need to be confident that abuse committed against them will be addressed by more than a slap on the hands. I don't feel confident that fines will deter many from abusing the elderly. And for someone who would steal Say $20,00 from an elder they can just justify the risk by subracting a $2,000 fine and still have an a $18,000 proifit}. Make that make sense.

Nancy Barton (oral): Um, and once again, I'm going to address the issue of the enforcement. Um...included in here because of, you know, my involvement was the financial part of it that I was concerned about.

I'm concerned about the enforcement and the reporting. I'm glad that there are fines. I'm concerned about if somebody does report that it's considered um I'm not sure what word I want to say. You know, if I report you and then nothing comes out of it, then the person who reported can potentially get a fine. I was concerned about that part of it.

Response

The commenters raise significant and closely related concerns regarding enforcement, penalties, deterrence, and whether the proposed Elder Protection Law provides elders with protections and accountability measures comparable to those available under Wisconsin law. They also question whether adoption of this law is necessary, given past practices and existing enforcement authority, and express concern that civil fines alone may be insufficient to deter elder abuse, particularly

financial exploitation.

One commenter notes that Wisconsin law enhances penalties for crimes committed against elders age 60 and older and allows for increased sentences based on the severity of the abuse. The commenter urges that Oneida elders not be treated as any less important and expresses concern that modest fines could make exploitation economically worthwhile. This concern is both understood and shared. The intent of the Elder Protection Law is not to diminish protections for elders, nor to replace meaningful accountability with lesser consequences. Rather, the law is designed to complement—not weaken—the Nation's existing enforcement framework.

Another commenter raises concerns about enforcement and reporting, including whether individuals who report suspected abuse may face penalties if allegations are unsubstantiated. This concern is addressed through the law's reporting provisions, which impose penalties only for knowing failure to report or bad-faith conduct, while expressly providing immunity for good-faith reporters. These provisions are intended to encourage reporting, reduce fear of retaliation, and ensure concerns are brought forward without penalizing those acting responsibly.

It is important to clarify the distinct but complementary roles of the Elder Protection Law and the Nation's Public Peace Law. The Elder Protection Law is primarily procedural and protective in nature. Its purpose is to establish a clear and culturally grounded framework for identifying, reporting, and investigating suspected elder abuse, neglect, self-neglect, or exploitation; safeguarding confidentiality; coordinating interdisciplinary responses; and connecting elders with appropriate services using the least restrictive means possible. The law codifies best practices that have long been applied informally, ensuring consistency, transparency, and continuity across agencies and administrations.

By contrast, the Public Peace Law governs substantive offenses and enforcement. It defines violations such as assault, theft, fraud, financial exploitation, and abuse of elders and adults at risk, and it authorizes law enforcement investigation, judicial proceedings, and trial court adjudication. Penalties available under the Public Peace Law include fines, restitution, community service, counseling, and other court-ordered remedies. Importantly, elder abuse, including unreasonable confinement or restraint and financial exploitation—remains fully enforceable under the Public Peace Law. The Elder Protection Law does not replace, limit, downgrade, or reduce those enforcement authorities.

In practice, when an Elder Protection investigation identifies conduct that may constitute a civil infraction or other enforceable offense, the matter is referred to law enforcement and proceeds under the Public Peace Law. In this way, the Elder Protection Law governs how concerns are responsibly identified, investigated, and coordinated, while the Public Peace Law governs accountability, sanctions, and deterrence. The two laws operate in parallel, not in conflict.

With respect to concerns about deterrence, particularly the fear that fines alone may be insufficient, the Elder Protection Law itself does not prescribe penalties for elder abuse. Enforcement, sanctions, and restitution are determined under the Public Peace Law and by the Trial Court. Available remedies include restitution designed to make the elder whole, ensuring that financial exploitation does not remain profitable, as well as additional penalties the Court deems appropriate

based on the severity of the conduct. These tools are intended to ensure meaningful accountability rather than nominal consequences.

Accordingly, the proposed Elder Protection Law does not diminish the importance of elder abuse as a serious and punishable offense, nor does it reduce the authority available to address it. Instead, it strengthens the overall system by ensuring that suspected abuse is promptly identified, properly investigated, and referred for enforcement when warranted, while also providing protective and supportive interventions for elders.

No revisions to the proposed law are recommended in response to these comments.

LOC Consideration

Comment 8– Confidentiality, Reporter Protection, and Trust-Based Investigations:

706.4-2. *Confidentiality*. All members of the Interdisciplinary Team shall maintain strict confidentiality regarding all matters that come before the team. No member may disclose any information except as expressly authorized under this law.

(a) *Purpose-Based Disclosure*. Members may use or disclose confidential information only as necessary to perform duties under this law, including prevention, identification, investigation, or mitigation of elder abuse, neglect, exploitation, or self-neglect.

(b) *HIPAA Exception for Harm Prevention*. When a member is subject to HIPAA, the member may share protected health information with the Team under the exception permitting disclosure to prevent or lessen a serious and imminent threat to the health or safety, provided that:

(1) the disclosure is made in good faith to prevent or address abuse, neglect, or exploitation; and

(2) the disclosure is limited to persons reasonably able to prevent or mitigate the threatened harm, including members of the Interdisciplinary Team acting within their authority under this law.

(c) *Minimum-Necessary Standard*. Any disclosure shall be limited to the minimum information necessary for the Team to perform its duties.

(d) *Selective Participation*. Only members whose roles are relevant to a specific case shall access confidential information for that case.

(e) *Redisclosure Prohibited*. Information received through the Team may not be further disclosed except as required to perform professional duties related to the case or as otherwise authorized by law.

(f) *Conflict of Interest*. Members with a personal conflict, familial relationship, or other circumstance that may compromise confidentiality, or objectivity shall recuse themselves from case discussions.

706.6-7. *Confidentiality*. Departmental report forms are confidential and may not be released except:

(a) To the elder, any person named as a suspect, and the suspect's attorney, excluding the identity of the reporter or any person whose safety may be endangered.
(b) To agencies or entities providing assistance, subject to confidentiality requirements;
(c) To individuals or organizations designated for audits or program evaluation, provided identifying information is not disclosed;
(d) Pursuant to a lawful court order;
(e) To agencies or individuals providing direct services, including attending physicians, for purposes of diagnosis, treatment, or coordination of care;
(f) To the guardian of the elder adult at risk or the guardian of any person named in a report who is suspected of abuse, neglect, or financial exploitation. These individuals may inspect the report, except that identifying information about the reporter or any person whose safety may be endangered by disclosure shall not be released;
(g) To law enforcement officials as necessary to carry out their duties, in accordance with applicable internal policies and this law;
To the Oneida Interdisciplinary Team, a federal agency, state or local governmental unit, or an agency of another state that requires the report to fulfill its responsibility to protect elder adults at risk from abuse, neglect, exploitation, or self-neglect;
(i) To the individual who made the report in a professional capacity, for the limited purpose of informing them of actions taken to protect or provide services to the alleged victim.

Joyce Johnson (written): I have some great concerns regarding confidentiality of both the potential victim as well as the reporter. The reporter has a right to remain confidential as otherwise their safety could be endangered. Furthermore an elder abuse potential or substantiated victim has a right to remain and have their name remain anonymous also. Visits and initial investigations to an potential victim are held in the strictest of confidence. The Social Worker visits the elder initially if it is any category of elder abuse except an emergent one *Due to the untrusting nature of many of our tribal elderly a number of them would not allow entrance from an investigator other than one of their own people. That could put them at higher abuse risk. The benefit of Lead Agency Status helped to alleViate hat challenge.

Nancy Barton (oral): The other part that I want to talk about, and this is a little bit of a personal thing, I've had some dental work done. And when I was leaving, there is a notice of privacy practices that is posted on every dental and doctor reception area. And there was a part on here, I had to wait a while for some records and some other things. So I read it. And on here it says abuse and neglect. And this is a notice of privacy practices and it says we may disclose your health information to appropriate authorities if we reasonably believe that you are a possible victim of abuse, neglect, or violence and a possible victim of other crimes. And we may disclose your health information to the extent necessary to avert a serious threat to your health or safety, or the safety of others. So I thought I would bring this and give this to these guys back here. They're the legal people and they know what that means because anytime that you ever receive any kind of dental or medical treatment, you sign a form that says, you know, HIPAA forms, release of information forms, but this includes who can report and who can't. So I'll give that to Grace back here. And, you know, hopefully with a law in the books that we have a way, I guess, to hold people

accountable that are abusing our elders. And once again, I'll say how unfortunate that historically, that's where we are today, but at least we have it and it's in writing and somebody can be held accountable. Thank you.

Response

The commenters emphasize the critical importance of confidentiality for both elders who may be victims of abuse and for individuals who report suspected abuse. They correctly note that fear of retaliation, safety risks, and lack of trust—particularly among elders with historical or cultural reasons to be wary of outside intervention—can significantly undermine reporting and access to protection. One commenter also highlights the importance of culturally trusted investigators and historically effective Lead Agency practices in maintaining elder engagement and safety.

Confidentiality is a foundational component of the proposed Elder Protection Law. The law includes strict confidentiality requirements governing reports, investigations, and records; limits disclosure to the minimum information necessary to carry out protective functions; and permits anonymous reporting in most circumstances. The identity of reporters is protected when disclosure could compromise safety, and retaliation against reporters or interference with investigations is expressly prohibited. These provisions are designed to encourage reporting, reduce fear of reprisal, and safeguard both elders and those who come forward with concerns.

The law also recognizes the sensitive nature of elder protection investigations and the need for trusted, respectful engagement. Investigations are structured to use the least intrusive and least restrictive means appropriate to the circumstances, with an emphasis on confidentiality, cultural awareness, and elder autonomy. The Interdisciplinary Team framework supports coordination among trusted Nation departments and professionals while imposing clear confidentiality obligations on team members to ensure information is shared only as necessary and appropriate.

Another commenter references health care privacy practices and HIPAA disclosures related to abuse and neglect. The draft law is consistent with these established standards. It permits disclosure of information to appropriate authorities when abuse, neglect, or exploitation is reasonably suspected, and when necessary to protect an elder's health or safety, while otherwise maintaining strict confidentiality. These provisions strike a balance between privacy and protection, aligning elder protection practices with medical, social service, and legal standards.

Overall, the confidentiality and reporter-protection concerns raised by the commenters are directly addressed by the draft Elder Protection Law's structure and safeguards. The law is intended to preserve trust, protect safety, and ensure that elders can be reached and supported without increasing their risk or the risk to those who seek to help them.

No revisions to the proposed law are recommended in response to these comments.

LOC Consideration

Comment 9– Medical Examinations and Financial Responsibility:

706.6-3. *Medical Examination*. The elder-adult-at-risk agency may transport the elder adult at risk for a medical examination by a physician if:

(a) The elder adult at risk or his or her guardian or agent under an activated power of attorney for health care consent; or

(b) The elder is incapable of consenting and one of the following applies:

(1) The elder has no guardian or agent under an activated power of attorney for health care;

(2) The guardian or an agent under an activated power of attorney for health care, is suspected of abuse, neglect, or financial exploitation;

(3) The examination is authorized by court order.

Bonnie Pigman (oral): Yep, Bonnie Pigman, 5361. Couple of lines, line 272-706.6-3 medical examinations, just wondering who's going to pay for that medical examination because most out, not most, but not everyone has insurance. And so therefore, if they send them to a medical professional that's not covered by, they don't have insurance to cover that cost, there's no language in this document to say what, who's going to pay for it.

Response

The commenter requests clarification regarding Section 706.6(3), specifically asking who would bear the cost of a medical examination when an elder does not have insurance or when the examination is not covered by insurance. This concern reflects the importance of ensuring that protective interventions do not create unintended financial barriers for elders.

Section 706.6-3 is intended solely to authorize a medical examination as a protective measure when necessary to evaluate an elder's condition, assess risk of harm, or support an investigation of suspected abuse, neglect, self-neglect, or exploitation. It is not intended to impose financial responsibility on elders or to condition protection on an individual's ability to pay.

In practice, the cost and logistics of any such medical examinations would be addressed through existing internal systems, including Tribal Health Services, Indian Health Service, or other tribally administered or coordinated healthcare resources. These arrangements are operational and administrative in nature and are appropriately handled through interdepartmental coordination, internal policy, and case-specific decision-making rather than through statutory language. This approach preserves flexibility to ensure elders receive necessary evaluations without creating rigid funding directives in law.

Because medical examination costs can be managed internally through Tribal health programs and related resources, and because the statute's purpose is to authorize protective action rather than establish billing mechanisms, no changes to the law are recommended in response to this comment.

LOC Consideration

Comment 10– "Least Restrictive Conditions" Standard for Services and Interventions:

706.6-5. *Offer of Services and Referrals*. Upon responding to a report, the elder-at-risk agency shall determine whether the elder or any other individual involved requires services. The agency shall provide or arrange for necessary services under the least restrictive conditions appropriate to achieve the intended objectives.

Bonnie Pigman (oral): Next question has to do with looking at the line 287 and that is referring them to necessary services under the least restrictive conditions. I think that needs to be clarified what you consider to be least restrictive. I'm not looking for a long list, but given an example maybe would be useful.

Response

The commenter requests clarification regarding Section 706.6(5), specifically the requirement that services be offered under the "least restrictive conditions," and suggests that providing examples or further explanation within the law may be helpful for public understanding.

"Least restrictive conditions" is a long-standing and widely recognized standard in adult protective services and elder protection practice. It is used consistently by social workers, investigators, health professionals, and legal practitioners to guide decision-making that balances elder safety with autonomy, dignity, and self-determination. The standard requires that any intervention be no more intrusive than necessary to reduce risk and address harm, taking into account the elder's capacity, preferences, cultural considerations, and available supports. It does not prohibit intervention; rather, it prioritizes voluntary and supportive measures—such as in-home services, case management, or community supports—before more restrictive actions, such as court involvement, guardianship, or protective placement, when legally appropriate.

Because this principle is well understood within the professional community and intentionally flexible, the draft law preserves the term without prescribing rigid examples or definitions. This allows practitioners to apply the standard on a case-by-case basis and to explain it to elders, families, and participants in a manner tailored to each individual's circumstances and understanding. Codifying specific examples in statute could unintentionally limit professional judgment or exclude appropriate options in future cases.

Accordingly, while explanation and education regarding the "least restrictive" standard may be beneficial during implementation and outreach, no changes to the proposed law are recommended in response to this comment.

LOC Consideration

Comment 11– Jurisdiction, Sovereignty, and Public Law 280 (PL-280):

706.6-6. If, after responding to a report, the elder-adult-at-risk agency has reason to believe that abuse, financial exploitation, neglect, or self-neglect has occurred, the agency may:

(a) Request immediate assistance to initiate protective services or contact an investigative agency;

(b) Take emergency protective action, including emergency protective placement, if in the elder's best interests and the least restrictive intervention;
(c) Refer the case to law enforcement or the district attorney, if a crime is suspected.

Bonnie Pigman (oral): Lines 295 to referred case to law enforcement or district attorney, I'm sorry, but I don't know that our judiciary has a district attorney. And if you're referring people out to outside courts, why, what's the purpose of our judiciary if we're not going to handle the cases within our own reservation? That is, this is our law so it should be handled by our judiciary.

Also looking at the same language is allowing if there are things that are happening outside of our jurisdiction, for example, protective services from another state. I believe that everything should have to go through our judiciary in order to be carried out through this law, because taking something from another jurisdiction only confuses people when somebody comes knocking at their door and they got a piece of paper saying, well, I have, you know, this, this case with this individual for whatever, that sent a lot of confusion in that household to that person saying, well, what jurisdiction do you have? Because this is the Oneida Nation reservation and is not the Illinois state whatever.

So I think that if we're going to say we're sovereign, that we need to start acting like it and we need to start reflecting that things need to go through our judiciary in order to be handled and carried out to our laws.

That's what I, my context from looking at this right now is if I want to put anything else, I will put it in writing. Thank you.

Response

The commenter raises important questions regarding tribal sovereignty, judicial authority, and potential confusion created by references to law enforcement, district attorneys, or external jurisdictions in Section 706.6(6). Specifically, the commenter expresses concern that such language could suggest that cases arising under the Elder Protection Law would bypass the Oneida Nation Judiciary or be handled by outside courts, thereby undermining the Nation's sovereign authority.

The Elder Protection Law affirms and preserves the jurisdiction of the Oneida Trial Court over matters brought under the law. As set forth in the jurisdictional provisions of the draft, actions initiated pursuant to the Elder Protection Law proceed through the Nation's judiciary, and nothing in the law is intended to diminish or replace that authority. The law itself is an exercise of the Nation's inherent sovereignty to protect its elders and regulate conduct within its jurisdiction.

References to law enforcement or prosecuting authorities are included to reflect jurisdictional realities applicable in Wisconsin, which is a Public Law 280 (PL 280) state. Under PL 280, the State of Wisconsin generally exercises criminal jurisdiction in Indian country, while tribal courts retain authority over civil and regulatory matters. As a result, when an elder abuse matter involves conduct that may constitute a criminal offense—such as serious physical abuse, sexual abuse, or certain forms of financial exploitation—referral to the appropriate law enforcement agency or

prosecuting authority is legally necessary. These references are intended to ensure lawful coordination and effective protection, not to divert cases away from tribal processes or courts where tribal jurisdiction applies.

The commenter also expresses concern about references to protective actions or proceedings originating outside the Nation's jurisdiction, such as from another state or county, and the potential for confusion when individuals receive documents from external authorities. The intent of this language is limited to coordination and continuity of care in situations where an elder's circumstances cross jurisdictional boundaries, not to authorize external entities to act independently within the Nation's jurisdiction. Any recognition, enforcement, or implementation of protective actions under the Elder Protection Law remains subject to the authority of the Oneida Nation and its judiciary.

The draft law seeks to balance sovereignty with practical necessity by affirming tribal authority while acknowledging limited circumstances in which coordination with external jurisdictions is required to protect elders and comply with applicable federal and state frameworks. These provisions are designed to reduce gaps in protection, prevent jurisdictional conflicts from delaying intervention, and ensure elders are not placed at risk due to overlapping legal systems.

Accordingly, no changes to the proposed law are recommended in response to this comment. The existing language reflects an intentional effort to uphold tribal sovereignty, preserve the role of the Oneida Judiciary, and ensure that elder protection actions are carried out effectively and lawfully.

LOC Consideration

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

LEGISLATIVE OPERATING COMMITTEE
PUBLIC MEETING
Eviction and Termination Law Amendments
Elder Protection Law
Uniform Commercial Code

Norbert Hill Center Business Committee Conference Room and Microsoft Teams
April 16, 2026
12:15 p.m.

Present: Jennifer Webster, Jonas Hill, Grace Elliott, Nancy Barton, Cathy Metoxen, Judy Sprangers, Tina Jorgensen, Jodi Tess, Melinda Danforth, Barbara Cornelius. Mary Loeffler

Present on Microsoft Teams: Clorissa Leeman, Alyssa Hudak, Bonnie Pigman, Carolyn Salutz, Carrie Lindsey, Debra Santiago, Diane Wilson, Efren Rivera, Eric Boulanger, Joel Maxam, Mark W. Powless, Melissa Alvarado, Michelle Tipple, Rae Skenandore, Sarah Miller, Shad Webster

Jennifer Webster: Good afternoon. The time is 12:18 p.m. and today's date is Thursday, April 16th, 2026. I'll now call to order the public meeting for the following three pieces of proposed legislation: Eviction and Termination law amendments, Elder Protection law, and the Uniform Commercial Code.

The Legislative Operating Committee is hosting these public meetings to gather feedback from the community regarding these legislative proposals. The public meeting is not a question and answer period. The LOC will review and consider all comments received during the public comment period. The LOC will respond to all comments received in a memorandum, which will be submitted in the meeting materials for a future LOC meeting.

All persons who wish to present oral testimony in person need to register on the sign-in sheet. Individuals who wish to present oral testimony on Microsoft Teams, please raise your hand and you will be called on. If you leave an email address on the sign-in sheet, we can assure that you receive a copy of the public comment review memorandum.

Additionally, written comments may be submitted to the Nation's Secretary's Office or to the Legislative Reference Office in person, by U.S. Mail, interoffice mail, email, or fax, as provided in the public meeting notice. These comments must be received by close of business on Thursday, April 23rd, 2026.

In attendance from the LOC is Jonas Hill and myself, Jenny Webster.

The LOC may impose a time limit for all speakers pursuant to section 109.8-3(c) of the Legislative Procedures Act. As the presiding LOC member, I am imposing a time limit of five (5) minutes per person per topic. This time limit shall be applied equally to all persons. We will now begin today's public meeting for the three legislative items.

Jonas Hill: We will be accepting comments on the Eviction and Termination law amendments. The purpose of the Eviction and Termination law is to provide consistent procedures for terminating a contract and or evicting an occupant which affords the occupant due process and protects all parties involved.

The Eviction and Termination law amendments will:

- Add or revise the definition of Comprehensive Housing Division, law enforcement agency, occupant, owner, periodic tenancy, rental value, and stay of eviction.
- Revise the delegation of administrative rulemaking authority provided under this Law for the Nation's residential, agricultural, and business contracts.
- Remove the terms "alleged" and "allegations" throughout the Law.
- Revise how notice of an early contract termination or eviction is provided to individuals and corporations or partnerships.
- Provide that an occupant shall have a right to cure for a failure to pay rent, but is not guaranteed that right to cure for subsequent violations.
- Clarify an occupant's right to cure for… Alright.

Clorissa Leeman: Hi, Jenny and Jonas. I'm not sure if you guys can hear me, but I haven't been able to hear anything through Teams.

Rae Skenandore: I've been listening everything; I've heard everything so far.

Jennifer Webster: Bonnie.

Bonnie Pigman: Yeah. Bonnie Pigman, member 5361. I just have a question. I see on line 272. Can you hear me?

Jennifer Webster: We can hear you.

Bonnie Pigman: Okay, line 272 - 706.6-3, medical examination. The question I have for that section is,

Jonas Hill: Oh, Bonnie, I don't want to interrupt. Sorry to interrupt, but we're just trying to figure out the…the technology of this meeting at this moment. And we will get to a point where you can submit your comments. We just have to read through some of the script.

Bonnie Pigman: Okay.

Jonas Hill: Thank you. Clorissa.

Clorissa Leeman: I was just identifying because I wasn't able to hear, but I double checked and it looks like the transcript was capturing.

Jonas Hill: So continue?

Clorissa Leeman: So as long as the transcript was capturing it, I just want to make sure that we're keeping that we have the record. So you guys may continue. Sorry for interrupting.

Jonas Hill: All right, we will resume.

- Clarify what types of offenses qualify as a violation of law or rule or nuisance activity.
- Revise who is allowed to notice an owner of a violation of law or rule or nuisance activity.
- Clarify that an owner is not required to provide an occupant an opportunity to cure for a violation of an applicable law or rule or nuisance act.
- Clarify and expand when an individual may contest a contract termination.
- Revise how an occupant's failure to vacate following the notice of eviction or a contract expiration is handled by an owner.
- Expand the amount of time allowed for an owner to return a security deposit to an occupant from thirty (30) days to sixty (60) days.
- Make other drafting changes and broad organizational changes.

Jennifer Webster: So we'll also be accepting comments on the Elder Protection Law. The purpose of the Elder Protection Law is to uphold the nation's responsibility to honor and protect its elders. This law establishes a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, abuse, neglect, self-neglect, and financial exploitation and affirms the nation's cultural responsibilities to honor, respect, and preserve elder well-being.

The Elder Protection Law will:

- Establish a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, neglect, self-neglect, and financial exploitation.
- Establish an Interdisciplinary Team composed of multiple Nation departments to coordinate case review, guide investigations, recommend actions, promote cooperation, and identify resources.
- Establish a duty to report suspected elder abuse, neglect, and exploitation. The law requires any person with knowledge or reasonable suspicion of abuse, neglect, self-neglect, or exploitation of an elder to report immediately to Aging & Disability Services or the Oneida Police Department.
- Create a broad class of mandated reporters, including family, caretakers, elected officials, employees, healthcare workers, mental health professionals, social workers, law enforcement, judicial staff, and fiduciaries.
    - Good-faith reporters receive immunity.
    - Non-mandated reporters may remain anonymous.
- Establish civil penalties:
    - A mandated reporter who fails to report may be fined up to $2,000.
    - Anyone who knowingly files a false report may be fined up to $2,000.
    - Anyone who interferes with an investigation or retaliates against a reporter may be fined up to $2,000 per occurrence.
- Provide investigation procedures requirements including that they must begin promptly and include required steps such as:
    - Visiting the elder's residence;
    - Observing the elder;

    - Conducting interviews;
    - Reviewing healthcare and financial records;
    - Interviewing guardians/caregivers;
    - Requesting law-enforcement assistance;
    - Offering or arranging needed services.
- Authorize emergency protective actions, including protective placement, may be taken when necessary.
- Authorize medical examination under specified consent conditions or by court order.
- Protect confidentiality and records. Departmental report forms and investigative records are confidential and may only be disclosed under limited circumstances, such as to the elder, suspect, service providers, law enforcement, auditors, or through a court order.
- Provide that records must be retained for five years.
- Affirm elders' rights to:
    - Notice of an investigation unless emergency conditions exist.
    - Refuse services if they have capacity.
    - Protect their property rights, including the right to deny entry.
    - Representation by counsel at their own expense.
- Provide for rights of the accused to refuse service for themselves, refuse entry (subject to warrant), and obtain counsel at their own expense.
- Grant the Oneida Trial Court jurisdiction over all actions under this law. Personal jurisdiction extends to members of the Nation and Nation employees.

We will also be accepting comments on the Uniform Commercial Code. The purpose of the Uniform Commercial Code is to provide a clear, fair structure for commercial transactions to promote economic development, grounded in Good Mind principles, and protection of sovereignty.

The Uniform Commercial Code will:

- Establish a complete, unified commercial code governing security interests, collateral, and commercial transactions within the Nation, creating legal clarity and predictability for all parties.
- Affirm Oneida sovereignty by providing that this law governs conflicting provisions and is adopted under the Nation's constitutional authority.
- Grounds commercial law in Good Mind principles, embedding cultural values directly into the Nation's economic governance framework.
- Define Oneida jurisdictional, jurisdiction over commercial parties through residence, business location, tribal membership, or chartering, strengthening tribal legal authority.
- Create clear rules for creating, attaching, and enforcing security interests, essential for lenders and investors to transact with confidence.
- Provide multiple perfection methods (filing, possession, control), allowing flexible modern financing arrangements.
- Creates priority rules that determine whose claim on collateral prevails in disputes, insolvency, or bankruptcy-like scenarios.
- Supports interjurisdictional business activity by recognizing perfection under other jurisdictions and creating transition rules for collateral moving into Oneida jurisdiction.

- Strengthen consumer rights by restricting waivers, requiring post-default notice, and limiting and limiting repossession practices.
- Ensure transparency by allowing debtors to request accountings, collateral lists, and surplus/deficiency explanations.
- Protect against predatory contract terms, invalidating commercially harmful restrictions that block assignment or collateralization.
- Require commercially reasonably reasonable enforcement, meaning lenders must follow fair industry standards when collecting, selling, or disposing of collateral.
- Creates rulemaking authority enabling the Nation to issue regulations, procedures, and filing requirements without relying on state systems.
- Clarifies rights in complex assets such as accounts, chattel paper, investment accounts, fixtures, software, and agricultural products enabling modern finance options.
- Set structured, lawful processes for repossession, allowing possession only with debtor consent or judicial process, and forbidding breach of the peace.
- Creates detailed rules for collateral sales, including notice requirements, timing rules, and provide public/private public/private sale standards.
- Provide remedies for improper conduct by lenders, including damages, statutory penalties, and court orders restraining noncompliant enforcement.
- Protect innocent purchasers by specifying when buyers take goods free goods free of a security interest and when interests follow the collateral.
- Ensure continuity and severability, protecting the code from invalidation if one section is challenged.

So those who wish to speak, please raise your hand. Please state your name when making a comment and to which laws you're commenting on. Um...The sign in paper. You want to grab the sign in paper? If you want to come to the mic. Those who signed in, Nancy Barton, you're up first.

Jonas Hill: Uh, Nancy, do you mind using your mic so we can provide a for the transcript?

Nancy Barton: I'll sit down as much as I can. Okay, the first comment that I'll make is regarding Title 6, Property and Land, Chapter 610, formerly known as the Eviction and Termination Law. In the Oneida language, the interpretation means they shoo them away or they vanish them. And so my first comment is, I guess I have, you know, some issues with the interpretation of this law. It looks like you're trying to get rid of people. You know, you want them to go away and you want them to vanish. And how unfortunate.

The first comment that I'm going to make is regarding the termination of people's leases when they real when housing comprehensive housing realizes that those people are elders and that they received a what they're calling a significant amount of GWA payment and they're including it in their rent. This past week, I had an opportunity to view and witness a letter to an elder. She turned sixty-two (62) years old three and a half (3 ½) years ago. And what they're doing now is calculating her GWA back those three and a half (3 ½) years and increasing her rent. She's on a fixed income. That's why you live in housing. She does not have the financial ability to make up those payments. And so I'm concerned about that. We talked about that many times up here. And why is Comprehensive Housing using that income when they're not supposed to be? The Social Security Office doesn't use it. Many other entities don't use it including the state of Wisconsin when

calculating income regarding energy assistance and other public assistance programs. So the reason that I came, one of the reasons that I came here today is to address that issue and how unfortunate that this money was, you know, allocated and was supposed to make our people's lives better, especially our elders and those vulnerable people. And when you use this money as a punishment financially against them, then I guess that's when I have an issue. And so I'm going to ask the LOC once again to come back with that GWA issue. I'm not sure what you want to call it, but there is a GWA law, and it's been on the books for many years, and I haven't seen it move forward. And what it's doing is punishing and penalizing our most vulnerable people.

I also want to comment on page four (4) on line 113, where it says a criminal complaint alleging that the code occupant sexually assaulted a child or the occupant, and it gives the Wisconsin state code. And this is a domestic abuse defense to eviction. And so I'm very concerned about that, that that has been included in there that a person who would even commit these crimes would be eligible to move into comprehensive housing. So that was a concern of mine.

The other thing that I want to talk about is on page one hundred (100), or I'm sorry, on page six (6), and it's number line 199, 198 and 199. And it's talking about waste and the occupant committing waste. And I've had on several occasions to be able to talk about the waste and the conditions of the homes and the properties on this reservation. And we have a Zoning Department, we have a Shoreline Protection Ordinance that aren't being followed. And those people that are in charge of those entities, I can't give names, but there are departments and there are chains of command, three (3), four (4), sometimes five (5) levels. And when I have attempted to address the issues of mattresses and cars and garbage and batteries on tribal property, I'm not getting anywhere. So why would you include something that cannot be enforced? I've put my complaints in writing. I've gone to these offices. I've made phone calls and I haven't gotten anywhere with anything. So why would you create a entity that says you don't want waste but you have no way to enforce it. So that was one of another one of those.

The other thing that I want to talk about is on page nine (9), where on page three hundred and thirty-six (336), where a person can be threatened with eviction. And of course, it's almost ninety-nine percent (99%) of the time because of money and the person is given a certain amount of time to make it good and make it right. And I've been involved in many cases, single mothers with children who fall behind because somebody needs glasses, somebody needs tennis shoes, have fallen behind for as little as two and three hundred dollars ($200 and $300) and have been evicted. I have gone to Comprehensive Housing and offered to pay that money. And they said, nope, we're not taking your money. We'll see you in court. When we get to court and the money's on the table, the person was still evicted for three hundred dollars ($300). And so, you know, a landlord in Green Bay would work with you for three hundred dollars ($300) if you were a single mother with three (3) children. And so how unfortunate that we have become what we become, and we punish our people for three hundred ($300).

And, you know, there are currently, I posted a picture about the flooding in Three Sisters, and it wasn't until that post was published that anybody was going to do anything about what was going on over there. My question was, does housing have insurance to cover the stuff inside? I know, do I have, you didn't say I had a certain amount of time. All right, so then I guess I'm done with that

one and then I want to talk about the Elder law and I need to get.

Cathy Metoxen: Question. Do you? I don't have anything on the Elder law. I, I, this is all that was out there. I came, this is...

Jennifer Webster: You'll share your Law. Thank you. Okay, Nancy, you have five (5) minutes.

Nancy Barton: Okay, I'll address the Elder Protection law and my own personal comment about this is how unfortunate that in this day and age and historically that we have to have a law to protect our elders. And we had this conversation on this floor about the way that we treat each other and the way that our elders are treated at GTC. You know, people will push an elbow and stampede our elders. And that goes to, you know, what happened to us, what happened to the way that we're being taught to treat our elders and how unfortunate. Um, and once again, I'm going to address the issue of the enforcement. Um...included in here because of, you know, my involvement was the financial part of it that I was concerned about.

The other part that I wanted included was mandated reporters. We have people who are delivering meals, delivering medicine, doing jobs at elders' homes that have access to elders where other people don't. And so I'm glad to see that the mandated reporter part has been included in here.
I'm concerned about the enforcement and the reporting. I'm glad that there are fines. I'm concerned about if somebody does report that it's considered um I'm not sure what word I want to say. You know, if I report you and then nothing comes out of it, then the person who reported can potentially get a fine. I was concerned about that part of it.

The other part that I want to talk about, and this is a little bit of a personal thing, I've had some dental work done. And when I was leaving, there is a notice of privacy practices that is posted on every dental and doctor reception area. And there was a part on here, I had to wait a while for some records and some other things. So I read it. And on here it says abuse and neglect. And this is a notice of privacy practices and it says we may disclose your health information to appropriate authorities if we reasonably believe that you are a possible victim of abuse, neglect, or violence and a possible victim of other crimes. And we may disclose your health information to the extent necessary to avert a serious threat to your health or safety, or the safety of others. So I thought I would bring this and give this to these guys back here. They're the legal people and they know what that means because anytime that you ever receive any kind of dental or medical treatment, you sign a form that says, you know, HIPAA forms, release of information forms, but this includes who can report and who can't. So I'll give that to Grace back here. And, you know, hopefully with a law in the books that we have a way, I guess, to hold people accountable that are abusing our elders. And once again, I'll say how unfortunate that historically, that's where we are today, but at least we have it and it's in writing and somebody can be held accountable. Thank you.

Jennifer Webster: Thank you. Um... Next up, Barb, you did not identify whether or not you were going to do oral testimony. You want to do oral testimony, please come to the mic. I'm sorry. You were next. Everybody else identified. No, they did not want to do.
Go ahead and you have five (5) minutes.

Barb Cornelieus: OK. With elders, we should get ten (10) minutes. I'm just saying, okay, I don't have nothing specific on one of the, in any of the laws, but in general, I think our laws have to be written more compassionately, with more empathy, and we need to quit following how the state and the federal government produces their laws, because their laws are produced with conflict, a natural conflict to them. There's you against me, me against you. And in our law, and as far as I know, traditionally, that wasn't how we wrote the laws. We didn't write laws to pit me against you or you against me. It should be more empathy. We have to have more empathy.
And then I think in the...and the Eviction law, you know, they always say, well, once you're in the eviction process, you can't stop it. You can stop it. You know, a lot of places stop it and stuff, and they should be able to stop it and say, you know, I apologize, I do this, and I'm doing this, and I'm doing all these things to help. And then I think in the, maybe in the Eviction law, you can put something in there or develop a policy where they can work it off. We have all these homes that need work to be completed, and some of it is just simple work that you don't have to have, you know, a certificate or anything. There's a lot of just simple work that we, we could give the tenants to pay off those things so you don't think you're giving them a handout.

There's so many people that have that word in their vocabulary called entitlement. And none of this is entitlement. These are all benefits from treaties. This is all stemming from the treaties that are provided by to our nation from the federal government. So I think we should do that.

And then under abuse, the Elder abuse law, I just, I think we just need to have softer language. We need to have more empathy and we need to give. There's such a thing as the spirit of the law and the letter of the law. And what the tribe has done, or the Nation has done, is gone so heavily on the letter of the law. This is what the law says, this is what we have to do, this is what we have to enforce. The spirit of the law says, hey, that there's extenuating circumstances, there's things that should be changed. And if you had time, you know, if they apologize and they do the things they need to do, then then do the spirit of the law. And so I think, I don't know how we get our attorneys to be trained in that type of law development, but I think that's what we need to do as a Nation. We need to start um...developing our laws a little more friendly, a little more with empathy and with compassion.

So because you are doing it to our own people. So you can't say, no, they say we're all family, we all treat one another, we all do all this stuff. But the laws don't allow you to do that because it's so strict. So, um, governmental or law? I guess that's the only word I could say. It's too much law, and I think we need to, we need to...to soften those laws and all the laws. And my personal belief is we have too many laws. You know, we only have seventeen thousand (17,000) people who are overseen and have to, I mean, we don't oversee those many because we only have jurisdiction on within the reservation boundaries and stuff. So we might have three thousand (3,000). Then there's three thousand (3000), half of those are kids and everything. So we have about one thousand five hundred (1500) people we only have jurisdiction over and we have tons and tons of laws, you know, and so I, that's my general statement is that we need to start softening the language and our laws and we need to use the spirit of the law when we're trying to enforce it. And there is nothing wrong with being soft and being kind to your own people. That's it.

Jennifer Webster: Thank you. Cathy Metoxen, you're listed here, but it's not said whether or not

you wanted to speak orally or written comments.

Jennifer Webster: Okay, can you use your mic, please? And you have five (5) minutes. Thank you.

Cathy Metoxen: Okay, I thought there was going to be a lot of other people before me. It's good to see more people than just two (2) of us up here today. Or one, you know, it's always good to see other people, don't you agree? And I'm going to take my time because this is confusing. And it's...it's um…

You know, when I come up here a lot of times, my issues that I raise are usually across the board. You know, it's not about the people. It's about, it's supposed to be about all of us. But I want to know, and I just got this document, so my question, my questions were going to start out with, when's your deadline? You know, because my understanding is we had a public hearing and I came to it and there was only one person here and I felt like it was illegal. And then you were moving on. And now there's another public hearing, which I was surprised to actually see again. It's good to see that you are changing. I see change in this room today. And it's, you know, you're trying to be more professional and be act more courteous and stuff like that. But, I want to know, like with the chain of command, because, you know, in other laws, I have questioned, what about you guys? You know, I don't, I was going to come up here today and say, can I see your ID so I know who you are? Because I have to show my ID at the door. So I don't know who I'm talking to. Anybody in this room could be a pedophile, and I wouldn't know it. And I'd I'd like to see some ID, you know, of who you are. And we have to do that every day when we come up here, is show our IDs. And I, I disagree with that, anyway.

I want to know what's in this law that protects us from the leadership, from the chain of command, from the people who abuse and micromanage and all of this stuff, because that's abuse too. And I'm an elder now, and I get abused at the front desk of a lot of entities. You know, and we all know about that story. We know there's, I'm not the only one, there's other people. You know, I've been up here talking about the term, you know, snotty, you know, snotty attitudes and stuff like that. How do we deal with people across the board? And is this a fair law, and are these things gonna be covered? You know, because what what you don't want us to get away with, it's okay for you guys to get away with. And that's where I come from when I say across the board. It's good that you guys are, you know, changing, and it's good to see that. And we've accomplished a lot over the years, and we've come a long ways, and we deserve a lot, but we're also lacking, and there's a lot of lack.

And I agree with the lady that was sitting here with so many laws, which is actually true. I believe Madeline Genso said that in the GTC meeting, you know, a law on top of a law on top of a law. In these terminations of leases and stuff, and I'm trying to get a place to live. And I'm hearing people are being kicked out, you know, on a whim. And I don't know what's true and what's not. Maybe they are pedophiles. Maybe they are drug addicts and alcohol functioning alcoholics. They're everywhere. They they do the job at the top and at the bottom. But how do we protect? The true abuse that you're talking about in these laws, because...I don't. I don't see it. I see, I see division. I see, um let's, you know.

We're not savages. You know, the Europeans came here and they called us savages, and we're not supposed to be that to our own people. You know, so your expectations may be a little bit high. And when I come in and I ask these questions, you know, if you don't like what I'm saying, you know, too bad. That's the way my mind works. And it's not just my mind. There's others, and and...

Jennifer Webster: Time is up.

Cathy Metoxen: You're welcome, and thank you for listening.

Jennifer Webster: Mary, did you want to come to the mic? And then we'll get you to sign in after. Just push the button in the middle there. Yep. Thank you. The written deadline is close of business day, Thursday, April 23rd. Go ahead, Mary.

Mary Loeffler: Okay. I want to address the Eviction and Termination. I don't have the full, but I do have a comment. Under whatever article it is in the beginning of the policy, where it talks about nuisance activities that are grounds for termination. They list quite a number of examples of nuisance that tenants can report on. Okay. The one that I don't see is the no smoking policy. I have brought that up a couple times that the no smoking policy should really be in place. And I do understand that until it's a law or for the LOC, that is that the reason why it wouldn't be listed as nuisance because smoking in the apartments is a health concern, and...walking up and down the halls is very annoying when all you do is smell cigarette smoke and pot. Okay, so what I'm requesting is...does that language to be included in the Eviction and Termination law, does that go after it becomes and is addressed with the LOC to be put into so that we can put it into the leases? So therefore we can work on enforcement of this no-smoking policy that we have. Um...That's pretty much all I needed, wanted to address.

Jennifer Webster: Okay, thank you, Mary. Mary, if you want to put down your phone number or email address on here.

Mary Loeffler: Sure.

Jennifer Webster: Anybody else in person? Otherwise, we do have people online. Anybody else to speak in person? Okay, we'll go online. Bonnie Pigman, you have five (5) minutes.

Bonnie Pigman: Yep, Bonnie Pigman, 5361. Couple of lines, line 272 - 706.6-3 medical examinations, just wondering who's going to pay for that medical examination because most out, not most, but not everyone has insurance. And so therefore, if they send them to a medical professional that's not covered by, they don't have insurance to cover that cost, there's no language in this document to say what, who's going to pay for it.

Next question has to do with looking at the line 287 and that is referring them to necessary services under the least restrictive conditions. I think that needs to be clarified what you consider to be least restrictive. I'm not looking for a long list, but given an example maybe would be useful.

Lines 295 to referred case to law enforcement or district attorney, I'm sorry, but I don't know that our judiciary has a district attorney. And if you're referring people out to outside courts, why, what's the purpose of our judiciary if we're not going to handle the cases within our own reservation? That is, this is our law so it should be handled by our judiciary. Also looking at the same language is allowing if there are things that are happening outside of our jurisdiction, for example, protective services from another state. I believe that everything should have to go through our judiciary in order to be carried out through this law, because taking something from another jurisdiction only confuses people when somebody comes knocking at their door and they got a piece of paper saying, well, I have, you know, this, this case with this individual for whatever, that sent a lot of confusion in that household to that person saying, well, what jurisdiction do you have? Because this is the Oneida Nation reservation and is not the Illinois state whatever.

So I think that if we're going to say we're sovereign, that we need to start acting like it and we need to start reflecting that things need to go through our judiciary in order to be handled and carried out to our laws. That's what I, my context from looking at this right now is if I want to put anything else, I will put it in writing. Thank you.

Jennifer Webster: Thank you. Is there anybody else online that would like to speak? Is there anybody else online that would like to speak? Third call, is there anybody else online that would like to speak?

With there being no more speakers, the public meeting for the proposed Eviction and Termination law amendments, Elder Protection law, and Uniform Commercial Code is now is now closed at 1:01 p.m. Just a reminder, written comments may be submitted until close of business on Thursday, April 23rd, 2026. Thank you for joining us.

