



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room - 2nd Floor Norbert Hill Center
July 15, 2026
9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be Approved**
 - 1. July 1, 2026 LOC