-End of Meeting-

Wisconsin Tribes are eligible for Adult Protective Services APS funds and resource

April 20, 2026

Elder Abuse Components

- Prompt intake and investigation and reporting
- Multidisciplinary Team of professionals
- Assessment and Case Management
- Intervention and service planning
- Case Closing and follow up
- Confidentiality
- Staff training and development
- Data reporting and tracking
- Remain status of Lead State agency for Elder Abuse (DHS)

Needs updating: Oneida is listed in the Tribal section under Wis Adult Protection Agency

- MOUs with Brown County and Outagamie County APS
- MOUs with Law Enforcement Mous are important in case of absent Oneida APS

Multidisciplinary Team

- Law Enforcement
- Legal Services
- Mental Health Providers

- Medical Providers
- Brown County and Outagamie County APS
- Banks (Address Financial Exploitation) recommend Bay Bank, they have been on previously
- Churches (support vulnerable adults)
- Aging Program Benefit Specialist
- Legal Guardianship

Team Member Agreements (To ensure Confidentiality)

Florence Petri

To: Legislative Operating Committee (LOC)

From: Carrie Lindsey, BSW, CSW, LTC Case Management Programs Manager, Community Health Services

Thru: Debra Danforth RN, BSN, Oneida Comprehensive Health Division Director

Date: April 16, 2026

RE: Written public recommendation for the Oneida Elder Protection Law

Community Health Services supports the intent of the Oneida Nation Elder Protection Law and affirms the Nation's commitment to honoring, protecting, and sustaining our elders. Within Oneida governance and cultural teachings, elders hold essential roles as respected

knowledge keepers, caregivers, and community anchors. Effective elder protection policy should reflect this status as well as provide the protection that elders deserve, protection that recognizes not only physical safety, but also health equity, cultural continuity, and access to holistic, culturally appropriate care.

In review of the proposed Oneida Elder Protection Law and participation in the public comment meeting held on April 16, 2026, the Oneida Community Health Services Department of the Oneida Comprehensive Health Division respectfully submits the following public health recommendations.

The Oneida Nation has long recognized elders as carriers of our history, language, teachings, and responsibilities. Within the clan system and under the Great Law of Peace, elders are more than recipients of care—they are advisors, teachers, and living links between generations.

1. **Elder protection must extend beyond reacting to abuse.** True protection requires health equity—ensuring that all elders can access care, support, and connection in ways that honor dignity, autonomy, and Oneida ways of knowing.

2. **Elder protection grounded in health equity.** “Health Equity” means the attainment of the highest level of health and well-being for all Oneida Elders through the elimination of preventable, unfair, and unjust disparities, and through policies and practices that recognize cultural strengths, historical context, and differing needs. Many Oneida elders carry the impact of historical trauma, displacement, boarding school experiences, and long-standing health inequities. These experiences affect physical health, mental wellness, and trust in systems of care. An Elder Protection Law grounded in health equity acknowledges these realities and ensures responses are trauma-informed, culturally respectful, and community-centered. Policies that do not account for these realities, risk being incomplete.

   Consistent with the Great Law of Peace, which emphasizes balance, good mind, and collective responsibility, elder protection should address the conditions that place elders at risk—such as lack of transportation to medical care, limited access to behavioral health services, caregiver strain, digital/technological barriers, and social isolation. When access gaps go unaddressed, even well-intentioned systems can unintentionally contribute to neglect.

Community Health Services encourage the Nation to explicitly recognize these access barriers as elder protection issues and to strengthen coordination among health services, elder nutrition, housing, case management, and legal supports. Elders experience better outcomes and benefit most when services work together rather than in silos.

3. **Elder protection must uphold self-determination.** Elders living with chronic illness, disability, or memory loss should be supported through approaches that balance safety with autonomy, drawing on family, clan, and community roles when appropriate rather than defaulting to punitive or overly restrictive measures.

   In keeping with our responsibility to future generations, effective elder protection includes prevention measures such as—caregiver education, respite supports, wellness checks, and opportunities for elders to remain socially and culturally connected. These supports honor elders not only as individuals in need of protection, but as essential contributors to the Nation's strength.

4. **Include elder voices in ongoing review and implementation of the law.** Community Health Services encourages the Oneida Nation to include elder voices in ongoing review and implementation of the Elder Protection Law. This will strengthen health equity and policy effectiveness. Health equity is strongest when those most affected help guide decisions. The law should include opportunities for elder input, advisory roles, or periodic review informed by elder voices

Protecting Oneida elders means ensuring they can age with dignity, safety, cultural connection, and equitable access to health and social supports. Community Health Services encourages the Nation to incorporate explicit integration of health equity principles into the Elder Protection Law to strengthen its impact for current and future generations and align policy implementation with Oneida Nation mission, vision, values and responsibilities to our elders.

CC: Debra Danforth, Oneida Comprehensive Health Division Director

Mark Powless, CEO Nation Services

From: joyce johnson <jjoy1975@yahoo.com>
Sent: Friday, April 3, 2026 6:41 PM
To: LOC <loc@oneidanation.org>
Subject: Subject: Elder Protection Law As an elder Oneida Tribal member and previous EAs the E lder Abuse Prevention Coordinator/Services Supervisor from 2004-2015 I would uld like to add one more item to the elder abuse classifications list. e more item or ...

that would be Unreasonable Confinement or Restraint; as prosecutable in Wisconsin's Elder Abuse (Statute 46.90). It is defined as: The intentional and unnecessary confinement of an individual in a locked room, involuntary separation from his or her living area, use of physical restraints on an individual, or the provision of unnecessary or excessive medication.
This does not include the use of these methods or devices if they conform with state and federal standards governing confinenment and restraint.

I have some great concerns regarding confidentiality of both the potential victim as well as the reporter. The reporter has a right to remain confidential as otherwise their safety could be endangered. Furthermore an elder abuse potential or substantiated victim has a right to remain and have their name remain anonymous also. Visits and initial investigations to an potential victim are held in

the strictest of confidence. The Social Worker visits the elder initially if it is any category of elder abuse except an emergent one *Due to the untrusting nature of many of our tribal elderly a number of them would not allow entrance from an investigator other than one of their own people. That could put them at higher abuse risk. The benefit of Lead Agency Status helped to alleViate hat challenge.

I will continue to read as much as I can before April 16th meeting at the Norbert Hill Center. And will plan on voicing my other ideas, input, and questions then too. Due to eyesight issues i am challenged significantly when reading less than very large print.

I do have a significanty personal comment: I do not understand how or when the Oneida Nation decided to write it's own Elder Abuse Laws. I guess at this time it is what it is though. The tribe had a very mutually respectful relationship with Bown County, Outagmie County and the State of Wisconsin at the time of my retirement in 2015. Our Oneida Nation was granted Lead Agency status around 1993. That meant we held equal status to other of our state's counties in Wisconsin. We received reports from other counties when elder abuse was reported to them regarding elders resideing within reservation boundaries. We had Memorandum's of Understanding's (MOU's) with both counties; Oneida Police Department (OPD); as well as Oneida Domestic Violence (ODV). Our program and Tribe were way ahead of the other Tribes within the State of Wisconsin. It took many years to reach an amazingly well working miutually respectful system with our cohorts that seriously

proclaimed and upheld any fotm of elder abuse as a categorical and prosecutable crime.

In around 2004 the Great Lkes Native Akmerican Elder Abuse program began to gather Elder Abuse Codes or Resolutions to support each other in proclaiming elder abuse as something we would not tolerate in our ative communities. At each bi-monthly meeting we discussed confidential elder abuse issues & advised each other on how to report or how to assist individuals much like is being proposed with this new law. We had Elder Abuse Attorney's come to present at these meetings also. I took our Tribal Resolution to the Great Lakes Inter-Tribal (GLITC) meeting in about 2005 for their support & signatures. It was then signed by Gerald Danforth, Oneida Tribal Chairman and the other (11) Wisconsin Tribal Chairmen. Tent was merely to support each oher as we were and have an official acknowldgement of that elder abuse stance from our (GLITC) Board.

The Sate of Wisconsin enhances penalties such as assault when the crime involves an elder 60+ years old. And they also may add to that sentance maximum sentences depending on the severity of the abuse. Please do not treat our Oneida members as any less important; to do so would be a great injustice. I do not understand why anyone thinks this new law will benefit our Tribe oir why some think change is necessary. I did my Social Work internships through Outagamike County. And after graduation a few years later I

accepted employment with the Oneida Nation from 2004-2015. It was an honor & pleasure to work with my elders.

I do hold the highest hopes that this new Oneida Elder Abuse Law is absolutely in the best interest of our vulnerable elderly community. Our elders need to be confident that abuse committed against them will be addressed by more than a slap on the hands. I don't feel confident that fines will deter many from abusing the elderly. And for someone who would steal Say $20,00 from an elder they can just justify the risk by subracting a $2,000 fine and still have an a $18,000 proifit}. Make that make sense.

Title 7. Children, Elders & Family - Chapter 706
ELDER PROTECTION

706.1. Purpose and Policy
706.2. Adoption, Amendment, Repeal
706.3. Definitions
706.4. Interdisciplinary Team
706.5. Reporting
706.6. Investigation
706.7. Rights of Parties
706.8. Jurisdiction

706.1. Purpose and Policy

706.1-1. *Purpose*. The purpose of this law is to uphold the Nation's responsibility to honor and protect its elders. This law establishes a process to safeguard elders from harm, including abuse, neglect, self-neglect, and exploitation. This process includes:

(a) reporting concerns of abuse, neglect, self-neglect, and exploitation of elders;

(b) investigating reports to ensure the safety and well-being of elders; and

(c) providing services and support for elders who require protection from abuse, neglect, self-neglect, and exploitation.

706.1-2. *Policy*. It is the policy of the Nation to honor, respect, and protect its elders. The Nation recognizes that elders possess unique and irreplaceable stores of knowledge, skill, and experience that enhance and enrich the lives of the entire Nation. The interests of the Nation, now and in the future, are advanced when its elders are confident that they are protected from abuse, neglect, self-neglect, and exploitation. In honoring these principles, the Nation embraces Yukwatsístayʌ the fire, the animating spirit within each of us as a reminder that protecting our elders is an expression of who we are as a People and a reflection of The Good Mind we strive to uphold as expressed by Onʌyoteʔa·ka, which includes:

(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.

(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.

(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.

(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.

(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.

(f) Twahwahtsílayʌ. All of us are family.

(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

706.2. Adoption, Amendment, Repeal

706.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__-__.

706.2-2. 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.

706.2-3. 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.

706.2-4. 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.

706.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

706.3. Definitions

706.3-1. 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) "Abuse" means any of the following:

(1) Physical abuse.

(2) Emotional abuse.
(3) Sexual abuse.
(4) Treatment without consent.
(5) Unreasonable confinement or restraint.

(b) "Bodily harm" means physical pain or injury, illness, or any impairment of physical condition.

(c) "Caregiver" means a person who has assumed responsibility for all or a portion of an individual's care voluntarily, by contract, or by agreement, including a person acting or claiming to act as a legal guardian.

(d) "Case management" means an assessment of need for direct services, development of a direct service plan and coordination and monitoring of the provision of direct services.

(e) "Departmental report form" includes documentation of an elder-adult-at-risk agency's response to or investigation of a report and is the information required to be submitted to the department.

(f) "Direct services" includes temporary shelter, relocation assistance, housing, respite care, emergency funds for food and clothing and legal assistance.

(g) "Elder-at-risk" means any person aged Fifty-Five (55) or older who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

(h) "Elder-adult-at-risk agency" means Oneida Aging and Disability, or an agency designated by the county board of supervisors to receive, respond to, and investigate reports of abuse, neglect, self-neglect, and financial exploitation.

(i) "Emotional abuse" means language or behavior that serves no legitimate purpose and is intended to be intimidating, humiliating, threatening, frightening, or otherwise harassing, and that does or reasonably could intimidate, humiliate, threaten, frighten, or otherwise harass the individual to whom the conduct or language is directed.

(j) "Financial exploitation" means any of the following:

(1) Obtaining an individual's money or property by deceiving or enticing the individual, or by forcing, compelling, or coercing the individual to give, sell at less than fair market value, or in other ways convey money or property against his or her will without his or her informed consent.
(2) Theft.
(3) The substantial failure or neglect of a fiscal agent to fulfill his or her responsibilities.
(4) Unauthorized use of an individual's personal identifying information or documents.
(5) Unauthorized use of an entity's identifying information or documents.
(6) Forgery.
(7) Financial transaction card crimes.

(k) "Investigative agency" means Oneida Aging and Disability, a law enforcement or a city, town, village, county, or state governmental agency or unit with functions relating to protecting health, welfare, safety, or property, including an agency concerned with animal

protection, public health, building code enforcement, consumer protection, or insurance or financial institution regulation.

(l) "Nation" means the Oneida Nation.

(m) "Neglect" means the failure of a caregiver, as evidenced by an act, omission, or course of conduct, to endeavor to secure or maintain adequate care, services, or supervision for an individual, including food, clothing, shelter, or physical or mental health care, and creating significant risk or danger to the individual's physical or mental health. "Neglect" does not include a decision that is made to not seek medical care for an individual, if that decision is consistent with the individual's previously executed declaration or do-not-resuscitate order as authorized by law.

(n) "Physical abuse" means the intentional or reckless infliction of bodily harm.

(o) "Record" includes any document relating to the response, investigation, assessment, and disposition of a report made under this law.

(p) "Self-neglect" means a significant danger to an individual's physical or mental health because the individual is responsible for his or her own care but fails to obtain adequate care, including food, shelter, clothing, or medical or dental care.

(q) "Sexual abuse" means a violation of Wisc. Stat. 940.225(1), (2), (3), or (3m).

(r) "Treatment without consent" means the administration of medication to an individual who has not provided informed consent, or the performance of psychosurgery, electroconvulsive therapy, or experimental research on an individual who has not provided informed consent, with the knowledge that no lawful authority exists for the administration or performance.

(s) "Unreasonable confinement or restraint" includes the intentional and unreasonable confinement of an individual in a locked room, involuntary separation of an individual from his or her living area, use on an individual of physical restraining devices, or the provision of unnecessary or excessive medication to an individual, but does not include the use of these methods or devices in entities regulated by the department if the methods or devices are employed in conformance with state and federal standards governing confinement and restraint.

(t) "Retaliation" means intimidating, threatening to cause or causing bodily, emotional, property, or financial harm.

706.4. Interdisciplinary Team

706.4-1. *Composition.* The Interdisciplinary Team consists of representatives from Aging and Disability Services, Oneida Police Department, Comprehensive Health Division, Oneida Behavioral Health, Oneida Law Office, Oneida Community Resource and Economic Support, Comprehensive Housing Department, Oneida Family Services, and any additional agencies designated by the Team as necessary to fulfill its duties.

706.4-2. *Confidentiality*. All members of the Interdisciplinary Team shall maintain strict confidentiality regarding all matters that come before the team. No member may disclose any information except as expressly authorized under this law.

(a) *Purpose-Based Disclosure*. Members may use or disclose confidential information

only as necessary to perform duties under this law, including prevention, identification, investigation, or mitigation of elder abuse, neglect, exploitation, or self-neglect.

(b) *HIPAA Exception for Harm Prevention*. When a member is subject to HIPAA, the member may share protected health information with the Team under the exception permitting disclosure to prevent or lessen a serious and imminent threat to the health or safety, provided that:

(1) the disclosure is made in good faith to prevent or address abuse, neglect, or exploitation; and

(2) the disclosure is limited to persons reasonably able to prevent or mitigate the threatened harm, including members of the Interdisciplinary Team acting within their authority under this law.

(c) *Minimum-Necessary Standard*. Any disclosure shall be limited to the minimum information necessary for the Team to perform its duties.

(d) *Selective Participation*. Only members whose roles are relevant to a specific case shall access confidential information for that case.

(e) *Redisclosure Prohibited*. Information received through the Team may not be further disclosed except as required to perform professional duties related to the case or as otherwise authorized by law.

(f) *Conflict of Interest*. Members with a personal conflict, familial relationship, or other circumstance that may compromise confidentiality, or objectivity shall recuse themselves from case discussions.

706.4-3. *Reporting to Licensing Agencies*. The Team may report to a licensing agency any concerns that a regulated person has failed to comply with mandatory reporting requirements under this law or has abused or neglected an elder. The Team may also report concerns to the person's employer.

706.4-4. *Law Enforcement Assistance*. The Team may request assistance from the Oneida Police Department in investigating allegations of elder abuse or neglect and shall notify the Department of any allegations of criminal abuse or neglect.

706.4-5. *Duties*: The Team shall meet periodically and:

(a) guide investigations of reported elder abuse;

(b) review reports from adult protection workers and determine whether an Oneida elder is in danger of harm;

(c) recommend actions to adult protection workers and to the Court to promote the care of elders;

(d) determine whether a legal action should be initiated by the Nation;

(e) determine whether an elder should be removed from the person's home temporarily or permanently;

(f) recommend placement options when an elder cannot remain in their home;

(g) identify available community resources, programs, and services;

(h) promote cooperation, communication, and consistency between agencies;

(i) assist in developing and implementing plans to promote the long-term wellbeing of

elders and their families.

706.4-6. *Decision-Making.* Decisions shall be made by consensus of members present at a duly noticed meeting.

706.4-7. *Notice of Meetings.* Notice of regularly scheduled meetings is presumed complete upon scheduling. Notice of emergency meetings shall be provided at least twenty-four (24) hours in advance by email, text, or phone call/voicemail.

706.4-8. *Family and Community Engagement*. The Team shall prioritize resolving issues of abuse or neglect through family and community assistance and may convene meetings with designated family and community members for this purpose.

706.4-9. *Funding Authority*. The Team may solicit and accept grants or funds from federal, state, tribal, and local governments and private sources to further the purposes of this law.

706.4-10. *Administrative Support*. Aging and Disability Services shall serve as the Team's primary contact, organize meetings, and maintain records.

706.4-11. *Subject Matter Experts*. The Team may engage subject matter experts from any entity necessary to access resources required to fulfill its duties.

706.5. Reporting

706.5-1. *Duty to Report*. Any person who knows or has reasonable cause to suspect that an elder is being or has been abused, neglected, self-neglected, or exploited shall immediately report the information to the Director or designee of Oneida Aging and Disability Services, unless prohibited by a legally recognized privilege. Individuals bound by a privileged relationship may only make an anonymous disclosure if there is an urgent need for hospitalization, guardianship, protective services, or protective placement.

706.5-2. *Mandated Reporters*. The following individuals have a mandated duty to report suspected abuse, neglect, self-neglect, and exploitation of elders:

(a) The elder's family members or caretakers;

(b) Any elected official of the Nation;

(c) Any employee of the Nation, including but not limited to:

(1) physicians, surgeons, dentists, podiatrists, chiropractors, nurses, dental hygienists, optometrists, medical examiners, emergency medical technicians, paramedics, or other health care providers;

(2) psychiatrists, psychologists, or psychological assistants;

(3) licensed or unlicensed social workers, professional counselors, or marriage and family therapists;

(4) persons employed in the mental or behavioral health profession;

(5) persons employed as physical or occupational therapists, or their assistants;

(6) law enforcement officers;

(7) judges, attorneys, court counselors, clerks of court, and other judicial system officials or staff;

(d) Any person or agency with fiduciary responsibilities to an elder, such as accountants, property managers, financial advisors, or financial institutions.

706.5-3. *Anonymous Reports*. Except for mandated reporters identified in section 706.5-2, any

person reporting elder abuse, neglect, self-neglect, or exploitation may remain anonymous.

706.5-4. *Immunity from Liability*. Any person who in good faith, reports suspected abuse, neglect, self-neglect, or exploitation of an elder shall be immune from any legal action arising from that report.

706.5-5. *Civil Penalty for Failure to Report*.

(a) Any person required by this law to report suspected elder abuse, neglect, self-neglect, or exploitation who fails to do so is subject to a civil penalty not to exceed two thousand dollars ($2,000).

(b) The Court shall impose the penalty only after petition, notice, an opportunity for hearing, and a determination that the person had a mandated duty to report and failed to comply.

(c) A person who fails to report may also be subject to civil liability for damages suffered by the elder as a result of the failure to report, notwithstanding any determination by the Court regarding violation of this law.

706.5-6. *Civil Penalty for Bad Faith Reports*.

(a) Any person who knowingly makes a false report of suspected abuse, neglect, self-neglect, or exploitation is subject to a civil penalty not to exceed two thousand dollars ($2,000).

(b) The Court shall impose the penalty only after petition, notice, an opportunity for hearing, and a determination that the person knowingly made a false report.

(c) A person making a false report may also be subject to civil liability for damages suffered by the person(s) named in the false report.

706.5-7. *Report Requirements*. Reports of suspected elder abuse, neglect, self-neglect, or exploitation shall be made to the Director or designee of Oneida Aging and Disability Services.

(a) Oral reports shall be immediately documented in writing by the Director or designee.

(b) Anonymous reports shall be investigated as required by this law.

(c) Written reports shall include, if available:

(1) The elder's name, address or location, and telephone number;

(2) The name, address or location, and telephone number of the person(s) or agency suspected of abuse, neglect, or exploitation;

(3) The nature and degree of any limitations of the elder;

(4) The name, address or location, and telephone number of the elder's caretaker, if applicable;

(5) The name, address or location, and telephone number of any witnesses;

(6) A description of the acts reported as abusive, neglectful, or exploitative;

(7) Any other information that may assist in determining abuse, neglect, self-neglect, or exploitation;

(8) The name, address, and telephone number of the reporter for follow-up purposes, unless the report is anonymous.

706.6. Investigation

706.6-1. *Initiation of Investigations.* Upon receipt of a report alleging abuse, financial

exploitation, neglect, or self-neglect of an elder adult at risk who is believed to be an Oneida Elder, the Oneida Aging and Disability Designee shall promptly coordinate with appropriate elder-at-risk agencies. The Oneida Aging and Disability Designee shall take all reasonable steps to ensure timely and organized action to protect the elder while maintaining active involvement throughout the investigative process.

706.6-2. *Minimum Investigative Actions*. The elder-adult-at-risk agency's response shall include one or more of the following:

(a) A visit to the elder's residence;

(b) Observation of the elder, with or without consent of a guardian or agent under an activated power of attorney for health care, if any;

(c) A private interview with the elder, to the extent practicable, with or without consent of a guardian or agent under an activated power of attorney for health care, if any;

(d) An interview with the guardian or agent under an activated power of attorney for health care, if any, and with any caregiver;

(e) A review of the elder's treatment and health care records;

(f) A review of the elder's financial records maintained by a financial institution, entity, caregiver, or immediate family member. Financial records shall be released without informed consent under either of the following circumstances:

(1) To an elder-adult-at-risk agency or other investigative agency under this section, including voluntary disclosure by the record holder;

(2) Pursuant to a lawful court order.

706.6-3. *Medical Examination*. The elder-adult-at-risk agency may transport the elder adult at risk for a medical examination by a physician if:

(a) The elder adult at risk or his or her guardian or agent under an activated power of attorney for health care consents; or

(b) The elder is incapable of consenting and one of the following applies:

(1) The elder has no guardian or agent under an activated power of attorney for health care;

(2) The guardian or an agent under an activated power of attorney for health care, is suspected of abuse, neglect, or financial exploitation;

(3) The examination is authorized by court order.

706.6-4. *Law Enforcement Assistance*. The elder-at-risk agency may request law enforcement assistance during visits to the elder's residence or as otherwise necessary. Upon request, a law enforcement officer shall accompany the agency investigator and provide assistance as needed.

706.6-5. *Offer of Services and Referrals*. Upon responding to a report, the elder-at-risk agency shall determine whether the elder or any other individual involved requires services. The agency shall provide or arrange for necessary services under the least restrictive conditions appropriate to achieve the intended objectives.

706.6-6. If, after responding to a report, the elder-adult-at-risk agency has reason to believe that abuse, financial exploitation, neglect, or self-neglect has occurred, the agency may:

(a) Request immediate assistance to initiate protective services or contact an investigative agency;

(b) Take emergency protective action, including emergency protective placement, if in the elder's best interests and the least restrictive intervention;
(c) Refer the case to law enforcement or the district attorney, if a crime is suspected.
(d) Refer the case to licensing or regulatory authorities if the residence, facility, or program is or should be regulated;
(e) Refer the case to the Department of Safety and Professional Services if a credentialed individual is involved;
(f) Refer the case to the Department of Financial Institutions if financial exploitation involves a registered individual or entity;
(g) Petition for guardianship, protective services, or protective placement or seek review of an existing guardianship if necessary to prevent harm.

706.6-7. *Confidentiality*. Departmental report forms are confidential and may not be released except:
(a) To the elder, any person named as a suspect, and the suspect's attorney, excluding the identity of the reporter or any person whose safety may be endangered.
(b) To agencies or entities providing assistance, subject to confidentiality requirements;
(c) To individuals or organizations designated for audits or program evaluation, provided identifying information is not disclosed;
(d) Pursuant to a lawful court order;
(e) To agencies or individuals providing direct services, including attending physicians, for purposes of diagnosis, treatment, or coordination of care;
(f) To the guardian of the elder adult at risk or the guardian of any person named in a report who is suspected of abuse, neglect, or financial exploitation. These individuals may inspect the report, except that identifying information about the reporter or any person whose safety may be endangered by disclosure shall not be released;
(g) To law enforcement officials as necessary to carry out their duties, in accordance with applicable internal policies and this law;
(h) To the Oneida Interdisciplinary Team, a federal agency, state or local governmental unit, or an agency of another state that requires the report to fulfill its responsibility to protect elder adults at risk from abuse, neglect, exploitation, or self-neglect;
(i) To the individual who made the report in a professional capacity, for the limited purpose of informing them of actions taken to protect or provide services to the alleged victim.

706.6-8. *Written Investigative Report*.
(a) The Oneida Aging and Disability Designee shall provide a written investigative report and file it with Oneida Aging and Disability Services.
(b) The report shall include all pertinent information obtained during the investigation, including interviews, observations, assessments, and other relevant facts.
(c) The report shall remain on file for five (5) years, even if insufficient evidence exists to pursue legal action.
(d) If the allegations are substantiated, Oneida Aging and Disability Services may mediate a resolution or forward the matter to the Oneida Law Office for legal action.

706.6-9. *Interference with Investigation and Retaliation*.

(a) No person shall intentionally interfere with a lawful investigation of suspected elder abuse, neglect, self-neglect, or exploitation.
(b) No person shall retaliate against any individual who, in good faith, reports suspected abuse or cooperates with an investigation.
(c) Any person who interferes with or retaliates shall be subject to a civil penalty of up to two thousand dollars ($2,000) per occurrence. The Court shall impose the penalty only after petition, notice, an opportunity for hearing, and a determination that interference or retaliation occurred.
(d) Notice of the Court's determination shall be provided to the person's employer and any relevant licensing agencies. If the violator is an employee of the Nation, disciplinary action shall be imposed consistent with Nation employment laws.

706.6-10. *Criminal Investigation*. Any investigation or procedure under this law may continue concurrently with a criminal investigation. Oneida Aging and Disability Services shall cooperate with law enforcement to ensure the criminal investigation is not compromised.

706.7. Rights of Parties

706.7-1. *Rights of Elders*. An elder shall have the following rights:
(a) *Notice of Investigation*. An elder has the right to be informed about an elder abuse investigation before it begins unless an emergency exists, in which case the elder shall be informed as soon as possible, but not later than one (1) business day after the investigation begins.
(b) *Refusal of Services*. An elder has the right to refuse to accept elder protective services (even if there is good cause to believe that the elder has been or is being abused, neglected, self-neglected, or exploited) provided that the elder is able to care for himself or herself and/or has the capacity to understand the nature of the services offered.
(c) *Property Rights*. An elder who owns or lawfully occupies property retains the right to exclude others from their premises, subject to applicable law. This includes the right to deny entry to any individual, except as otherwise authorized by court order or warrant.
(d) *Right to Exclude Entry*. An elder has the right to refuse the Oneida Aging and Disability Designee entrance into their home. The Oneida Aging and Disability Designee shall inform the elder of this right before seeking entry and shall also inform the elder of the Oneida Aging and Disability Designee's authority to seek a warrant to gain access.
(e) *Representation by Counsel.* The elder has the right to be represented by counsel at his or her own expense at all proceedings.
(1) If the elder seeks to proceed independently, then the elder may retain private counsel to represent himself or herself at his or her own cost or proceed without counsel (pro se).
(2) If the elder seeks to have the assistance of the Oneida Aging and Disability in filing the Petition, then Oneida Aging and Disability and the Oneida Law Office shall make a determination on whether a legal claim exists and then

make a determination on how to proceed.

706.7-2. *Rights of the Accused*.

(a) *Refusal of Services*. The accused may refuse services offered by Oneida Aging and Disability Services for themselves but may not refuse services offered to the elder.

(b) *Right to Deny Entry*. The accused may refuse entry to their home by the Oneida Aging and Disability Designee. Before seeking entry, the Oneida Aging and Disability Designee shall inform the accused of this right and shall also advise the accused that the Oneida Aging and Disability Designee may seek a warrant to gain access if necessary.

(c) *Representation by Counsel*. The accused has the right to be represented by counsel at their own expense in all proceedings under this law.

706.8. Jurisdiction

706.8-1. The Oneida Trial Court has jurisdiction over any action brought under this law. Personal jurisdiction over an individual under this law may be established where the parties are members of the Nation, or employees of the Nation.

End.

Adopted – BC-__-__-__-__

DRAFT

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

Legislative Operating Committee
May 6, 2026

Eviction and Termination Law Amendments

Submission Date: 7/6/22	**Public Meeting:** 4/16/26
LOC Sponsor: Jonas Hill	**Emergency Enacted:** N/A

Summary: *This item was carried over from last term. Amendments to the Eviction and Termination law are being sought for a comprehensive review to run concurrent with the development of amendments to the Real Property law. On February 25, 2024, the General Tribal Council adopted a motion to deny the acceptance of the memorandum regarding the Eviction & Termination law update and to defer the Eviction & Termination law back to the LOC to remove the wording "alleged" or "allegations" in the law and to bring back to the 2024 Semi-Annual GTC meeting.*

10/4/23 LOC: Motion by Jennifer Webster to add the Eviction and Termination Law Amendments to the Active Files List with Jonas Hill and Marlon Skenandore as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

11/13/23: *Work Meeting.* Present: Grace Elliott, Krystal John, Lisa Rauschenbach, Nicole Rommel, Mark Powless, Scott Denny, Michelle Hill, Clorissa Leeman. The purpose of this meeting was to renew discussion on amendments to the Eviction and Termination Law. The entire work group requested that the matter be removed from the active files list as no amendments are recommended at this time.

1/3/24: *Work Meeting*. Present: Jameson Wilson, Marlon Skenandore, Jennifer Webster, Jonas Hill, Kirby Metoxen Clorissa Leeman, Grace Elliott, Kristal Hill, Maureen Perkins, Fawn Cottrell. The purpose of this work meeting was to share background information on the Eviction and Termination Law.

1/8/24: *Work Meeting.* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Krystal John, Kristal Hill, Maureen Perkins, Fawn Cottrell, Grace Elliott, and via Teams: Jennifer Webster, Fawn Billie, Carolyn Salutz. The purpose of this meeting was to review the Eviction and Termination law and to discuss its recent applications particularly in light of currently evolving legal standards.

1/29/24: *E-Poll Conducted*. This e-poll was titled, *Approval of the March 6, 2024 LOC Community Meeting Notice.* The requested action of this e-poll was to Approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on March 6, 2024. This e-poll was unanimously approved by Jennifer Webster, Marlon Skenandore, Jonas Hill, Jameson Wilson, and Kirby Metoxen.

2/7/24 LOC: Motion by Jennifer Webster to enter into the record the results of the January 29, 2024, e-poll titled, Approval of the March 6, 2024 LOC Community Meeting Notice; seconded by Jonas Hill. Motion carried unanimously.

2/25/24 GTC: Motion by Nancy Barton that a report be brought back under the Oneida Comprehensive Housing Department regarding the General Welfare Assistance determination of counting it as yearly income for elders and low-income housing residents with the legal review from Department of Treasury mortgage relief program, a COVID program. Motion ruled out of order by Chairman Tehassi Hill; the motion is not in on topic.

Motion by Gina Powless-Buenrostro to deny the acceptance of the memorandum regarding the Eviction & Termination law update and to defer the Eviction & Termination law back to the Legislative Operating Committee to remove the wording "alleged" or "allegations" in the law and to bring back to the 2024 semiannual meeting. Seconded by Shawn Skenandore. Motion carried by show of hands.

> Amendment #1 to the main motion by Lori Elm to include that nobody loses their home without an agreement if they are not the ones being charged and furthermore that if Comprehensive Housing resells the home, the homes will be sold at the appraised value and that if any other homes were sold this way prior, that the money goes back to Comprehensive Housing to pay down the debt and the excess goes back to the home owner. Motion ruled out of order by Chairman Tehassi Hill; there is a Rule process in place for the motion and General Tribal Council cannot take action on past items.

3/1/24: *Work Meeting:* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Clorissa Leeman, Grace Elliott, Kristal Hill, Fawn Cottrell, Michelle Hill, Brandon Yellowbird-Stevens, Scott Denny, Krystal John. The purpose of this meeting was to prepare for the upcoming community meeting.

3/6/24: *Work Meeting*. Jameson Wilson, Kirby Metoxen, Jonas Hill, Marlon Skenandore, Jennifer Webster, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins. The purpose of this work session was for the LOC to review the PowerPoint presentation for the March 6, 2024, community meeting for the Oneida Personnel Policies and Procedures Amendments, Sanctions and Penalties Law, and the Eviction and Termination law amendments.

3/6/24: *Community Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Marlon Skenadore, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins, Francine Valentino, Melanie Burkhart, Gina Buenrostro, Peggy Helm-Quest, Michelle Sawyer, Nadine Escamea, Bonnie Pigman, Olivia Pigman, Julie Denny, Michelle Hill, Vicky Matson, Greg Matson, Julie Behnke, Lynn Metoxen, Jake Doxtator, Kay Keshena, Connie Vandehei, Jen Falck, Lillian Wheelock, Dale Wheelock, Stephanie Smith, Patricia Hoeft, Scott Denny, Dana McLester, Wendy Alvarez, Dana Thyssen, Todd Vanden Heuvel, Larry Barton, Merissa Bloedorn, Lois Stevens, Mark Powless, Linda Dallas, Jake, Peggy Van Gheem, Mary Loeffler, Matthew J. Denny, Nancy Barton, Brittany Kulow, Mary Adams, Cathy Metoxen, William Gollnick. The Legislative Operating Committee held a community meeting in the NHC's cafeteria from 5:30 p.m. through 7:30 p.m. regarding the Oneida Personnel Policies and Procedures Amendments, the Sanctions and Penalties law, and the Eviction and Termination law amendments. The purpose of this community meeting was for the LOC to listen to community feedback.

3/20/24 *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore, Maureen Perkins, Fawn Cottrell, Clorissa Leeman, Grace Elliott. The purpose of this meeting was to discuss proposed amendments to the Eviction and Termination law.

4/2/24: *Community Work Session*: Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Kristal Hill, Maureen Perkins, Brandon Yellowbird Stevens, Lori Elm, Scott Denny, Michelle Hill, Krystal John, Lawrence Barton, Janice Decorah, Karen Knutson, Fred Muscavitch, Debra Powless, Marie Cornelius, Justin Nishimoto, Katherine Jordan, Kelly McAndrews, Lisa Rauschenbach, Lori

Hill, Mark W. Powless, Michelle Braaten, Nicole Rommel, Stephanie Smith, Todd Vanden Heuvel, Debra Santiago, Kristen Jorgenson-Dann, Joel Maxam, Michelle Tipple, Sidney White, Derrick King. The LOC held a community work session regarding the Eviction and Termination law in the Norbert Hill Center's Business Committee conference room and on Microsoft Teams. The purpose of the community work session was to read through the law line-by-line and collect comments, questions, or suggestions for the language included in the law.

4/16/24 *Work Meeting:* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Maureen Perkins, Fawn Cottrell, Clorissa Leeman, Grace Elliott, Scott Denny, Krystal John, Mark Powless, Danielle White, Lisa Rauschenbach. The purpose of this meeting was to review proposed amendments to the Eviction and Termination law.

4/23/24: *Work Meeting*. Present: Clorissa Leeman, Grace Elliott. The purpose of this work meeting was to discuss the deadline for the February 25, 2024, General Tribal Council directive to "deny the acceptance of the memorandum regarding the Eviction & Termination law update and to defer the Eviction & Termination law back to the LOC to remove the wording "alleged" or "allegations" in the law and to bring back to the 2024 semiannual meeting."

Work Meeting. Present: Clorissa Leeman, Jameson Wilson, Marlon Skenandore, Jonas Hill. The purpose of this work meeting was to discuss the upcoming deadline for the February 25, 2024, General Tribal Council directive to "deny the acceptance of the memorandum regarding the Eviction & Termination law update and to defer the Eviction & Termination law back to the LOC to remove the wording "alleged" or "allegations" in the law and to bring back to the 2024 semiannual meeting" and determine our next steps for moving forward.

4/25/24: *Work Meeting*. Present: Clorissa Leeman, Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Marlon Skenandore, Mark Powless, Michelle Hill, Lisa Rauschenbach, Scott Denny, Danielle White, Grace Elliott, Carolyn Salutz, Maureen Perkins, Fawn Cottrell. The purpose of this work meeting was to review the beginning draft of the memorandum to the GTC, and discuss what other materials would be needed to be submitted for this item, and a strategy for moving forward.

4/29/24: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Marlon Skenandore, Clorissa Leeman, Fawn Cottrell, Scott Denny, Michelle Hill, Danielle White, Maureen Perkins, Kristal Hill, Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to review the updated memorandum to GTC and the PowerPoint presentation.

5/1/24 LOC: Motion by Jonas Hill to approve the memorandum entitled, *Follow up on February 25, 2024, GTC Directive for Amendments to the Eviction and Termination Law*, and corresponding materials and forward to the Oneida Business Committee; seconded by Marlon Skenandore. Motion carried unanimously.

Motion by Jennifer Webster to approve the LOC community meeting notice and schedule the community meeting to take place on June 19, 2024.; seconded by Marlon Skenandore. Motion carried unanimously.

6/10/24: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Mark Powless, Scott Denny, Fawn Billie, Fawn Cottrell. The purpose of this work meeting was to plan and discuss the June 19th LOC community meeting regarding the Eviction and Termination law.

6/19/24: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Fawn Billie, Fawn Cottrell, Maureen Perkins, Carolyn Salutz, Grace Elliott. The purpose of this work meeting was to review the presentation for the June 19th LOC community meeting regarding the Eviction and Termination law.

Work Meeting. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Fawn Cottrell, Maureen Perkins, Carolyn Salutz, Mark Powless, Lisa

A good mind. A good heart. A strong fire. ONEIDA

Rauschenbach, Scott Denny, Michelle Hill, Krystal John. The purpose of this work meeting was to practice both presentations for the June 19th LOC community meeting regarding the Eviction and Termination law and discuss logistics of this community meeting.

Community Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Fawn Billie, Kristal Hill, Maureen Perkins, Mark Powless, Lisa Rauschenbach, Scott Denny, Bonnie Pigman, Stephanie Smith, Karen Knutsen, Paulette Leecling, and others. The Legislative Operating Committee held a community meeting in the NHC's cafeteria from 5:30 p.m. through 7:30 p.m. regarding the Eviction and Termination law amendments in collaboration with the Comprehensive Housing Division.

7/1/2024 GTC: Motion by Shawn Skenandore to accept item VII.A. *[VII.A Accept update regarding the Eviction and Termination law]* and VII.B. as information. Seconded by Marie Cornelius. Motion carried by show of hands.

7/8/25: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Marlon Skenandore, Jonas Hill, Clorissa Leeman, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to review a draft of Eviction and Termination law amendments and determine next steps moving forward.

7/31/25: *Work Meeting*. Present: Jameson Wilson, Marlon Skenandore, Kirby Metoxen, Clorissa Leeman, Mark Powless, Krystal John, Eric Boulanger, Lisa Rauschenbach, Scott Denny, Fawn Cottrell, Fawn Billie, Grace Elliott, Carolyn Salutz. The purpose of this meeting was to begin review and discussions of the amended law, but based on request of Attorney Krystal John, the meeting was canceled and rescheduled to provide more time for the areas to digest the proposed amendments.

8/15/25: *Work Meeting*. Present: Jameson Wilson, Marlon Skenandore, Jonas Hill, Jennifer Webster, Clorissa Leeman, Mark Powless, Krystal John, Joel Maxam, Lisa Rauschenbach, Scott Denny, Michelle Hill, Derrick Denny. The purpose of this work meeting was to begin the discussion and review of the proposed amendments to the law.

8/25/25: *Work Meeting*. Present: Work Meeting. Present: Jameson Wilson, Kirby Metoxen, Marlon Skenandore, Jonas Hill, Clorissa Leeman, Mark Powless, Kelly McAndrews, Krystal John, Eric Boulanger, Joel Maxam, Lisa Rauschenbach, Scott Denny, Michelle Hill, Jenny Garcia, Nicole Rommel, Sheila Huntington, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Rhiannon Metoxen, Fawn Billie, Kristal Hill. The purpose of this work meeting was to continue the discussion and review of the proposed amendments to the law.

9/3/25: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Kristal Hill, Fawn Billie, Rhiannon Metoxen. The purpose of this work meeting was to review the comments and suggestions collected during prior work meetings and make decisions on what amendments to pursue.

10/16/25: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Rhiannon Metoxen. The purpose of this work meeting was to review the updated draft of proposed amendments to the Law.

11/5/25 LOC: Motion by Jonas Hill to approve the draft of the proposed amendments to the Eviction and Termination law; seconded by Kirby Metoxen. Motion carried unanimously.

2/18/25 LOC: Motion by Jonas Hill to approve the Legislative Analysis of the Eviction and Termination law; seconded by Jennifer Webster. Motion carried unanimously.

3/4/26 LOC: Motion by Jennifer Webster to approve the public meeting packet for the Eviction and Termination Law Amendments and forward to a public meeting to be held on April 16, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

4/16/26: *Public Meeting* Held. Present: Jennifer Webster, Jonas Hill, Grace Elliott, Nancy Barton, Cathy Metoxen, Judy Sprangers, Tina Jorgensen, Jodi Tess, Melinda Danforth, Barbara Cornelius. Mary Loeffler, Clorissa Leeman, Alyssa Hudak, Bonnie Pigman, Carolyn Salutz, Carrie Lindsey, Debra Santiago, Diane Wilson, Efren Rivera, Eric Boulanger, Joel Maxam, Mark W. Powless, Melissa Alvarado, Michelle Tipple, Rae Skenandore, Sarah Miller, Shad Webster. Four (4) individuals provided oral comments during the public meeting.

4/23/26: *Public Comment Period Closed*. Zero (0) individuals provided written comments during the public meeting.

Next Steps:

- Accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration.

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

TO: Legislative Operating Committee (LOC)
FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
DATE: May 5, 2026
RE: Eviction and Termination Law Amendments: Public Comment Review

On April 16, 2026, a public meeting was held regarding the proposed amendments to the Eviction and Termination law. Four (4) individuals provided oral comments during the public meeting. The public comment period was then held open until April 23, 2026. No submissions of written comments were received during the public comment period. This memorandum is submitted as a review of the comments received during the public meeting. The public meeting draft and public meeting transcript are attached to this memorandum for review.

Comment 1 – Oneida Translation:

Title 6. Property and Land - Chapter 610
shakonato·líhe? okhale? washakonahtú·tha? Aolihwá·ke
they shoo them away – they vanished them – issues
EVICTION AND TERMINATION

610.1. Purpose and Policy
610.1-1. *Purpose*. The purpose of this law is to provide consistent procedures for terminating a contract and/or evicting an occupant which affords the occupant due process and protects all parties involved.
610.1-2. *Policy*. It is the Nation's policy to provide fair termination and eviction processes that preserves the peace, harmony, safety, health, general welfare, and the Nation's resources.

Nancy Barton (oral): I'll sit down as much as I can. Okay, the first comment that I'll make is regarding Title 6, Property and Land, Chapter 610, formerly known as the Eviction and Termination Law. In the Oneida language, the interpretation means they shoo them away or they vanish them. And so my first comment is, I guess I have, you know, some issues with the interpretation of this law. It looks like you're trying to get rid of people. You know, you want them to go away and you want them to vanish. And how unfortunate.

Response

The commenter expresses concern regarding the translation provided for the Oneida language title for the Eviction and Termination law.

The Oneida language titles of laws and their Oneida to English translation have historically been provided by native Oneida language speakers in the Nation's Cultural Heritage Department. It is important to note that when translating from the Oneida language to the English language, there is

A good mind. A good heart. A strong fire.

often not a direct translation available so the "Oneida to English translation" included is there to provide the reader with a better understanding of the Oneida language that is used.

It is important that when looking to interpret the intent law, the reader looks beyond the title and the Oneida translations, and looks at the purpose and policy of the law, as well as generally the whole body of the text included in the Law.

For the Eviction and Termination law, its purpose is to provide consistent procedures for terminating a contract and/or evicting an occupant which affords the occupant due process and protects all parties involved. *[6 O.C. 610.1-1]*. It is the Nation's policy to provide fair termination and eviction processes that preserves the peace, harmony, safety, health, general welfare, and the Nation's resources. *[6 O.C. 610.1-2]*.

Overall, the Eviction and Termination law sets out to provide protections for both owners and occupants when navigating the eviction and termination process, and goes beyond just attempting to provide a process to get rid of people as provided for by the commenter. Therefore, there is no revision to the Law recommended based on this comment.

LOC Consideration

Comment 2 – General Welfare Assistance Payments Effects on Rental Programs:

Nancy Barton (oral): The first comment that I'm going to make is regarding the termination of people's leases when they real when housing Comprehensive Housing realizes that those people are elders and that they received a what they're calling a significant amount of GWA payment and they're including it in their rent. This past week, I had an opportunity to view and witness a letter to an elder. She turned sixty-two (62) years old three and a half (3 ½) years ago. And what they're doing now is calculating her GWA back those three and a half (3 ½) years and increasing her rent. She's on a fixed income. That's why you live in housing. She does not have the financial ability to make up those payments. And so I'm concerned about that. We talked about that many times up here. And why is Comprehensive Housing using that income when they're not supposed to be? The Social Security Office doesn't use it. Many other entities don't use it including the state of Wisconsin when calculating income regarding energy assistance and other public assistance programs. So the reason that I came, one of the reasons that I came here today is to address that issue and how unfortunate that this money was, you know, allocated and was supposed to make our people's lives better, especially our elders and those vulnerable people. And when you use this money as a punishment financially against them, then I guess that's when I have an issue. And so I'm going to ask the LOC once again to come back with that GWA issue. I'm not sure what you want to call it, but there is a GWA law, and it's been on the books for many years, and I haven't seen it move forward. And what it's doing is punishing and penalizing our most vulnerable people.

Response

The commenter expresses concern regarding how the Oneida Comprehensive Housing Division is using general welfare assistance provided under approved programs developed in accordance with the Oneida General Welfare law in the calculation of income in regard to the determination of rent.

The Eviction and Termination law does not provide for the determination of rent amounts for the various rental programs of the Nation. It is the Landlord Tenant law which provides mechanisms for protecting the rights of the landlords and tenants on all land owned by the Nation or Tribal members within the Reservation boundaries, and addresses rental agreements and rental programs of the Nation. *[6 O.C. 611.1-1, 611.4, 611.10]*.

Therefore, this comment is outside the scope of the topic for this public meeting. There is no recommended revision to the Law based on this comment.

LOC Consideration

Comment 3 – Domestic Abuse Defense to Eviction:

610.5. Early Contract Termination

610.5-2. *Domestic Abuse Defense to Eviction.* An occupant has a valid defense to eviction if they provide that if not for the claimed domestic abuse, which is noticed to the owner with any of the following documentation, there would not be cause for eviction under section 610.5-1:

(a) An injunction order under Wis. Stat. 813.12(4) or any other law of the Nation protecting the occupant from a co-occupant;

(b) An injunction order under Wis. Stat. 813.122 or any other law of the Nation protecting a child of the occupant from a co-occupant;

(c) An injunction order under Wis. Stat. 813.125(4) or any other law of the Nation protecting the occupant or child of the occupant from a co-occupant, based on the co-occupant's engaging in an act that would constitute sexual assault under Wis. Stat. 940.225, 948.02 or 948.025, or stalking under Wis. Stat. 940.32, or attempting or threatening to do the same;

(d) A condition of release under Wis. Ch. 969 ordering the co-occupant not to contact the occupant;

(e) A criminal complaint alleging that the co-occupant sexually assaulted the occupant or a child of the occupant under Wis. Stat. 940.225, 948.02 or 948.025;

(f) A criminal complaint alleging that the co-occupant stalked the occupant or a child of the occupant under Wis. Stat. 940.32; or

(g) A criminal complaint that was filed against the co-occupant as a result of the co-occupant being arrested for committing a domestic abuse offense against the occupant under Wis. Stat. 968.075.

Nancy Barton (oral): I also want to comment on page four (4) on line 113, where it says a criminal complaint alleging that the code occupant sexually assaulted a child or the occupant, and it gives the Wisconsin state code. And this is a domestic abuse defense to eviction. And so I'm very concerned about that, that that has been included in there that a person who would even commit these crimes would be eligible to move into comprehensive housing. So that was a concern of mine.

Response

The commenter cites section 610.5-2 of the Law, which provides a defense to eviction for domestic abuse, and expresses concern that a person who would commit a crime, such as sexual assault against a child, would even be allowed to move into a property owned by the Comprehensive Housing Division.

Section 610.5-2 of the Law provides that an occupant has a valid defense to eviction if they provide that if not for the claimed domestic abuse, which is noticed to the owner with documentation, there would not be cause for eviction under section 610.5-1 of the Law. Section 610.5-2(a)-(g) then provides the various documentation for various offenses related to domestic abuse that are allowed to be provided as documentation to the owner. Overall, this provision provides protections to occupants that may be the victim of domestic abuse, in an effort to ensure they have the opportunity to remain in their home even though a crime may have occurred that would have otherwise triggered the potential eviction of that occupant.

In regard to the commenter's concern that an individual who may commit one of the referenced domestic abuse crimes be allowed to live in a property owned by the Oneida Comprehensive Housing Division - it is the Landlord Tenant law, not the Eviction and Termination law that provides the mechanisms for protecting the rights of the landlords and tenants on all land owned by the Nation or Tribal members within the Reservation boundaries, and addresses rental programs of the Nation which will provide and address eligibility requirements. *[6 O.C. 611.1-1, 611.10]*.

It is also important to note that although the Landlord Tenant law and the Comprehensive Housing Division sets forth eligibility requirements for its rental programs, including that a potential tenant have no felony or drug convictions within the past two (2) years from the date of application, provided that a pardon or forgiveness received pursuant to the Pardon and Forgiveness law may provide an exception to this condition – the Comprehensive Housing Division is not omnipresent and cannot predict whether or not a tenant will commit a crime in the future. *[6 O.C. 611.10-2(b)]*.

There is no recommended revision to the Law based on this comment.

LOC Consideration

Comment 4 – Eviction for Waste:

610.3. Definitions
610.3-1. This section shall govern the definitions of words and phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.
(p) "Waste" means physical damage or deterioration caused to the premises, whether intentional or negligent.

610.8. Eviction for Waste or Contract Breach other than Rent Payment
610.8-1. The owner may terminate an occupant's contract if the occupant commits waste or breaches any covenant or condition of the occupant's contract, other than for payment of rent.
610.8-2. *Notice of Termination*. In order to terminate the contract, the owner shall give the occupant written notice requiring the occupant to remedy the default or vacate the premises on or before a date at least thirty (30) calendar days after the giving of the notice, and the occupant fails to remedy the default.
610.8-3. *Right to Cure*. An occupant shall have a right to cure the waste or breach of contract after receiving a notice of termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant and the owner enter into a written agreement to cure that outlines the reasonable steps for the occupant to take and timelines necessary to remedy the default, and the occupant then complies with the agreement, or if damages are adequate protection for the owner and the occupant makes a bona fide and reasonable offer to pay the owner all damages for the occupant's breach.
610.8-4. *Subsequent Violations*. If within one (1) year from the giving of any notice for waste or breaching any covenant or condition of the occupant's contract, the occupant again commits waste or breaches the same or any other covenant or condition of the occupant's contract, other than for payment of rent, the occupant's contract is terminated if the owner, prior to the occupant's remedying the waste or breach, gives the occupant notice to vacate on or before a date at least fourteen (14) calendar days after the giving of the notice. The owner shall not be required to provide an opportunity to cure for a subsequent violation of waste or a breach of contract.

Nancy Barton (oral): The other thing that I want to talk about is on page one hundred (100), or I'm sorry, on page six (6), and it's number line 199, 198 and 199. And it's talking about waste and the occupant committing waste. And I've had on several occasions to be able to talk about the waste and the conditions of the homes and the properties on this reservation. And we have a Zoning Department, we have a Shoreline Protection Ordinance that aren't being followed. And those people that are in charge of those entities, I can't give names, but there are departments and there are chains of command, three (3), four (4), sometimes five (5) levels. And when I have attempted to address the issues of mattresses and cars and garbage and batteries on tribal property, I'm not getting anywhere. So why would you include something that cannot be enforced? I've put my complaints in writing. I've gone to these offices. I've made phone calls and I haven't gotten anywhere with anything. So why would you create a entity that says you don't want waste but you have no way to enforce it. So that was one of another one of those.

Response

The commenter references section 610.8 of the Law regarding evictions for waste or contract breach other than rent payment, and expresses concern that waste is not currently being addressed or enforced through laws such as the Zoning and Shoreland Protection law.

The Law allows an owner to terminate a contract early and evict an occupant due to waste. Section 610.8-1 of the Law provides that the owner may terminate an occupant's contract if the occupant commits waste or breaches any covenant or condition of the occupant's contract, other than for payment of rent. *[6 O.C. 610.8-1]*. Waste is defined as physical damage or deterioration caused to the premises, whether intentional or negligent. *[6 O.C. 610.3-1(p)]*.

The focus of the Eviction and Termination law is to provide consistent procedures for terminating a contract and/or evicting an occupant which affords the occupant due process and protects all parties involved. *[6 O.C. 610.1-1]*. The Eviction and Termination law sets out to provide protections for both owners and occupants when navigating the eviction and termination process. The commenter focuses on the current implementation and enforcement of laws such as the Zoning and Shoreland Protection law. Concerns regarding enforcement of laws such as the Zoning and Shoreland Protection law should be directed to the responsible departments as provided for in those laws. This comment is therefore outside the scope of the topic for this public meeting. There is no recommended revision to the Law based on this comment.

LOC Consideration

Comment 5 – Eviction for Failure to Pay Rent:

610.7. Eviction for Failure to Pay Rents
610.7-1. The owner may terminate an occupant's contract if an occupant fails to pay any installment of rent when due.
610.7-2. *Notice of Termination*. In order to terminate the contract, the owner shall give the occupant written notice requiring the occupant to pay rent or vacate on or before a date at least thirty (30) calendar days after the giving of the notice, and if the occupant fails to pay the unpaid rents accordingly.
610.7-3. *Right to Cure*. An occupant shall have a right to cure the failure to pay rents after receiving a notice of termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant remedies the default by paying the unpaid rent on or before the specified date in the notice.
610.7-4. *Subsequent Violations*. If within one (1) year from the giving of any notice for the failure to pay rents, the occupant again fails to pay a subsequent installment of rent on time, the occupant's contract is terminated if the owner, while the occupant is in default in payment of rent, gives the occupant notice to vacate on or before a date at least fourteen (14)

calendar days after the giving of the notice. The owner shall not be required to provide an opportunity to cure for a subsequent violation of unpaid rents.

Nancy Barton (oral): The other thing that I want to talk about is on page nine (9), where on page three hundred and thirty-six (336), where a person can be threatened with eviction. And of course, it's almost ninety-nine percent (99%) of the time because of money and the person is given a certain amount of time to make it good and make it right. And I've been involved in many cases, single mothers with children who fall behind because somebody needs glasses, somebody needs tennis shoes, have fallen behind for as little as two and three hundred dollars ($200 and $300) and have been evicted. I have gone to Comprehensive Housing and offered to pay that money. And they said, nope, we're not taking your money. We'll see you in court. When we get to court and the moneys on the table, the person was still evicted for three hundred dollars ($300). And so, you know, a landlord in Green Bay would work with you for three hundred dollars ($300) if you were a single mother with three (3) children. And so how unfortunate that we have become what we become, and we punish our people for three hundred ($300).

Response

The commenter discusses her concern that an occupant can be evicted for the failure to pay rent, and concern that owners will not work with an occupant to provide an opportunity to address the failure to pay rent.

The Law provides that an owner may terminate an occupant's contract if an occupant fails to pay any installment of rent when due. *[6 O.C. 610.7-1]*. In order to terminate the contract, the owner is required to give the occupant written notice requiring the occupant to pay rent or vacate on or before a date at least thirty (30) calendar days after the giving of the notice, and if the occupant fails to pay the unpaid rents accordingly. *[6 O.C. 610.7-2]*. The Law ensures that an owner work with an occupant to rectify a failure to pay rent by providing that an occupant has a right to cure the failure to pay rents after receiving a notice of termination. *[6 O.C. 610.7-3]*. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant remedies the default by paying the unpaid rent on or before the specified date in the notice. *Id*.

Due to the fact that the Law ensures that an occupant be provided the right to cure for the failure to pay rent, there is no revision to the Law recommended based on this comment.

LOC Consideration

Comment 6 – Flood Insurance:

Nancy Barton (oral): And, you know, there are currently, I posted a picture about the flooding in Three Sisters, and it wasn't until that post was published that anybody was going to do anything about what was going on over there. My question was, does housing have insurance to cover the

stuff inside? I know, do I have, you didn't say I had a certain amount of time. All right, so then I guess I'm done with that one and then I want to talk about the Elder law and I need to get.

Response

The commenter brings up recent flooding and questions whether the Comprehensive Housing Division has home insurance to cover damaged property. This comment is outside the scope of the topic for this public meeting. Questions regarding insurance should be directed to the Comprehensive Housing Division. There is no recommended revision to the Law based on this comment.

LOC Consideration

Comment 7 – Halting the Eviction Process:

610.7. Eviction for Failure to Pay Rents
610.7-3. *Right to Cure*. An occupant shall have a right to cure the failure to pay rents after receiving a notice of termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant remedies the default by paying the unpaid rent on or before the specified date in the notice.

610.8. Eviction for Waste or Contract Breach other than Rent Payment
610.8-3. *Right to Cure*. An occupant shall have a right to cure the waste or breach of contract after receiving a notice of termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant and the owner enter into a written agreement to cure that outlines the reasonable steps for the occupant to take and timelines necessary to remedy the default, and the occupant then complies with the agreement, or if damages are adequate protection for the owner and the occupant makes a bona fide and reasonable offer to pay the owner all damages for the occupant's breach.

610.10. Contesting the Contract Termination
610.10-1. *Contesting the Termination*. The occupant may contest a contract termination by filing a complaint challenging the basis of the eviction with the Oneida Trial Court prior to the termination date provided in the notice.

(a) If the occupant contests the termination, the eviction is stayed and the contract may not be terminated without proof to the Oneida Trial Court by the owner by the greater preponderance of the credible evidence that the termination of the contract was valid under this law.

(b) Despite an owner's satisfaction of the proof requirements, the Oneida Trial Court may, at its discretion, stay an eviction by honoring any alternative agreement

regarding pending actions entered into by the occupant and a court of competent jurisdiction pending successful completion of the alternative agreement.

Barbara Cornelius (oral): K. With elders, we should get ten (10) minutes. I'm just saying, okay, I don't have nothing specific on one of the, in any of the laws, but in general, I think our laws have to be written more compassionately, with more empathy, and we need to quit following how the state and the federal government produces their laws, because their laws are produced with conflict, a natural conflict to them. There's you against me, me against you. And in our law, and as far as I know, traditionally, that wasn't how we wrote the laws. We didn't write laws to pit me against you or you against me. It should be more empathy. We have to have more empathy.

And then I think in the...and the Eviction law, you know, they always say, well, once you're in the eviction process, you can't stop it. You can stop it. You know, a lot of places stop it and stuff, and they should be able to stop it and say, you know, I apologize, I do this, and I'm doing this, and I'm doing all these things to help. And then I think in the, maybe in the Eviction law, you can put something in there or develop a policy where they can work it off. We have all these homes that need work to be completed, and some of it is just simple work that you don't have to have, you know, a certificate or anything. There's a lot of just simple work that we, we could give the tenants to pay off those things so you don't think you're giving them a handout.

There's so many people that have that word in their vocabulary called entitlement. And none of this is entitlement. These are all benefits from treaties. This is all stemming from the treaties that are provided by to our nation from the federal government. So I think we should do that.

Response

The commenter expresses concern regarding the ability to stop an eviction once the process is started, and also recommends that an occupant be allowed to provide manual labor to avoid an eviction.

The Eviction and Termination law provides multiple opportunities for a potential early contract termination or eviction to be addressed and halted. Although the Law provides that an owner may terminate an occupant's contract if the occupant fails to pay any rent when due, or commits waste or breaches any covenant or condition of the occupant's contract, the Law also requires that the owner provides an opportunity for the occupant to cure their issue that lead to the potential eviction. *[6 O.C. 610.7-1. 610.7-3. 610.8-1, 610.8-3.].*

In regard to an occupant's failure to pay rent, the Law requires that an owner work with an occupant to rectify a failure to pay rent by providing that an occupant has a right to cure the failure to pay rents after receiving a notice of termination. *[6 O.C. 610.7-3]*. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant remedies the default by paying the unpaid rent on or before the specified date in the notice. *Id.*

In regard to an occupant's waste or breach of contract, the Law requires that an owner work with an occupant to rectify a violation of waste or a breach of contract by providing that an occupant has a right to cure the waste or breach of contract after receiving a notice of termination. *[6 O.C.*

610.8-3]. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant and the owner enter into a written agreement to cure that outlines the reasonable steps for the occupant to take and timelines necessary to remedy the default, and the occupant then complies with the agreement, or if damages are adequate protection for the owner and the occupant makes a bona fide and reasonable offer to pay the owner all damages for the occupant's breach. *Id*.

In addition to the provided opportunities to cure a default, the Law also addresses contesting a contract termination. The Law provides that an occupant may contest a contract termination for any reason by filing a complaint challenging the basis of the eviction with the Oneida Trial Court prior to the termination date provided in the notice. *[6 O.C. 610.10-1]*. If the occupant contests the termination, the eviction is stayed and the contract may not be terminated without proof to the Oneida Trial Court by the owner by the greater preponderance of the credible evidence that the termination of the contract was valid under this law. *[6 O.C. 610.10-1(a)]*. Despite an owner's satisfaction of the proof requirements, the Oneida Trial Court may, at its discretion, stay an eviction by honoring any alternative agreement regarding pending actions entered into by the occupant and a court of competent jurisdiction pending successful completion of the alternative agreement. *[6 O.C. 610.10-1(b)]*.

If an occupant fails to vacate the premises following notice of termination based on eviction, occupant termination, or expiration and non-renewal of a contract, the owner may file an eviction action with the Oneida Trial Court to remove the occupant from possession or occupancy of the premises. *[6 O.C. 610.11-3]*. If the Oneida Trial Court finds that the termination and eviction occurred in accordance with this law and the owner is entitled to possession, the Oneida Trial Court is required to immediately enter an order for judgment to the owner for the removal of the occupant and their property from the premises. *[6 O.C. 610.11-3(g)]*. An occupant is allowed to appeal an eviction action with the Oneida Court of Appeals within fifteen (15) days of the entry of judgment or order. *[6 O.C. 610.11-3(i)]*.

Overall, the Eviction and Termination law provides multiple opportunities for the eviction process to be addressed in a manner that may avoid the eviction of an occupant. Therefore, there is no revision recommended to the Law based on this comment.

LOC Consideration

Comment 8 – Ease of Evictions:

610.1. Purpose and Policy

610.1-1. *Purpose*. The purpose of this law is to provide consistent procedures for terminating a contract and/or evicting an occupant which affords the occupant due process and protects all parties involved.

610.1-2. ***Policy.*** **It is the Nation's policy to provide fair termination and eviction processes that preserves the peace, harmony, safety, health, general welfare, and the Nation's resources.**

Cathy Metoxen (oral): In these terminations of leases and stuff, and I'm trying to get a place to live. And I'm hearing people are being kicked out, you know, on a whim. And I don't know what's true and what's not. Maybe they are pedophiles. Maybe they are drug addicts and alcohol functioning alcoholics. They're everywhere. They they do the job at the top and at the bottom. But how do we protect? The true abuse that you're talking about in these laws, because...I don't. I don't see it. I see, I see division. I see, um let's, you know.

Response

The commenter mentions individuals being evicted on a whim.

For purpose of the Eviction and Termination law is to provide consistent procedures for terminating a contract and/or evicting an occupant which affords the occupant due process and protects all parties involved. *[6 O.C. 610.1-1]*. It is the Nation's policy to provide fair termination and eviction processes that preserves the peace, harmony, safety, health, general welfare, and the Nation's resources. *[6 O.C. 610.1-2]*.

Overall, the Eviction and Termination law sets out to provide protections for both owners and occupants when navigating the eviction and termination process, and goes beyond just attempting to provide a process to get rid of people as provided for by the commenter. Therefore, there is no revision to the Law recommended based on this comment.

LOC Consideration

Comment 9 – Smoking Policy:

Mary Loeffler (oral): Okay. I want to address the Eviction and Termination. I don't have the full, but I do have a comment. Under whatever article it is in the beginning of the policy, where it talks about nuisance activities that are grounds for termination. They list quite a number of examples of nuisance that tenants can report on. Okay. The one that I don't see is the no smoking policy. I have brought that up a couple times that the no smoking policy should really be in place. And I do understand that until it's a law or for the LOC, that is that the reason why it wouldn't be listed as nuisance because smoking in the apartments is a health concern, and...walking up and down the halls is very annoying when all you do is smell cigarette smoke and pot. Okay, so what I'm requesting is...does that language to be included in the Eviction and Termination law, does that go after it becomes and is addressed with the LOC to be put into so that we can put it into the leases? So therefore we can work on enforcement of this no-smoking policy that we have. Um...That's pretty much all I needed, wanted to address.

Response

The commenter brings up a desire to have a "No Smoking" policy in leases or rental agreements, and questions whether this can be addressed in the Eviction and Termination law.

The Eviction and Termination law allows an owner to terminate a contract prior to the contract term and evict an occupant if the occupant: violates the terms of the contract, violates any applicable law or rule, and/or commits an applicable nuisance activity. *[6 O.C. 610.5-1]*. It would be up to the contract – either a rental agreement in accordance with the Landlord Tenant law or a lease agreement in accordance with the Leasing law – to set forth the contract terms, such as whether smoking is allowed in or on the property. The Eviction and Termination law just allows the contract to be termination early and an eviction sought if a violation occurs.

Therefore, a prohibition of smoking would be best addressed through specific rental or lease agreements. There is no revision to the Law recommended based on this comment.

LOC Consideration

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

LEGISLATIVE OPERATING COMMITTEE
PUBLIC MEETING
Eviction and Termination Law Amendments
Elder Protection Law
Uniform Commercial Code
Norbert Hill Center Business Committee Conference Room and Microsoft Teams
April 16, 2026
12:15 p.m.

Present: Jennifer Webster, Jonas Hill, Grace Elliott, Nancy Barton, Cathy Metoxen, Judy Sprangers, Tina Jorgensen, Jodi Tess, Melinda Danforth, Barbara Cornelius. Mary Loeffler

Present on Microsoft Teams: Clorissa Leeman, Alyssa Hudak, Bonnie Pigman, Carolyn Salutz, Carrie Lindsey, Debra Santiago, Diane Wilson, Efren Rivera, Eric Boulanger, Joel Maxam, Mark W. Powless, Melissa Alvarado, Michelle Tipple, Rae Skenandore, Sarah Miller, Shad Webster

Jennifer Webster: Good afternoon. The time is 12:18 p.m. and today's date is Thursday, April 16th, 2026. I'll now call to order the public meeting for the following three pieces of proposed legislation: Eviction and Termination law amendments, Elder Protection law, and the Uniform Commercial Code.

The Legislative Operating Committee is hosting these public meetings to gather feedback from the community regarding these legislative proposals. The public meeting is not a question and answer period. The LOC will review and consider all comments received during the public comment period. The LOC will respond to all comments received in a memorandum, which will be submitted in the meeting materials for a future LOC meeting.

All persons who wish to present oral testimony in person need to register on the sign-in sheet. Individuals who wish to present oral testimony on Microsoft Teams, please raise your hand and you will be called on. If you leave an email address on the sign-in sheet, we can assure that you receive a copy of the public comment review memorandum.

Additionally, written comments may be submitted to the Nation's Secretary's Office or to the Legislative Reference Office in person, by U.S. Mail, interoffice mail, email, or fax, as provided in the public meeting notice. These comments must be received by close of business on Thursday, April 23rd, 2026.

In attendance from the LOC is Jonas Hill and myself, Jenny Webster.

The LOC may impose a time limit for all speakers pursuant to section 109.8-3(c) of the Legislative Procedures Act. As the presiding LOC member, I am imposing a time limit of five (5) minutes per person per topic. This time limit shall be applied equally to all persons. We will now begin today's public meeting for the three legislative items.

Jonas Hill: We will be accepting comments on the Eviction and Termination law amendments. The purpose of the Eviction and Termination law is to provide consistent procedures for terminating a contract and or evicting an occupant which affords the occupant due process and protects all parties involved.

The Eviction and Termination law amendments will:

- Add or revise the definition of Comprehensive Housing Division, law enforcement agency, occupant, owner, periodic tenancy, rental value, and stay of eviction.
- Revise the delegation of administrative rulemaking authority provided under this Law for the Nation's residential, agricultural, and business contracts.
- Remove the terms "alleged" and "allegations" throughout the Law.
- Revise how notice of an early contract termination or eviction is provided to individuals and corporations or partnerships.
- Provide that an occupant shall have a right to cure for a failure to pay rent, but is not guaranteed that right to cure for subsequent violations.
- Clarify an occupant's right to cure for… Alright.

Clorissa Leeman: Hi, Jenny and Jonas. I'm not sure if you guys can hear me, but I haven't been able to hear anything through Teams.

Rae Skenandore: I've been listening everything; I've heard everything so far.

Jennifer Webster: Bonnie.

Bonnie Pigman: Yeah. Bonnie Pigman, member 5361. I just have a question. I see on line 272. Can you hear me?

Jennifer Webster: We can hear you.

Bonnie Pigman: Okay, line 272 - 706.6-3, medical examination. The question I have for that section is,

Jonas Hill: Oh, Bonnie, I don't want to interrupt. Sorry to interrupt, but we're just trying to figure out the…the technology of this meeting at this moment. And we will get to a point where you can submit your comments. We just have to read through some of the script.

Bonnie Pigman: Okay.

Jonas Hill: Thank you. Clorissa.

Clorissa Leeman: I was just identifying because I wasn't able to hear, but I double checked and it looks like the transcript was capturing.

Jonas Hill: So continue?

Clorissa Leeman: So as long as the transcript was capturing it, I just want to make sure that we're keeping that we have the record. So you guys may continue. Sorry for interrupting.

Jonas Hill: All right, we will resume.

- Clarify what types of offenses qualify as a violation of law or rule or nuisance activity.
- Revise who is allowed to notice an owner of a violation of law or rule or nuisance activity.
- Clarify that an owner is not required to provide an occupant an opportunity to cure for a violation of an applicable law or rule or nuisance act.
- Clarify and expand when an individual may contest a contract termination.
- Revise how an occupant's failure to vacate following the notice of eviction or a contract expiration is handled by an owner.
- Expand the amount of time allowed for an owner to return a security deposit to an occupant from thirty (30) days to sixty (60) days.
- Make other drafting changes and broad organizational changes.

Jennifer Webster: So we'll also be accepting comments on the Elder Protection Law. The purpose of the Elder Protection Law is to uphold the nation's responsibility to honor and protect its elders. This law establishes a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, abuse, neglect, self-neglect, and financial exploitation and affirms the nation's cultural responsibilities to honor, respect, and preserve elder well-being.

The Elder Protection Law will:

- Establish a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, neglect, self-neglect, and financial exploitation.
- Establish an Interdisciplinary Team composed of multiple Nation departments to coordinate case review, guide investigations, recommend actions, promote cooperation, and identify resources.
- Establish a duty to report suspected elder abuse, neglect, and exploitation. The law requires any person with knowledge or reasonable suspicion of abuse, neglect, self-neglect, or exploitation of an elder to report immediately to Aging & Disability Services or the Oneida Police Department.
- Create a broad class of mandated reporters, including family, caretakers, elected officials, employees, healthcare workers, mental health professionals, social workers, law enforcement, judicial staff, and fiduciaries.
    - Good-faith reporters receive immunity.
    - Non-mandated reporters may remain anonymous.
- Establish civil penalties:
    - A mandated reporter who fails to report may be fined up to $2,000.
    - Anyone who knowingly files a false report may be fined up to $2,000.
    - Anyone who interferes with an investigation or retaliates against a reporter may be fined up to $2,000 per occurrence.
- Provide investigation procedures requirements including that they must begin promptly and include required steps such as:
    - Visiting the elder's residence;
    - Observing the elder;

    - Conducting interviews;
    - Reviewing healthcare and financial records;
    - Interviewing guardians/caregivers;
    - Requesting law-enforcement assistance;
    - Offering or arranging needed services.
- Authorize emergency protective actions, including protective placement, may be taken when necessary.
- Authorize medical examination under specified consent conditions or by court order.
- Protect confidentiality and records. Departmental report forms and investigative records are confidential and may only be disclosed under limited circumstances, such as to the elder, suspect, service providers, law enforcement, auditors, or through a court order.
- Provide that records must be retained for five years.
- Affirm elders' rights to:
    - Notice of an investigation unless emergency conditions exist.
    - Refuse services if they have capacity.
    - Protect their property rights, including the right to deny entry.
    - Representation by counsel at their own expense.
- Provide for rights of the accused to refuse service for themselves, refuse entry (subject to warrant), and obtain counsel at their own expense.
- Grant the Oneida Trial Court jurisdiction over all actions under this law. Personal jurisdiction extends to members of the Nation and Nation employees.

We will also be accepting comments on the Uniform Commercial Code. The purpose of the Uniform Commercial Code is to provide a clear, fair structure for commercial transactions to promote economic development, grounded in Good Mind principles, and protection of sovereignty.

The Uniform Commercial Code will:

- Establish a complete, unified commercial code governing security interests, collateral, and commercial transactions within the Nation, creating legal clarity and predictability for all parties.
- Affirm Oneida sovereignty by providing that this law governs conflicting provisions and is adopted under the Nation's constitutional authority.
- Grounds commercial law in Good Mind principles, embedding cultural values directly into the Nation's economic governance framework.
- Define Oneida jurisdictional, jurisdiction over commercial parties through residence, business location, tribal membership, or chartering, strengthening tribal legal authority.
- Create clear rules for creating, attaching, and enforcing security interests, essential for lenders and investors to transact with confidence.
- Provide multiple perfection methods (filing, possession, control), allowing flexible modern financing arrangements.
- Creates priority rules that determine whose claim on collateral prevails in disputes, insolvency, or bankruptcy-like scenarios.
- Supports interjurisdictional business activity by recognizing perfection under other jurisdictions and creating transition rules for collateral moving into Oneida jurisdiction.

- Strengthen consumer rights by restricting waivers, requiring post-default notice, and limiting and limiting repossession practices.
- Ensure transparency by allowing debtors to request accountings, collateral lists, and surplus/deficiency explanations.
- Protect against predatory contract terms, invalidating commercially harmful restrictions that block assignment or collateralization.
- Require commercially reasonably reasonable enforcement, meaning lenders must follow fair industry standards when collecting, selling, or disposing of collateral.
- Creates rulemaking authority enabling the Nation to issue regulations, procedures, and filing requirements without relying on state systems.
- Clarifies rights in complex assets such as accounts, chattel paper, investment accounts, fixtures, software, and agricultural products enabling modern finance options.
- Set structured, lawful processes for repossession, allowing possession only with debtor consent or judicial process, and forbidding breach of the peace.
- Creates detailed rules for collateral sales, including notice requirements, timing rules, and provide public/private public/private sale standards.
- Provide remedies for improper conduct by lenders, including damages, statutory penalties, and court orders restraining noncompliant enforcement.
- Protect innocent purchasers by specifying when buyers take goods free goods free of a security interest and when interests follow the collateral.
- Ensure continuity and severability, protecting the code from invalidation if one section is challenged.

So those who wish to speak, please raise your hand. Please state your name when making a comment and to which laws you're commenting on. Um...The sign in paper. You want to grab the sign in paper? If you want to come to the mic. Those who signed in, Nancy Barton, you're up first.

Jonas Hill: Uh, Nancy, do you mind using your mic so we can provide a for the transcript?

Nancy Barton: I'll sit down as much as I can. Okay, the first comment that I'll make is regarding Title 6, Property and Land, Chapter 610, formerly known as the Eviction and Termination Law. In the Oneida language, the interpretation means they shoo them away or they vanish them. And so my first comment is, I guess I have, you know, some issues with the interpretation of this law. It looks like you're trying to get rid of people. You know, you want them to go away and you want them to vanish. And how unfortunate.

The first comment that I'm going to make is regarding the termination of people's leases when they real when housing Comprehensive Housing realizes that those people are elders and that they received a what they're calling a significant amount of GWA payment and they're including it in their rent. This past week, I had an opportunity to view and witness a letter to an elder. She turned sixty-two (62) years old three and a half (3 ½) years ago. And what they're doing now is calculating her GWA back those three and a half (3 ½) years and increasing her rent. She's on a fixed income. That's why you live in housing. She does not have the financial ability to make up those payments. And so I'm concerned about that. We talked about that many times up here. And why is Comprehensive Housing using that income when they're not supposed to be? The Social Security Office doesn't use it. Many other entities don't use it including the state of Wisconsin when

calculating income regarding energy assistance and other public assistance programs. So the reason that I came, one of the reasons that I came here today is to address that issue and how unfortunate that this money was, you know, allocated and was supposed to make our people's lives better, especially our elders and those vulnerable people. And when you use this money as a punishment financially against them, then I guess that's when I have an issue. And so I'm going to ask the LOC once again to come back with that GWA issue. I'm not sure what you want to call it, but there is a GWA law, and it's been on the books for many years, and I haven't seen it move forward. And what it's doing is punishing and penalizing our most vulnerable people.

I also want to comment on page four (4) on line 113, where it says a criminal complaint alleging that the code occupant sexually assaulted a child or the occupant, and it gives the Wisconsin state code. And this is a domestic abuse defense to eviction. And so I'm very concerned about that, that that has been included in there that a person who would even commit these crimes would be eligible to move into comprehensive housing. So that was a concern of mine.

The other thing that I want to talk about is on page one hundred (100), or I'm sorry, on page six (6), and it's number line 199, 198 and 199. And it's talking about waste and the occupant committing waste. And I've had on several occasions to be able to talk about the waste and the conditions of the homes and the properties on this reservation. And we have a Zoning Department, we have a Shoreline Protection Ordinance that aren't being followed. And those people that are in charge of those entities, I can't give names, but there are departments and there are chains of command, three (3), four (4), sometimes five (5) levels. And when I have attempted to address the issues of mattresses and cars and garbage and batteries on tribal property, I'm not getting anywhere. So why would you include something that cannot be enforced? I've put my complaints in writing. I've gone to these offices. I've made phone calls and I haven't gotten anywhere with anything. So why would you create a entity that says you don't want waste but you have no way to enforce it. So that was one of another one of those.

The other thing that I want to talk about is on page nine (9), where on page three hundred and thirty-six (336), where a person can be threatened with eviction. And of course, it's almost ninety-nine percent (99%) of the time because of money and the person is given a certain amount of time to make it good and make it right. And I've been involved in many cases, single mothers with children who fall behind because somebody needs glasses, somebody needs tennis shoes, have fallen behind for as little as two and three hundred dollars ($200 and $300) and have been evicted. I have gone to Comprehensive Housing and offered to pay that money. And they said, nope, we're not taking your money. We'll see you in court. When we get to court and the money's on the table, the person was still evicted for three hundred dollars ($300). And so, you know, a landlord in Green Bay would work with you for three hundred dollars ($300) if you were a single mother with three (3) children. And so how unfortunate that we have become what we become, and we punish our people for three hundred ($300).

And, you know, there are currently, I posted a picture about the flooding in Three Sisters, and it wasn't until that post was published that anybody was going to do anything about what was going on over there. My question was, does housing have insurance to cover the stuff inside? I know, do I have, you didn't say I had a certain amount of time. All right, so then I guess I'm done with that

one and then I want to talk about the Elder law and I need to get.

Cathy Metoxen: Question. Do you? I don't have anything on the Elder law. I, I, this is all that was out there. I came, this is...

Jennifer Webster: You'll share your Law. Thank you. Okay, Nancy, you have five (5) minutes.

Nancy Barton: Okay, I'll address the Elder Protection law and my own personal comment about this is how unfortunate that in this day and age and historically that we have to have a law to protect our elders. And we had this conversation on this floor about the way that we treat each other and the way that our elders are treated at GTC. You know, people will push an elbow and stampede our elders. And that goes to, you know, what happened to us, what happened to the way that we're being taught to treat our elders and how unfortunate. Um, and once again, I'm going to address the issue of the enforcement. Um...included in here because of, you know, my involvement was the financial part of it that I was concerned about.

The other part that I wanted included was mandated reporters. We have people who are delivering meals, delivering medicine, doing jobs at elders' homes that have access to elders where other people don't. And so I'm glad to see that the mandated reporter part has been included in here.
I'm concerned about the enforcement and the reporting. I'm glad that there are fines. I'm concerned about if somebody does report that it's considered um I'm not sure what word I want to say. You know, if I report you and then nothing comes out of it, then the person who reported can potentially get a fine. I was concerned about that part of it.

The other part that I want to talk about, and this is a little bit of a personal thing, I've had some dental work done. And when I was leaving, there is a notice of privacy practices that is posted on every dental and doctor reception area. And there was a part on here, I had to wait a while for some records and some other things. So I read it. And on here it says abuse and neglect. And this is a notice of privacy practices and it says we may disclose your health information to appropriate authorities if we reasonably believe that you are a possible victim of abuse, neglect, or violence and a possible victim of other crimes. And we may disclose your health information to the extent necessary to avert a serious threat to your health or safety, or the safety of others. So I thought I would bring this and give this to these guys back here. They're the legal people and they know what that means because anytime that you ever receive any kind of dental or medical treatment, you sign a form that says, you know, HIPAA forms, release of information forms, but this includes who can report and who can't. So I'll give that to Grace back here. And, you know, hopefully with a law in the books that we have a way, I guess, to hold people accountable that are abusing our elders. And once again, I'll say how unfortunate that historically, that's where we are today, but at least we have it and it's in writing and somebody can be held accountable. Thank you.

Jennifer Webster: Thank you. Um... Next up, Barb, you did not identify whether or not you were going to do oral testimony. You want to do oral testimony, please come to the mic. I'm sorry. You were next. Everybody else identified. No, they did not want to do.
Go ahead and you have five (5) minutes.

Barbara Cornelieus: OK. With elders, we should get ten (10) minutes. I'm just saying, okay, I don't have nothing specific on one of the, in any of the laws, but in general, I think our laws have to be written more compassionately, with more empathy, and we need to quit following how the state and the federal government produces their laws, because their laws are produced with conflict, a natural conflict to them. There's you against me, me against you. And in our law, and as far as I know, traditionally, that wasn't how we wrote the laws. We didn't write laws to pit me against you or you against me. It should be more empathy. We have to have more empathy.

And then I think in the...and the Eviction law, you know, they always say, well, once you're in the eviction process, you can't stop it. You can stop it. You know, a lot of places stop it and stuff, and they should be able to stop it and say, you know, I apologize, I do this, and I'm doing this, and I'm doing all these things to help. And then I think in the, maybe in the Eviction law, you can put something in there or develop a policy where they can work it off. We have all these homes that need work to be completed, and some of it is just simple work that you don't have to have, you know, a certificate or anything. There's a lot of just simple work that we, we could give the tenants to pay off those things so you don't think you're giving them a handout.

There's so many people that have that word in their vocabulary called entitlement. And none of this is entitlement. These are all benefits from treaties. This is all stemming from the treaties that are provided by to our nation from the federal government. So I think we should do that.

And then under abuse, the Elder abuse law, I just, I think we just need to have softer language. We need to have more empathy and we need to give. There's such a thing as the spirit of the law and the letter of the law. And what the tribe has done, or the Nation has done, is gone so heavily on the letter of the law. This is what the law says, this is what we have to do, this is what we have to enforce. The spirit of the law says, hey, that there's extenuating circumstances, there's things that should be changed. And if you had time, you know, if they apologize and they do the things they need to do, then then do the spirit of the law. And so I think, I don't know how we get our attorneys to be trained in that type of law development, but I think that's what we need to do as a Nation. We need to start um...developing our laws a little more friendly, a little more with empathy and with compassion.

So because you are doing it to our own people. So you can't say, no, they say we're all family, we all treat one another, we all do all this stuff. But the laws don't allow you to do that because it's so strict. So, um, governmental or law? I guess that's the only word I could say. It's too much law, and I think we need to, we need to...to soften those laws and all the laws. And my personal belief is we have too many laws. You know, we only have seventeen thousand (17,000) people who are overseen and have to, I mean, we don't oversee those many because we only have jurisdiction on within the reservation boundaries and stuff. So we might have three thousand (3,000). Then there's three thousand (3000), half of those are kids and everything. So we have about one thousand five hundred (1500) people we only have jurisdiction over and we have tons and tons of laws, you know, and so I, that's my general statement is that we need to start softening the language and our laws and we need to use the spirit of the law when we're trying to enforce it. And there is nothing wrong with being soft and being kind to your own people. That's it.

Jennifer Webster: Thank you. Cathy Metoxen, you're listed here, but it's not said whether or not

you wanted to speak orally or written comments.

Jennifer Webster: Okay, can you use your mic, please? And you have five (5) minutes. Thank you.

Cathy Metoxen: Okay, I thought there was going to be a lot of other people before me. It's good to see more people than just two (2) of us up here today. Or one, you know, it's always good to see other people, don't you agree? And I'm going to take my time because this is confusing. And it's...it's um…

You know, when I come up here a lot of times, my issues that I raise are usually across the board. You know, it's not about the people. It's about, it's supposed to be about all of us. But I want to know, and I just got this document, so my question, my questions were going to start out with, when's your deadline? You know, because my understanding is we had a public hearing and I came to it and there was only one person here and I felt like it was illegal. And then you were moving on. And now there's another public hearing, which I was surprised to actually see again. It's good to see that you are changing. I see change in this room today. And it's, you know, you're trying to be more professional and be act more courteous and stuff like that. But, I want to know, like with the chain of command, because, you know, in other laws, I have questioned, what about you guys? You know, I don't, I was going to come up here today and say, can I see your ID so I know who you are? Because I have to show my ID at the door. So I don't know who I'm talking to. Anybody in this room could be a pedophile, and I wouldn't know it. And I'd I'd like to see some ID, you know, of who you are. And we have to do that every day when we come up here, is show our IDs. And I, I disagree with that, anyway.

I want to know what's in this law that protects us from the leadership, from the chain of command, from the people who abuse and micromanage and all of this stuff, because that's abuse too. And I'm an elder now, and I get abused at the front desk of a lot of entities. You know, and we all know about that story. We know there's, I'm not the only one, there's other people. You know, I've been up here talking about the term, you know, snotty, you know, snotty attitudes and stuff like that. How do we deal with people across the board? And is this a fair law, and are these things gonna be covered? You know, because what what you don't want us to get away with, it's okay for you guys to get away with. And that's where I come from when I say across the board. It's good that you guys are, you know, changing, and it's good to see that. And we've accomplished a lot over the years, and we've come a long ways, and we deserve a lot, but we're also lacking, and there's a lot of lack.

And I agree with the lady that was sitting here with so many laws, which is actually true. I believe Madelyn Genskow said that in the GTC meeting, you know, a law on top of a law on top of a law. In these terminations of leases and stuff, and I'm trying to get a place to live. And I'm hearing people are being kicked out, you know, on a whim. And I don't know what's true and what's not. Maybe they are pedophiles. Maybe they are drug addicts and alcohol functioning alcoholics. They're everywhere. They they do the job at the top and at the bottom. But how do we protect? The true abuse that you're talking about in these laws, because...I don't. I don't see it. I see, I see division. I see, um let's, you know.

We're not savages. You know, the Europeans came here and they called us savages, and we're not supposed to be that to our own people. You know, so your expectations may be a little bit high. And when I come in and I ask these questions, you know, if you don't like what I'm saying, you know, too bad. That's the way my mind works. And it's not just my mind. There's others, and and...

Jennifer Webster: Time is up.

Cathy Metoxen: You're welcome, and thank you for listening.

Jennifer Webster: Mary, did you want to come to the mic? And then we'll get you to sign in after. Just push the button in the middle there. Yep. Thank you. The written deadline is close of business day, Thursday, April 23rd. Go ahead, Mary.

Mary Loeffler: Okay. I want to address the Eviction and Termination. I don't have the full, but I do have a comment. Under whatever article it is in the beginning of the policy, where it talks about nuisance activities that are grounds for termination. They list quite a number of examples of nuisance that tenants can report on. Okay. The one that I don't see is the no smoking policy. I have brought that up a couple times that the no smoking policy should really be in place. And I do understand that until it's a law or for the LOC, that is that the reason why it wouldn't be listed as nuisance because smoking in the apartments is a health concern, and...walking up and down the halls is very annoying when all you do is smell cigarette smoke and pot. Okay, so what I'm requesting is...does that language to be included in the Eviction and Termination law, does that go after it becomes and is addressed with the LOC to be put into so that we can put it into the leases? So therefore we can work on enforcement of this no-smoking policy that we have. Um...That's pretty much all I needed, wanted to address.

Jennifer Webster: Okay, thank you, Mary. Mary, if you want to put down your phone number or email address on here.

Mary Loeffler: Sure.

Jennifer Webster: Anybody else in person? Otherwise, we do have people online. Anybody else to speak in person? Okay, we'll go online. Bonnie Pigman, you have five (5) minutes.

Bonnie Pigman: Yep, Bonnie Pigman, 5361. Couple of lines, line 272 - 706.6-3 medical examinations, just wondering who's going to pay for that medical examination because most out, not most, but not everyone has insurance. And so therefore, if they send them to a medical professional that's not covered by, they don't have insurance to cover that cost, there's no language in this document to say what, who's going to pay for it.

Next question has to do with looking at the line 287 and that is referring them to necessary services under the least restrictive conditions. I think that needs to be clarified what you consider to be least restrictive. I'm not looking for a long list, but given an example maybe would be useful.

Lines 295 to referred case to law enforcement or district attorney, I'm sorry, but I don't know that our judiciary has a district attorney. And if you're referring people out to outside courts, why, what's the purpose of our judiciary if we're not going to handle the cases within our own reservation? That is, this is our law so it should be handled by our judiciary. Also looking at the same language is allowing if there are things that are happening outside of our jurisdiction, for example, protective services from another state. I believe that everything should have to go through our judiciary in order to be carried out through this law, because taking something from another jurisdiction only confuses people when somebody comes knocking at their door and they got a piece of paper saying, well, I have, you know, this, this case with this individual for whatever, that sent a lot of confusion in that household to that person saying, well, what jurisdiction do you have? Because this is the Oneida Nation reservation and is not the Illinois state whatever.

So I think that if we're going to say we're sovereign, that we need to start acting like it and we need to start reflecting that things need to go through our judiciary in order to be handled and carried out to our laws.
That's what I, my context from looking at this right now is if I want to put anything else, I will put it in writing. Thank you.

Jennifer Webster: Thank you. Is there anybody else online that would like to speak? Is there anybody else online that would like to speak? Third call, is there anybody else online that would like to speak?

With there being no more speakers, the public meeting for the proposed Eviction and Termination law amendments, Elder Protection law, and Uniform Commercial Code is now is now closed at 1:01 p.m. Just a reminder, written comments may be submitted until close of business on Thursday, April 23rd, 2026. Thank you for joining us.

-End of Meeting-

Title 6. Property and Land - Chapter 610

~~EVICTION AND TERMINATION~~

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~~610.1. Purpose and Policy~~
~~610.2. Adoption, Amendment, Repeal~~
~~610.3. Definitions~~
~~610.4. Administrative Rulemaking Authority~~
~~610.5. Early Contract Termination~~
~~610.6. Failure to Vacate Following Notice of Eviction or Contract Expiration~~
~~610.7. Withholding From and Return of Security Deposits~~
~~610.8. Eviction and Termination Actions~~

EVICTION AND TERMINATION

610.1. Purpose and Policy
610.2. Adoption, Amendment, Repeal
610.3. Definitions
610.4. Administrative Rulemaking Authority
610.5. Early Contract Termination
610.6. General Notice Requirements for Early Contract Termination
610.7. Eviction for Failure to Pay Rents
610.8. Eviction for Waste or Contract Breach other than Rent Payment
610.9. Eviction for Violation of Applicable Law or Rule or Nuisance by Occupant
610.10. Failure to Vacate Following Notice of Eviction or Contract Expiration
610.11. Withholding From and Return of Security Deposits
610.12. Eviction and Termination Actions

610.1. Purpose and Policy

610.1-1. *Purpose*. The purpose of this law is to provide consistent procedures ~~relating to the Nation's rental and leasing programs~~ for terminating a contract and/or evicting an occupant which affords the ~~applicant~~occupant due process and protects all parties involved.

610.1-2. *Policy.* It is the Nation's policy to provide fair termination and eviction processes that preserves the peace, harmony, safety, health, general welfare, and the Nation's resources.

610.2. Adoption, Amendment, Repeal

610.2-1. This law was adopted by the Oneida Business Committee by resolution BC-10-12-16-A~~.~~ and amended by resolution BC- - - - .

610.2-2. This law may be amended or repealed by the Oneida Business Committee or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

610.2-3. 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.

610.2-4. 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.

610.2-5. This law is adopted under the authority of the Constitution of the Oneida Nation.

610.3. Definitions

610.3-1. This section shall govern the definitions of words and phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Business day" means Monday through Friday from 8:00 a.m. to 4:30 p.m. and excludes holidays recognized by the Nation.

(~~a~~b) "Comprehensive Housing Division" means the ~~entity responsible for housing matters specifically related to contracts governed by this law as defined by~~ division within the Oneida ~~Business Committee Resolution.~~[1]Nation under the direction of the Comprehensive Housing Division Director which consists of all residential services offered by the Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential leasing programs.

[1] ~~*See* BC Resolution 09-27-17-H providing that the Comprehensive Housing Division means the division within the Oneida Nation under the direction of the Comprehensive Housing Division Director which consists of all residential services offered by the Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential sales and mortgages programs.~~

(~~b~~c) "Contract" means either a lease document pursuant to the Leasing law or a rental agreement pursuant to the Landlord-Tenant law.

(~~c~~d) "Eviction" means to expel an occupant from the premises.

~~(d) "Nation" means the Oneida Nation.~~

~~(c~~(e) "Law enforcement agency" means a governmental unit whose purpose is to prevent and detect crime and enforce laws. For the Nation, law enforcement agencies include the Oneida Police Department and the Zoning Administration.

(e) "Nation" means the Oneida Nation.

(f) "Nuisance" means an occupant's interference with another occupant's use and enjoyment of the premises. Nuisance activities include, but are not limited to, allegations of harassment, disorderly conduct, battery, lewd and lascivious behavior, prostitution, theft, possession of stolen property, arson, illegal drug activity, gambling, animal violations, trespassing, weapons violations, habitual noise violations ~~(as defined in the rules which the Land Commission and the Comprehensive Housing Division shall jointly establish),~~, execution of warrants, alcohol violations, obstruction/resisting, inspection related calls in which a law enforcement agency responds.

(~~f~~g)"Occupant" means ~~the~~:

(a) a person or entity who has acquired a legal right to use or occupy Tribal land by a lease under the Leasing law, or one who has the right to use or occupy a property under a lease.

(b) a person granted the right to use or occupy a premises pursuant to a ~~lease or~~ rental agreement ~~entered into~~ in accordance with the ~~Leasing law or~~ Landlord-Tenant law ~~respectively.~~.

(~~g~~h) "Owner" means:

(1) the Nation when the Nation is acting in its capacity as a lessor as defined in the Leasing law or lessee; or

(2) the Nation or any person or entity within the Nation's jurisdiction acting in its capacity as a landlord as defined in the Landlord Tenant law.

(~~h~~(i) "Periodic tenancy" means when an occupant uses or occupies a premises without an effective and valid contract by paying rent on a periodic basis including, but not limited to, day-to-day, week-to-week, and month-to-month.

(j) "Premises" means the property covered by a contract, including not only the real property and fixtures, but also any personal property furnished by the owner pursuant to a contract.

(~~i~~k)"Rent" means the sum or amount agreed in the contract to be paid by the occupant to the owner for exclusive possession of the ~~property~~premises for the period of time set by the contract.

~~(j)~~(l) "Rental value" means the amount for which the premises might reasonably have been rented, but not less than the amount actually paid or payable by the occupant for the prior rental period, and includes the money equivalent of any obligations undertaken by the occupant as part of the contract, such as regular property maintenance and repairs.

(m) "Rule" means a set of requirements, including citation fees and penalty schedules, enacted in accordance with the Administrative Rulemaking law based on authority delegated in this law in order to implement, interpret and/or enforce this law.

(~~k~~)n) "Security ~~Deposit~~deposit" means a payment made to the owner by the occupant to ensure that payments will be made and other responsibilities of the contract performed.

~~(l)~~ (o) "Stay of eviction" means the eviction process is temporarily halted.

(p) "Waste" means physical damage or deterioration caused to the premises, whether intentional or negligent.

610.4. Administrative Rulemaking Authority

610.4-1. *Residential Contracts.* The ~~Land Commission and the~~ Comprehensive Housing Division may ~~jointly~~ create rules to further govern the processes contained in this law related to the Nation's residential contracts.

610.4-2. *Agricultural and Business Contracts.* The ~~Land Commission and the~~ Division of Land Management may ~~jointly~~ create rules to further govern the processes contained in this law related to the Nation's agricultural and business contracts.

610.5. Early Contract Termination

610.5-1. *Causes for Early Contract Termination.* The owner may terminate the contract prior to the contract term and evict the occupant, if the occupant:

(a) Violates the terms of the contract;

(b) ~~Is alleged to have violated~~Violates any applicable law or rule; and/or

(c) ~~Is alleged to have committed one or more~~Commits an applicable nuisance ~~activities~~activity.

610.5-2. *Domestic Abuse Defense to Eviction.* An occupant has a valid defense to eviction if ~~he or she alleges~~they provide that if not for the ~~alleged~~claimed domestic abuse, which is noticed to the owner with any of the following documentation, there would not be cause for eviction under section 610.5-1:

(a) An injunction order under Wis. Stat. 813.12(4) or any other law of the Nation protecting the ~~tenant~~occupant from a co-~~tenant~~occupant;

(b) An injunction order under Wis. Stat. 813.122 or any other law of the Nation protecting a child of the ~~tenant~~occupant from a co-~~tenant~~occupant;

(c) An injunction order under Wis. Stat. 813.125(4) or any other law of the Nation protecting the ~~tenant~~occupant or child of the ~~tenant~~occupant from a co-~~tenant~~occupant, based on the co-~~tenant's~~occupant's engaging in an act that would constitute sexual assault under Wis. Stat. 940.225, 948.02 or 948.025, or stalking under Wis. Stat. 940.32, or attempting or threatening to do the same;

(d) A condition of release under Wis. Ch. 969 ordering the co-~~tenant~~occupant not to contact the ~~tenant~~occupant;

(e) A criminal complaint alleging that the co-~~tenant~~occupant sexually assaulted the ~~tenant~~occupant or a child of the ~~tenant~~occupant under Wis. Stat. 940.225, 948.02 or 948.025;

(f) A criminal complaint alleging that the co-~~tenant~~occupant stalked the ~~tenant~~occupant or a child of the ~~tenant~~occupant under Wis. Stat. 940.32; or

(g) A criminal complaint that was filed against the co-~~tenant~~occupant as a result of the co-~~tenant~~occupant being arrested for committing a domestic abuse offense against the ~~tenant~~occupant under Wis. Stat. 968.075.

610.5-3. *Contrary Provision in the Contract.* Except for leases entered into pursuant to the Leasing law, any termination provisions in a contract that are contrary to those provided in this law are invalid.

~~610.6.~~ General Notice~~.~~ Requirements for Early Contract Termination

610.6-1. *Notice.* This section governs the ~~amount of notice required to evict as well as the~~ manner and form of notice required.~~–~~ When an owner provides notice in compliance with these requirements, the occupant is not entitled to possession or use of the premises after the date of the termination provided ~~in the notice.~~.

610.6-2. *Notice Content Requirements*. Notices for the early termination of a contract and eviction required to be provided under this law shall include the following information:

(a) The violation of law or rule, committing of nuisance, or breach of the contract, with citations to the applicable law, rule, or contract clause;

(b) If the notice is pursuant to a failure to pay rents, the current delinquent balance due;

(c) If the notice is pursuant to waste or a breach of contract, other than the failure to pay rent:

(1) A statement that the occupant has a thirty (30) day period to cure;

(2) The date the period to cure expires and the termination becomes effective in the event occupant does not cure; and

(3) Potential consequences for failure to cure, which may include, but are not limited to eviction and the assessment of damages against the occupant.

(d) Statement that the occupant may request a hearing with the Oneida Trial Court prior to the effective date of the termination provided on the notice, and that, if the occupant timely files for a hearing, there is an automatic stay on the eviction pending the determination of the Oneida Trial Court; and

(e) The contact information for the owner or staff available to answer questions and/or hear concerns of the occupant related to the notice.

610.6-3. *Notice to Individuals.* When providing notice to an occupant that is an individual, the owner shall use both of the following methods:

(a) By affixing a copy of the notice on an entrance to the rented or leased premises where it can be conveniently read; and

(b) By mailing a copy of the notice by registered or certified mail to the occupant's last~~–~~known address.

610.6-4. *Notice to Corporations or Partnerships.* If notice is to be given to a corporation or partnership, notice shall be given the methods provided for in section 610.6-3.

610.6-5. *Notice to One (1) of Several Parties*. If there are two (2) or more co-occupants of the same premises, notice given to one (1) is deemed to be given to the others also.

610.6-6. *Effect of Actual Receipt of Notice*. If notice is not properly given in accordance with this law, but is actually received by the other party, the notice is deemed to be properly given; but the burden is upon the owner alleging actual receipt to prove the fact by clear and convincing evidence.

~~(a)~~ ~~610.7.~~ Eviction for Failure to Pay Rents~~.~~

~~(1)~~ ~~If~~610.7-1. The owner may terminate an occupant's contract if an occupant fails to pay any installment of rent when due~~,~~.

610.7-2. *Notice of Termination*. In order to terminate the ~~occupant's~~ contract ~~is terminated if,~~ the owner ~~gives~~shall give the occupant written notice requiring the ~~tenant~~occupant to pay rent or vacate on or before a date at least thirty (30) calendar days after the giving of the notice, and if the occupant fails to pay the unpaid rents accordingly.

~~(2)~~ ~~If an~~610.7-3. *Right to Cure.* An occupant ~~has been given~~ shall have a right to cure the failure to pay rents after receiving a notice ~~under 610.5-3(a)(1) and has paid the~~ of

termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant remedies the default by paying the unpaid rent on or before the specified date~~, or been permitted by the owner to remain~~ in ~~possession contrary to such~~the notice~~, and thereafter~~.

610.7-4. *Subsequent Violations*. If within one (1) year from the giving of any notice for the failure to pay rents, the occupant again fails to pay a subsequent installment of rent on time ~~within one (1) year of said notice~~, the occupant's contract is terminated if the owner, while the occupant is in default in payment of rent, gives the occupant notice to vacate on or before a date at least fourteen (14) calendar days after the giving of the notice. The owner shall not be required to provide an opportunity to cure for a subsequent violation of unpaid rents.

~~(b)~~ **610.8. Eviction for Waste or Contract Breach other than Rent Payment**~~.~~

~~(1) If an~~610.8-1. The owner may terminate an occupant's contract if the occupant commits waste or breaches any covenant or condition of the occupant's contract, other than for payment of rent~~.~~.

610.8-2. *Notice of Termination*. In order to terminate the ~~occupant's tenancy is terminated if~~contract, the owner ~~gives~~shall give the occupant ~~a~~written notice requiring the occupant to remedy the default or vacate the premises on or before a date at least thirty (30) calendar days after the giving of the notice, and ~~if~~ the occupant fails to ~~comply with such~~remedy the default.

610.8-3. *Right to Cure*. An occupant shall have a right to cure the waste or breach of contract after receiving a notice~~.~~ of termination. An occupant is deemed to be complying with the notice if promptly upon receipt of such notice the occupant ~~takes~~and the owner enter into a written agreement to cure that outlines the reasonable steps for the occupant to take and timelines necessary to remedy the default, and ~~proceeds~~the occupant then complies with ~~reasonable diligence~~the agreement, or if damages are adequate protection for the owner and the occupant makes a bona fide and reasonable offer to pay the owner all damages for the occupant's breach.

~~(2)~~ 610.8-4. *Subsequent Violations*. If within one (1) year from the giving of any notice ~~under 610.5-3(b)(1),~~for waste or breaching any covenant or condition of the occupant's contract, the occupant again commits waste or breaches the same or any other covenant or condition of the occupant's contract, other than for payment of rent, the occupant's contract is terminated if the owner, prior to the occupant's remedying the waste or breach, gives the occupant notice to vacate on or before a date at least fourteen (14) calendar days after the giving of the notice. The owner shall not be required to provide an opportunity to cure for a subsequent violation of waste or a breach of contract.

~~(c)~~

610.9. Eviction for Violation of Applicable Law or Rule or Nuisance by Occupant

610.9-1. The owner may terminate an occupant's contract based on ~~an alleged~~a violation of an applicable law or rule, or if the occupant commits a nuisance act.

~~(1)~~ In order for the owner to terminate an occupant's contract based on this section, the ~~owner must have~~violation of law or rule, or the nuisance act shall be an activity which:

(a) threatens the health or safety of, or right to peaceful enjoyment of the premises by, other tenants;

(b) threatens the health or safety of, or right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises;

(c) threatens the health or safety of the owner or an agent or employee of the owner; or

(d) engages in any drug-related criminal activity on or near the premises.

610.9-2. *Notice of Violation*. In order to terminate based on this section, it is required that the owner received notice~~, which may be~~ from~~, but is not limited to, another occupant,~~ a law enforcement agency or a local government's office of the district attorney~~,~~ which reports:

(~~A)~~ a) a violation of an applicable law or rule on behalf of the occupant or another individual in the occupant's unit, or

(~~B)~~b) a nuisance that exists in that occupant's unit or was caused by that occupant on the owner's ~~property~~premises.

610.9-3. *Notice of Termination*. In order to terminate the contract, the owner shall give the occupant written notice requiring the occupant to vacate on or before a date at least five (5) calendar days after the giving of the notice.

~~(2) The occupant may contest a termination based on~~610.9-4. *No Right to Cure*. The owner shall not be required to provide an occupant an opportunity to cure for a violation of an applicable law or rule or nuisance act.

610.10. Contesting the Contract Termination

610.10-1. *Contesting the Termination*. The occupant may contest a contract termination by filing a complaint challenging the basis of the eviction with the Oneida ~~Judiciary.~~

~~(3) If the occupant contests the termination~~Trial Court prior to the termination date provided in the notice.

(a) If the occupant contests the termination, the eviction is stayed and the contract may not be terminated without proof to the Oneida ~~Judiciary~~Trial Court by the owner by the greater preponderance of the credible evidence that the termination of the ~~allegation that a violation of law and/or rule and/or nuisance exists in that occupant's unit or~~contract was ~~caused by that occupant~~valid under this law.

(~~4)~~ b) Despite an owner's satisfaction of the proof requirements ~~in section 610.5(c)(3),~~, the Oneida ~~Judiciary~~Trial Court may, at its discretion, stay an eviction by honoring any alternative agreement regarding pending actions entered into by the occupant and a court of competent jurisdiction pending successful completion of the alternative agreement.

~~(d) *Content, Form and Manner of Giving Notice.*~~

~~(1) *Notice Content.* Notices required to be provided under this law shall include the following:~~

~~(A) The violation of law and/or rule, committing of nuisance and/or breach of the contract, with citations to the applicable law, rule and/or contract clause;~~

~~(B) If the notice is pursuant to section~~ 610.~~5-3(a), the current delinquent balance due;~~

~~(C) If the notice is pursuant to section 610.5-3(a) or (b):~~

~~(i) A statement that the occupant has a thirty (30) day period to cure;~~

~~(ii) The date the period to cure expires and the termination becomes effective in the event occupant does not cure; and~~

~~(iii) Potential consequences for failure to cure, which may include, but are not limited to eviction and the assessment of damages against the occupant.~~

(D) If notice is pursuant to section 610.5-3(c), a statement that the occupant may request a hearing with the Oneida Judiciary prior to the effective date of the termination provided on the notice, and that, if the occupant timely files for a hearing, there is an automatic stay on the eviction pending the determination of the Oneida Judiciary;

(E) The contact information for the Comprehensive Housing Division staff available to answer questions and/or hear concerns of the occupant related to the notice.

(2) *Notice to Individuals.* When providing notice to an occupant that is an individual, the owner shall use one of the following methods:

(A) Giving a copy of the notice personally to the occupant or by leaving a copy at the occupant's usual place of abode in the presence of some competent member of the occupant's family at least fourteen (14) years of age, who is informed of the contents of the notice, provided that the owner may request that the notice be personally served to the occupant by the Oneida Police Department;

(B) Leaving a copy with any competent person apparently in charge of the premises or occupying the premises or a part thereof, and by mailing a copy by first class mail to the occupant's last-known address;

(C) If notice cannot be given under subsection (A) or (B) with reasonable diligence, by affixing a copy of the notice on an entrance to the rented premises where it can be conveniently read and by mailing a copy by first class mail to the occupant's last- known address;

(D) By mailing a copy of the notice by registered or certified mail to the tenant at the tenant's last-known address;

(E) By serving the occupant as prescribed in the Rules of Civil Procedure for the service of a summons.

(3) *Notice to Corporations or Partnerships.* If notice is to be given to a corporation notice may be given by any method provided in subsection (1) except that notice under subsection (1)(A) may be given only to an officer, director, registered agent or managing agent, or left with an employee in the office of such officer or agent during regular business hours. If notice is to be given to a partnership, notice may be given by any method in subsection (1) except that notice under subsection (1)(A) may be given only to a general partner or managing agent of the partnership, or left with an employee in the office of such partner or agent during regular business hours, or left at the usual place of abode of a general partner in the presence of some competent member of the general partner's family at least fourteen (14) years of age, who is informed of the contents of the notice.

(4) *Notice to One (1) of Several Parties.* If there are two (2) or more co-occupants of the same premises, notice given to one (1) is deemed to be given to the others also.

(5) *Effect of Actual Receipt of Notice.* If notice is not properly given by one (1) of the methods specified in this section, but is actually received by the other party, the notice is deemed to be properly given; but the burden is upon the owner alleging actual receipt to prove the fact by clear and convincing evidence.

~~(c) *Contrary Provision in the Contract.* Except for leases entered into pursuant to the Leasing law, any termination provisions in a contract that are contrary to those provided in this law are invalid.~~

~~610.6~~11. Failure to Vacate Following Notice of Eviction or Contract Expiration

610.11-1. *Effect of Failure to Vacate.* A failure to vacate following notice of termination based on eviction, occupant termination, or expiration and non-renewal of a contract does not in any circumstances, regardless of acceptance of rent payments, create a periodic tenancy.

610.11-2. *Damages for Failure to Vacate.* If an occupant remains in possession of the premises without consent of the owner after notice of termination based on eviction, occupant termination, or expiration and non-renewal of a contract, the owner may, at the owner's discretion, recover from the occupant damages suffered by the owner because of the failure of the occupant to vacate within the time required.

(a) In absence of proof of greater damages, the owner shall recover as minimum damages twice the rental value apportioned on a daily basis for the time the occupant remains in possession. Nothing in this section prevents the owner from seeking and recovering any other damages to which the owner may be entitled.

610.~~6~~-1. ~~*Changing*~~11-3. *Commencement of ~~Locks and Removal of Occupant~~Eviction Action*. If an occupant fails to vacate the premises following notice of termination based on eviction, occupant termination, or expiration and non-renewal of a contract, the owner ~~shall secure and take~~may file an eviction action with the Oneida Trial Court to remove the occupant from possession or occupancy of the premises~~ once the timeframe in the notice of termination has expired~~.

(a) *Proper Notice for Eviction Action*. The ~~Comprehensive Housing Division~~owner's proof of notice terminating tenancy under this law through certified mail from the United States post office shall ~~contact~~be sufficient to establish that proper notice has been provided for the purpose of filing a complaint or otherwise demonstrating that proper notice has been given in an eviction action, and an affidavit of service may not be requested to establish that proper notice has been provided.

(b) *Acceptance of Rent or Other Payment*. If an owner commences an action under this section against an occupant whose occupancy has been terminated for failure to pay rent or for any other reason, the action under this section may not be dismissed because the owner accepts past due rent or any other payment from the occupant after serving notice of default or after commencing the action.

(c) *No Waiver*. It shall not be a defense to an action of eviction or a claim for damages that the owner or occupant has previously waived any violation or breach of any of the terms of the contract including, but not limited to, the acceptance of rent or that a custom or practice occurred or developed between the parties in connection with the contract so as to waive or lessen the right of the owner or occupant to insist upon strict performance of the terms of the contract.

(d) *Joinder of Other Claims*. The owner may join with the claim for restitution of the premises any other claim against the occupant arising out of the occupant's possession or occupancy of the premises.

(e) *Complaint*. The complaint shall be in writing and identify the parties and the premises which is the subject of the action and state the facts which authorize the removal of the occupant. The description of real property is sufficient, whether or not it is specific, if it

reasonably identifies what is described. A description by street name and number is sufficient. If the complaint relates only to a portion of described real estate, that portion shall be identified. If a claim in addition to the claim for restitution is joined, the claim shall be separately stated. The request for relief in the complaint shall be for the removal of the occupant or the property or both and, if an additional claim is joined, for the other relief sought by the owner.

(f) *Occupant's Pleading*. The occupant may plead to the complaint orally or in writing, except that if the owner's title is put in issue by the occupant, the answer shall be in writing and subscribed in the same manner as the complaint.

(g) *Order for Judgment*. In an eviction action, if the Oneida Trial Court finds that the termination and eviction occurred in accordance with this law and the owner is entitled to possession, the Oneida Trial Court shall immediately enter an order for judgment to the owner for the removal of the occupant and their property from the premises.

(h) *Writ of Removal*. At the time of ordering judgment for the removal of the occupant and their property from the premises, the Oneida Trial Court shall immediately order that a writ of removal be issued, and the writ shall be delivered to both the Oneida Police Department ~~to request that an~~ and owner for execution. No writ shall be executed if received by the Oneida Police ~~Officer be~~ Department and owner more than thirty (30) days after its issuance.

(i) *Appeal*. An appeal in an eviction action shall be initiated with the Oneida Court of Appeals within fifteen (15) days of the entry of judgment or order.

(1) No appeal by an occupant for an order for judgment for restitution of the premises may stay proceedings on the judgment unless the appellant serves and files with the notice of appeal an undertaking to the owner, in an amount and with surety approved by the judge who ordered the entry of judgment.

(2) The undertaking shall provide that the appellant will pay all costs and disbursements of the appeal which may be taxed against the appellant, obey the order of the Oneida Court of Appeals upon the appeal and pay all rent and other damages accruing to the owner during the pendency of the appeal.

(3) Upon service and filing of this undertaking, all further proceedings in enforcement of the judgment appealed from are stayed pending the determination of the appeal.

(4) Upon service by the appellant of a copy of the notice and appeal and approved undertaking upon the Oneida Police Department holding an issued but unexecuted writ of restitution or of execution, the Oneida Police Department shall promptly cease all further proceedings pending the determination of the appeal.

(5) If the occupant fails to pay rent when due, or otherwise defaults in the terms of the undertaking, the payment guaranteed by the undertaking with surety shall be payable immediately to the owner and shall not be held in escrow by the court.

(6) Upon the failure of the occupant to pay rent when due, or upon other default by the occupant in the terms of the undertaking, the stay of proceedings shall be dismissed and the Oneida Police Department shall immediately execute the writ of restitution.

610.11-4. *Execution of Writ of Removal*. Upon delivery of a writ of removal to the Oneida Police Department and the owner, an Oneida Police Department officer and the owner shall execute the writ of removal within ten (10) days of the receipt of the writ.

(a) In executing the writ of removal the Oneida Police Department officer shall:

(1) Remove from the premises described in the writ the occupant and all other persons found upon the premises, using such reasonable force as is necessary.

(2) Remain on scene while the owner changes the locks ~~are being changed~~on the premises and secures possession of the premises.

~~(b)~~ (b) In executing the writ of removal the owner shall change the locks on the premises and secure possession of the premises.

610.11-5. *Disposal of Personal Property.* In the event the occupant has left personal property in the ~~home~~premises, the occupant may retrieve the said personal property by contacting the ~~Comprehensive Housing Division~~owner or staff listed on the notice of termination. ~~The Comprehensive Housing Division~~The owner shall hold personal property for a minimum of five (5) business days~~, where a business day is Monday through Friday from 8:00 a.m. to 4:30 p.m. and excludes holidays recognized by the Nation.~~

~~(1.~~

(a) The ~~Comprehensive Housing Division~~owner shall keep a written log of the date and the work time the ~~Comprehensive Housing Division's~~owner or owner's staff expends storing and/or removing personal property and/or removing/disposing of debris left at the premises after the expiration of the timeframe provided in the notice of termination.

(~~2~~b) The ~~Land Commission and the~~ Comprehensive Housing Division shall ~~jointly~~ create rules further governing the disposition of personal property in relation to the Nation's residential contracts and the ~~Land Commission and the~~ Division of Land Management shall ~~jointly~~ create rules further governing the disposition of personal property in relation to the Nation's business and agricultural ~~and business~~ contracts.

~~610.6-2. *Effect of Failure to Vacate.* A failure to vacate following notice of termination based on eviction, occupant termination or expiration and non-renewal of a contract does not in any circumstances, regardless of acceptance of rent payments, create a periodic tenancy. For the purposes of this section, a periodic tenancy means when an occupant uses/occupies a premises without an effective and valid contract by paying rent on a periodic basis including, but not limited to, day-to-day, week-to-week and month-to-month.~~

~~610.6-3. *Damages for Failure to Vacate.* If an occupant remains in possession of the premises without consent of the owner after notice of termination based on eviction, occupant termination or expiration and non-renewal of a contract, the owner may, at the owner's discretion, recover from the occupant damages suffered by the owner because of the failure of the occupant to vacate within the time required. In absence of proof of greater damages, the landlord shall recover as minimum damages twice the rental value apportioned on a daily basis for the time the occupant remains in possession. As used in this section, rental value means the amount for which the premises might reasonably have been rented, but not less than the amount actually paid or payable by the occupant for the prior rental period, and includes the money equivalent of any obligations undertaken by the occupant as part of the contract, such as regular property maintenance and repairs. Nothing in this section prevents the owner from seeking and recovering any other damages to which the owner may be entitled.~~

(c) The owner may recover from the occupant damages suffered by the owner for the storing or removing of personal property, and the removing or disposing of debris left at the premises after the expiration of the timeframe provided in the notice of termination.

610.~~7~~12. Withholding From and Return of Security Deposits

610.~~7~~12-1. *Applicability.* This section applies only to contracts that require a security deposit.

610.~~7~~12-2. *Standard Withholding Provisions*. When the owner returns a security deposit to an occupant after the occupant vacates the premises, the owner may withhold from the full amount of the security deposit only amounts reasonably necessary to pay for any of the following:

(a) Occupant damage, waste, or neglect of the premises;

(b) Unpaid rent for which the occupant is legally responsible;

(c) Payment that the ~~tenant~~occupant owes under the contract for utility service provided by the owner but not included in the rent;

(d) Payment that the ~~tenant~~occupant owes for direct utility service provided by a government–owned utility, to the extent that the ~~landlord~~owner becomes liable for the ~~tenant's~~occupant's nonpayment.

(e) Unpaid monthly municipal permit fees assessed against the occupant by a local unit of government, to the extent that the owner becomes liable for the occupant's nonpayment; and

(f) Any other payment for a reason provided in a nonstandard provision document described in 610.~~7~~11-3.

610.~~7~~12-3. *Nonstandard Withholding Provisions*. A contract may include one or more nonstandard withholding provisions that authorize the owner to withhold amounts from the occupant's security deposit for reasons not specified in 610.~~7~~11-2(a) through (f).

(a) The owner shall provide any such nonstandard withholding provisions to the occupant in a separate written document entitled "Nonstandard Withholding Provisions."

(b) The owner shall specifically identify each nonstandard withholding provision with the occupant before the occupant enters into a contract with the owner.

(c) If the occupant signs ~~his or her~~their name, or writes ~~his or her~~their initials, by a nonstandard withholding provision, it is rebuttably presumed that the owner has specifically identified the nonstandard withholding provision with the occupant and that the occupant has agreed to it.

610.~~7~~12-4. *Normal Wear and Tear*. This section does not authorize the owner to withhold any amount from a security deposit for normal wear and tear, or for other damages or losses for which the occupant cannot reasonably be held responsible under the terms of the contract, and applicable laws and/or rules of the Nation.

610.~~7~~12-5. *Timing for Return of the Security Deposit.* The owner shall deliver or mail to an occupant the full amount of any security deposit paid by the occupant, less any amounts that may be withheld ~~under subsections 610.7-2 and 610.7-3~~, within ~~thirty (30~~sixty (60) calendar days after any of the following:

(a) If the occupant vacates the premises on the original termination date of the contract, the date on which the contract terminates.

(b) If the occupant vacates the premises or is evicted before the original termination date of the contract, the date on which the occupant's rental agreement terminates or, if the owner re-rents the premises before the occupant's rental agreement terminates, the date on which the new occupant takes occupancy/use of the premises.

(c) If the occupant vacates the premises untimely or is removed from the premises pursuant to ~~610.6-1~~an eviction action judgment and writ of restitution, the date on which the owner learns that the occupant has vacated the premises or has been removed from the premises ~~under section 610.6-1~~.

610.~~8~~13. Eviction and Termination Actions

610.~~8~~13-1. The Oneida Judiciary is granted jurisdiction to hear complaints filed regarding actions taken pursuant to this law.

610.~~8~~13-2. No administrative hearing body, including a board, committee or commission, is authorized to hear a complaint regarding actions taken pursuant to this law and/or a rental agreement.

~~610.8-3. The owner is the Comprehensive Housing Division in regards to taking actions authorized under this law and complaints filed with the Oneida Judiciary shall name the Comprehensive Housing Division and the specific program.~~

End.

Adopted – BC-10-12-16-A
Amended – BC-_ - _ - _

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

AGENDA REQUEST FORM

1) Request Date: 5/1/2026

2) Contact Person(s): Jameson Wilson

Dept: Oneida Business Committee

Phone Number: (920)869-4385 Email: Jwilson@oneidanation.org

3) Agenda Title: Minor's Trust General Welfare Assistance law

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

The purpose for the creation of this proposed legislation is to codify Oneida Nation's Minor's Trust fund as General Welfare Assistance and for direct membership payments from such accounts be treated as non-taxable in accordance with the Nation's General Welfare law.

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:

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

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

AGENDA REQUEST FORM

1) Request Date: 3/25/2026
2) Contact Person(s): Diane Wilson
   Dept: Land Management
   Phone Number: 920-869-6614 Email: dwilson@oneidanation.org
3) Agenda Title: Easement Rule Amendment
4) Detailed description of the item and the reason/justification it is being brought before the LOC:
   The current rule provides no exception to the processing fee. We have numerous easements that need to be created because staff did not perform them when the utilities were asked to be placed. Coincidentally, we are creating new developments and utilities do not normally pay for easements when asked to bring utilities into that development.

   List any supporting materials included and submitted with the Agenda Request Form
   1) Redline and clean draft
   2) Land Commission minutes
   3) Memo of support
   4)

5) Please list any laws, policies or resolutions that might be affected:
   Easement Rule and Self-Governance Compact
6) Please list all other departments or person(s) you have brought your concern to:
   External utility company's, Staff Attorney, Land Commission
7) Do you consider this request urgent? ■ Yes ☐ No
   If yes, please indicate why:
   New Oneida residential development and clean up easements for tribal development of municipal water system.

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

Signature of Requester:
Diane Wilson

Please send this form and all supporting materials to:

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

TO: LEGISLATIVE OPERATING COMMITTEE
FROM: DIANE M. WILSON, PROPERTY MANAGER – LAND MANAGEMENT
DATE: March 25, 2026
RE: **EASEMENT RULE EMERGENCY AMENDMENT**

Land Management currently seeks use of the Emergency Amendment to the Easement Rule using the Administrative Rulemaking law section 106.10, an allowance for emergency action to be put in place while an amendment goes through the legislative process.

There is a need to revise the application and processing fee language of the easement rule to accommodate for Oneida initiated developments and prior Oneida initiated developments that did not incorporate easements as part of their project. Currently, the rule does not allow for any exception to application and processing fees.

Most of these development projects are/were prioritized on trust lands. On fee property there are easements created by state statute (Wis. Stat. Chapter 236) through proper adoption of Plats of Survey or Certified Survey Maps. When a developer contacts the utility company those easements have already been dedicated for them to come in and lay their lines at no cost to them. In fact, the owner or developer will pay the utility company to bring the needed utility infrastructure for the benefit of the project end users. There is no similar federal law that mimics this process and therefore all easements need to be processed through written easement documents and approved by the Bureau of Indian Affairs on trust land.

The amendment should allow for a waiver of application and processing fees for utility providers servicing the land of a tribal member or the Nation, regardless of land status. This amendment is needed on an emergency basis to prevent stalling development projects in process. Cattail Marsh is meant to support the Home Builder Opportunity (HBO) program. HBO provides residential leasing sites for tribal member development. Another impact is the Rolling Hills sewer and water infrastructure extension of our current Oneida Nation municipal system. The Rolling Hills project is meant to address failing septic systems and enhance our existing water system. There is a continuing need to complete land title clean up work (easement processing) for a majority of our existing tribal developments.

Oneida Intergovenmental Affairs also does support the need for the emergency amendment, as the current rules have complicated relationships with local governments and entities (and their vendors) that the Nation has cooperative governance agreements with.

Oneida Land Commission

Regular Meeting
5:00 p.m. Monday, December 22, 2025
Little Bear Conference Room & Microsoft Teams

Minutes

Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Secretary Gina Powless-Buenrostro, Commissioners: Patricia Cornelius, Tina Danforth, Donald McLester.
Excused: N/A
Arrived at: N/A
Others Present: Brooke Doxtator, Victoria Flowers (Teams), Lauren Hartman (Teams), Sheila Huntington (Teams), Krystal John (Teams), Eric McLester, Diane Wilson;

I. CALL TO ORDER AND ROLL CALL

Meeting called to order by Chair Sidney White at 5:00 p.m.

II. ADOPT THE AGENDA

Motion by Patricia Cornelius to adopt the agenda with one addition [1) IX.D.4. Fee to Trust Priorities], seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

III. TASK LIST

A. New York Land
  1. Hunting
  2. Eminent Domain
B. Realtor Backup
C. Developer Agreement
D. Hudson Road
E. Add Zero Dollar Lease Criteria
F. Monthly Meeting Amendment
G. Research on Executive Session Actions
H. OLC Trainings:
  1. January 14, 2026 @ 1:00 p.m.
  2. February 11, 2026 @ 1:00 p.m.
  3. March 11, 2026 @ 1:00 p.m.
I. OLC Probate Hearings:
  1. January 26, 2026 @ 3:15 p.m.
  2. February 23, 2026 @ 3:15 p.m.
J. First-time Home Ownership Report – CHD to provide in January
K. Auction Standard Operating Procedure – provide at end of January

IV. READING OF MINUTES

A. Approve the December 10, 2025, regular Oneida Land Commission meeting minutes

Sponsor: Gina Powless-Buenrostro

Motion by Patricia Cornelius to approve the December 10, 2025, regular Oneida Land Commission meeting minutes with the correction to Sid and Gina being in person and the 1st training only being half completed, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

V. TABLED BUSINESS

VI. OLD BUSINESS

VII. NEW BUSINESS

A. Approve easement rule for further legislative processing

Sponsor: Diane Wilson

Motion by Gina Powless-Buenrostro to approve the easement rule for further legislative processing, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

For the record: Gina Powless-Buenrostro wants noted that the tribe is working on a new inter-governmental agreement that would put us in a better position to work with other municipalities to get utilities onto our land.

VIII. REPORTS (FY-25 DEADLINES Q1-FEB 4, SEMI-ANNUAL-APR, Q2-MAY 6, Q3-AUG 5, ANNUAL-OCT, Q4-NOV 4)

Motion by Donald McLester to go into executive session at 5:21 p.m., seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro to come out of executive session at 6:59 p.m., seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

IX. EXECUTIVE SESSION

A. PROBATES

B. LEASES

1. **Determine next steps regarding Commercial Lease File # 10202501C**
   Sponsor: Sheila Huntington

Motion by Gina Powless-Buenrostro to approve the Commercial Lease for File # 10202501C Triple Net for the Lamar Companies to lease for a 3-year term beginning January 1, 2026, and ending December 31, 2028, with their rent of $4,136,40 annually plus 15% of the sales and an option for an additional 3-year term with an increase to the following CPI or $1,000.00 increase whichever is greater, with the corrections contingent on a legal review with the Oneida Law Office, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

C. ACQUISITIONS

1. **Accept Land Acquisition Summary Report**
   Sponsor: Lauren Hartman

Motion by Gina Powless-Buenrostro to accept the Land Acquisition Summary Report, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. **Approve Final Report for File # 072501V**
   Sponsor: Lauren Hartman

Motion by Donald McLester to approve the Final Report for File # 072501V, correcting the property type from commercial to residential, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

3. **Approve Final Report for File # 072509R**
   Sponsor: Lauren Hartman

Motion by Donald McLester to approve the Final Report for File # 072509R, correcting the property type from commercial to residential and the acreage to 0.588, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

4. **Determine next steps regarding File # 122514C**
   Sponsor: Lauren Hartman

Motion by Tina Danforth to [redacted] for the residential parcels B, C, D, and E only, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

5. **Determine next steps regarding File # 122520A**
   Sponsor: Lauren Hartman

Motion by Gina Powless-Buenrostro to request more information (agricultural lease, residential lease, right of first refusal and any other pertinent information) regarding the history and defer File # 122520A to the next meeting, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

D. DISCUSSION

1. **Real Property Law Amendments**
   Sponsor: Frederick Muscavitch

Motion by Gina Powless-Buenrostro to request the Boards, Committees and Commissions Supervisor to request an invite to the LOC work meetings regarding the Real Property Law, seconded by Fred. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro to request the Attorney Krystal John to determine if she has a conflict of interest regarding filing a declaratory order for the Oneida Land Commission and to provide a response in writing including the basis for her response, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro to response to be included on the agenda at the next meeting, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. **Confidential Items**
   Sponsor: Frederick Muscavitch

Motion by Gina Powless-Buenrostro to request the Director to bring back a proposal for Land Acquisition Manager or Trainee to the next meeting, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Gina Powless-Buenrostro left at 7:17 pm

3. Other
Sponsor: Frederick Muscavitch

Motion by Frederick Muscavitch to request the Director budget for OLC travel and training for $10,000 for FY26, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch

Gina Powless-Buenrostro returned at 7:18 pm

Motion by Frederick Muscavitch to authorize Tina Danforth to call Chairman Tehassi Hill to find out what is going on with the New York properties, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

4. Fee to Trust Priorities
Sponsor: Eric McLester

Motion by Gina Powless-Buenrostro to for the Director to bring back options (ex. homeownership, vacant, home rent, longest lease, location, cost) to the 2nd meeting in January, seconded by Frederick Muscavitch. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

X. ADJOURNMENT

Motion by Donald McLester to adjourn at 7:23 p.m., seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Roll call for the record:
Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Commissioners: Patricia Cornelius, Tina Danforth, Donald McLester, Gina Powless-Buenrostro

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor.
Minutes approved _____.

_____
Gina Powless-Buenrostro, Secretary
Oneida Land Commission

Title 6. Property and Land
Real Property – Chapter 601
Rule #3 – Easements

3.1 Purpose and Authority
3.2 Adoption, Amendment and Repeal
3.3 Definitions
3.4 Scope and Application
3.5 Requests for Easements on Tribal Land
3.6 Oneida Land Commission Preliminary Review
3.7 Land Commission Final Review
3.8 Easement Administration
3.9 Requests for Easements on Individual Trust Land
3.10 Recording Easements in ONROD

3.1 Purpose and Authority

3.1-1. *Purpose.* To provide procedures for granting easements over, under and across tribal lands in order to best protect the interests of the Oneida Nation. In addition, because the Nation is a self-governance Nation, this rule also addresses how Land Management facilitates the processing of easements on individual trust land.

3.1-2. *Authority.* The Real Property Law delegates rulemaking authority to the Environmental, Land, and Agriculture Division[1] and Land Commission pursuant to the Administrative Rulemaking law.

3.2 Adoption, Amendment and Repeal

3.2-1. This rule was adopted by the Land Commission in accordance with the procedures of the Administrative Rulemaking law.

3.2-2. This rule may be amended or repealed by the Environment, Land, and Agriculture Division and Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

3.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

3.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

3.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to easements.

3.3 Definitions

3.3-1. This section shall govern the definitions of words and phrases used within this rule provided that the definition section of the Real Property law shall also apply hereto. All words not defined herein shall be used in their ordinary and everyday sense.

(a) *Affidavit of Completion.* Means a legal document certifying as to the completion of

[1] The delegation of authority in the law was to Land Management and the Land Commission, however, since the law was adopted, Land Management has been rolled into a larger division, the Environmental, Land, and Agriculture Division, of which Land Management is now a department without separate management from the Division.

construction as related to the easement that acknowledges any known deviations from stated plans, permits or other approvals.

(b) *Applicant*. Means the third party requesting use of the Nation's land when requesting an easement on tribal land and means the individual trust land owner when an individual trust land owner is requesting BIA approval of an easement on their individual trust land.

(c) *AVSO.* Means the Appraisal and Valuation Services Office which is the federal administration within the Department of Interior charged with approving and conducting appraisals on federal land to ensure federal land transactions meet applicable fair market value consideration requirements.

(d) *Appraisal.* Means an expert assessment of the value of a requested easement based on the terms of a proposed easement.

(e) *BIA.* Means the Bureau of Indian Affairs, which is the federal administration within the Department of Interior charged with overseeing the government's trust responsibilities to indigenous governments and their citizens.

(f) *Easement Negotiation Summary Form.* Means the form used to aid the Land Commission in arriving at easement request decisions which, at a minimum, includes the appraised value of the easement,the legal description and map produced as a result of the survey, the offered consideration and the date Land Commission approved the easement use along with an excerpt of said meeting minutes.

(g) *Engineer's Affidavit.* Means a legal document completed by a licensed engineer that certifies a legal description provided in a survey document is accurate.

(h) *Grantee.* Means the recipient of an easement on tribal land in accordance with this Rule.

(i) *Internal Entity.* Means an entity of the Nation operating under the direction of the Oneida Business Committee and within the management structure of the Nation.

(j) *Organization.* Means an body of people with a particular purpose, especially a business, other local government or association.

(k) *Servient Property.* Means the parcel of land that is subject to an easement that benefits another parcel of land.

(l) *Survey.* Means a document that measures and records the boundaries, elevation levels and ~~anles~~angles of a parcel of land.

(m) *Suveyor's Affidavit.* Means a legal document completed by a licensed surveyor that certifies a legal description provided in a survey document is accurate.

3.4 Scope and Application

3.4-1. *General Applicability.* The requirements of this rule shall apply to all requests for easements on tribal land and to all individual trust land owners' requests for BIA approval of easements on individual trust land located within the Oneida Nation reservation except that this rule shall not apply to:

(a) *Service Line Agreements.* The requirements of this rule shall not apply to utility service line agreements to cross or access the Nation's property for the purpose of connecting a landowner's property to the main utility line. Service line agreement templates shall be reviewed and approved by the Oneida Law Office, for legal contract review, and the Oneida Land Commission, for content approval, on an annual basis. Land Management staff are authorized to execute service line agreements using approved templates without seeking Oneida Law Office or Oneida Land Commission review and

approval of individual service line agreements provided that no revisions are made to the template document; if any revisions are made to the template document, the Oneida Law Office and Oneida Land Commission must provide their respective reviews and approvals before Land Management may execute the agreement. Land Management shall submit all service line agreements affecting tribal trust land to the BIA for filing in the Land Title and Records Office.

(b) *Internal Entity Easement Requests.* Internal requests will not be granted official easement documents provided that, if any internal entity easement request is approved by Oneida Land Commission, the granted easement must be platted on a recorded survey and registered in the Geographic Land Information System (GLIS), to the extent capable.

3.5 Applications for Easements on Tribal Land

3.5-1. *Application Form.* Applicants shall submit requests for easements using the Tribal Land Easement Request Form available on Land Management's website, at a minimum the form shall:

(a) Notice the requestor that there is a twenty dollar ($20) application fee for all applications;

(b) Notice the requestor that there is a one hundred dollar ($100) processing fee for easement applications received from individuals and a five hundred ($500) for organizations that receive preliminary approval from the Land Commission pursuant to section 3.6;

(c) Ask what requested use is and which parcels it affects;

(d) Ask the requested duration of the requested use;

(e) Ask the requested method of communication with applicant noting a preference for email communication; and

(f) Ask whether there is a preliminary offer of consideration for the easement or a request for waived consideration.

~~(f)~~(g) Note that fees are waived for easements needed for development and/or title clean up driven by the Nation.

3.5-2. Upon receipt of an easement application, Land Management shall:

(a) Send the request to the Land Assessment Team established in the LANDBAC Rule for feedback. The team members shall have five (5) business days to submit feedback.

(b) Order a title report for the affected parcel.

(c) Upon the close of the feedback period, prepare a recommendation explaining whether Land Management recommends Land Commission grant the easement for the requested use and duration for the consideration presented, or requested to be waived.

(d) Submit Land Management's easement recommendation to the next available Oneida Land Commission agenda along with all feedback from the Land Assessment Team.

(e) Provide the applicant with a copy of Land Management's recommendation and the date the recommendation will be the Land Commission agenda date with notice that Land Management will inform the applicant of the Oneida Land Commission's decision within five (5) business days of the meeting date.

3.6 Land Commission's Preliminary Review

3.6-1. *Land Commission Easement Decision.* When Land Management's easement recommendation is presented to Land Commission, the Land Commission shall:

(a) Approve or deny the recommendation with regard to the requested use;

(b) Approve or deny the recommendation with regard to ~~the~~ the requested use duration; and

(c) Approve or deny the recommendation with regard to the requestor's proposed consideration. Specifically, if Land Commission wishes to waive the requirement for an appraisal and accept the offered consideration, Land Commission must inform Land Management at this meeting. If the use and duration are approved, then Land Management shall proceed with processing the application and collect the processing fee.

3.6-2. *Notice of Easement Decision.* Land Management shall notify the Applicant of the Land Commission's decisions concerning the easement request within five (5) business days of the Land Commission's meeting date.

(a) *Notice of Easement Decision Letter.* Land Management shall draft Notice of Easement Decision Letter for applicants that explains the decisions made by the Oneida Land Commission.

(1) If the land commission approved proceeding, the letter shall also include:

(A) Notice the applicant that the Applicant is responsible for all survey and appraisal costs and that survey and appraisal costs, regardless of whether an easement is ultimately granted or not;

(i) *Survey*. A survey is required to determine the correct legal description for the easement and that there are specific surveying requirements applicable to trust land. The legal description generated shall be confirmed in an Engineer's Affidavit or a Surveyor's Affadavit submitted to Land Management. Land Management shall advise whether a Land Use License is required to allow the applicant to complete the survey.

(ii) *Appraisal*. Land Management shall notice the applicant that Land Commission will not accept consideration offers for less than the full appraised value plus fifteen percent (15%) for any requested use that does not directly benefit the Oneida Nation and/or its citizens. For fee land, the Applicant may use any appraisal company to complete the appraisal, provided that, the Nation may elect to procure a competing appraisal for the purpose of price negotiation.The Nation orders appraisals on trust land. Land Management shall draft a scope of work to be submitted to the United States Department of Interior, Appraisal and Valuation Services Office for approval. When the scope of work is approved, Land Management shall order an appraisal from an appraiser qualified to perform appraisals on federal land. When the appraisal is received, Land Management shall forward the appraisal to ~~the applicant and~~ the Department of Interior AVSO for approval and forwarding to BIA.

(B) Land Management shall notice the applicant that Land Commission will not accept consideration offers for less than the full appraised value plus 15% for any requested use that does not directly benefit the Oneida Nation and/or its citizens;

(C) Notice that a Land Use Permit will be required from the Oneida Zoning Department and contact information for said department;

(D) If trust land, the BIA easement application documents;

(E) If the applicant is an organization and not an individual, notice that the applicant must submit:

(i) Organizational documents and by-laws;

(ii) Evidence of Authority of Officers to Execute Papers form;

(F) Notice that an an Affidavit of Completion is required to be submitted when the work is complete.

3.7 Land Commission Final Review

3.7-1. *Land Management Preparation for Land Commission.* When the required documents are returned to Land Management in accordance with the noticed requirements, then Land Management shall:

(a) *Draft Easement.* If the easement is on trust land, send the applicant the BIA template easement and inform the applicant that revisions may not be requested to the template. If the easement is on fee land, then Land Management shall prepare the draft easement using the Oneida Easement Template approved by the Oneida Land Commission.

(b) *Consideration Confirmation.* If Land Commission has not approved a waiver of consideration, then Land Management shall ask the applicant to confirm their offered consideration for the easement after having received the appraisal and shall remind applicants that Land Commission will not accept consideration offers for less than the full appraised value plus 15% for any requested use that does not directly benefit the Oneida Nation and/or its citizens.

(c) *Land Commission Submittal.* When the Applicant returns the required information, submit an Easement Negotiation Summary Form to Land Commission for their consideration, except for easements on trust land where Land Commission has already waived consideration. Easements on trust land where Land Commission has already waived consideration do not need to go back to Land Commission and can be routed to the BIA for their final review and approval with the minutes from the Oneida Land Commission meeting approving the easement use, duration and waiver of consideration.

3.7-2. *Land Commission Review of Trust Land Easements*. If the easement is for use of tribal trust land, then there are not revisions to consider to the easement document, so the only thing for Land Commission to consider is the offered consideration. Land Commission shall decide if it accepts the offered consideration or if it will counter with a different request for consideration.

(a) *Consideration Agreement Not Reached.* If the applicant and Land Commission do not eventually reach an agreement as to consideration, then no easement shall be granted.

(b) *Consideration Agreement Reached.* If the applicant and Land Commission do reach an agreement as to consideration, then Land Management shall forward the minutes from Land Commission's meetings approving the easement use, duration and consideration to the BIA for easement processing. When the BIA processing is complete, so long as there is nothing preventing approval, then consideration will have to be paid to the Nation with the Nation's confirmation of payment sent to the BIA before the BIA will return the approved and executed easement document to the parties.

3.7-3. Land Commission Review of Fee Land Easements. If the easement is for use of tribal fee land, then Land Management shall ensure that the easement document is in final draft form and consideration information from the applicant is presented to the Land Commission. Land Commission shall make decisions as to the minimum consideration the Land Commission will accept and whether Land Commission will require any revisions to the easement document.

(a) *Agreement Not Reached.* If the applicant and Land Commission do not eventually reach an agreement as to consideration and easement documents, then no easement shall be granted.

(b) *Agreement Reached.* If the applicant and Land Commission do reach an agreement as to consideration and easement documents, then Land Management shall complete the easement documents pursuant to Land Commission's direction and circulate for signature. Land Management shall provide the applicant with the signed easement documents only after receiving payment of the agreed upon consideration.

3.7-4. *Authority to Sign Easement Documents*. The Environmental, Land, and Agriculture Division Director and/or his or her designee is hereby authorized to sign easement documents approved in accordance with this Rule on behalf of the Oneida Land Commission.

3.8. Easement Administration

3.8-1. *Land Data Sheet.* All executed easements shall be forwarded to the Land Management Deputy Director and/or his or her designee for the information to be entered into the affected parcel's Land Data Sheet. Any party with an agreement affecting the same parcel shall be noticed of the executed easement affecting the parcel by the Deputy Director, provided that where a parcel has both internal and external end users (i.e. a parcel assigned to Comprehensive Housing Division to be used for residential offerings by the Nation and thereafter assigned to an Oneida citizen in a residential lease) the Deputy Director shall notice the internal user and it will be the internal user's responsibility to notice their users.

3.8-2. *Easement Corrections.* In the event there is any error in an easement the erroneous easement must be extinguished and a new easement entered in accordance with the processes in this Rule, provided that the old easement may be extinguished within the new easement.

3.8-3. *Affidavit of Completion.* Upon receipt of the Affidavit of Completion, Land Management shall schedule an inspection of the affected parcel and shall document the parcel's condition at the time the work is complete.

(a) If there were bonding requirements and Land Management reports the parcel is in acceptable condition, Land Management shall return funds held as bond in accordance with the easement documents.

(b) If there were bonding requirements and Land Management reports the parcel is not in acceptable condition, Land Management shall afford the grantee an opportunity to make the necessary repairs to return the parcel to acceptable condition. If the grantee does not make the repairs within the timeframe allotted, Land Management may deduct the replacement cost of repairs from the funds held for bonding and shall return the remainder of the bonding deposit to the grantee. To the extent the repair cost of the damages exceeds the amount of bond held, the Nation may pursue the remainder of damages using any available means of debt collection wherein the grantee shall pay attorneys fees and other collection costs as incurred.

3.8-4. *Easement Close-Out*. When an easement term is complete, Land Management shall ensure the easement has been removed from title and shall inspect and record the condition of the property at easement expiration. If the property was not left in acceptable condition, Land Management shall consult the Oneida Law Office for potential enforcement of contractual terms that may have survived expiration of the easement.

3.9. Requests for Easements on Individual Trust Land

3.9-1. *Individual Trust Land Easement Requests.* If the Nation receives a request for an easement on individual trust land, the Nation shall provide the ~~third party~~ request~~or with the names of~~ to the individual trust land owners. Land owners consent will be requested upon negotiated value. ~~and inform the requestor that~~ Land Management will ~~only~~ compile information to be submitted to Bureau of Indian Affairs for their

discretionary approval. ~~accepts~~

~~individual trust land easement requests from consenting individual trust land owners. Upon receipt of an individual trust land easement request from an individual trust land owner,~~ Land Management shall provide the applicant with the first steps for seeking approval for an easement from the BIA to include:

(a) *Survey*. A survey is required to determine the correct legal description for the easement. The applicant shall collect consent to survey forms signed by the landowners of the servient property and shall contract to have a survey completed. The legal description generated shall be confirmed in an Engineer's Affidavit or a Surveyor's Affadavit and provided to Land Management.

(b) Appraisal. Upon receipt of the survey information, Land Management shall draft a scope of work to be submitted to the Department of Interior AVSO for approval to order the appraisal. When the scope of work is approved, Land Management shall order an appraisal from an appraiser qualified to perform appraisals on federal land. When the appraisal is received, Land Management shall forward the appraisal to the Department of Interior AVSO for approval and forwarding to the BIA. When an approved appraisal is received, Land Management will provide the approved appraisal to the applicant.

3.9-2. *BIA Easement Application.* When Land Management has all survey and appraisal documents, Land Management shall send the BIA Easement Application to the Applicant to be returned with any applicable Consent to Grant Easement forms, which shows the affected land owners have reached agreement as to the purpose of the easement, the amount of consideration, and any bonding requirements that will apply, signed by the property owners of the servient property.

3.9-3. *Environmental and Cultural Reviews.* When Land Management has received the completed application and any signed Consent to Grant Easement forms, Land Management shall route the application to the Nation's environmental and cultural reviewers for completion of the environmental and cultural reviews respectively.

3.9-4. *BIA Submittal.* Once the Nation's environmental and cultural reviewers have submitted their reports to Land Management, Land Management shall forward the complete easement package to the BIA to complete the processing of the easement request. Upon decision from the BIA, the signed easement or easement denial, will be returned to Land Management and the affected property owners by the BIA; Land Management is not responsible for easement processing after the complete easement package is submitted to the BIA.

3.10. Recording Easements

3.10-1. *Recordation.* Land Management shall ensure that all easements executed in accordance with this Rule are recorded in Oneida Nation Register ~~O~~ of Deeds and, if for tribal trust, that the easement also appears on the federal trust title.

End.

Original effective date: 02-26-2025

Title 6. Property and Land
Real Property – Chapter 601
Rule #3 – Easements

3.1 Purpose and Authority
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3.1-2. *Authority.* The Real Property Law delegates rulemaking authority to the Environmental, Land, and Agriculture Division[1] and Land Commission pursuant to the Administrative Rulemaking law.

3.2 Adoption, Amendment and Repeal

3.2-1. This rule was adopted by the Land Commission in accordance with the procedures of the Administrative Rulemaking law.

3.2-2. This rule may be amended or repealed by the Environment, Land, and Agriculture Division and Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

3.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

3.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

3.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to easements.

3.3 Definitions

3.3-1. This section shall govern the definitions of words and phrases used within this rule provided that the definition section of the Real Property law shall also apply hereto. All words not defined herein shall be used in their ordinary and everyday sense.

(a) *Affidavit of Completion.* Means a legal document certifying as to the completion of

[1] The delegation of authority in the law was to Land Management and the Land Commission, however, since the law was adopted, Land Management has been rolled into a larger division, the Environmental, Land, and Agriculture Division, of which Land Management is now a department without separate management from the Division.

construction as related to the easement that acknowledges any known deviations from stated plans, permits or other approvals.

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(f) *Easement Negotiation Summary Form.* Means the form used to aid the Land Commission in arriving at easement request decisions which, at a minimum, includes the appraised value of the easement, the legal description and map produced as a result of the survey, the offered consideration and the date Land Commission approved the easement use along with an excerpt of said meeting minutes.

(g) *Engineer's Affidavit.* Means a legal document completed by a licensed engineer that certifies a legal description provided in a survey document is accurate.

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approval of individual service line agreements provided that no revisions are made to the template document; if any revisions are made to the template document, the Oneida Law Office and Oneida Land Commission must provide their respective reviews and approvals before Land Management may execute the agreement. Land Management shall submit all service line agreements affecting tribal trust land to the BIA for filing in the Land Title and Records Office.

(b) *Internal Entity Easement Requests.* Internal requests will not be granted official easement documents provided that, if any internal entity easement request is approved by Oneida Land Commission, the granted easement must be platted on a recorded survey and registered in the Geographic Land Information System (GLIS), to the extent capable.

3.5 Applications for Easements on Tribal Land

3.5-1. *Application Form.* Applicants shall submit requests for easements using the Tribal Land Easement Request Form available on Land Management's website, at a minimum the form shall:

(a) Notice the requestor that there is a twenty-dollar ($20) application fee for all applications;

(b) Notice the requestor that there is a one-hundred-dollar ($100) processing fee for easement applications received from individuals and a five hundred ($500) for organizations that receive preliminary approval from the Land Commission pursuant to section 3.6;

(c) Ask what requested use is and which parcels it affects;

(d) Ask the requested duration of the requested use;

(e) Ask the requested method of communication with applicant noting a preference for email communication; and

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(g) Note that fees are waived for easements needed for development and/or title clean up driven by the Nation.

3.5-2. Upon receipt of an easement application, Land Management shall:

(a) Send the request to the Land Assessment Team established in the LANDBAC Rule for feedback. The team members shall have five (5) business days to submit feedback.

(b) Order a title report for the affected parcel.

(c) Upon the close of the feedback period, prepare a recommendation explaining whether Land Management recommends Land Commission grant the easement for the requested use and duration for the consideration presented, or requested to be waived.

(d) Submit Land Management's easement recommendation to the next available Oneida Land Commission agenda along with all feedback from the Land Assessment Team.

(e) Provide the applicant with a copy of Land Management's recommendation and the date the recommendation will be the Land Commission agenda date with notice that Land Management will inform the applicant of the Oneida Land Commission's decision within five (5) business days of the meeting date.

3.6 Land Commission's Preliminary Review

3.6-1. *Land Commission Easement Decision.* When Land Management's easement recommendation is presented to Land Commission, the Land Commission shall:

(a) Approve or deny the recommendation with regard to the requested use;

(b) Approve or deny the recommendation with regard to the requested use duration; and

(c) Approve or deny the recommendation with regard to the requestor's proposed consideration. Specifically, if Land Commission wishes to waive the requirement for an appraisal and accept the offered consideration, Land Commission must inform Land Management at this meeting. If the use and duration are approved, then Land Management shall proceed with processing the application and collect the processing fee.

3.6-2. *Notice of Easement Decision.* Land Management shall notify the Applicant of the Land Commission's decisions concerning the easement request within five (5) business days of the Land Commission's meeting date.

(a) *Notice of Easement Decision Letter.* Land Management shall draft Notice of Easement Decision Letter for applicants that explains the decisions made by the Oneida Land Commission.

(1) If the land commission approved proceeding, the letter shall also include:

(A) Notice the applicant that the Applicant is responsible for all survey and appraisal costs and that survey and appraisal costs, regardless of whether an easement is ultimately granted or not;

(i) *Survey*. A survey is required to determine the correct legal description for the easement and that there are specific surveying requirements applicable to trust land. The legal description generated shall be confirmed in an Engineer's Affidavit or a Surveyor's Affidavit submitted to Land Management. Land Management shall advise whether a Land Use License is required to allow the applicant to complete the survey.

(ii) *Appraisal*. Land Management shall notice the applicant that Land Commission will not accept consideration offers for less than the full appraised value plus fifteen percent (15%) for any requested use that does not directly benefit the Oneida Nation and/or its citizens. For fee land, the Applicant may use any appraisal company to complete the appraisal, provided that, the Nation may elect to procure a competing appraisal for the purpose of price negotiation. The Nation orders appraisals on trust land. Land Management shall draft a scope of work to be submitted to the United States Department of Interior, Appraisal and Valuation Services Office for approval. When the scope of work is approved, Land Management shall order an appraisal from an appraiser qualified to perform appraisals on federal land. When the appraisal is received, Land Management shall forward the appraisal to the Department of Interior AVSO for approval and forwarding to BIA.

(B) Land Management shall notice the applicant that Land Commission will not accept consideration offers for less than the full appraised value plus 15% for any requested use that does not directly benefit the Oneida Nation and/or its citizens;

(C) Notice that a Land Use Permit will be required from the Oneida Zoning Department and contact information for said department;

(D) If trust land, the BIA easement application documents;

(E) If the applicant is an organization and not an individual, notice that the applicant must submit:

(i) Organizational documents and by-laws;

(ii) Evidence of Authority of Officers to Execute Papers form;
(F) Notice that an Affidavit of Completion is required to be submitted when the work is complete.

3.7 Land Commission Final Review

3.7-1. *Land Management Preparation for Land Commission.* When the required documents are returned to Land Management in accordance with the noticed requirements, then Land Management shall:

(a) *Draft Easement.* If the easement is on trust land, send the applicant the BIA template easement and inform the applicant that revisions may not be requested to the template. If the easement is on fee land, then Land Management shall prepare the draft easement using the Oneida Easement Template approved by the Oneida Land Commission.

(b) *Consideration Confirmation.* If Land Commission has not approved a waiver of consideration, then Land Management shall ask the applicant to confirm their offered consideration for the easement after having received the appraisal and shall remind applicants that Land Commission will not accept consideration offers for less than the full appraised value plus 15% for any requested use that does not directly benefit the Oneida Nation and/or its citizens.

(c) *Land Commission Submittal.* When the Applicant returns the required information, submit an Easement Negotiation Summary Form to Land Commission for their consideration, except for easements on trust land where Land Commission has already waived consideration. Easements on trust land where Land Commission has already waived consideration do not need to go back to Land Commission and can be routed to the BIA for their final review and approval with the minutes from the Oneida Land Commission meeting approving the easement use, duration and waiver of consideration.

3.7-2. *Land Commission Review of Trust Land Easements*. If the easement is for use of tribal trust land, then there are not revisions to consider to the easement document, so the only thing for Land Commission to consider is the offered consideration. Land Commission shall decide if it accepts the offered consideration or if it will counter with a different request for consideration.

(a) *Consideration Agreement Not Reached.* If the applicant and Land Commission do not eventually reach an agreement as to consideration, then no easement shall be granted.

(b) *Consideration Agreement Reached.* If the applicant and Land Commission do reach an agreement as to consideration, then Land Management shall forward the minutes from Land Commission's meetings approving the easement use, duration and consideration to the BIA for easement processing. When the BIA processing is complete, so long as there is nothing preventing approval, then consideration will have to be paid to the Nation with the Nation's confirmation of payment sent to the BIA before the BIA will return the approved and executed easement document to the parties.

3.7-3. Land Commission Review of Fee Land Easements. If the easement is for use of tribal fee land, then Land Management shall ensure that the easement document is in final draft form and consideration information from the applicant is presented to the Land Commission. Land Commission shall make decisions as to the minimum consideration the Land Commission will accept and whether Land Commission will require any revisions to the easement document.

(a) *Agreement Not Reached.* If the applicant and Land Commission do not eventually reach an agreement as to consideration and easement documents, then no easement shall be granted.

(b) *Agreement Reached.* If the applicant and Land Commission do reach an agreement as to consideration and easement documents, then Land Management shall complete the easement documents pursuant to Land Commission's direction and circulate for signature. Land Management shall provide the applicant with the signed easement documents only after receiving payment of the agreed upon consideration.

3.7-4. *Authority to Sign Easement Documents*. The Environmental, Land, and Agriculture Division Director and/or his or her designee is hereby authorized to sign easement documents approved in accordance with this Rule on behalf of the Oneida Land Commission.

3.8. Easement Administration

3.8-1. *Land Data Sheet.* All executed easements shall be forwarded to the Land Management Deputy Director and/or his or her designee for the information to be entered into the affected parcel's Land Data Sheet. Any party with an agreement affecting the same parcel shall be noticed of the executed easement affecting the parcel by the Deputy Director, provided that where a parcel has both internal and external end users (i.e. a parcel assigned to Comprehensive Housing Division to be used for residential offerings by the Nation and thereafter assigned to an Oneida citizen in a residential lease) the Deputy Director shall notice the internal user and it will be the internal user's responsibility to notice their users.

3.8-2. *Easement Corrections.* In the event there is any error in an easement the erroneous easement must be extinguished and a new easement entered in accordance with the processes in this Rule, provided that the old easement may be extinguished within the new easement.

3.8-3. *Affidavit of Completion.* Upon receipt of the Affidavit of Completion, Land Management shall schedule an inspection of the affected parcel and shall document the parcel's condition at the time the work is complete.

(a) If there were bonding requirements and Land Management reports the parcel is in acceptable condition, Land Management shall return funds held as bond in accordance with the easement documents.

(b) If there were bonding requirements and Land Management reports the parcel is not in acceptable condition, Land Management shall afford the grantee an opportunity to make the necessary repairs to return the parcel to acceptable condition. If the grantee does not make the repairs within the timeframe allotted, Land Management may deduct the replacement cost of repairs from the funds held for bonding and shall return the remainder of the bonding deposit to the grantee. To the extent the repair cost of the damages exceeds the amount of bond held, the Nation may pursue the remainder of damages using any available means of debt collection wherein the grantee shall pay attorneys fees and other collection costs as incurred.

3.8-4. *Easement Close-Out*. When an easement term is complete, Land Management shall ensure the easement has been removed from title and shall inspect and record the condition of the property at easement expiration. If the property was not left in acceptable condition, Land Management shall consult the Oneida Law Office for potential enforcement of contractual terms that may have survived expiration of the easement.

3.9. Requests for Easements on Individual Trust Land

3.9-1. *Individual Trust Land Easement Requests.* If the Nation receives a request for an easement on individual trust land, the Nation shall provide the request to the individual trust land owners. Land owners consent will be requested upon negotiated value. Land Management will compile information to be submitted to Bureau of Indian Affairs for their discretionary approval. Land Management shall provide the applicant with the first

steps for seeking approval for an easement from the BIA to include:

(a) *Survey*. A survey is required to determine the correct legal description for the easement. The applicant shall collect consent to survey forms signed by the landowners of the servient property and shall contract to have a survey completed. The legal description generated shall be confirmed in an Engineer's Affidavit or a Surveyor's Affidavit and provided to Land Management.

(b) Appraisal. Upon receipt of the survey information, Land Management shall draft a scope of work to be submitted to the Department of Interior AVSO for approval to order the appraisal. When the scope of work is approved, Land Management shall order an appraisal from an appraiser qualified to perform appraisals on federal land. When the appraisal is received, Land Management shall forward the appraisal to the Department of Interior AVSO for approval and forwarding to the BIA. When an approved appraisal is received, Land Management will provide the approved appraisal to the applicant.

3.9-2. *BIA Easement Application.* When Land Management has all survey and appraisal documents, Land Management shall send the BIA Easement Application to the Applicant to be returned with any applicable Consent to Grant Easement forms, which shows the affected land owners have reached agreement as to the purpose of the easement, the amount of consideration, and any bonding requirements that will apply, signed by the property owners of the servient property.

3.9-3. *Environmental and Cultural Reviews.* When Land Management has received the completed application and any signed Consent to Grant Easement forms, Land Management shall route the application to the Nation's environmental and cultural reviewers for completion of the environmental and cultural reviews respectively.

3.9-4. *BIA Submittal.* Once the Nation's environmental and cultural reviewers have submitted their reports to Land Management, Land Management shall forward the complete easement package to the BIA to complete the processing of the easement request. Upon decision from the BIA, the signed easement or easement denial, will be returned to Land Management and the affected property owners by the BIA; Land Management is not responsible for easement processing after the complete easement package is submitted to the BIA.

3.10. Recording Easements

3.10-1. *Recordation.* Land Management shall ensure that all easements executed in accordance with this Rule are recorded in Oneida Nation Register of Deeds and, if for tribal trust, that the easement also appears on the federal trust title.

End.

Original effective date: 02-26-2025

Summary Report for Easement Rule 3 Amendment

Original effective date: 02-26-2025

Amendment effective date: tbd

Name of Rule: Easements

Name of law being interpreted: Real Property

Rule Number: 3

Other Laws or Rules that may be affected: none

Brief Summary of the proposed rule: Exclusion of application and processing fee for easements in Oneida developments and in title clean up situations.
Revision of language in processing individual trust property easements regarding the release of ownership information to requestor. Oneida realty staff is to be the agent for the individual trust owner in compliance with Self Governance compact with Bureau of Indian Affairs.

Statement of Effect: Obtained after requesting from the Legislative Reference Office.

Financial Analysis: See Attached.

Note: *In addition- the agency must send a written request to each entity which may be affected by the rule- asking that they provide information about how the rule would financially affect them.*
The agency must include each entity's response in the financial analysis. If the agency does not receive a response within 10 business days after the request is made, the financial analysis can note which entities did not provide a response.

Financial Analysis for Easement Rule 3 Amendment

Type of Cost	Description/Comment	Dollar Amount
Start Up Costs	Prior Land Commission discretionary decision that is no longer available with Rule	0
Personnel	Delay in completion of necessary documentation	0
Office	Administrative processing of additional income	0
Documentation Costs	Eliminated tracking of income	0
Estimate of time necessary for an individual or agency to comply with the rule after implementation	Return to prior discretionary decision making on tribal development and title clearing of easement requirements.	0
Other, please explain	Prior tribal staff or agents lacked knowledge to process easements on trust properties. Utilities were placed without proper documentation. Land developer/owner pay utility to come into their property to serve future development. Compliance with Self-Governance Compact with Individual Trust easement processing.	
Total	Annual Net Revenue	$0-4000.00 est.

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

Statement of Effect

Amendments to Real Property Law Rule No. 3 – Easements

Summary

The amendments to the Real Property Law Rule No. 3 – Easements address the waiver of fees for easements needed for development and/or title clean up driven by the Nation, and individual trust land easement requests.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office
Date: May 5, 2026

Analysis by the Legislative Reference Office

The Administrative Rulemaking law provides authorized agencies the opportunity to promulgate rules interpreting the provisions of any law enforced or administered by it; provided that, a rule may not exceed the rulemaking authority granted under the law for which the rule is being promulgated. *[1 O.C. 106.4-1].* Rulemaking authority is defined as the delegation of authority to authorized agencies found in the Nation's laws, other than the Administrative Rulemaking law, which allows authorized agencies to implement, interpret and/or enforce a law of the Nation. *[1 O.C. 106.3-1(i)].* An authorized agency is defined as "any board, committee, commission, department, program or officer of the Nation that has been granted rulemaking authority." *[1 O.C. 106.3-1(a)].*

The Real Property law provides regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land and to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold concurrent jurisdiction. *[6 O.C. 601.1-1].* It is the policy of the Nation to set out the responsibilities and expectations for persons purchasing and/or managing real property on behalf of the Nation and/or within the Reservation and to provide real property holder's rights and responsibilities. *[6 O.C. 601.1-1].*

The Real Property law delegates joint administrative rulemaking authority to the Oneida Land Commission and Land Management to jointly develop rules regarding easements and land use licenses. *[6 O.C. 601.5-2(e), 601.5-3(b)].* The Real Property law provides that the Oneida Land Commission is responsible for approving or denying all easements or land use licenses. *[6 O.C. 601.5-2(b)].*

The purpose of the Real Property Law Rule No. 3 – Easements ("the Rule") is to provide procedures for granting easements over, under and across tribal lands in order to best protect the interests of the Oneida Nation, and also addresses how Land Management facilitates the processing of easements on individual trust land. *[Rule 3.1-1]*. The amendments to this Rule addresses:

- Requires the application form to include a note that fees are waived for easements needed for development and/or title clean up driven by the Nation. *[Rule 3.5-1(g)]*;
- Address individual trust land easement requests by providing requests for an easement on individual trust land directly to the individual trust land owners, instead of providing the requestor with the names of the individual trust land owners; and providing that land owners consent will be requested upon negotiated value, and that Land Management will only compile information to be submitted to the Bureau of Indian Affairs for their discretionary approval. *[Rule 3.9-1]*; and
- Make other minor drafting changes throughout the Rule.

Conclusion

There are no legal bars to adopting the amendments to the Real Property Law Rule No. 3 – Easements.

April 16, 2026 Legislative Operating Committee E-Poll
Approval of the Updated Sanctions and Penalties Law Adoption Packet

Good Afternoon Legislative Operating Committee,

This e-mail serves as the e-poll for the approval of the updated Sanctions and Penalties law adoption packet.

EXECUTIVE SUMMARY
On April 15, 2026, the Legislative Operating Committee approved a Sanctions and Penalties law adoption packet to be forwarded to the Oneida Business Committee to be included in an upcoming General Tribal Council meeting agenda.

The Sanctions and Penalties law approved by the Legislative Operating Committee on April 15, 2026, amended the version of the Sanctions and Penalties law that was presented to the General Tribal Council on January 12, 2026, so that it now reads as follows: (d) *Suspension*. An official may be suspended from performing their duties as an official for a period of time not less than thirty (30) business days but not to exceed ninety (90) business days.

Since then, the Legislative Operating Committee held further discussion and determined that requiring all suspensions to be a minimum of thirty (30) business days may not provide the Judiciary the flexibility to utilize the penalty of a suspension for misconduct that does not rise to the level of a thirty (30) business day suspension. The Legislative Operating Committee determined that the Sanctions and Penalties law should be revised to read as follows: (d) *Suspension*. An official may be suspended from performing their duties as an official for a period of time not to exceed ninety (90) business days.

The Legislative Operating Committee updated the adoption packet for the proposed Sanctions and Penalties law to reflect this revision, and made other minor changes to clarify its intent for bringing this law back for reconsideration by the General Tribal Council.

Attached to this e-mail are the following materials:
- *Sanctions and Penalties Law Adoption Packet*
  - Adoption Memo;
  - Resolution;
  - Statement of Effect;
  - Legislative Analysis;
  - Draft 8 (Redline to Draft 6 – Draft Presented to GTC on 1/12/26);
  - Draft 8 (Clean); and
  - Fiscal Impact Statement.

An e-poll is necessary to approve the updated Sanctions and Penalties Law Adoption Packet because the next Legislative Operating Committee meeting is not until May 6, 2026, and the Sanctions and Penalties law materials are required to be approved at the April 22, 2026, Oneida Business Committee meeting agenda.

REQUESTED ACTION

- Approve the updated Sanctions and Penalties law adoption packet and forward to the Oneida Business Committee to be included on an upcoming General Tribal Council meeting agenda for consideration.

DEADLINE FOR RESPONSE
April 17, 2026 at 2:00 p.m.

All supporting documentation has been attached to this email for your convenience.

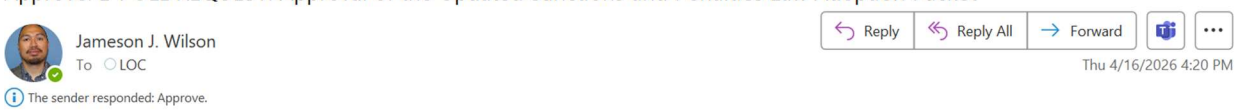
ONEIDA

A good mind. A good heart. A strong fire.

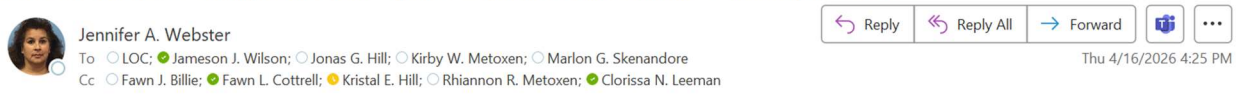
E-POLL RESULTS:

This e-poll was approved by Jameson Wilson, Jennifer Webster, and Jonas Hill. Kirby Metoxen and Marlon Skenandore did not provide a response.

Approve: E-POLL REQUEST: Approval of the Updated Sanctions and Penalties Law Adoption Packet

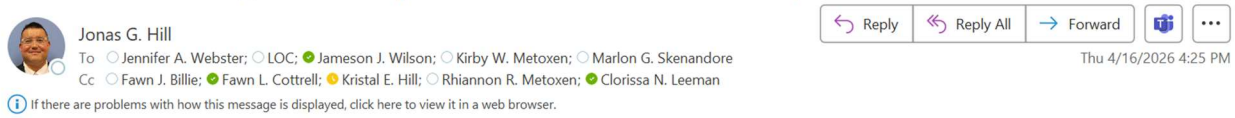


RE: E-POLL REQUEST: Approval of the Updated Sanctions and Penalties Law Adoption Packet



Approve,
Jenny

Re: E-POLL REQUEST: Approval of the Updated Sanctions and Penalties Law Adoption Packet



Approve

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

TO: General Tribal Council
FROM: Jameson Wilson, Legislative Operating Committee Chairman
DATE: April 22, 2026
RE: Adoption of the Sanctions and Penalties Law

Please find the following attached backup documentation for your consideration of the adoption of the Sanctions and Penalties law:

1. Resolution: Adoption of the Sanctions and Penalties Law
2. Statement of Effect: Adoption of the Sanctions and Penalties Law
3. Sanctions and Penalties Law Legislative Analysis
4. Sanctions and Penalties Law
5. Sanctions and Penalties Law Fiscal Impact Statement

Overview

If an elected official of the Nation engages in misconduct while in office the only remedy available to hold the official accountable is to remove that official from their position. The removal of an elected official is required to follow the process contained in the Nation's Removal law, which includes a petition, a preliminary review and hearing by the Nation's Judiciary, and ultimately a determination by the General Tribal Council (GTC). *[1 O.C. 104].*

Other than removal, the Nation does not currently have a formal process to issue warnings, reprimands, or corrective actions against elected officials. The Legislative Operating Committee (LOC) recognizes that not all instances of misconduct by an elected official may rise to the level of removal. The LOC also determined that a more effective government can be obtained if officials are provided the opportunity to take accountability for their actions and correct the behavior that resulted in misconduct, which may result in the individual becoming a better official.

The desire for a process to be able to better hold officials accountable for misconduct in office has been discussed within the Nation for more than twenty (20) years. The GTC often has discussed sanctioning an official, whether through suspension or loss of stipend or wage, during its meetings. The requests to sanction an official have often times been declined due to the fact that the Nation lacks a law that allows for an official to be sanctioned for misconduct while still protecting the due process rights of that official.

Additionally, providing an elected official the opportunity to correct misconduct and improve behavior aligns with traditional Oneida ways. The LOC learned through discussions with the Cultural Heritage Department that in the past a chief would be provided three (3) warnings in hope of improving the chief's behavior before the chief was dehorned or removed from his position of prominence. The focus of the warnings before the removal of the official was to provide an

opportunity for corrective action to be taken that had the potential to result in a better official before removal of that official was sought. The LOC is seeking the adoption of this Sanctions and Penalties law in an effort to provide a mechanism for utilizing corrective actions to address the misconduct of officials and allow an opportunity for growth and improvement before removal or termination of appointment.

Sanctions and Penalties Law

This proposed Sanctions and Penalties law establishes a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office for the purpose of providing an opportunity for the official to take corrective action to address the misconduct and promote accountability and improved performance of the official.

The Sanctions and Penalties law will:

- Require an official of the Nation to behave in a manner that promotes high standards of conduct. *[1 O.C. 120.4-1]*;
- Subject an official of the Nation to sanctions and penalties for behaving in a manner that constitutes misconduct, which is defined as:
  - a violation of the Constitution or any of the Nation's laws, policies, or rules;
  - a violation of the bylaws, standard operating procedures or other internal operating documents that govern the entity upon which the official serves; and
  - a conviction of a felony, or any crime in any jurisdiction that would be classified as a felony under federal law or Wisconsin law. *[1 O.C. 120.4-2]*;
- Provide a process for filing a complaint, including:
  - who may file a complaint *[1 O.C. 120.5-1]*;
  - when a complaint may be filed, *[1 O.C. 120.5-2]*;
  - where a complaint may be filed *[1 O.C. 120.5-4]*; and
  - the necessary contents of a complaint *[1 O.C. 120.5-3]*;
- Prohibit retaliation against any individual who makes a complaint, is a witness to a complaint, or offers testimony or evidence *[1 O.C. 120.5-5]*;
- Delegate the responsibility to handle complaints alleged against an official to the Trial Court *[1 O.C. 120.6-1]*;
- Require all complaints alleged against an official to be handled in a confidential manner *[1 O.C. 120.6-4]*;
- Allow for an individual to appeal the decision of the Trial Court to the Nation's Court of Appeals *[1 O.C. 120.6-11, 120.6-6]*;
- Provide various sanctions and penalties that may be imposed against an official *[1 O.C. 120.7-2]*;
- Provide factors to be used by the Trial Court when determining the appropriate sanctions and/or penalties to impose *[1 O.C. 120.7-3]*;
- Clarify that the imposition of sanctions or penalties does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other laws *[1 O.C. 120.7-5]*;
- Discuss the effect of a resignation by an official *[1 O.C. 120.8]*; and
- Require that Judiciary maintain a record of conduct in office for each official *[1 O.C. 120.10]*.

Development of the Law in Compliance with the Legislative Procedures Act

The Legislative Procedures Act ("the LPA") was adopted by the GTC through resolution GTC-01-07-13-A for the purpose of providing a process for the adoption of laws of the Nation. *[1 O.C. 109.1-1].* The Sanctions and Penalties law complies with all processes and procedures required by the LPA, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. *[1 O.C. 109.6, 109.7, 109.8].*

Overall, since 2014, the LOC has held sixty-four (64) work meetings on the development of a Sanctions and Penalties law. The Government Administrative Office, Records Management Department, Human Resources Department, Cultural Heritage Department, and various boards, committees, and commissions of the Nation were consulted in the development of this law and participated in those work meetings. Additionally, the LOC dedicated time to reviewing various laws of the Nation, in addition to the laws of seven (7) other tribal nations when developing the Sanctions and Penalties law.

In accordance with the LPA, three (3) public meetings on the proposed Sanctions and Penalties law were held. Notices for public meetings were published in the Kalihwisaks, on the Nation's website, and electronically provided to all directors, managers, and supervisors of the Nation. On October 4, 2018, the first public meeting on the proposed Sanctions and Penalties law held. Three (3) people provided oral comments during this public meeting. The public comment period was then held open until October 11, 2018, for the submission of written comments. The LOC received four (4) submissions of written comments during the public comment period. All public comments received were accepted, reviewed, and considered by the LOC on October 17, 2018, and October 25, 2018. A second public meeting was held on January 7, 2020. One (1) person provided oral comments during the public meeting. The public comment was then held open until on January 14, 2020, for the submission of written comments. Two (2) submissions of written comments were received during the public comment period. All public comments received were accepted, reviewed, and considered by the LOC on January 15, 2020. A third public meeting for the proposed Sanctions and Penalties law was held on June 13, 2025. No individuals provided oral comments during the public meeting. The public comment period was then held open until June 20, 2025, for the submission of written comments. No individuals provided written comments during the public comment period.

The Finance Department provided fiscal impact statements for all versions of the proposed Sanctions and Penalties law on December 27, 2018, January 20, 2020, and July 15, 2025.

On January 12, 2026, at a Special Geneal Tribal Council meeting the Sanctions and Penalties law was presented for adoption. A motion to adopt the proposed Sanctions and Penalties law ultimately failed. During the discussion of the Sanctions and Penalties law, the General Tribal Council discussed the need to ensure the punitive measures included in the Sanctions and Penalties law were adequate. Some discussion specifically focused on the belief that the suspension lengths included in the law were not long enough.

The Legislative Operating Committee listened to discussion during the January 12, 2026, General Tribal Council meeting, and reviewed the submission of the Petition: Powless-Buenrostro – Accountability Measures for BC and BCCs #2025-04 in December of 2025. Based on this input received from the Nation's membership the Legislative Operating Committee updated the proposed Sanctions and Penalties law to further clarify the length of suspensions allowed for an official.

The Sanctions and Penalties law is now ready for reconsideration by the General Tribal Council. Most other governments, including tribal, local, state, and federal, have some sort of sanctions and penalties process for officials. Through the adoption of this Sanctions and Penalties law the GTC can close the current gap by providing a process to address the misconduct of officials and empower themselves to take action to hold officials accountable.

Requested Action
Adopt the Resolution: Adoption of the Sanctions and Penalties Law.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214 Oneida, WI 54155

GTC Resolution # _____
Adoption of the Sanctions and Penalties Law

WHEREAS, the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

WHEREAS, the purpose of the Sanctions and Penalties law ("the Law") is to establish a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action to address the misconduct and promote accountability and improved performance of the official; and

WHEREAS, the Law will require an official of the Nation to behave in a manner that promotes high standards of conduct; and

WHEREAS, the Law will subject an official of the Nation to sanctions and penalties for behaving in a manner that constitutes misconduct; and

WHEREAS, the Law will provide a process for filing a complaint alleging misconduct against an official, including who may file a complaint, when to file a complaint, where a complaint may be filed, and the necessary contents of a complaint; and

WHEREAS, the Law will prohibit retaliation against any individual who makes a complaint, is a witness to a complaint, or offers testimony or evidence; and

WHEREAS, the Law will require all complaints alleged against an official to be handled in a confidential manner; and

WHEREAS, the Law will delegate the responsibility to handle complaints alleged against an official to the Judiciary - Trial Court; and

WHEREAS, the Law will allow an appeal of a decision of the Trial Court to be made to the Nation's Court of Appeals; and

WHEREAS, the Law provides the various sanctions and penalties that may be imposed against an official, and the factors that shall be used when determining the appropriate sanctions and/or penalties to impose; and

WHEREAS, the Law will clarify that the imposition of sanctions and/or penalties does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other laws; and

WHEREAS, the Law will provide for the effect of a resignation by an official; and

WHEREAS, the Law will require that the Judiciary maintain a record of conduct in office for each official; and

WHEREAS, the development of this Law complies with all processes and procedures required by the Legislative Procedures Act, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period.

WHEREAS, in accordance with the Legislative Procedures Act, three (3) public meetings on the proposed Law were held; and

WHEREAS, the first public meeting was held on October 4, 2018, with the public comment period being held open until October 11, 2018; and

WHEREAS, in addition to the requirements of the Legislative Procedures Act, in preparation of presenting this topic to the General Tribal Council, the Legislative Operating Committee held collaborative work meetings, held one (1) community outreach event, published one (1) article in the Kalihwisaks regarding the proposed Law, and published an information video on Facebook; and

WHEREAS, a proposed Sanctions and Penalties law was presented to the General Tribal Council for consideration on March 17, 2019; and

WHEREAS, on March 17, 2019, after discussion the General Tribal Council took action to defer this item for at least at least sixty (60) days for the General Tribal Council to have additional time to consider it and have input; and

WHEREAS, after the March 17, 2019, directive the Legislative Operating Committee held nine (9) additional community outreach events, allowed twice for the written submission of comments and questions, and published three (3) articles in the Kalihwisaks regarding the proposed Law and outreach efforts; and

WHEREAS, the second public meeting was held on January 7, 2020, with the public comment period being held open until January 14, 2020; and

WHEREAS, the third public meeting was held on June 13, 2025, with the public comment period being held open until June 20, 2025; and

WHEREAS, on January 12, 2026, at a Special Geneal Tribal Council meeting the Law was presented for adoption, after discussion and consideration a motion to adopt the proposed Sanctions and Penalties law ultimately failed; and

WHEREAS, during the discussion of the Law, the General Tribal Council discussed the need to ensure the punitive measures included in the Law were adequate, and some discussion specifically focused on the belief that the suspension lengths included in the Law were not long enough; and

WHEREAS, the Legislative Operating Committee listened to discussion during the January 12, 2026, General Tribal Council meeting, and reviewed the submission of the Petition: Powless-Buenrostro – Accountability Measures for BC and BCCs #2025-04 in December of 2025, and based on this input received from the Nation's membership the Legislative Operating Committee updated the proposed Law to further clarify the length of suspensions allowed for an official; and

WHEREAS, the Law is once again ready for adoption by the General Tribal Council; and

NOW THEREFORE BE IT RESOLVED, that the Sanctions and Penalties law is hereby adopted and shall become effective ten (10) business days after the date of the adoption of this resolution.

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

Statement of Effect

Adoption of the Sanctions and Penalties Law

Summary

This resolution adopts a Sanctions and Penalties law for the purpose of establishing a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office for the purpose of providing an opportunity for the official to take corrective action to address the misconduct and promote accountability and improved performance of the official.

Submitted by: Clorissa N. Leeman, Staff Attorney, Legislative Reference Office
Date: April 16, 2026

Analysis by the Legislative Reference Office

The Legislative Procedures Act ("the LPA") was adopted by the General Tribal Council through resolution GTC-01-07-13-A for the purpose of providing a process for the adoption of laws of the Nation. *[1 O.C. 109.1-1].* This resolution adopts a Sanctions and Penalties law ("the Law"), which complies with all processes and procedures required by the LPA, including the development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. *[1 O.C. 109.6, 109.7, 109.8].*

This resolution adopts the proposed Law which will establish a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action to address the misconduct and promote accountability and improved performance of the official.

The Sanctions and Penalties law will:

- Require an official of the Nation to behave in a manner that promotes high standards of conduct. *[1 O.C. 120.4-1]*;
- Subject an official of the Nation to sanctions and penalties for behaving in a manner that constitutes misconduct, which is defined as:
  - a violation of the Constitution or any of the Nation's laws, policies, or rules;
  - a violation of the bylaws, standard operating procedures or other internal operating documents that govern the entity upon which the official serves; and
  - a conviction of a felony, or any crime in any jurisdiction that would be classified as a felony under federal law or Wisconsin law. *[1 O.C. 120.4-2]*;
- Provide a process for filing a complaint, including:
  - who may file a complaint *[1 O.C. 120.5-1]*;
  - when a complaint may be filed, *[1 O.C. 120.5-2]*;
  - where a complaint may be filed *[1 O.C. 120.5-4]*; and
  - the necessary contents of a complaint *[1 O.C. 120.5-3]*;
- Prohibit retaliation against any individual who makes a complaint, is a witness to a complaint, or offers testimony or evidence *[1 O.C. 120.5-5]*;

- Delegate the responsibility to handle complaints alleged against an official to the Trial Court *[1 O.C. 120.6-1]*;
- Require all complaints alleged against an official to be handled in a confidential manner *[1 O.C. 120.6-4]*;
- Allow for an individual to appeal the decision of the Trial Court to the Nation's Court of Appeals *[1 O.C. 120.6-11, 120.6-6]*;
- Provide various sanctions and penalties that may be imposed against an official *[1 O.C. 120.7-2]*;
- Provide factors to be used by the Trial Court when determining the appropriate sanctions and/or penalties to impose *[1 O.C. 120.7-3]*;
- Clarify that the imposition of sanctions or penalties does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other laws *[1 O.C. 120.7-5]*;
- Discuss the effect of a resignation by an official *[1 O.C. 120.8]*; and
- Require that Judiciary maintain a record of conduct in office for each official *[1 O.C. 120.10]*.

In accordance with the LPA, three (3) public meetings on the proposed Law were held. On October 4, 2018, the first public meeting on the proposed Sanctions and Penalties law held. Three (3) people provided oral comments during this public meeting. The public comment period was then held open until October 11, 2018, for the submission of written comments. The LOC received four (4) submissions of written comments during the public comment period. All public comments received were accepted, reviewed, and considered by the LOC on October 17, 2018, and October 25, 2018.

In addition to the requirements of the Legislative Procedures Act, in preparation of presenting this topic to the General Tribal Council, the Legislative Operating Committee held collaborative work meetings, held one (1) community outreach event, published one (1) article in the Kalihwisaks regarding the proposed Law, and published an information video on Facebook.

The Legislative Operating Committee presented a proposed Law to the General Tribal Council for consideration on March 17, 2019. After discussion on the Law, the General Tribal Council took action to defer this item for at least sixty (60) days for the General Tribal Council to have additional time to consider it and have input.

After the March 17, 2019, directive the Legislative Operating Committee held seven (7) community outreach events, allowed for the written submission of comments and questions, and published two (2) articles in the Kalihwisaks regarding the proposed Law and outreach efforts. Based on the input received during the various community outreach events, the Legislative Operating Committee decided to revise the Law to eliminate the Oneida Business Committee as a hearing body for complaints against appointed officials by removing all references to appointed officials throughout the Law, as well as limit who can file a complaint to enrolled members of the Nation or employees of the Nation.

A second public meeting was held on January 7, 2020. One (1) person provided oral comments during the public meeting. The public comment was then held open until on January 14, 2020, for

the submission of written comments. Two (2) submissions of written comments were received during the public comment period. All public comments received were accepted, reviewed, and considered by the LOC on January 15, 2020. A third public meeting for the proposed Sanctions and Penalties law was held on June 13, 2025. No individuals provided oral comments during the public meeting. The public comment period was then held open until June 20, 2025, for the submission of written comments. No individuals provided written comments during the public comment period.

On January 12, 2026, at a Special Geneal Tribal Council meeting the Sanctions and Penalties law was presented for adoption. A motion to adopt the proposed Sanctions and Penalties law ultimately failed. During the discussion of the Sanctions and Penalties law, the General Tribal Council discussed the need to ensure the punitive measures included in the Sanctions and Penalties law were adequate. Some discussion specifically focused on the belief that the suspension lengths included in the law were not long enough.

The Legislative Operating Committee listened to discussion during the January 12, 2026, General Tribal Council meeting, and reviewed the submission of the Petition: Powless-Buenrostro – Accountability Measures for BC and BCCs #2025-04 in December of 2025. Based on this input received from the Nation's membership the Legislative Operating Committee updated the proposed Sanctions and Penalties law to further clarify the length of suspensions allowed for an official.

The Sanctions and Penalties law is now ready for reconsideration by the General Tribal Council. The Sanctions and Penalties law will become effective ten (10) business days after the adoption of the resolution by the General Tribal Council.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws.

Kalihwahnila·tú· Okhale? Atatlihwa?thlewáhtu Kayanlʌ́sla
Giving strength to the issues and Forgiving oneself for the issue at hand Laws

SANCTIONS AND PENALTIES LAW LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	
Intent of the Law	▪ Increase accountability among elected officials of the Nation. ▪ Create a formal complaint process that allows for corrective actions against elected officials who engage in misconduct.
Purpose	The purpose of this law is to establish a consistent set of sanctions and penalties that may be imposed upon officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action to address the misconduct and promote accountability and improved performance of the official *[1 O.C. 120.1-1]*.
Affected Entities	All elected officials of the Nation; Any enrolled member of the Nation or employee age eighteen (18) years and older who has knowledge that an official committed misconduct; Oneida Business Committee; Judiciary Trial Court; Judiciary Court of Appeals; Government Administrative Office.
Related Legislation	Oneida Judiciary Rules of Civil Procedure; Rules of Appellate Procedure; Code of Ethics; Boards, Committees and Commissions law; Garnishment law; Per Capita law; and any of the Nation's laws and bylaws that may be violated by an official.
Enforcement/Due Process	Sanctions and penalties against elected officials will be imposed by the Trial Court. Officials accused of misconduct have the right to be represented by an attorney or advocate. Officials also have the right to submit a written response to the complaint, and an opportunity to appear at the hearing to answer the allegations and provide evidence on their behalf. Complaints against officials must be proven by clear and convincing evidence.
Public Meeting	A public meeting for an earlier draft of this law was held on October 4, 2018. A second public meeting for an updated draft was held on January 7, 2020. A third public meeting for an updated draft was held on June 13, 2025.
Fiscal Impact	A fiscal impact statement for an earlier draft of this law was prepared by the Finance Department on December 27, 2018. An updated fiscal analysis was prepared on January 20, 2020, and July 15, 2025.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Request for Amendments***. The request to develop a sanctions and penalties law was originally added to the Legislative Operating Committee's Active Files List in October of 2014, and has been carried over for the last three legislative terms. When an elected official of the Nation commits misconduct while in office, there are few remedies available for the Nation to discipline that official. Currently, elected officials may be removed in accordance with the Removal Law. However, there may be instances of misconduct that do not rise to the level of removal. In these cases, other remedies such as verbal reprimands, fines, or suspensions may be more appropriate. This Law creates a formal complaint process that gives members of the Nation, employees and entities an opportunity to file complaints

against elected officials while ensuring that due process rights for those accused are protected. This Law also creates a range of potential sanctions and penalties for officials who violate the laws of the Nation or commit other forms of misconduct.

B. ***2016 Special Election Referendum***. During the Special Election held on July 9, 2016, the following referendum question was approved by a vote of 178 to 59: "*Should the BC develop a law which provides for sanctions and due process for elected officials?*" The Election Law requires the Oneida Business Committee to present referendum questions that receive a majority vote to the General Tribal Council (GTC) for discussion and action *[1 O.C. 102.12-9(c)]*.

C. ***Presentation to General Tribal Council***. On March 17, 2019, this Law was presented to the General Tribal Council for consideration. The General Tribal Council adopted a motion to defer this item for at least sixty (60) days for GTC to have additional time to consider it and have input. As a result of General Tribal Council's directive, the LOC held six (6) additional community outreach events – in various locations around the Reservation as well as in Milwaukee. Based on input received from community members during the various outreach efforts, as well as the discussion during the March 17, 2019, GTC Meeting, the LOC determined that the draft should be revised. The LOC intended to include this revised Law on the July 2020 Semi-Annual General Tribal Council meeting agenda before all General Tribal Council meetings were canceled due to COVID-19. On January 12, 2026, at a Special Geneal Tribal Council meeting the Sanctions and Penalties law was presented for adoption. A motion to adopt the proposed Sanctions and Penalties law ultimately failed. During the discussion of the Sanctions and Penalties law, the General Tribal Council discussed the need to ensure the punitive measures included in the Sanctions and Penalties law were adequate. Some discussion specifically focused on the belief that the suspension lengths included in the law were not long enough. The Legislative Operating Committee listened to discussion during the January 12, 2026, General Tribal Council meeting, and reviewed the submission of the Petition: Powless-Buenrostro – Accountability Measures for BC and BCCs #2025-04 in December of 2025. Based on this input received from the Nation's membership the Legislative Operating Committee updated the proposed Sanctions and Penalties law to further clarify the length of suspensions allowed for an official.

D. ***Elected Officials***. This Law will apply to elected officials of the Nation, including members of the following entities:

Chart 1. Elected Boards, Committees, and Commissions

ELECTED BOARDS, COMMITTEES, AND COMMISSIONS
▪ Oneida Business Committee ▪ Oneida Election Board ▪ Oneida Gaming Commission ▪ Oneida Land Claims Commission ▪ Oneida Land Commission ▪ Oneida Nation Commission on Aging (ONCOA) ▪ Oneida Nation School Board ▪ Oneida Trust Enrollment Committee ▪ GTC Legal Resource Center Advocates and Attorney

**This law does not apply to members of appointed boards, members of the Judiciary or corporate entities of the Nation.*

SECTION 3. CONSULTATION AND OUTREACH

A. Representatives from the following departments or entities participated in the development of this Law and this legislative analysis:

- Oneida Business Committee;
- Government Administrative Office;
- Records Management Department;
- Human Resources Department;
- Intergovernmental Affairs and Communications Department;
- Cultural Heritage Department;
- Anna John Resident Centered Care Community Board (AJRCCC);
- Oneida Election Board;
- Oneida Environmental Resource Board (ERB);
- Oneida Gaming Commission;
- Oneida Land Commission;
- Oneida Police Commission;
- Oneida Pow-wow Committee;
- Oneida Trust Enrollment Committee, and
- Oneida Nation Veterans Affairs Committee (ONVAC).

B. The following laws of the Nation were reviewed in the drafting of this legislative analysis:

- Oneida Judiciary law;
- Oneida Tribal Judiciary Canons of Judicial Conduct;
- Oneida Judiciary Rules of Civil Procedure;
- Oneida Judiciary Rules of Appellate Procedure;
- Removal law;
- Code of Ethics;
- Legal Resource Center law;
- Open Meetings and Open Records law;
- Boards, Committees and Commissions law;
- Garnishment law; and
- Per Capita law.

C. In addition, the following other laws were reviewed in drafting this analysis:

- Ho Chunk Nation Code of Ethics 2 HCC 1;
- Oglala Sioux Tribe Code of Ethics Ordinance No. 08-11;
- Pokagon Band of Potawatomi Indians Ethics Code;
- Rosebud Sioux Tribal Code of Ethics Ordinance 86-04;
- Siletz Tribal Council Ethics Ordinance –Siletz Tribal Code 2.200;
- Skokomish Code of Ethics S.T.C. 1.05; and
- Pit River Tribal Government Code of Conduct Section 80.

D. *Community Outreach Events.* In addition to the public meeting(s) required by the Legislative Procedures Act held on October 4, 2018, and January 7, 2020, the LOC held the following outreach events on this legislation:

- May 3, 2018: Community pot-luck meeting at Norbert Hill Center to gather community input.
- July 11, 2019: Community outreach event held prior to GTC meeting at Radisson Conference Center.

- July 17, 2019: Community outreach held at Norbert Hill Center in Oneida.
- August 9, 2019: Community outreach held at Veteran's Breakfast in Oneida.
- August 15, 2019: Community outreach held at Farmer's Market in Oneida.
- October 7, 2019: Community outreach held at Elder Congregate Meal site in Oneida.
- October 16, 2019: Community outreach held at SEOTS Building in Milwaukee.
- March 6, 2024: Community pot-luck meeting at the Norbert Hill Center to gather community input.
- April 2, 2025: Community work session at the Norbert Hill Center to read the law line-by-line and gather community input.

Below please find a comprehensive chart that demonstrates the LOC's efforts for outreach and communication regarding the proposed Sanctions and Penalties law:

EFFORTS FOR OUTREACH AND INPUT	
Opportunities for Input Prior to the March 17, 2019 GTC Meeting:	
November 1, 2017	Work Meeting with all Boards, Committees, and Commissions Invited
May 3, 2018	Community Meeting Potluck
October 4, 2018	Public Meeting*
October 11, 2018	Public Comment Period Closed*
February 7, 2019	Article Published in the Kalihwisaks
February 21, 2019	Informational Video Posted on Facebook
Opportunities for Input After the March 17, 2019 GTC Meeting:	
July 11, 2019	Community Outreach Event held at the Radisson Hotel and Conference Center prior to GTC Meeting
July 17, 2019	Community Outreach Event held at the Norbert Hill Center
August 9, 2019	Community Outreach Event held during Oneida Veteran's Breakfast
August 15, 2019	Community Outreach Event held during Oneida Farmer's Market
August 31, 2019	First Period for Written Submissions Closed
September 19, 2019	Article Published in the Kalihwisaks
October 7, 2019	Community Outreach Event held at Elder Congregate Meal Site
October 18, 2019	Community Outreach Event held at SEOTS
October 25, 2019	Input Opportunity at Community Budget Meeting
October 31, 2019	Second Period for Written Submissions Closed
November 7, 2019	Article Published in the Kalihwisaks
December 19, 2019	Article Published in the Kalihwisaks
January 7, 2020	Public Meeting*
January 14, 2020	Public Comment Period Closed*
March 6, 2024	Community Outreach Event held at the Norbert Hill Center
April 2, 2025	Community Outreach Event held at the Norbert Hill Center
June 13, 2025	Public Meeting*
June 20, 2025	Public Comment Period Closed*

SECTION 4. PROCESS

A. ***Compliance with LPA.*** The development of the proposed Law complies with the process set forth in the Legislative Procedures Act (LPA).

- The law was originally added to the Active Files List on October 15, 2014.

- On September 6, 2017, this Law was readded to the Active Files List for the 2017-2020 legislative term.
- On April 2, 2018, the Legislative Operating Committee accepted the draft of this Law and direct that a community meeting/potluck be held on May 3, 2018.
- On June 6, 2018, the Legislative Operating Committee accepted the draft of this Law and directed that a legislative analysis be completed.
- On July 18, 2018, the Legislative Operating Committee accepted the legislative analysis for this Law and deferred this item to a work meeting.
- On August 15, 2018, the Legislative Operating Committee approved the public meeting packet and forwarded this Law to a public meeting to be held on September 20, 2018; and forwarded this Law to the Finance Office for a fiscal analysis to be completed.
- On September 10, 2018, the Legislative Operating Committee conducted an e-poll entitled, *Approval of the Sanctions and Penalties Law Public Meeting Packet*. The requested action of this e-poll was to approve the public meeting packet and forward the proposed Sanctions and Penalties law to a public meeting to be held on October 4, 2018 – since the September 20, 2018, public meeting on the proposed Law needed to be canceled due to the Kalihwisaks failing to publish the public meeting notice in the September 6, 2018, edition. The e-poll was approved by David P. Jordan, Jennifer Webster, Kirby Metoxen, and Ernest Stevens III. Daniel Guzman King did not provide a response to the e-poll.
- On September 19, 2018, the Legislative Operating Committee entered the e-poll results into the record.
- On October 4, 2018, a public meeting on the proposed law was held. Six (6) members of the community attended the public meeting with three (3) people providing oral comments.
- The public comment period was then held open until October 11, 2018. Four (4) submissions of written comments were received during the public comment period.
- On October 17, 2018, the Legislative Operating Committee accepted the public meeting comments and public meeting comment review memorandum and deferred this item to a work meeting.
- On November 7, 2018, the Legislative Operating Committee accepted the public comment review memorandum and the updated draft.
- On December 5, 2018, the Legislative Operating Committee accepted the updated legislative analysis, including the replacement of page 159 in the packet; and approved the fiscal impact statement memorandum and forwarded the items to the Finance Department directing that a fiscal impact statement of the proposed Law be prepared for inclusion on the January 2, 2019 Legislative Operating Committee meeting agenda.
- On January 7, 2019, the Legislative Operating Committee approved the adoption packet for the proposed Law and forwarded to the Oneida Business Committee for inclusion on the tentatively scheduled February 24, 2019, General Tribal Council meeting agenda for the General Tribal Council's consideration of adoption.
- On January 18, 2019, the Oneida Business Committee approved the adoption packet for the Law for consideration at the February 24, 2019, special GTC meeting.
- On January 29, 2019, the Legislative Operating Committee conducted an e-poll entitled, *Approval of the Sanctions and Penalties Law Kalihwisaks Article*. The requested action of this e-poll was to approve the article titled, "*Sanctions and Penalties Law: GTC to Consider in February*" and forward the article to the Kalihwisaks for inclusion in the February 7, 2019, Kalihwisaks edition.

The e-poll was approved by David P. Jordan, Jennifer Webster, Daniel Guzman King and Kirby Metoxen. Ernest Stevens III did not provide a response to the e-poll.

- On February 6, 2019, the Legislative Operating Committee entered the results of the January 29, 2019, e-poll into the record.
- On March 17, 2019, the proposed Law was presented to the General Tribal Council, and the General Tribal Council decided to defer this Law for consideration for at least sixty (60) days for GTC to have additional time to consider it and have input.
- On June 19, 19, the Legislative Operating Committee approved the community outreach notice for this Law with one noted change, and forwarded to the Kalihwisaks for publication in the July 3, 2019 Kalihwisaks edition.
- On September 4, 2019, the Legislative Operating Committee approved the community outreach notice and article for this Law, and forwarded to the Kalihwisaks for publication in the September 19, 2019, edition.
- On November 15, 2019, the Legislative Operating Committee conducted an e-poll entitled, *Approval of the Sanctions and Penalties Law Materials for the January 20, 2020, GTC Meeting*. The requested action of this e-poll was to approve the Sanctions and Penalties law materials and forward to the Oneida Business Committee for inclusion in the January 20, 2020, General Tribal Council meeting packet materials. The e-poll was approved by David P. Jordan, Jennifer Webster, Ernest Stevens III, and Daniel Guzman King. Kirby Metoxen did not provide a response to the e-poll during the e-poll time frame.
- On November 20, 2019, the Legislative Operating Committee entered the November 15, 2019, *Sanction and Penalties Law material for the January 20, 2020, GTC Meeting* E-Poll results into record.
- On November 26, 2019, the Oneida Business Committee deferred the Sanctions and Penalties law materials back to the Legislative Operating Committee for consideration of today's discussion and reformatting of the request to General Tribal Council.
- On December 4, 2019, the Legislative Operating Committee approved the January 20, 2020 General Tribal Council Meeting materials with one change and forwarded to the Oneida Business Committee.
- On December 4, 2019, the Legislative Operating Committee conducted an e-poll entitled, *Rescission of the December 4, 2019, LOC Motion Regarding the Sanctions and Penalties Law*. The requested action of this e-poll was to Rescind the December 4, 2019, Legislative Operating Committee motion to "Approve the January 20, 2020, General Tribal Council meeting materials and forward to the Oneida Business Committee." The e-poll was approved by Ernest Stevens III, Kirby Metoxen, Jennifer Webster, David P. Jordan. Daniel Guzman King did not provide a response to the e-poll during the e-poll time frame.
- On December 4, 2019, the Oneida Business Committee adopted the agenda with two (2) changes [1) delete item IV.A.1. Accept the Sanctions and Penalties law materials and add to the tentatively scheduled 2020 annual General Tribal Council meeting agenda; and 2) under New Business header, item A. Cancel the December 26 and 27, 2019, Oneida Business Committee meetings).
- On December 10, 2019, the Legislative Operating Committee conducted an e-poll entitled, *Approval of January 7, 2020, Public Meeting for the Sanctions and Penalties for Elected Officials Law*. The requested action of this e-poll was to approve the public meeting packet and forward the Sanctions and Penalties for Elected Officials law to a public meeting to be held on January 7, 2020.

The e-poll was approved by Kirby Metoxen, Jennifer Webster, David P. Jordan, and Daniel Guzman King. Ernest Stevens III did not provide a response.

- On December 18, 2019, the Legislative Operating Committee entered into the record the December 4, 2019, E-poll results for the Sanctions and Penalties law – rescission of the December 4, 2019, LOC action; and entered into the record the December 10, 2019, E-poll results for the Sanctions and Penalties law – approval of a public meeting.
- On January 7, 2020, the Legislative Operating Committee held a public meeting on the proposed Law. One (1) person provided oral comments during the public meeting.
- The public comment period was held open until January 14, 2020. Two (2) submissions of written comments were received during the public comment period.
- On January 15, 2020, the Legislative Operating Committee accepted the public comments and public comment review memorandum and deferred these items to a work meeting for further consideration.
- On January 15, 2020, the Legislative Operating Committee also conducted an e-poll entitled, *Approval of the Sanctions and Penalties for Elected Officials Law Updated Materials and Fiscal Impact Statement Request Memorandum*. The requested action of this e-poll was to Approve the updated public comment review memorandum, draft, legislative analysis, and fiscal impact statement request memorandum, and forward the fiscal impact statement request memorandum, with accompanying draft and legislative analysis, to the Finance Department directing that a fiscal impact statement of the proposed Sanctions and Penalties for Elected Officials law be prepared and submitted to the Legislative Operating Committee by January 20, 2020. The e-poll was approved by David P. Jordan, Jennifer Webster, Ernest Stevens III, Kirby Metoxen. Daniel Guzman King did not provide a response.
- On January 21, 2020, the Legislative Operating Committee conducted an e-poll entitled, *Approval of the Sanctions and Penalties for Elected Officials Law Adoption Packet*. The requested action of this e-poll was to "Approve the adoption packet for the Sanctions and Penalties for Elected Officials law and forward to the Oneida Business Committee for inclusion on the tentative March 2020 Special General Tribal Council meeting agenda." The e-poll was approved by David P. Jordan, Jennifer Webster, Ernest Stevens III, Kirby Metoxen, and Daniel Guzman King.
- On January 21, 2020, the Legislative Operating Committee conducted an additional e-poll entitled, *Rescission of the January 21, 2020, LOC Motion Approving the Sanctions and Penalties for Elected Officials Law Adoption Packet*. The requested action of this e-poll was to "Rescind the January 21, 2020, Legislative Operating Committee motion to 'Approve the adoption packet for the Sanctions and Penalties for Elected Officials law and forward to the Oneida Business Committee for inclusion on the tentative March 2020 Special General Tribal Council meeting agenda.'." The e-poll was approved by David P. Jordan, Jennifer Webster, Kirby Metoxen, Ernest Stevens III, Daniel Guzman King.
- On January 22, 2020, the Oneida Business Committee adopted the agenda with two (2) changes [1) add item IV.C. Adopt resolution entitled Energy Infrastructure Deployment on Tribal Lands – 2020 Grant Proposal # DEFOA-0002168; and 2) delete item VIII.B.2. Accept the Sanctions and Penalties for Elected Officials law materials and add to the tentatively scheduled March 16, 2020, special General Tribal Council meeting agenda].
- On February 5, 2020, the Legislative Operating Committee entered into record the e-poll results: Sanctions and Penalties for Elected Officials Law – Approve Updated Materials and Fiscal Impact

Statement Request; ratified the January 21, 2020, e-poll results into record; and enter into the record the January 21, 2020, e-poll results for the rescission of the January 21, 2020, LOC motion approving the Sanctions and Penalties for elected Officials Law adoption packet and forward to the OBC for inclusion on the tentative March 2020 GTC meeting agenda.

- On October 7, 2020, this Law was readded to the Active Files List for the 2020-2023 legislative term.
- On October 4, 2023, the Legislative Operating Committee added this Law its Active Files List for the 2023-2026 legislative term.
- On January 29, 2024, the Legislative Operating Committee conducted an e-poll titled, *Approval of the March 6, 2024 LOC Community Meeting Notice*. The requested action of this e-poll was to Approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on March 6, 2024. The Sanctions and Penalties law was a topic for discussion included on this e-poll. This e-poll was unanimously approved.
- On February 7, 2024, the Legislative Operating Committee to entered into the record the results of the January 29, 2024, e-poll titled, Approval of the March 6, 2024, LOC Community Meeting Notice.
- On March 6, 2024, the Legislative Operating Committee held a community meeting in the Norbert Hill Center Cafeteria in which the Sanctions and Penalties law was a topic of discussion.
- On March 5, 2025, the Legislative Operating Committee approved the updated draft and legislative analysis for the Sanctions and Penalties law. The Legislative Operating Committee also approved the Legislative Operating Committee Sanctions and Penalties law community work session notice, and scheduled a community work session to occur on April 2, 2025.
- On April 2, 2025, the Legislative Operating Committee held a community work session in the Norbert Hill Center's Business Committee Conference Room and on Microsoft Teams for the purpose of reading the Sanctions and Penalties law line-by-line and collecting input and suggestions from the community.
- On May 7, 2025, the Legislative Operating Committee entered into the record the results of the May 1, 2025, e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice.
- On June 13, 2025, a public meeting was held for the proposed Sanctions and Penalties law. No individuals provided oral comment during the public meeting.
- On June 20, 2025, the public comment period for the submission of written comments closed. No individuals provided written comments during the public comment period.
- On July 2, 2025, the Legislative Operating Committee approved the public comment review memorandum, draft, and legislative analysis; and approved the fiscal impact statement request memorandum and forwarded the request to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by July 30, 2025.
- On July 15, 2025, the Finance Department provided a fiscal impact statement.
- On September 3, 2025, the Legislative Operating Committee approved the adoption packet for the proposed Sanctions and Penalties law and forwarded the adoption packet to the Oneida Business Committee for inclusion on an upcoming General Tribal Council meeting agenda for consideration.
- On September 10, 2025, the Oneida Business Committee accepted the Sanctions and Penalties law adoption packet and placed this topic on the 2026 Annual General Tribal Council meeting agenda.

- On January 12, 2026, at a Special General Tribal Council meeting the General Tribal Council failed to adopt a motion to adopt the Sanctions and Penalties law.
- On April 15, 2026, the Legislative Operating Committee adopted a motion to approve the updated adoption packet for the proposed Sanctions and Penalties law and forward to the Oneida Business Committee for inclusion on an upcoming General Tribal Council meeting agenda for consideration.

B. ***Work Meetings***. At the time this legislative analysis was developed, the following work meetings had been held regarding the development of this Law and legislative analysis:

- September 6, 2017: LOC work meeting.
- November 1, 2017: LOC work meeting with representatives from the following boards, committees and commissions: Police Commission, Trust Enrollment Committee, Election Board, Land Commission, Oneida Gaming Commission, Pow-wow Committee. All boards, committees and committees were invited to attend this work meeting.
- December 6, 2017: LOC work meeting.
- March 9, 2018: LOC work meeting.
- March 16, 2018: LOC work meeting.
- May 2, 2018: LRO work meeting.
- May 3, 2018: Community pot-luck meeting with LOC, Oneida community members, Government Administrative Office, and representatives from the following boards, committees and commissions: Oneida Police Commission, Oneida Nation Veterans Affair Committee, Environmental Resource Board, Anna John Resident Centered Care Community Board, and Gaming Commission. All boards, committees and commissions were invited to attend this meeting.
- May 11, 2018: LOC work meeting.
- May 16, 2018: LOC work meeting.
- July 9, 2018: Work meeting with Government Administrative Office.
- August 1, 2018: LOC work meeting.
- September 10, 2018: LOC work meeting.
- October 17, 2018: LOC work meeting.
- October 25, 2018: LOC work meeting.
- November 30, 2018: LOC work meeting.
- December 20, 2018: Work meeting with Cultural Heritage.
- January 2, 2019: LOC Work meeting.
- January 24, 2019: LOC Work meeting.
- February 4, 2019: LOC Work meeting.
- February 6, 2019: LOC work meeting.
- February 8, 2019: LOC work meeting.
- February 14, 2019: LOC work meeting.
- February 20, 2019: LOC work meeting.
- March 1, 2019: LOC work meeting.
- March 15, 2019: LOC work meeting.
- March 20, 2019: LOC work meeting
- March 28, 2019: LOC work meeting.
- May 1, 2019: LOC work meeting.
- June 13, 2019: LOC work meeting.

- July 11, 2019: LOC community outreach event at the Radisson Hotel and Conference Center prior to a GTC meeting.
- July 17, 2019: LOC community outreach event at the Norbert Hill Center's Business Committee Conference room.
- August 9, 2019: LOC community outreach event at the Veteran's Breakfast.
- August 15, 2019: LOC community outreach event at the Oneida Farmer's Market.
- August 21, 2019: LOC work meeting.
- October 7, 2019: LOC community outreach event at the Elder Services Congregate Meal Site.
- October 16, 2019: LOC work meeting.
- October 18, 2019: LOC community outreach event at the SEOTS building in Milwaukee.
- October 31, 2019: LOC work meeting.
- November 6, 2019: LOC work meeting.
- November 15, 2019: LOC work meeting.
- November 19, 2019: LOC work meeting.
- November 20, 2019: LOC work meeting.
- November 26, 2019: LOC work meeting.
- December 2, 2019: LOC work meeting.
- December 4, 2019: LOC work meeting.
- December 9, 2019: LOC work meeting.
- January 8, 2020: LOC work meeting with the Communications Department.
- January 14, 2020: OBC work meeting.
- January 15, 2020: LOC work meeting.
- January 20, 2020: LOC work meeting.
- December 6, 2023: LOC work meeting.
- March 6, 2024: LOC work meeting.
- March 6, 2024: LOC community outreach event at the Norbert Hill Center's cafeteria.
- March 20, 2024: LOC work session.
- January 10, 2025: LOC work session with Oneida Business Committee.
- February 19, 2025: LOC work session.
- April 16, 2025: LOC work session.
- December 23, 2025: LOC work session.
- December 31, 2025: LOC work session.
- January 29, 2026: LOC work session.
- April 13, 2026: OBC work session.
- April 16, 2026: LOC work session.

SECTION 5. CONTENTS OF THE LEGISLATION.

A. ***What Qualifies as Misconduct.*** The Oneida Nation expects elected officials to uphold high standards of conduct. *[1 O.C. 120.4-1]*. Officials who engage in misconduct may be subject to sanctions and penalties. *[1 O.C. 120.4-2].* Under this Law, the definition of misconduct is very broad and includes any of the following:

- Violating the Oneida Constitution or any law, policy or rule of the Oneida Nation. *[1 O.C. 120.4-2(a)]*.
    - Examples include the Code of Ethics and Conflict of Interest law.

- Violating the bylaws or standard operating procedures of the entity the official serves on. *[1 O.C. 120.4-2(b)].*
- Being convicted of a felony under federal or Wisconsin law, or being convicted of a crime elsewhere that would be considered a felony in the state of Wisconsin or the United States. [1 O.C. 120.4-2(c)].

B. *Filing a Complaint.*

- *Who Can File a Complaint?* Under this Law, any enrolled member of the Nation or employee of the Nation age eighteen (18) years or older can file a complaint, so long as they have knowledge or reason to believe that an official has committed misconduct. *[1 O.C. 120.5-1].* Entities of the Nation, such as a board, committee or commission, can also file complaints against elected officials. *Id.*
- *When to File Complaint?* The complaint must be filed within sixty (60) days of when the alleged misconduct occurred or was discovered *[1 O.C. 120.5-2].*
- *Contents of the Complaint.* Complaints must include the following information *[1 O.C. 120.5-3]:*
  - Information about the official, including the official's name and the entity they serve on.
  - Information about the alleged misconduct, including date, time, location and specific details.
  - The specific law, policy, rule or bylaw that the official violated.
  - Information about any witnesses or others with knowledge of the violation.
  - Contact information of the individual filing the complaint.
  - Supporting documents and any other information required by the Oneida Judiciary Rules of Civil Procedure. *[8 O.C. 803.5-1].*
- *Where to File Complaints?* Complaints against elected officials are filed with the Trial Court, with is located within the Oneida Judiciary. *[1 O.C. 120.5-4].*
- *Retaliation.* Retaliation against someone who files a complaint or cooperates with a misconduct investigation is not allowed. *[1 O.C. 120.5-5].*

C. *Complaint Procedure.* Complaints against elected officials will be heard by the Nation's Trial Court. *[1 O.C. 120.6-1].* The law outlines the process for how the Judiciary will hear the complaint:

- *Right to an Attorney or Advocate.* Any official who has been accused of misconduct has the right to be represented by an attorney or an advocate, at their own expense. *[1 O.C. 120.6-2].*
  - *Legal Resource Center.* The Legal Resource Center law established an office, the Legal Resource Center, to provide legal advice and representation to Tribal members and employees in cases before the Judiciary. *[8 O.C. 811.1-1].*
- *Burden of Proof.* The burden of proof for allegations made under this law is "clear and convincing evidence." *[1 O.C. 120.6-3].* This is the same standard the Nation uses in misconduct cases against judges in the Oneida Judiciary. *[8 O.C. 801.12-6(c)].*
  - This means that the person filing the complaint must provide evidence "indicating that the [allegation] to be proved is highly probably or reasonably certain" *[Black's Law Dictionary].* This is a greater burden than "preponderance of the evidence," the standard in most civil trials, but less than evidence "beyond a reasonable doubt," which is used for criminal trials.
- *Confidentiality.* All complaints against officials of the nation will be handled confidentially, with hearings and proceedings regarding the complaint closed to the public. *[1 O.C. 120.6-4].* Records

of the hearings will be kept confidential. *[120.6-4(b)].* However, the final decision of the Judiciary and any sanctions and penalties imposed against an official will be public information. *Id*.

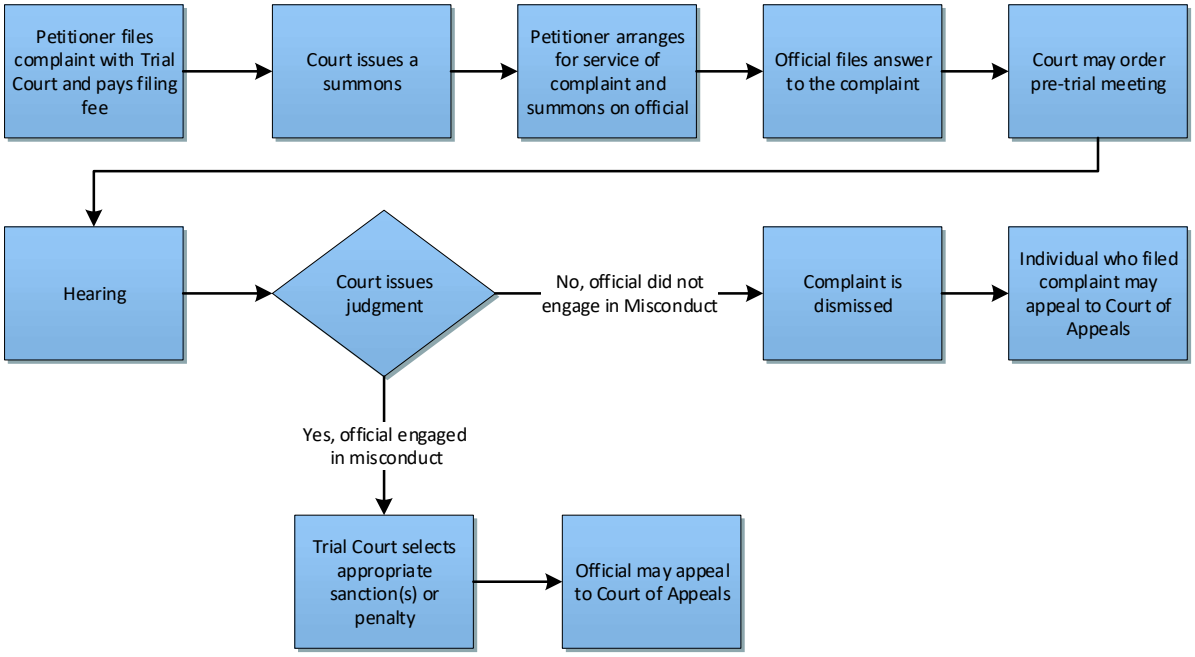
- *Judiciary Law.* The Judiciary law states that proceedings of the court are open to the public except for peacemaking, mediation, proceedings where the judge has safety or confidentiality concerns, or "if expressly prohibited by law." *[8 O.C. 801.4-4].*

D. ***Hearings Under Oneida Judiciary Rules of Civil Procedure.*** All hearings under this law must follow the Oneida Judiciary Rules of Civil Procedure. *[8 O.C. 803].* The following is a brief overview of how a civil case is processed by the Trial Court using the Oneida Judiciary Rules of Civil Procedure. For more detailed information regarding the trial court process, see the Oneida Judiciary Rules of Civil Procedure in the Nation's Code of Laws.

- *Petitioner Files a Complaint with the Trial Court and Pays Filing Fee.* The Trial Court has a standard complaint form with instructions to fill out the complaint.
  - *Complaint.* At the time this analysis was drafted, the Oneida Judiciary Rules of Civil Procedure require the complaint to include the full name and address of the plaintiff and defendant, why the defendant is being sued, facts supporting each claim, why the trial court has jurisdiction, specifically what relief is sought from the defendant, and a summons. *[8 O.C. 803.5-1].*
  - *Filing Fee.* The Oneida Judiciary Trial Court currently charges a fifty dollar ($50) filing fee to file a general civil case. However, individuals may request a fee waiver from the court for the following reasons: unemployed, health/medical, or below poverty level.
  - *Summons:* A summons is a document ordering a defendant to appear before a judge. The Trial Court has a standard summons form. *[8 O.C. 803.3-1(oo), 803.5-2].*
- *Complaint and Summons are served on Official.* The complaint and summons must be delivered to the elected official within thirty (30) days after the complaint is filed. *[8 O.C. 803.5-3].* In addition, for complaints against officials, notice must also be served to the Secretary's office. *Id*. The petitioner must provide proof to the Court that the complaint and summons were delivered to the defendant within ten (10) days of delivery. *[8 O.C. 803.5-3(b)].* If proof of service is not completed, then the case will be dismissed. *[8 O.C. 803.5-3(c)].*
- *Official Files an Answer.* The official responds to the complaint by filing an answer. *[8 O.C. 803.7-2(b)].* The official can either admit to or deny the allegations made in the complaint and provide defenses to each claim made in the complaint *[8 O.C. 803.7].*
- *Pre-Trial Meeting.* A pre-trial meeting may be scheduled between the judge, petitioner and defendant. *[8 O.C. 803.12-1].* The purpose for this meeting could include preparing for the trial, creating a plan regarding discovery, or facilitating a settlement, such as peacemaking *[8 O.C. 803.12].*
- *Hearing.* Hearings are conducted in accordance with the Oneida Judiciary Rules of Civil Procedure, which may include opening statements, presentation of the parties' cases, rebuttals and closing statements *[8 O.C. 803.38].*
- *Judgment.* If the Trial Court determines, by clear and convincing evidence, that there is enough evidence to substantiate the allegations of misconduct by the official, then the Trial Court will impose any sanctions and penalties that they deem appropriate. *[1 O.C. 120.6-5].* If the Trial Court does not find there is clear and convincing evidence to support the allegations, the complaint will be dismissed. *Id*.

- *Appeals.* Both the official accused of misconduct and the individual who filed the complaint have the right to appeal the decision of the Trial Court to the Court of Appeals. *[1 O.C. 120.6-6; 8 O.C. 803.39-1].* The appeal must be filed with the Court of Appeals in accordance with the Oneida Judiciary Rules of Appellate Procedure. *Id.*
  - *Timeline for Appeal.* Appeals of judgments of the Trial Court must be filed with the Court of Appeals within thirty (30) days after the judgment was rendered. *[8 O.C 805.5-2(a)].*

Chart 2. Complaint Process Against Elected Officials – Overview of Oneida Judiciary Rules of Civil Procedure.



E. ***Sanctions and Penalties.*** This Law includes a list of sanctions and penalties that may be imposed on an official for misconduct in office. *[1 O.C. 120.4-1, 120.7-2].* The Trial Court is responsible for imposing sanctions and penalties on an elected official. *[1 O.C. 120.7-3].*

- *Conditional Penalties.* Sanctions and penalties may be imposed on a conditional basis. *[1 O.C.120.7-4].* For example, an official could be ordered to make a public apology and attend mandatory training, or otherwise face suspension.
- *Failure to Comply.* If an official fails to comply with a sanction or penalty imposed against them, that official can face additional sanctions as a result of additional misconduct complaints under this Law. *[1 O.C. 120.7-6].* An example would be an official failing to pay a fine, failing to attend mandatory training or violating the terms of their suspension .

Chart 3. List of Potential Sanctions and Penalties for Elected Officials.

Potential Sanctions and Penalties:
▪ Verbal Reprimand ▪ Public Apology ▪ Written Reprimand

- Suspension
- Restitution
- Fines
- Loss of Stipend
- Mandatory Training
- Removal, in accordance with Removal Law

- ***Verbal Reprimand.*** During an Oneida Business Committee or General Tribal Council meeting, the Nation's chairperson will read the following statement: [*Insert name of official] who serves on [Insert name of entity] is receiving this reprimand because they have been found by the Nation's Judiciary to have engaged in misconduct. High standards of conduct amongst officials of the Nation are essential to the conduct of government. [Insert name of official's] behavior did not rise to the high standards of conduct that is expected of the Nation's elected officials. The following are the findings from the Trial Count regarding [Insert name of official's] misconduct: [identify the judicial findings regarding the misconduct.] Any future misconduct may result in the imposition of additional sanctions or penalties*. *[1 O.C. 120.7-2(a)]*.
- ***Public Apology.*** An official may be ordered to make a public apology at an Oneida Business Committee or General Tribal Council meeting. *[1 O.C. 120.7-2(b)].* The apology is required to identify the judicial findings regarding the official's misconduct and include a "clear and unambiguous" apology. *Id.*
- ***Written Reprimand.*** The Judiciary Trial Court may publish a written reprimand in the Nation's official media outlets. *[1 O.C. 120.7-2(c)].* Resolution BC-02-22-17-B, *Identifying Official Oneida Media Outlets*, identifies the Nation's official media outlets as the Oneida Nation website and the Kalihwisaks newspaper. The written reprimand will include the same information as a verbal reprimand. *[1 O.C. 120.7-2(c)(1)].*
- ***Suspension.*** The Trial Court may suspend officials for a period of time not to exceed ninety (90) business days. *[1 O.C. 120.7-2(d)]*. During a suspension, the official cannot attend meetings, trainings, or conferences. *[1 O.C. 120.7-2(d)(1)(A)-(B)].* The official also cannot vote or perform work for the entity. *[1 O.C. 120.7-2(d)(1)(C)-(D)]*. In addition, the official cannot earn any stipends, salary, or mileage during the suspension. *[1 O.C. 120.7-2(d)(1)(E)]*.
    - *Multiple Suspensions on One Entity.* If multiple officials on the same entity are suspended at the same time, the suspensions may be imposed on a staggered basis so that the business of the Nation is not interrupted. *[1 O.C. 120.7-2(d)(3)].* For example, if multiple members of the Oneida Business Committee are suspended, each member could be suspended one (1) at a time on a staggered basis.
- ***Restitution***. An official can be ordered to pay restitution, which means paying back any improperly received benefit, such as returning funds or paying to replace damaged property. *[1 O.C. 120.7-2(e)].*The point of restitution is to make someone whole.
- ***Fines.*** An official can be ordered to pay a fine for each act of misconduct. *[1 O.C. 120.7-2(f)].* Unlike restitution, a fine is a punishment. The maximum amount of each fine is two thousand five hundred dollars ($2,500). *Id.*
    - *Fine Process.* All fines are paid to the Trial Court and deposited into the Nation's General Fund. *[120.7-2(f)(1)].* Officials must pay their fine within ninety (90) days after the fine is issued or upheld on final appeal. *[I O.C. 120.7-2(f)(3)]*.If the fine is not paid on time, the

Nation may collect the money through garnishment or attachment of the official's per capita payment. *Id*.

- *Community Service Alternative.* An official can complete community service to make up all or part of their fine. *[1 O.C. 120.7-2(f)(2)].* The rate earned for community service is the Nation's minimum wage rate. The Nation currently allows community service for fines issued in the Hunting, Fishing and Trapping law and Curfew law for examples. *[4 O.C. 406.10-5(a), 3 O.C. 308.7-1(b)].*

- ***Loss of Stipend.*** An official may lose their stipend for up to two (2) meetings. *[1 O.C. 120.7-2(g)].* Members of elected boards may receive up to twenty-four (24) meeting stipends per year, so this could amount to the loss of approximately one (1) month's stipends for a member of a board that meets twice monthly *[1 O.C. 105.13-3(b)].*
- ***Mandatory Training.*** An official can be ordered to complete a mandatory training program to address their behavior. *[1 O.C. 120.7-2(h)].* Examples include anger management or sexual harassment training.
- ***Removal.*** The Trial Court can recommend that the removal process be initiated for an official in accordance with the Removal Law. *[1 O.C. 120.7-2(i)].* However, this would only be a recommendation and identification that the standards for removal have been met. The Removal Law provides a strict process that must be followed to remove elected officials. *[1 O.C. 104]*.
  - *Removal Law Process.* In order to remove an elected official, an eligible voter must file a petition with the Secretary signed by at least fifty eligible voters or thirty percent (30%) of the vote cast in the previous general election, whichever is greater. *[1 O.C. 104.5-1]*. For example, the number of votes cast in the 2017 general election was one thousand six hundred and twelve (1,612), so the number of signatures needed to initiate removal is approximately four hundred and eighty-four (484). Then, the Judiciary conducts a preliminary review to determine whether there are sufficient grounds for removal. *[1 O.C. 104.6-1]*. If sufficient grounds exist, the Judiciary holds a hearing. *[1 O.C. 104.7]*. If the Judiciary determines that sufficient grounds for removal has been proven by clear and convincing evidence, the findings are forwarded to the Nation's Chairperson, who schedules a General Tribal Council meeting. *[1 O.C. 104.7-3, 104.8-1]*. At the General Tribal Council meeting, an elected official may be removed from office after a two-thirds (2/3) majority vote. *[1 O.C. 104.8-3].*

F. ***Factors in Determining Appropriate Sanction and/or Penalty.*** The Trial Court may consider the following when deciding which sanction or penalty to impose:

- How severe the misconduct was, whether it was intentional, and how likely the official is to repeat the misconduct.
- The damage to the finances or reputation of the Nation, the entity, or any person or organization.
- Whether the official has expressed remorse and is willing to take steps to correct the harm done.
- Whether any prior complaints have been filed against the official. For example, whether this is the first complaint against the official or represents a pattern of behavior. *[1 O.C. 120.7-3].*

G. ***Civil Liability and Criminal Prosecution.*** In addition to the sanctions and penalties in this law, an official who commits misconduct may also experience other consequences. *[1 O.C. 120.7-5].* These include:

- Removal from office in accordance with the Removal law. *[1 O.C. 120.7-5(a)].*

- Criminal prosecution, if the official violated a criminal law. *[1 O.C. 120.7-5(b)].* For example, criminal charges for theft or violent acts.
- Civil liability, in accordance with any applicable law of any jurisdiction. *[1 O.C. 120.7-5(c)].* For example, a lawsuit for damages.
- Any other penalties listed in another law of the Oneida Nation. *[1 O.C. 120.7-5(d)].*
    - For example, a violation of the Technology Resources law may result in loss of access to the Nation's computer resources. *[2 O.C. 215.10-1].*

H. ***Effect of Resignation by an Official.*** If an official resigns from office after a complaint has been filed, that complaint will still be investigated, and sanctions and penalties may still be pursued. *[1 O.C.120.8].* Resigning from office does not end or prevent an investigation.

I. ***Record of Conduct.*** A record of conduct for each official will be maintained by the Judiciary. *[1 O.C. 120.9-1].* The record of conduct maintained for each official will include copies of complaints filed against the official, recordings and transcripts from any hearings or proceedings, outcomes of the complaints, and any sanctions and penalties the official received. *[1 O.C. 120.9-2].* This record is required to bee maintained for at least seven (7) years. *[1 O.C. 120.9-3].*

- *Public Access to Record of Conduct.* The record of conduct maintained by the Judiciary will only be made available for review to the Judiciary. *[1 O.C. 120.9-1].* The purpose of the record of conduct is so that the Trial Court can review previous complaints against the official when determining a potential sanction or penalty. *[1 O.C. 120.7-3(h))].*
- *Public Access to Judiciary Decisions.* However, the decisions of the Judiciary regarding a complaint against an elected official and any sanctions and penalties imposed against an official will be public information. *[1 O.C. 120.6-4(b)].*

SECTION 6. EFFECT ON EXISTING LEGISLATION

A. ***References to the Other Laws of the Nation:*** The following laws of the Nation are referenced in this law. This law does not conflict with any of the referenced laws.

- *Oneida Judiciary Rules of Civil Procedure.* The Oneida Judiciary Rules of Civil Procedure governs all civil actions that fall under the jurisdiction of the Nation. *[8 O.C. 803.1-1].* The Oneida Judiciary Rules of Civil Procedure provides a consistent set of rules governing the process for civil claims, in order to ensure equal and fair treatment to all persons who come before the Trial Court to have their disputes resolved. *[8 O.C. 803.1-2].*
    - Complaints against an official shall be filed with the Nation's Trial Court in accordance with the Oneida Judiciary Rules of Civil Procedure. *[1 O.C. 120.5-4].*
- *Rules of Appellate Procedure.* The Rules of Appellate Procedure govern the procedure in all actions and proceedings in the divisions that make up the Court of Appeals within the Judiciary that fall under the jurisdiction of the Nation. *[8 O.C. 805.1-1].* The Rules of Appellate Procedure are to be liberally construed to ensure a speedy, fair., and inexpensive determination of every appeal. *[8 O.C. 805.1-2].*
    - Appeals of the Trial Court's decision shall be filed pursuant to the Nation's Rules of Appellate Procedure. *[1 O.C. 120.6-6].*
- *Garnishment Law.* The Garnishment law exercises the authority of the Nation to provide an effective mechanism for creditors to access an employee's income for reduction of personal debt. *[2 O.C. 2010.1-1].* It is the policy of the Garnishment law to afford all individuals due process. *[2 O.C. 2010.1-2].*

- If an official is ordered to pay a fine in accordance with this law and does not pay according to the deadline, the Trial Court may seek to collect that fine through the Nation's garnishment process *[120.7-2(f)(3)]*.
- *Per Capita Law.* The purpose of the Per Capita law is to specify the procedure to be followed in the event that per capita payments are distributed by the Nation; and to clearly state the responsibilities of the various Oneida entities in the distribution or maintenance of any such per capita payment. *[1 O.C. 123.1-1]*.
  - If an official is ordered to pay a fine in accordance with this law and does not pay according to the deadline, the Trial Court may seek to collect that fine through the Nation's per capita attachment process *[1 O.C. 120.7-2(f)(3)]*.
- *Removal Law*. The purpose of the Removal law is to govern the removal of persons elected to serve on boards, committees and commissions of the Nation. *[1 O.C. 104.1-1]*. It is the policy of the Removal law to provide an orderly and fair process for the removal of persons elected to serve on boards, committees and commissions. *[1 O.C. 104.1-2]*.
  - The Trial Court may recommend that the process for removing an elected official as contained in the Nation's laws and/or policies governing removal be initiated as a sanction for misconduct. *[1 O.C. 120.7-2(i)]*.
  - The imposition of sanctions and/or penalties in accordance with this law does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other applicable laws, such as removal in accordance with the Nation's laws and/or policies governing removal. *[1 O.C. 120.7-5]*.

SECTION 7. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR OBLIGATIONS

A. *Due Process.* Officials accused of misconduct have the right to be represented by an attorney or advocate. *[1 O.C. 120.6-2]*.Officials also have the right to submit a written response to the complaint, and an opportunity to appear at the investigatory hearing to answer the allegations, provide witness testimony, documents and evidence on their behalf. *[8 O.C. 803].* Complaints against officials must be proven by clear and convincing evidence. *[1 O.C. 120.6-3]*.

SECTION 8. OTHER CONSIDERATIONS

A. *Complaints against Judiciary.* The Judiciary law already contains a process for the reprimand, suspension, and removal of judges for willful misconduct in office, including a hearing and complaint procedure. *[8 O.C. 801.12].* Therefore, this law does not apply to members of the Judiciary. *[1 O.C. 120.1-1(a)].*

B. *Judiciary Conflicts of Interest.* The Oneida Tribal Judiciary Canons of Judicial Conduct requires a Judge to withdraw from any matter where the Judge has or could be perceived to have a conflict of interest. *[8 O.C. 802.2-2].* Violating the Oneida Tribal Judiciary Canons of Judicial Conduct would be grounds for reprimand under the Nation's Judiciary law

C. *Complaints Against Appointed Officials.* This law applies to elected officials only. Appointed officials are appointed by the Oneida Business Committee in accordance with the Boards, Committees and Commissions law and serve at the Oneida Business Committee's discretion. *[1 O.C. 105.7].* If an appointed official commits misconduct in office, termination of appointment may be recommended by a member of the Oneida Business Committee, or by the entity the official serves on. *[1 O.C. 105.7-4].*

An appointed official may have their appointment terminated by a two-thirds (2/3) majority vote of the Oneida Business Committee *[1 O.C. 105.7-4(a)]*.

D. ***Code of Ethics.*** Most other tribal, municipal, and state governments place sanctions and penalties within their Code of Ethics law. This makes sense, as the Code of Ethics and Sanctions and Penalties are closely related. The Code of Ethics is currently on the LOC's Active Files List for potential amendments. Updating the Code of Ethics would provide additional guidance to elected officials, individuals filing complaints, and the Judiciary when they begin hearing complaints under this law.

E. ***Comparison to Other Nations.*** Research of other tribal nations indicate that there are many different processes for sanctions and penalties of public officials. There is no uniform standard used by all tribal governments. Examples of other sanctions and penalties processes are provided for information:

Chart 4. Sanctions and Penalties Process of other Tribal Nations

Tribe	Where Complaints Are Filed	Who Investigates or Hears the Complaint	Who Decides the Sanction or Penalty
Oneida Nation (proposed)	*Judiciary*	*Judiciary*	*Judiciary*
Siletz	Tribal Council*	Ad Hoc Committee or Special Advisor appointed by Tribal Council*	Tribal Council*
Ho Chunk	Judiciary	Judiciary	President
Rosebud Sioux	Ethics Commission, appointed by Tribal Council*	Ethics Commission, appointed by Tribal Council*	Tribal Council*
Skokomish	Ethics Officer, appointed by Tribal Council*	Ethics Officer, appointed by Tribal Council*	Chairman

**Note that "Tribal Council" refers to an elected body similar to the Oneida Business Committee.*

F. ***Number of Potential Complaints.*** Since the Nation currently has no formal sanctions and penalties process, it is not possible to predict the number of complaints that may be filed against elected officials.

- *Conclusion:* Given the uncertainty regarding the number of potential complaints, the Judiciary should be prepared to possibly process a large number of complaints upon passage of this law.

G. ***Impact of Suspension on Full-Time Officials.*** Members of the Oneida Business Committee and Oneida Gaming Commission are full-time elected officials. Therefore, suspension of these officials would impact salaries, benefits such as health insurance, and access to workplaces. The Human Resources Department reports that they have a suspension procedure in place for employees of the Nation, and that this procedure could be applied or modified for suspension of full-time officials.

- *Conclusion:* Since notifications of suspension go to the Human Resources Department, it is suggested that the Human Resources Department develop a process should suspensions of full-time Oneida Business Committee members or Oneida Gaming Commissioners occur.

H. ***Fiscal Impact.*** Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation *[1 O.C. 109.6-1]*. Oneida Business Committee resolution BC-10-28-20-A titled, "*Further Interpretation of 'Fiscal Impact Statement' in the Legislative Procedures Act*," provides further clarification on who the Legislative Operating Committee may direct complete

a fiscal impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.

- *Conclusion.* A fiscal impact statement for an earlier draft of this law was prepared by the Finance Department on December 27, 2018. An updated fiscal analysis was prepared on January 20, 2020. And July 15, 2025. Please see the fiscal impact statements for further information.

Title 1. Government and Finances - Chapter 120
Kalihwahnila·tú· Okhale? Atatlihwa?thlewáhtu Kayanlʌ́sla
Giving strength to the issues and Forgiving oneself for the issue at hand Laws
SANCTIONS AND PENALTIES

120.1. Purpose and Policy
120.2. Adoption, Amendment, Repeal
120.3. Definitions
120.4. Misconduct
120.5. Filing of a Complaint
120.6. Complaint Procedure
120.7. Sanctions and Penalties
120.8. Effect of Resignation by an Official
120.9. Record of Conduct

120.1. Purpose and Policy
120.1-1. *Purpose.* The purpose of this law is to address the misconduct and promote accountability and improved performance of the official to establish a consistent set of sanctions and penalties that may be imposed upon ~~elected~~ officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action.

(a) *Exclusion*. This law does not apply to judges of the Oneida Nation Judiciary or members of corporate entities of the Nation.

120.1-2. *Policy.* It is the policy of the Nation to ensure that ~~elected~~ officials who commit misconduct while in office be subject to appropriate sanctions and penalties; and to ensure that there is a fair process in place that enables officials to fairly respond to allegations of misconduct.

120.1-3. It is the intent of the Nation that all ~~elected~~ officials strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by Onʌyote?a·ka, which includes:

(a) Kahletsyalúsla. The heart felt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Ka?nikuhli·yó. The openness of the good spirit and mind.
(d) Ka?tshatstʌ́sla. The strength of belief and vision as a People.
(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

120.2. Adoption, Amendment, Repeal
120.2-1. This law was adopted by the General Tribal Council by resolution GTC-__-__-__-__.
120.2-2. This law may be amended or repealed by the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.
120.2-3. 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.
120.2-4. 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.
120.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

120.3. Definitions
120.3-1. 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) "Business day" means Monday through Friday 8:00 a.m. – 4:30 p.m., excluding holidays recognized by the Nation.
(b) "Clear and convincing evidence" means evidence that demonstrates it is substantially more likely than not that the facts presented are true.
(c) "Complainant" means an individual who has made a complaint.
(d) "Constitution" means the Constitution and By-Laws of the Oneida Nation.
(e) "Court of Appeals" means the Court of Appeals of the Oneida Nation Judiciary.
(f) "Entity" means a board, committee, commission, office, or other group of the Nation an individual may be elected to serve a position on, including the Oneida Business Committee.
(g) "Government Administrative Office" means the office that provides administrative support for the Oneida Business Committee and various other governmental operations.
(h) "Misconduct" means wrongful, improper, or unlawful conduct or behavior.
(i) "Nation" means the Oneida Nation.
(j) "Official" means any person who is elected to serve a position for the Nation, including, but not limited to, a position on a board, committee, commission, or office of the Nation, including the Oneida Business Committee.
(k) "Restitution" means compensation to an individual or entity for an injury, damage, or loss.
(l) "Stipend" means the amount paid by the Oneida Nation to elected individuals serving on boards, committees and commissions of the Nation to offset the expenses of being a member on the board, committee or commission.
(m) "Substantiate" means to find that the complaint or allegation in the complaint is valid because there is clear and convincing evidence.
(n) "Trial Court" means the Trial Court of the Oneida Nation Judiciary, which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A.

120.4. Misconduct

120.4-1. It shall be the obligation of every official to behave in a manner that promotes high standards of conduct. High standards of conduct amongst officials of the Nation are essential to the conduct of government.
120.4-2. An official may be subject to sanctions and penalties for behaving in a manner which constitutes misconduct. Misconduct includes:
(a) a violation of the Constitution or any of the Nation's laws, policies, or rules;
(b) a violation of the bylaws, standard operating procedures, or other internal operating documents that govern the entity upon which the official serves; and
(c) a conviction of a felony, or any crime in any jurisdiction that would be classified as a felony under federal law or Wisconsin law.

120.5. Filing of a Complaint

120.5-1. *Who May File*. Any individual at least eighteen (18) years of age or older who is an enrolled member of the Nation or an employee of the Nation, or an entity, who in good faith, has knowledge or reason to believe that an official has committed misconduct, may file a written complaint.

120.5-2. *When to File*. A complaint may be filed as long as the alleged misconduct has occurred, or was discovered to have occurred, within the previous sixty (60) days.

120.5-3. *Contents of the Complaint*. The complaint alleging misconduct by an official shall include the following information:

(a) The name(s) of the official alleged to have committed the misconduct;

(b) The entity or entities upon which the official serves;

(c) The specific date(s), time(s), and location(s) of the alleged misconduct;

(d) The specific details of the official's misconduct;

(e) The specific provision of law, policy, rule, or bylaw of the Nation allegedly violated by the official;

(f) Names of any witnesses of the alleged misconduct, or individuals who may have knowledge pertinent to the alleged misconduct;

(g) The contact information for the person filing the complaint, which at minimum shall include the person's name, address, and telephone number;

(h) A notarized sworn statement attesting that the information provided in and with the complaint is true, accurate, and complete to the best of the complainant's knowledge;

(i) Any supporting documentation; and

(j) Any other information required by the Nation's Rules of Civil Procedure.

120.5-4. *Where to File*. Complaints against an official shall be filed with the Nation's Trial Court pursuant to the Nation's Rules of Civil Procedure.

120.5-5. *Retaliation Prohibited*. Retaliation against any individual who makes a complaint or party or witness to a complaint is prohibited. This protection shall also be afforded to any person offering testimony or evidence or complying with directives authorized under this law. Retaliation shall include any form of adverse or punitive action by, or caused by, any official.

(a) If an individual alleges that retaliatory action has been threatened or taken based on the individual's complaint, or cooperation with directives authorized under this law, the individual may file a complaint for the retaliatory action in accordance with section 120.5 of this law.

120.6. Complaint Procedure

120.6-1. *Jurisdiction of the Trial Court*. The Trial Court shall have jurisdiction to hear complaints of alleged misconduct of officials.

120.6-2. Any official who is the subject of a complaint has the right to be represented by an attorney or advocate, at their own expense, for any actions or proceedings related to the complaint.

120.6-3. *Burden of Proof*. In a civil action against an official for misconduct, the complainant has the burden of proving by clear and convincing evidence that the official engaged in misconduct.

120.6-4. *Confidentiality*. All complaints alleged against an official of the Nation shall be handled in a confidential manner.

(a) All hearings and/or proceedings related to a complaint shall be closed to the general public.

(b) All records of hearings and/or proceedings shall not be subject to public review or inspection except that a decision of the Judiciary regarding a complaint alleged against an official, and any sanctions and/or penalties that are imposed against an official, shall be public information.

120.6-5. *Determination of the Trial Court*. In making a final determination, the Trial Court shall determine if there is enough evidence to substantiate the allegations of misconduct by the official by clear and convincing evidence.

(a) If the Trial Court finds that there is clear and convincing evidence that the official engaged in misconduct, the Trial Court shall determine and impose any sanctions and/or penalties deemed appropriate in accordance with this law.

(b) If the Trial Court does not find that there is clear and convincing evidence to support the allegations that the official engaged in misconduct, the complaint shall be dismissed.

120.6-6. *Appeal*. The complainant and the official who is the subject of the complaint shall both have the right to appeal the Trial Court's decision to the Court of Appeals pursuant to the Nation's Rules of Appellate Procedure. The appeal shall be limited to review of the record, and the Trial Court's decision may only be overturned if the Court of Appeals determines that:

(a) The findings or penalties imposed were clearly erroneous, unsupported by the record, or made on unreasonable grounds or without any proper consideration of circumstances; or

(b) Procedural irregularities occurred which prevented a fair and impartial hearing.

120.7. Sanctions and Penalties

120.7-1. A sanction or penalty, or any combination of sanctions and/or penalties, may be imposed upon the Nation's officials for misconduct in office, in accordance with this law.

120.7-2. Sanctions and penalties may include:

(a) *Verbal Reprimand*. A verbal reprimand may be imposed on the official.

(1) The Trial Court shall submit written notices to both the official and to the Government Administrative Office of the specific date, time, and location of the verbal reprimand. The verbal reprimand shall occur at an Oneida Business Committee meeting and/or a General Tribal Council meeting.

(2) To impose the verbal reprimand, the presiding Oneida Business Committee Chairperson, or another Oneida Business Committee member if the verbal reprimand is imposed against the presiding Oneida Business Committee Chairperson, shall read the following statement:

(A) *[Insert name of official] who serves on [Insert name of entity] is receiving this reprimand because they have been found by the Nation's Judiciary to have engaged in misconduct. High standards of conduct amongst officials of the Nation are essential to the conduct of government. [Insert name of official's] behavior did not rise to the high standards of conduct that is expected of the Nation's ~~elected~~ officials. The following are the findings from the Trial Count regarding [Insert name of official's] misconduct: [identify the judicial findings regarding the misconduct.] Any future misconduct may result in the imposition of additional sanctions or penalties.*

(b) *Public Apology*. The official may be ordered to make a public apology.

(1) The Trial Court shall submit written notices to both the official and to the Government Administrative Office of the specific date, time, and location of the public apology. The public apology shall occur at an Oneida Business Committee meeting and/or a General Tribal Council meeting.

(2) The public apology made by the official shall identify the judicial findings regarding the official's misconduct and include a clear and unambiguous apology from the official for the misconduct.

(c) *Written Reprimand*. A written reprimand may be imposed on the official by publication on the Nation's official media outlets, as determined by the Oneida Business Committee.

(1) The Trial Court may publish a written reprimand which includes the same statement as required for the verbal reprimand as stated in section 120.7-2(a)(2)(A).

(d) *Suspension*. An official may be suspended from performing their duties as an official for a period of time not to exceed ~~two (2) regular meetings, or fifteen (15~~ninety (90) business days ~~if the official serves in a full-time capacity~~.

(1) During a suspension, the official shall not:

(A) attend meetings, trainings or any other event as part of the entity;

(B) attend conferences or other events on behalf of, or as a representative of, the entity;

(C) vote or participate in any activities of the entity;

(D) perform work on behalf of the entity; or

(E) be eligible for any compensation, including regular pay, stipends, or mileage reimbursement.

(2) When an official is suspended, the Trial Court shall submit written notices to the official, the Government Administrative Office, Finance Administration, and the Human Resources Department, when applicable, of the specific start and end date of the suspension.

(3) If a suspension is imposed on multiple officials of the same entity at one time, the Trial Court may impose the suspensions of the officials on a staggered basis to avoid an interruption of the official business and function of the entity.

(e) *Restitution*. An official may be ordered to pay restitution, which may include the repayment of any improperly received benefit, or any other payment which is intended to make another individual or entity whole after suffering losses as a result of the official's misconduct.

(f) *Fines*. An official may be ordered to pay a fine not to exceed two thousand and five hundred dollars ($2,500).

(1) Fines shall be paid to the Trial Court.

(2) Community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service. The use of community service as a substitution for a fine shall be approved and monitored by the Trial Court.

(3) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later. If the fine is not paid by this deadline, the Trial Court may seek to collect the money owed through garnishment either through the procedures provided in the Nation's Garnishment law or through garnishment procedures of other jurisdictions, and/or per capita attachment in accordance with the Per Capita law.

(g) *Loss of Stipend*. An official may be ordered to forfeit a stipend for their service on an entity not to exceed two (2) meetings.

(1) When an official is ordered to forfeit a stipend, the Trial Court shall submit written notices to the official and the Government Administrative Office.

(h) *Mandatory Participation in Training*. An official may be ordered to participate in and complete a training class or program at their own expense that will assist the official in addressing and improving their behaviors and/or actions.

(1) The mandated training class or program may address a variety of topics including, but not limited to, anger management, sexual harassment, or other sensitivity training.

(i) *Removal*. The Trial Court may recommend that the process for removing an elected official as contained in the Nation's laws and/or policies governing removal be initiated.

120.7-3. *Factors in Determining an Appropriate Sanction and/or Penalty.* When determining the appropriate sanction or sanctions to impose, the Trial Court may consider all factors it deems relevant, including but not limited to:

(a) the seriousness or severity of the misconduct;
(b) whether the conduct was intentional or not;
(c) the likelihood of repetition;
(d) the extent of probable damage to the finances or reputation of the Nation, the complainant, the entity, or to any other person or organization;
(e) whether the official or their family personally profited, financially or otherwise, from the prohibited conduct;
(f) the official's remorse, or
(g) the official's willingness and ability to take steps to mitigate the harm caused by the violation, and
(h) the record of conduct of an official.

120.7-4. The Trial Court may impose a sanction and/or penalty on a conditional basis, whereas compliance with a specific sanction and/or penalty shall prevent the imposition of a more stringent or burdensome sanction and/or penalty.

120.7-5. The imposition of sanctions and/or penalties in accordance with this law does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other applicable laws. In addition to any sanctions and penalties that may be imposed in accordance with this law, officials who commit misconduct in office may be subject to other consequences; including but not limited to:

(a) removal in accordance with the Nation's laws and/or policies governing removal;
(b) criminal prosecution, for misconduct that also violates applicable criminal law;
(c) civil liability, in accordance with the applicable law of any jurisdiction; and/or
(d) penalties for specific misconduct as authorized by any other law of the Nation.

120.7-6. An official who does not comply with a sanction and/or penalty that has been imposed against him or her by the Trial Court may be subject to the following:

(a) additional sanctions and/or penalties that result from a complaint of misconduct filed in accordance with this Law based on the non-compliance;
(b) removal in accordance with the Nation's laws and policies governing removal.

120.8. Effect of Resignation by an Official

120.8-1. The resignation of an official after a complaint has been filed against the official shall not affect the status of the hearing and determination by the Trial Court.

120.8-2. An official who resigns may still be subject to sanctions and/or penalties at the discretion of the Trial Court.

120.9. Record of Conduct

120.9-1. The Judiciary shall maintain a record of conduct for each official. An official's record of conduct shall only be made available for review by the Judiciary.

120.9-2. The record of conduct maintained for each official shall include, at a minimum:

(a) a copy of each complaint filed against the official;
(b) recording and/or transcript from any hearings and/or proceedings;
(c) the outcome of the complaint, and

(d) any sanctions or penalties imposed upon an official.

120.9-3. The record of conduct for each official shall be maintained for a period of no less than seven (7) years.

End.

Adopted – GTC-__-__-__-__

Title 1. Government and Finances - Chapter 120
Kalihwahnila·tú· Okhaleʔ Atatlihwaʔthlewáhtu Kayanlʌ́sla
Giving strength to the issues and Forgiving oneself for the issue at hand Laws
SANCTIONS AND PENALTIES

120.1. Purpose and Policy
120.2. Adoption, Amendment, Repeal
120.3. Definitions
120.4. Misconduct
120.5. Filing of a Complaint
120.6. Complaint Procedure
120.7. Sanctions and Penalties
120.8. Effect of Resignation by an Official
120.9. Record of Conduct

120.1. Purpose and Policy

120.1-1. *Purpose.* The purpose of this law is to address the misconduct and promote accountability and improved performance of the official to establish a consistent set of sanctions and penalties that may be imposed upon officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action.

(a) *Exclusion*. This law does not apply to judges of the Oneida Nation Judiciary or members of corporate entities of the Nation.

120.1-2. *Policy.* It is the policy of the Nation to ensure that officials who commit misconduct while in office be subject to appropriate sanctions and penalties; and to ensure that there is a fair process in place that enables officials to fairly respond to allegations of misconduct.

120.1-3. It is the intent of the Nation that all officials strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by Onʌyoteʔa·ka, which includes:

(a) Kahletsyalúsla. The heart felt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.
(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.
(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

120.2. Adoption, Amendment, Repeal

120.2-1. This law was adopted by the General Tribal Council by resolution GTC-__-__-__-__.

120.2-2. This law may be amended or repealed by the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

120.2-3. 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.

120.2-4. 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.

120.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

120.3. Definitions

120.3-1. 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) "Business day" means Monday through Friday 8:00 a.m. – 4:30 p.m., excluding holidays recognized by the Nation.
(b) "Clear and convincing evidence" means evidence that demonstrates it is substantially more likely than not that the facts presented are true.
(c) "Complainant" means an individual who has made a complaint.
(d) "Constitution" means the Constitution and By-Laws of the Oneida Nation.
(e) "Court of Appeals" means the Court of Appeals of the Oneida Nation Judiciary.
(f) "Entity" means a board, committee, commission, office, or other group of the Nation an individual may be elected to serve a position on, including the Oneida Business Committee.
(g) "Government Administrative Office" means the office that provides administrative support for the Oneida Business Committee and various other governmental operations.
(h) "Misconduct" means wrongful, improper, or unlawful conduct or behavior.
(i) "Nation" means the Oneida Nation.
(j) "Official" means any person who is elected to serve a position for the Nation, including, but not limited to, a position on a board, committee, commission, or office of the Nation, including the Oneida Business Committee.
(k) "Restitution" means compensation to an individual or entity for an injury, damage, or loss.
(l) "Stipend" means the amount paid by the Oneida Nation to elected individuals serving on boards, committees and commissions of the Nation to offset the expenses of being a member on the board, committee or commission.
(m) "Substantiate" means to find that the complaint or allegation in the complaint is valid because there is clear and convincing evidence.
(n) "Trial Court" means the Trial Court of the Oneida Nation Judiciary, which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A.

120.4. Misconduct

120.4-1. It shall be the obligation of every official to behave in a manner that promotes high standards of conduct. High standards of conduct amongst officials of the Nation are essential to the conduct of government.
120.4-2. An official may be subject to sanctions and penalties for behaving in a manner which constitutes misconduct. Misconduct includes:
(a) a violation of the Constitution or any of the Nation's laws, policies, or rules;
(b) a violation of the bylaws, standard operating procedures, or other internal operating documents that govern the entity upon which the official serves; and
(c) a conviction of a felony, or any crime in any jurisdiction that would be classified as a felony under federal law or Wisconsin law.

120.5. Filing of a Complaint

120.5-1. *Who May File*. Any individual at least eighteen (18) years of age or older who is an enrolled member of the Nation or an employee of the Nation, or an entity, who in good faith, has knowledge or reason to believe that an official has committed misconduct, may file a written complaint.

120.5-2. *When to File*. A complaint may be filed as long as the alleged misconduct has occurred, or was discovered to have occurred, within the previous sixty (60) days.

120.5-3. *Contents of the Complaint*. The complaint alleging misconduct by an official shall include the following information:

(a) The name(s) of the official alleged to have committed the misconduct;

(b) The entity or entities upon which the official serves;

(c) The specific date(s), time(s), and location(s) of the alleged misconduct;

(d) The specific details of the official's misconduct;

(e) The specific provision of law, policy, rule, or bylaw of the Nation allegedly violated by the official;

(f) Names of any witnesses of the alleged misconduct, or individuals who may have knowledge pertinent to the alleged misconduct;

(g) The contact information for the person filing the complaint, which at minimum shall include the person's name, address, and telephone number;

(h) A notarized sworn statement attesting that the information provided in and with the complaint is true, accurate, and complete to the best of the complainant's knowledge;

(i) Any supporting documentation; and

(j) Any other information required by the Nation's Rules of Civil Procedure.

120.5-4. *Where to File*. Complaints against an official shall be filed with the Nation's Trial Court pursuant to the Nation's Rules of Civil Procedure.

120.5-5. *Retaliation Prohibited*. Retaliation against any individual who makes a complaint or party or witness to a complaint is prohibited. This protection shall also be afforded to any person offering testimony or evidence or complying with directives authorized under this law. Retaliation shall include any form of adverse or punitive action by, or caused by, any official.

(a) If an individual alleges that retaliatory action has been threatened or taken based on the individual's complaint, or cooperation with directives authorized under this law, the individual may file a complaint for the retaliatory action in accordance with section 120.5 of this law.

120.6. Complaint Procedure

120.6-1. *Jurisdiction of the Trial Court*. The Trial Court shall have jurisdiction to hear complaints of alleged misconduct of officials.

120.6-2. Any official who is the subject of a complaint has the right to be represented by an attorney or advocate, at their own expense, for any actions or proceedings related to the complaint.

120.6-3. *Burden of Proof*. In a civil action against an official for misconduct, the complainant has the burden of proving by clear and convincing evidence that the official engaged in misconduct.

120.6-4. *Confidentiality*. All complaints alleged against an official of the Nation shall be handled in a confidential manner.

(a) All hearings and/or proceedings related to a complaint shall be closed to the general public.

(b) All records of hearings and/or proceedings shall not be subject to public review or inspection except that a decision of the Judiciary regarding a complaint alleged against an official, and any sanctions and/or penalties that are imposed against an official, shall be public information.

120.6-5. *Determination of the Trial Court*. In making a final determination, the Trial Court shall determine if there is enough evidence to substantiate the allegations of misconduct by the official by clear and convincing evidence.

(a) If the Trial Court finds that there is clear and convincing evidence that the official engaged in misconduct, the Trial Court shall determine and impose any sanctions and/or penalties deemed appropriate in accordance with this law.

(b) If the Trial Court does not find that there is clear and convincing evidence to support the allegations that the official engaged in misconduct, the complaint shall be dismissed.

120.6-6. *Appeal*. The complainant and the official who is the subject of the complaint shall both have the right to appeal the Trial Court's decision to the Court of Appeals pursuant to the Nation's Rules of Appellate Procedure. The appeal shall be limited to review of the record, and the Trial Court's decision may only be overturned if the Court of Appeals determines that:

(a) The findings or penalties imposed were clearly erroneous, unsupported by the record, or made on unreasonable grounds or without any proper consideration of circumstances; or

(b) Procedural irregularities occurred which prevented a fair and impartial hearing.

120.7. Sanctions and Penalties

120.7-1. A sanction or penalty, or any combination of sanctions and/or penalties, may be imposed upon the Nation's officials for misconduct in office, in accordance with this law.

120.7-2. Sanctions and penalties may include:

(a) *Verbal Reprimand*. A verbal reprimand may be imposed on the official.

(1) The Trial Court shall submit written notices to both the official and to the Government Administrative Office of the specific date, time, and location of the verbal reprimand. The verbal reprimand shall occur at an Oneida Business Committee meeting and/or a General Tribal Council meeting.

(2) To impose the verbal reprimand, the presiding Oneida Business Committee Chairperson, or another Oneida Business Committee member if the verbal reprimand is imposed against the presiding Oneida Business Committee Chairperson, shall read the following statement:

(A) *[Insert name of official] who serves on [Insert name of entity] is receiving this reprimand because they have been found by the Nation's Judiciary to have engaged in misconduct. High standards of conduct amongst officials of the Nation are essential to the conduct of government. [Insert name of official's] behavior did not rise to the high standards of conduct that is expected of the Nation's officials. The following are the findings from the Trial Count regarding [Insert name of official's] misconduct: [identify the judicial findings regarding the misconduct.] Any future misconduct may result in the imposition of additional sanctions or penalties.*

(b) *Public Apology*. The official may be ordered to make a public apology.

(1) The Trial Court shall submit written notices to both the official and to the Government Administrative Office of the specific date, time, and location of the public apology. The public apology shall occur at an Oneida Business Committee meeting and/or a General Tribal Council meeting.

(2) The public apology made by the official shall identify the judicial findings regarding the official's misconduct and include a clear and unambiguous apology from the official for the misconduct.

(c) *Written Reprimand*. A written reprimand may be imposed on the official by publication on the Nation's official media outlets, as determined by the Oneida Business Committee.

(1) The Trial Court may publish a written reprimand which includes the same statement as required for the verbal reprimand as stated in section 120.7-2(a)(2)(A).

(d) *Suspension*. An official may be suspended from performing their duties as an official for a period of time not to exceed ninety (90) business days.

(1) During a suspension, the official shall not:

(A) attend meetings, trainings or any other event as part of the entity;

(B) attend conferences or other events on behalf of, or as a representative of, the entity;

(C) vote or participate in any activities of the entity;

(D) perform work on behalf of the entity; or

(E) be eligible for any compensation, including regular pay, stipends, or mileage reimbursement.

(2) When an official is suspended, the Trial Court shall submit written notices to the official, the Government Administrative Office, Finance Administration, and the Human Resources Department, when applicable, of the specific start and end date of the suspension.

(3) If a suspension is imposed on multiple officials of the same entity at one time, the Trial Court may impose the suspensions of the officials on a staggered basis to avoid an interruption of the official business and function of the entity.

(e) *Restitution*. An official may be ordered to pay restitution, which may include the repayment of any improperly received benefit, or any other payment which is intended to make another individual or entity whole after suffering losses as a result of the official's misconduct.

(f) *Fines*. An official may be ordered to pay a fine not to exceed two thousand and five hundred dollars ($2,500).

(1) Fines shall be paid to the Trial Court.

(2) Community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service. The use of community service as a substitution for a fine shall be approved and monitored by the Trial Court.

(3) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later. If the fine is not paid by this deadline, the Trial Court may seek to collect the money owed through garnishment either through the procedures provided in the Nation's Garnishment law or through garnishment procedures of other jurisdictions, and/or per capita attachment in accordance with the Per Capita law.

(g) *Loss of Stipend*. An official may be ordered to forfeit a stipend for their service on an entity not to exceed two (2) meetings.

(1) When an official is ordered to forfeit a stipend, the Trial Court shall submit written notices to the official and the Government Administrative Office.

(h) *Mandatory Participation in Training*. An official may be ordered to participate in and complete a training class or program at their own expense that will assist the official in addressing and improving their behaviors and/or actions.

(1) The mandated training class or program may address a variety of topics including, but not limited to, anger management, sexual harassment, or other sensitivity training.

(i) *Removal*. The Trial Court may recommend that the process for removing an elected official as contained in the Nation's laws and/or policies governing removal be initiated.

120.7-3. *Factors in Determining an Appropriate Sanction and/or Penalty.* When determining the appropriate sanction or sanctions to impose, the Trial Court may consider all factors it deems relevant, including but not limited to:

(a) the seriousness or severity of the misconduct;
(b) whether the conduct was intentional or not;
(c) the likelihood of repetition;
(d) the extent of probable damage to the finances or reputation of the Nation, the complainant, the entity, or to any other person or organization;
(e) whether the official or their family personally profited, financially or otherwise, from the prohibited conduct;
(f) the official's remorse, or
(g) the official's willingness and ability to take steps to mitigate the harm caused by the violation, and
(h) the record of conduct of an official.

120.7-4. The Trial Court may impose a sanction and/or penalty on a conditional basis, whereas compliance with a specific sanction and/or penalty shall prevent the imposition of a more stringent or burdensome sanction and/or penalty.

120.7-5. The imposition of sanctions and/or penalties in accordance with this law does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other applicable laws. In addition to any sanctions and penalties that may be imposed in accordance with this law, officials who commit misconduct in office may be subject to other consequences; including but not limited to:

(a) removal in accordance with the Nation's laws and/or policies governing removal;
(b) criminal prosecution, for misconduct that also violates applicable criminal law;
(c) civil liability, in accordance with the applicable law of any jurisdiction; and/or
(d) penalties for specific misconduct as authorized by any other law of the Nation.

120.7-6. An official who does not comply with a sanction and/or penalty that has been imposed against him or her by the Trial Court may be subject to the following:

(a) additional sanctions and/or penalties that result from a complaint of misconduct filed in accordance with this Law based on the non-compliance;
(b) removal in accordance with the Nation's laws and policies governing removal.

120.8. Effect of Resignation by an Official

120.8-1. The resignation of an official after a complaint has been filed against the official shall not affect the status of the hearing and determination by the Trial Court.

120.8-2. An official who resigns may still be subject to sanctions and/or penalties at the discretion of the Trial Court.

120.9. Record of Conduct

120.9-1. The Judiciary shall maintain a record of conduct for each official. An official's record of conduct shall only be made available for review by the Judiciary.

120.9-2. The record of conduct maintained for each official shall include, at a minimum:

(a) a copy of each complaint filed against the official;
(b) recording and/or transcript from any hearings and/or proceedings;
(c) the outcome of the complaint, and

(d) any sanctions or penalties imposed upon an official.

120.9-3. The record of conduct for each official shall be maintained for a period of no less than seven (7) years.

End.

Adopted – GTC-__-__-__-__

FINANCE ADMINISTRATION
Fiscal Impact Statement

ONEIDA

MEMORANDUM

TO: RaLinda Ninham-Lamberies, Chief Financial Officer

FROM: Rae Skenandore, Sr. Analyst

DATE: July 3, 2025

RE: **Fiscal Impact Statement of the Sanctions and Penalties Law**

I. Estimated Fiscal Impact Summary

Law: Sanctions and Penalties Law		Draft 6
Implementing Agency	Oneida Judiciary	
Estimated time to comply	10 days	
Estimated Impact	**Current Fiscal Year**	**10 Year Estimate**
Total Estimated Fiscal Impact	$0	$0

II. Background

This Law has been under consideration with the Legislative Operating Committee since 2014. There was a lengthy process of gathering input and developing this law in compliance with the additional requirements of a General Tribal Council Directive.

The intent was to develop a law which provides a consistent process for misconduct complaints to be filed and sanctions to be implemented against elected officials. The legislation contains the following:

A. What Qualifies as Misconduct. The definition of misconduct is broad and includes any of the following:
   1. Violating the Oneida Constitution or any law, policy, or rule of the Oneida Nation.
   2. Violating the bylaws or standard operating procedures of the entity the official serves on.
   3. Being convicted of a felony under federal or Wisconsin law, or being convicted of a crime elsewhere that would be considered a felony in the state of Wisconsin or the United States.

B. Filing a Complaint.

1. Any enrolled member or employee of the Nation age eighteen (18) or older or a tribal entity such as a board, committee or commission can file a complaint of suspected misconduct.
2. The complaint must be filed within sixty (60) days of when the alleged misconduct occurred or was discovered.
3. Contents of the Complaint must include the following:
    a) Information about the official
    b) Information about the alleged misconduct
    c) The specific law, policy, rule, or bylaw that was violated.
    d) Information about any witnesses or others with knowledge of the violation.
    e) Contact information of the individual filing the complaint.
    f) Supporting documents and any other information required by the Oneida Judiciary Rules of Civil Procedure.
4. Complaints must be filed with the Trial Court at the Oneida Judiciary.
5. Retaliation is prohibited.

C. Complaints will be processed by the Oneida Nation's Trial Court.
1. Individual(s) accused of misconduct have the right to an attorney or an advocate, at their own expense.
2. The burden of proof for allegations is "clear and convincing evidence." This is the same standard used for misconduct cases against the judges in the Oneida Judiciary.
3. All complaints against an official of the Nation will be managed confidentially, with hearings and proceedings closed to the public.
4. The records of the hearings will be kept confidential. The final decision and any sanctions and penalties imposed will be public information.

D. All hearings follow the Oneida Judiciary Rules of Civil Procedure.

E. If the court finds that an official has engaged in misconduct, the court shall determine any sanctions and penalties to be imposed. Sanctions and penalties include:
1. Verbal Reprimand
2. Public Apology
3. Written Reprimand
4. Suspension
5. Restitution
6. Fines
7. Loss of Stipend
8. Mandatory Training
9. Removal, in accordance with Removal Law

F. Factors in determining appropriate sanction and/or penalty may include the following:
1. Severity, i.e., intention, likeliness to repeat, damage to the finances or reputation of the Nation.
2. Remorse and willingness to take corrective actions.

3. Prior complaints or if the action represents a pattern of behavior.

G. Additional civil liability and/or criminal prosecution may result depending on the misconduct.

H. If an official resigns prior to a complaint being filed, the complaint will still be investigated, and sanction and penalty imposed.

I. Records will be maintained by the judiciary for a minimum of seven (7) years.

III. Methodology and Assumptions

A "Fiscal Impact Statement" means an estimate of the total identifiable fiscal year financial effects associated with legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an agency to comply with the Law after implementation.

Finance does NOT identify the source of funding for the estimated cost or allocate any funds to the legislation.

The analysis was completed based on the information provided as of the date of this memo.

IV. Findings

Finance contacted both the Oneida Judiciary and the Human Resources Department to determine the fiscal impact of implementing this legislation. No start-up costs, no increases in personnel are needed, and no increases in office or documentation costs were noted. There will be no fine schedule included with the adopting resolution. Fines are set at the discretion of the judge, cannot exceed $2,500, and are paid to the court. The Oneida Judiciary and the Human Resources Department can implement the Law immediately upon approval.

V. Financial Impact

There is no fiscal impact of implementing this legislation.

VI. Recommendation

Finance does not make a recommendation about a course of action in this matter. Rather, the purpose of a fiscal impact statement is to disclose the potential fiscal impact of the action so that the Oneida Business Committee and General Tribal Council has the information with which to render a decision.

April 30, 2026 Legislative Operating Committee E-Poll
Approval of the LOC and LRO FY 2026 Semi-Annual Reports for GTC

Good Afternoon Legislative Operating Committee,

This e-mail serves as the e-poll for the approval of the Fiscal Year 2026 Legislative Operating Committee and Legislative Reference Office Semi-Annual Reports to the General Tribal Council.

EXECUTIVE SUMMARY
Oneida's Constitution requires the Oneida Business Committee to report to the General Tribal Council twice per year - during the Annual and Semi-Annual meetings. The intent of these reports is to provide members of the Nation with information about the Nation's achievements and how these achievements relate to the dollars spent in each area. The Legislative Operating Committee and the Legislative Reference Office are required to provided annual reports to the Oneida Business Committee to be included in the presentation to the General Tribal Council.

Attached to this e-mail are both the Fiscal Year 2026 Legislative Operating Committee and Legislative Reference Office Semi-Annual Reports to the General Tribal Council.

An e-poll is necessary to approve the Fiscal Year 2026 Legislative Operating Committee and Legislative Reference Office Semi-Annual Reports to the General Tribal Council because the next Legislative Operating Committee meeting is not until May 6, 2026, and the annual reports are due to the Nation's Secretary by the close of business on May 1, 2026.

REQUESTED ACTION
- Approve the Fiscal Year 2026 Legislative Operating Committee and Legislative Reference Office Semi-Annual Reports to the General Tribal Council and forward to the Nation's Secretary.

DEADLINE FOR RESPONSE
May 1, 2026 at 2:00 p.m.

All supporting documentation has been attached to this email for your convenience.

ONEIDA

A good mind. A good heart. A strong fire.

E-POLL RESULTS:

This e-poll was approved by Jonas Hill, Jameson Wilson, Jennifer Webster, and Kirby Metoxen. Marlon Skenandore did not provide a response.

RE: E-POLL REQUEST: Approval of the LOC and LRO FY 2026 Semi-Annual Reports for GTC

Reply | Reply All | Forward

Jonas G. Hill
To LOC; Jameson J. Wilson; Jennifer A. Webster; Jonas G. Hill; Kirby W. Metoxen; Marlon G. Skenandore; Jonas G. Hill
Cc Fawn J. Billie; Fawn L. Cottrell; Kristal E. Hill; Rhiannon R. Metoxen; David P. Jordan; Clorissa N. Leeman

Thu 4/30/2026 2:44 PM

Approve

Re: E-POLL REQUEST: Approval of the LOC and LRO FY 2026 Semi-Annual Reports for GTC

Reply | Reply All | Forward

Jameson J. Wilson
To LOC; Jennifer A. Webster; Jonas G. Hill; Kirby W. Metoxen; Marlon G. Skenandore
Cc Fawn J. Billie; Fawn L. Cottrell; Kristal E. Hill; Rhiannon R. Metoxen; David P. Jordan; Clorissa N. Leeman

Thu 4/30/2026 2:55 PM

If there are problems with how this message is displayed, click here to view it in a web browser.

Approve

RE: E-POLL REQUEST: Approval of the LOC and LRO FY 2026 Semi-Annual Reports for GTC

Reply | Reply All | Forward

Jennifer A. Webster
To LOC; Jameson J. Wilson; Jonas G. Hill; Kirby W. Metoxen; Marlon G. Skenandore
Cc Fawn J. Billie; Fawn L. Cottrell; Kristal E. Hill; Rhiannon R. Metoxen; David P. Jordan; Clorissa N. Leeman

Thu 4/30/2026 3:23 PM

Approve,
Jenny

Re: E poll for LRO and LOC Semi-annual Reports

Reply | Reply All | Forward

Kirby W. Metoxen
To Jameson J. Wilson; Jennifer A. Webster; Jonas G. Hill
Cc David P. Jordan; Fawn L. Cottrell; Grace L. Elliott; Fawn J. Billie; Rhiannon R. Metoxen; Carolyn A. Salutz; Clorissa N. Leeman; Kristal E. Hill

Thu 4/30/2026 4:21 PM

If there are problems with how this message is displayed, click here to view it in a web browser.

I believe I approved

FY-2026 Semi-Annual Report

Legislative Operating Committee

Purpose:

The purpose and mission of the LOC is to enhance the policymaking capability of the Oneida Business Committee and General Tribal Council by drafting laws and policies and reviewing past and current laws and policies of the Tribe.

BCC Members

Jameson Wilson, Chairman, 2023-2026 - jwilson@oneidanation.org

Kirby Metoxen, Vice-Chairman, 2023-2026 – kmetox@oneidanation.org

Jennifer Webster, Member, 2023-2026 – jwebste1@oneidanation.org

Jonas Hill, Member, 2023-2026 – jhill1@oneidanation.org

Marlon Skenandore, Member, 2023-2026 – mskenan1@oneidanation.org

Budget Information Requested

Funding Sources for FY-2026

Tribal Contribution:	*0%*
Grants:	*0%*
Other Sources:	
N/A	$0

Status as of 3/31/26

Total Budget:	$0
Budget Year to Date as of 3/31/26:	$0

Variance Explanation: Not applicable - The Legislative Operating Committee does not have a budget. The Legislative Reference Office, support office of the Legislative Operating Committee, does have a budget. Please see the Legislative Reference Office semi-annual report for their budget information.

Stipends

Regular Stipend Amount:$0 per meeting

	For each month, ENTER TOTAL DOLLAR amount paid	For each month, enter NUMBER of meetings, of each type.		
		Regular	*Special/Emergency*	*Hearings/Other*
October 2025	$0	2	0	0
November 2025	$0	1	0	0
December 2025	$0	2	0	0
January 2026	$0	1	0	0
February 2026	$0	2	0	0
March 2026	$0	2	0	0

Employees:

NUMBER OF EMPLOYEES TOTAL: *THE LEGISLATIVE REFERENCE OFFICE IS THE SUPPORT STAFF OF THE LEGISLATIVE OPERATING COMMITTEE AND HAS 3 EMPLOYEES. THE LEGISLATIVE OPERATING COMMITTEE ALSO HAS 5 ASSISTANTS.*

NUMBER OF EMPLOYEES WHO ARE ENROLLED ONEIDA: *THE LEGISLATIVE REFERENCE OFFICE HAS 1 ENROLLED AND 1 DESCENDENT EMPLOYEE. ALL EXECUTIVE ASSISTANTS OF THE LEGISLATIVE OPERATING COMMITTEE ARE ENROLLED MEMBERS*

Who we serve

The Legislative Operating Committee serves the General Tribal Council, Oneida Business Committee, any area within the Nation's organization, and the Oneida community at-large.

Strategic Plan

Does your area have an approved strategic plan on file? ☐ Yes ☒ No

PRIORITY/GOAL 1

Educate and engage the community on the legislative process and Legislative Operating Committee's legislative work through community outreach.

PRIORITY/GOAL 2

Goal to improve internal processes and strategy in an effort to improve organizational changes.

PRIORITY/GOAL 3

Adopt or amend the legislation identified as a high priority on the Legislative Operating Committee's Active Files List prior to the end of the 2023-2026 legislative term.

Meetings

Held every first and third Wednesday of the month.

Meeting Location: Norbert Hill Center, N7210 Seminary Road, Oneida, WI – Business Committee Conference Room & Microsoft Teams

Meeting Time: 9:00 a.m.

Eviction and Termination Law Amendments Update

The LOC is currently still developing comprehensive amendments to the Eviction and Termination law. A public meeting for the proposed Eviction and Termination law amendments was held on April 16, 2026. The public comment period was then held open until April 23, 2026. On May 6, 2026, the Legislative Operating Committee will accept and consider all public comments received. The Eviction and Termination law amendments will tentatively be presented to the Oneida Business Committee for consideration of adoption in June 2026.

Contact

MAIN CONTACT: Jameson Wilson

MAIN CONTACT TITLE: Legislative Operating Committee Chairman

MAIN PHONE: (920) 869-4385

MAIN EMAIL: LOC@oneidanation.org

MAIN WEBSITE: www.oneida-nsn.gov/LOC and www.oneida-nsn.gov/Register

Pictures

FY-2026 Semi-Annual Report

Legislative Operating Committee

Jameson Wilson, Legislative Operating Committee Chairman

Legislative Reference Office

Mission:

Provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects Onʌ́yoteʔa·ka values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty.

Purpose:

Assist the Legislative Operating Committee in developing clear and consistent legislation that reflects Onʌ́yoteʔa·ka values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty. In addition to the development of legislation, the Legislative Reference Office also drafts statements of effect for Oneida Business Committee and General Tribal Council resolutions and petitions, and provides assistance to various department and entities of the Nation with administrative rulemaking.

Who we serve

The Legislative Reference Office serves and supports the Legislative Operating Committee, who then serve any area within the Nation's organization and the Oneida community at-large.

Employees

Number of Employees total:	*3*
Number of Employees who are Enrolled Oneida:	*1 Enrolled Oneida, 1 descendant , 1 Non-Tribal*

Budget Information Requested

Funding Sources for FY-2026

Tribal Contribution:	*100%*
Grants:	*0%*
Other Sources:	

N/A	$0

Status as of 3/31/26

Total Budget:	$590,722
Budget Year to Date as of 3/31/26:	$298,386
Expenditures as of 3/31/26:	$310,757

Variance Explanation: Negative Variance of $12,371 – due to travel occurring in first part of year and fringe personnel costs.

Strategic Plan

Does your area have an approved strategic plan on file? ☐ Yes ☒ No

PRIORITY/GOAL 1

Educate and engage the community on the legislative process and Legislative Operating Committee's legislative work through community outreach.

PRIORITY/GOAL 2

Goal to improve internal processes and strategy in an effort to improve organizational changes.

PRIORITY/GOAL 3

Assist the Legislative Operating Committee in adopting or amending the legislation identified as a high priority on the Legislative Operating Committee's Active Files List prior to the end of the 2023-2026 legislative term.

Contact

MAIN CONTACT:	Clorissa N. Leeman
MAIN CONTACT TITLE:	Legislative Reference Office Senior Staff Attorney
MAIN PHONE:	(920) 869-4417
MAIN EMAIL:	cleeman@oneidanation.org or LOC@oneidanation.org
MAIN WEBSITE:	www.oneida-nsn.gov/LOC and www.oneida-nsn.gov/Register

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54115-0365
Oneida-nsn.gov

Legislative Operating Committee
Fiscal Year 2026
Second Quarter Report
January 2026 – March 2026

Legislative Operating Committee Strategic Directions

The Legislative Operating Committee completed strategic planning and set forth the following strategic directions to provide clarity and direction on the Legislative Operating Committee's legislative efforts during the 2023-2026 legislative term:

- Improving relationships through communication;
- Improving internal processes and strategy;
- Educating and engaging stakeholders, including youth; and
- Implementing efficient use of technology.

Legislative Operating Committee Action on Legislative Requests

During the FY26 Second Quarter the Legislative Operating Committee added six (6) legislative items to its Active Files List. The Legislative Operating Committee denied zero (0) legislative items during the FY26 Second Quarter.

On January 7 20256, the Legislative Operating Committee added the Petition: G. Powless-Buenrostro - Accountability Measure Options for BC and BCC's #2025-04 and the Petition: G. Powless Buenrostro – Amend the Administrative Rule Making Law #2025-05 to its Active Files List. On February 18, 2026, the Legislative Operating Committee added the Oneida General Welfare Law Amendments, General Tribal Council Meeting Stipend Payment Policy Amendments, and the Pardon and Forgiveness Law Amendments to is Active Files List. The Legislative Operating Committee added the Safe Neighborhoods law to its Active Files List via e-poll on February 23, 2026.

FY26 Second Quarter Legislative Accomplishments

During the FY26 Second Quarter the Legislative Operating Committee brought forward the following legislative items for amendment or adoption:

Sanctions and Penalties Law

On January 12, 2026, at a Special Geneal Tribal Council meeting the Sanctions and Penalties law was presented for adoption. A motion to adopt the proposed Sanctions and Penalties law ultimately failed. The Sanctions and Penalties laws:

- Requires an official of the Nation to behave in a manner that promotes high standards of

conduct. *[1 O.C. 120.4-1]*;
- Subjects an official of the Nation to sanctions and penalties for behaving in a manner that constitutes misconduct, which is defined as:
  - a violation of the Constitution or any of the Nation's laws, policies, or rules;
  - a violation of the bylaws, standard operating procedures or other internal operating documents that govern the entity upon which the official serves; and
  - a conviction of a felony, or any crime in any jurisdiction that would be classified as a felony under federal law or Wisconsin law. *[1 O.C. 120.4-2]*;
- Provides a process for filing a complaint, including:
  - who may file a complaint *[1 O.C. 120.5-1]*;
  - when a complaint may be filed, *[1 O.C. 120.5-2]*;
  - where a complaint may be filed *[1 O.C. 120.5-4]*; and
  - the necessary contents of a complaint *[1 O.C. 120.5-3]*;
- Prohibits retaliation against any individual who makes a complaint, is a witness to a complaint, or offers testimony or evidence *[1 O.C. 120.5-5]*;
- Delegates the responsibility to handle complaints alleged against an official to the Trial Court *[1 O.C. 120.6-1]*;
- Requires all complaints alleged against an official to be handled in a confidential manner *[1 O.C. 120.6-4]*;
- Allows for an individual to appeal the decision of the Trial Court to the Nation's Court of Appeals *[1 O.C. 120.6-11, 120.6-6]*;
- Provides various sanctions and penalties that may be imposed against an official *[1 O.C. 120.7-2]*;
- Provides factors to be used by the Trial Court when determining the appropriate sanctions and/or penalties to impose *[1 O.C. 120.7-3]*;
- Clarifies that the imposition of sanctions or penalties does not exempt an official from individual liability for the underlying misconduct, and does not limit any penalties that may be imposed in accordance with other laws *[1 O.C. 120.7-5]*;
- Discusses the effect of a resignation by an official *[1 O.C. 120.8]*; and
- Requires that Judiciary maintain a record of conduct in office for each official *[1 O.C. 120.10]*.

During the discussion of the Sanctions and Penalties law, the General Tribal Council discussed the need to ensure the punitive measures included in the Sanctions and Penalties law were adequate. Some discussion specifically focused on the belief that the suspension lengths included in the law were not long enough. The Legislative Operating Committee listened to discussion during the January 12, 2026, General Tribal Council meeting, and reviewed the submission of the Petition: Powless-Buenrostro – Accountability Measures for BC and BCCs #2025-04 in December of 2025. Based on this input received from the Nation's membership the Legislative Operating Committee updated the proposed Sanctions and Penalties law to further clarify the length of suspensions allowed for an official. The Sanctions and Penalties law is now ready for reconsideration and will be presented to the General Tribal Council in May of 2026.

Workplace Violence Law Amendments

The Oneida Business Committee adopted the amendments to Workplace Violence law on January 14, 2026, through the adoption of resolution BC-01-14-26-A. The purpose of the Workplace

Violence law is to provide all Oneida Nation employees and visitors an environment that is free of violence and the threat of violence. *[2 O.C. 223.1-1]*. Amendments to the Workplace Violence law:

- Clarify that this law applies to all employees, during or outside of any employee's normal work hours and as long as the alleged incident of workplace violence occurs in a setting reasonable connected to the workplace. *[2 O.C. 223.4]*.
- Clarify what constitutes "prohibited behaviors." *[2 O.C. 223.5]*.
- Clarify exceptions to "prohibited behaviors." *[2 O.C. 223.5-2]*.
- Require that all complaints and investigations of alleged workplace violence be directed to and handled by the Equal Employment Opportunity Department ("EEO") within the Oneida Nation Human Resources Department ("HRD"). *[2 O.C. 223.6-1; 223.9]*.
- Clarify that there will be a "final decision" which is the ultimate decision issued from the EEO Department, the Nation's Human Resources Executive Director, and the employee's supervisor regarding the allegation and investigation of the incident of workplace violence. *[2 O.C. 223.9-8]*.
- Clarify the responsibilities of the EEO Department. The EEO Department will be responsible for assigning an EEO Officer who will investigate the complaint and be responsible for determining the final decision along with the Nation's Human Resources Executive Director and the employee's supervisor. *[2 O.C. 223.9]*.
- Clarify that the EEO Department and the Nation's Human Resources Department are responsible for communicating and sharing information with each other to ensure all complaints and investigations are properly and timely handled. *[2 O.C. 223.6-6]*.
- Clarify that verbal complaints are acceptable but whichever department receives the verbal complaint should direct that employee to submit a written complaint to the EEO Department. *[2 O.C. 223.6-6(a)]*.
- Clarify the reporting of restraining orders and injunctions – when reporting is mandatory and when it is discretionary. *[2 O.C. 223.7]*.
- Clarify employment eligibility for employees who resign during a workplace violence investigation or are terminated as a result of a workplace violence investigation. *[2 O.C. 223.10]*.
- Various grammatical changes and other minor changes throughout the law.

The amendments to the Workplace Violence law became effective on January 28, 2026.

Hunting, Fishing, and Trapping Law Amendments

The Oneida Business Committee adopted amendment to the Hunting, Fishing, and Trapping law on January 14, 2026, through the adoption of resolution BC-01-14-26-B. The purpose of the Hunting, Fishing, and Trapping law is to protect and conserve wildlife on the reservation and to promote respect among sportsmen, for both the environment and fellow sportsmen. *[4 O.C. 406.1-1]*. Amendments to the Hunting, Fishing, and Trapping law:

- Add a definition for descendant, great bodily harm, and warden. *[4 O.C. 406.3-1(g), 406.3-14(m), 406.3-1(ff)];*

- Eliminate the Environmental Resource Board (ERB) from the law and delegate all responsibilities of ERB provided in the law, except hearing authority, to the Conservation Department throughout the entire law.;
- Require the Conservation Department draft rules that identify designated seasons and/or hunting hours for elder, disabled, and youth hunts. *[4 O.C. 406.5-2(e)(1)]*;
- Eliminate the requirement that the Conservation Department draft rules establishing a process for retention, storage and disposal of items confiscated or turned over to the Department in accordance with this law. *[4 O.C. 406.5-2]*;
- Require the Conservation Department draft rules that regulate the use of recovery and retrieval services and methods. *[4 O.C. 406.5-2(m)]*;
- Require the Conservation Department draft rules that regulate the care and husbandry of animals used to hunt or animals used for private game hunting. *[4 O.C. 406.5-2(n)]*;
- Eliminate the requirement that a rule booklet be provided to each person receiving a license permit. *[4 O.C. 406.5-2]*;
- Recognize that wardens fall within the organization of the Oneida Police Department and not the Conservation Department and therefore prescribe all responsibilities/duties of the wardens to the Oneida Police Department officers; and eliminate the requirement that an Oneida Police Department office who observes a violation of this law report it to a warden. *[4 O.C. 406.5-3, eliminate 406.5-4]*;
- Adds beaver to list of animals a landowner, lessee, or designee is allowed to hunt or trap on property they own or lease year round without a sportsman license, removing beavers from the list of nuisance animals that a person is not required to get a nuisance animal removal permit to hunt or trap *[4 O.C. 406.6-1(a)(2)(G), eliminated 406.8-3(a)]*;
- Eliminate the provision that allowed any licensee holding a fishing only sportsman license to name a designated hunter to fill the hunting or trapping permits that regularly accompany a sportsman license. *[Eliminated 4 O.C. 406.6-1(b)(1)(B)]*;
- Eliminate the requirement that at least eighty-five percent (85%) of the group and/or organization members be Tribal members for groups/organizations that seek a ceremonial and/or feast permit. *[4 O.C. 406.6-2(b)]*;
- Require that all persons participating in the ceremonial and/or feast hunt be tribal members, descendants, or a spouse of a tribal member in addition to the requirement that they be named hunters on the permit. *[4 O.C. 406.6-2(c)]*;
- Require that medical verification for a disabled hunter permit show that the physical disability results in mobility issues that makes it necessary for the disable hunter to hunt from a stationary vehicle. *[4 O.C. 406.6-6]*;
- Provide that any person who has had a license or permit denied in accordance with section 406.6-7(a) may appeal the Department's decision by requesting a hearing before the Trial Court instead of ERB. *[4 O.C. 406.6-7(b)]*;
- Provide that any person who accidentally collides with and kills a deer while operating a vehicle on a roadway, may retain possession of the said deer, provided that the person shall

have the deer tagged by the State of Wisconsin, instead of the Department. *[4 O.C. 406.7-3]*;

- Remove the requirement that the Department shall ensure that all hunting and fishing rule booklets contain a warning stating that fish caught in Duck Creek, as well as ducks, geese and other wildlife may contain Polychlorinated Biphenyl (PCBs) which may pose risks of health defects, that such risks are greatest for women and children, and that detailed information about PCBs is available from the Department upon request. *[eliminated 4 O.C. 406.7-5]*;
- Increase the allowable size of a hunting party from ten (10) to fifteen (15) persons. *[4 O.C. 406.9-2(g)]*;
- Allow designated hunters to hunt for an unlimited number of permittees, instead of being limited to the number authorized by the rules. *[4 O.C. 406.9-4(b)]*;
- Adjust the age restrictions for minors, now allowing all persons between the ages of ten (10) and fourteen (14) years old the ability to hunt if they have obtained the required license and permits and are under the immediate supervision of a parent, legal guardian, or a responsible adult to which a parent or legal guardian has delegated their supervisory responsibilities. *[4 O.C. 406.9-5]*;
- Allow individuals to obtain a mentored-only hunting license and permit and hunt without first completing a hunter education course as long as they accompany a mentor while hunting. *[4 O.C. 406.9-6]*;
- Remove much of the provisions regarding citations, and simply providing that an individual who violates a provision of this law or the corresponding rules may be subject to the issuance of a citation by a warden or an Oneida Police Department officer in accordance with the Nation's laws and policies governing citations. *[4 O.C. 406.10-4]*; and
- Make other minor drafting revisions.

The amendments to the Hunting, Fishing, and Trapping law became effective on February 25, 2026.

Public Use of Tribal Land Law Amendments

The Oneida Business Committee adopted amendments to the Public Use of Tribal Land Law on January 28, 2026, through the adoption of resolution BC-01-28-26-D. The purpose of the Public Use of Tribal Land law is to prevent improper access, use, and trespass to Tribal lands. *[6 O.C. 609.1-1].* Amendments to the Public Use of Tribal Land law:

- Eliminate the Environmental Resource Board from the Law and delegate all their former responsibilities and duties to Land Management. *[6 O.C. 609.4, 609.7]*;
- Delegate administrative rulemaking authority to Land Management to develop rules to:
    - Develop, approve, and maintain the Land Access Map;
    - Allocate and assign land uses for all Tribal lands;
    - Develop a fine and penalty schedule for violations of this Law and its corresponding rules; and

    - Develop any other rules needed to implement or enforce this Law. *[6 O.C. 609.4-2]*;
- Require that Land Management consult with the Land Assessment Team on the development of all administrative rules. *[6 O.C. 609.4-3]*;
- Add members of Haudenosaunee First Nations governments or bands to those who can access land designated as Oneida Community Access. *[6 O.C. 609.5-1(b)(2)]*;
- Require that the Land Access Map be made digitally available on the Nation's website. *[6 O.C. 609.5-4]*;
- Provide that Land Management is responsible for allocating and assigning land uses to all Tribal land. *[6 O.C. 609.6-1]*;
- Remove the provisions on amending the Land Access Map, as the administrative rulemaking process shall now be followed.;
- Remove the provisions of the Law regarding trespass;
- Remove much of the provisions regarding citations, and simply providing that an individual who violates a provision of this law or the corresponding rules may be subject to the issuance of a citation by a warden or an Oneida Police Department officer in accordance with the Nation's laws and policies governing citations. *[6 O.C. 609.7-2]*; and
- Make other minor drafting changes throughout the Law.

The amendments to the Public Use of Tribal Land law became effective on February 25, 2026.

Independent Contractors Policy Amendments

The Oneida Business Committee adopted amendments to the Independent Contractors Policy on January 28, 2026, through the adoption of resolution BC-01-28-26-E. The purpose of the Independent Contractor Policy is to ensure proper classification of employees and independent contractors for federal labor and tax law purposes; ensure the use of contract forms approved by the Oneida Law Office and Purchasing; ensure contracting with a current employee does not create a conflict of interest or unintended tax consequences; and ensure independent contractors have appropriate insurance coverages. *[5 O.C. 503.1-1].* Amendments to the Independent Contractor Policy:

- Rename the law from "Independent Contractor Policy" to "Independent Contractors." *[5 O.C. 503]*.
- Clarify in the definitions what it means to be an "employee" versus an "independent contractor." *[5 O.C. 503.3-1(b); 503.3-1(d)]*.
- Clarify in the definitions what it means to have the "scope of work", including updated definitions of "deliverables" and "services." *[5 O.C. 503.3-1(f); 5 O.C. 503.3-1(a); 5 O.C. 503.3-1(g)].*
- Add in a requirement that the Nation must categorize all workers as either an independent contractor or an employee according to the Fair Labor Standards Act, Department of Labor regulations, the Internal Revenue Code, Treasury regulations, and the most current guidance from the Department of Labor and the Internal Revenue Service. *[5 O.C. 503.4]*.
- Clarify the approval requirements for an independent contractor; including, contract, purchase order, vendor license, and tax identification number. *[5 O.C. 503.6]*.
- Clarify when The Nation may contract with an employee or an employee-owned business entity as an independent contractor. *[5 O.C. 503.7]*.
- Various grammatical changes and other minor changes throughout the law.

The amendments to the Independent Contractors Policy became effective on February 25, 2026.

Safe Neighborhoods Law

The Oneida Business Committee adopted the Safe Neighborhood law on an emergency basis on February 25, 2026, through the adoption of resolution BC-02-25-26-C. The emergency adoption of the Safe Neighborhoods law is being sought to address the serious threat to the public safety of vulnerable populations, including children, that sex offenders pose if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate. The purpose of the Safe Neighborhoods law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting convicted sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. *[3 O.C. 310.1-1]*. The Safe Neighborhoods law recognizes the right of sex offenders to reenter the community. *Id*. Therefore, through the Safe Neighborhoods law, the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *Id*.

The Safe Neighborhoods law:

- Prohibits a sex offender from being present or entering into specified prohibited locations, that are primarily focused on areas in which children are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area. *[3 O.C. 310.4]*;
- Prohibits a sex offender from establishing a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited location, while also providing exceptions for when a sex offender may have a residence less than two thousand five hundred (2,500) feet of any prohibited location. *[3 O.C. 310.5]*;
- Prohibits a person or entity from selling, leasing, subleasing, renting, conveying, or otherwise allowing a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law. *[3 O.C. 310.5-5]*;
- Provides a process to allow a sex offender to petition for a waiver of the residence restriction to the Oneida Police Department Chief of Police, and then appeal a denial of a waiver to the Oneida Public Safety and Security Commission. *[3 O.C. 310.6]*;
- Requires the Geographic Information System Department to develop and maintain an official map of the reservation showing prohibited locations and the resulting residency restrictions distances that is made available on the Nation's website. *[3 O.C. 310.7]*; and
- Provides for the enforcement of violations of this Law and subsequent penalties that are available. *[3 O.C. 310.8]*.

The Oneida Business Committee can temporarily enact legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act. *[1 O.C. 109.9-5]*. The emergency adoption of the Safe

Neighborhoods law is necessary for the immediate preservation of the safety and general welfare of the Reservation population. Sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate. Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of the Safe Neighborhoods law would be contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to allow the proposed Safe Neighborhoods law to be adopted and implemented in time to best protect the community.

The emergency adoption of the Safe Neighborhoods law became effective immediately upon adoption by the Oneida Business Committee on February 25, 2026. The Safe Neighborhoods law will remain effective for six (6) months. The Legislative Procedures Act provides the possibility to extend the emergency adoption of the Safe Neighborhoods law for an additional six (6) months, or until the emergency amendment expires or is permanently adopted. *[1 O.C. 109.9-5(b)].*

FY26 Second Quarter Administrative Accomplishments

During the FY26 Second Quarter the Legislative Operating Committee brought forward the following administrative accomplishments:

Petition: K. Schultz – General Welfare Assistance Payment to Membership #2025-03
The Legislative Reference Office provided a statement of effect for the Petition K. Schultz – General Welfare Assistance Payment to Membership to the Oneida Business Committee.

G. Powless-Buenrostro - Accountability Measure Options for BC and BCC's #2025-04
The Legislative Reference Office provided a statement of effect for the Petition: G. Powless-Buenrostro - Accountability Measure Options for BC and BCC's to the Oneida Business Committee.

Petition: G. Powless Buenrostro – Amend the Administrative Rule Making Law #2025-05
The Legislative Reference Office provided a statement of effect for the Petition G. Powless Buenrostro – Amend the Administrative Rule Making Law to the Oneida Business Committee.

Certification of Leasing Law Rule No. 2 – Agricultural Leasing Amendments
On March 18, 2026, the Legislative Operating Committee certified the Leasing Law Rule No. 2 – Agricultural Leasing Amendments.

FY26 Second Quarter Community Outreach Efforts

The Legislative Operating Committee did not hold any community outreach events during the FY26 Second Quarter.

FY26 Second Quarter Legislative Highlights

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY26 Second Quarter:

Boards, Committees, and Commissions Law Amendments

This item is sponsored by Kirby Metoxen. The Legislative Operating Committee held three (3) work meetings during the FY26 Second Quarter regarding this legislative matter. On March 18, 2026, the Legislative Operating Committee accepted the draft of proposed amendments to the Boards, Committees, and Commissions law. On April 15, 2026, the Legislative Operating Committee approved the updated draft and the legislative analysis.

Budget and Finances Law Amendments

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held two (2) work meeting during the FY26 Second Quarter regarding this legislative matter. On February 12, 2026, the public meeting was held. One (1) individual provided oral comments during the public meeting. The public comment period was held open until February 19, 2026. One (1) individual provided written comments during the public comment period. On March 4, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred these items to a work meeting for further consideration. On March 18, 2026, the Legislative Operating Committee approved the Budget and Finances law amendments updated public comment review memorandum, legislative analysis, and draft; and approved the fiscal impact statement request memorandum, and forwarded these materials to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by April 9, 2026.

Code of Ethics Amendments

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held seven (7) work meetings during the FY26 Second Quarter regarding this legislative matter. On March 18, 2026, the Legislative Operating Committee approved the Code of Ethics law amendments draft, legislative analysis and the public meeting packet for the Code of Ethics law amendments and scheduled a public meeting to be held on May 14, 2026.

Conflict of Interest Law Amendments

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter.

Elder Protection Law

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held two (2) work meetings during the FY26 Second Quarter regarding this legislative matter. On February 4, 2026, the Legislative Operating Committee approved the draft of the Elder Protection law with

noted change, and direct that a legislative analysis be completed. On March 4, 2026, the Legislative Operating Committee approved the legislative analysis and the public meeting packet for the Elder Protection Law and forwarded this law to a public meeting to be held on April 16, 2026.

Eviction and Termination Law Amendments
This item is sponsored by Jonas Hill. On February 18, 2026 the Legislative Operating Committee approved the legislative analysis. On March 4, 2026, the Legislative Operating Committee approved the public meeting packet for the Eviction and Termination Law Amendments and forward to a public meeting to be held on April 16, 2026.

Higher Education Scholarship Law
This item is sponsored by Jameson Wilson. The Legislative Operating Committee held two (2) work meetings during the FY26 Second Quarter regarding this legislative matter. On March 3, 2026, the Legislative Operating Committee approved the updated draft, legislative analysis, and the public comment review memorandum for the Higher Education Grant law.

Indian Preference in Contracting Law Amendments
This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter

Marriage Law Amendments
This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter.

Pardon and Forgiveness Law Amendments
This item is sponsored by Jonas Hill. On March 18, 2026, the Legislative Operating Committee approve the Pardon and Forgiveness law amendments draft, legislative analysis and the public meeting packet for the Pardon and Forgiveness law amendments and schedule a public meeting to be held on May 14, 2026

Probate Law
This item is sponsored by Jameson Wilson and Kirby Metoxen. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter.

Real Property Law Amendments
This item is sponsored by Jameson Wilson. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter. On March 4, 2026, the Legislative Operating Committee approved the updated draft, legislative analysis, and the public comment review memorandum for the proposed amendments to the Real Property law; and directed the Finance Department to provide the LOC with a fiscal impact statement of the proposed amendments to the Real Property law.

Recycling and Solid Waste Disposal Law Amendments
This item is sponsored by Kirby Metoxen and Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Second Quarter regarding this legislative matter. On February 12, 2026, the public meeting for the Recycling and Solid Waste Disposal law amendment was held. One (1) individual provided oral comments during the public meeting. The public comment period was held open until February 19, 2026. No individuals provided written comments during the public comment period. On March 4, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred these items to a work meeting for further consideration. On March 18, 2026, the Legislative Operating Committee approved the Recycling and Solid Waste Disposal law amendments, updated public comment review memorandum, legislative analysis, and draft; and. Approved the fiscal impact statement request memorandum, and forwarded these items to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by April 1, 2026. Finance provided a fiscal impact statement on March 30, 2026.

Ten Day Notice Policy Amendments
This item is sponsored by Jennifer Webster. The Legislative Operating Committee held four (4) work meeting during the FY26 Second Quarter regarding this legislative matter.

Uniform Commercial Code
This item is sponsored by Jameson Wilson. The Legislative Operating Committee held one (1) work meetings during the FY26 Second Quarter regarding this legislative matter. On February 4, 2026, the Legislative Operating Committee approved the draft of the Uniform Commercial Code and direct that a legislative analysis be completed. On March 4, 2026, the Legislative Operating Committee approved the legislative analysis and the public meeting packet for the Elder Protection Law and forwarded this item to a public meeting to be held on April 16, 2026.

Vendor Licensing Law Amendments
This item is sponsored by Jonas Hill. The Legislative Operating Committee held three (3) work meeting during the FY26 Second Quarter regarding this legislative matter.

FY26 Second Quarter Legislative Operating Committee Meetings

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

The Legislative Operating Committee held the following meetings during the FY26 Second Quarter:

- January 7, 2026 – Regular meeting;
- January 21, 2026 – Regular meeting;
- February 4, 2026 – Regular meeting;

- February 18, 2026 – Regular meeting;
- March 4, 2026 – Regular meeting; and
- March 18, 2025 – Regular meeting.

In addition to attending the Legislative Operating Committee meetings in person, individuals provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. Anyone who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to LOC@oneidanation.org by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting.

For those who may be unable to attend the Legislative Operating Committee meeting either in person or on Microsoft Teams, an audio recording of the Legislative Operating Committee meeting is made available on the Nation's website after the meeting concludes.

Goals for FY26 Third Quarter

During the FY26 Third Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

- Adoption of the Budget and Finances Law Amendments;
- Adoption of the Real Property Law Amendments;
- Adoption of the Recycling and Solid Waste Disposal Law Amendments;
- Emergency Adoption of the Probate Law;
- Adoption of the Higher Education Grant Law;
- Preparation for Transition into the 2026-2029 Legislative Term.

Legislative Reference Office

The Legislative Reference Office's mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation's values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty.

In addition to the assisting the Legislative Operating Committee with the development of legislation, the Legislative Reference Office also:

- Drafts statements of effect for Oneida Business Committee and General Tribal Council resolutions;
- Drafts statements of effect for General Tribal Council resolutions petitions;
- Drafts and provides other assistance to various department and entities of the Nation with administrative rulemaking; and
- Manages all other administrative duties and recordkeeping for the Legislative Operating Committee.

During the FY26 Second Quarter the Legislative Reference Office was staffed by the following individuals:

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

Legislative Operating Committee Contact Information

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

- Jameson Wilson, LOC Chairman
  jwilson@oneidanation.org
- Kirby Metoxen, LOC Vice-Chairman
  kmetox@oneidanation.org
- Jennifer Webster, LOC Member
  jwebste1@oneidanation.org
- Jonas Hill, LOC Member
  jhill1@oneidanation.org
- Marlon Skenandore, LOC Member
  mskenan1@oneidanation.org

The Legislative Operating Committee from left to right: Kirby Metoxen, Jameson Wilson, Jennifer Webster, Marlon Skenandore, Jonas Hill.

LEGISLATIVE OPERATING COMMITTEE

COMMUNITY MEETING

WEDNESDAY, JUNE 10
5:30PM - 7:30PM
NORBERT HILL CENTER CAFETERIA
N7210 Seminary Rd, Oneida, WI 54155

Please join the Legislative Operating Committee (LOC) for a community meeting share information and gather input regarding the following:

- **2023-2026 Legislative Term Accomplishments**
- **Issues for Consideration for 2026-2029 Legislative Term**
- **Holding Community Meetings**

The LOC encourages everyone to come participate in the legislative process by providing comments, suggestions, and questions that the LOC can consider and utilize in the development of new laws for the Nation.

Food will be provided during this community event.

LEGISLATIVE OPERATING COMMITTEE MEMBERS

May 2026

May 2026

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

June 2026

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

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Apr 27	28	29	30	May 1
4	5	6 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm LOC Work Session (Microsoft	7	8
11	12	13	14 12:15pm PUBLIC MEETING: Code of Ethics Law Amendments & Pardon and Forgiveness Law Amendments (Microsoft Teams	15
18	19	20 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm LOC Work Session (Microsoft	21	22
25	26	27	28	29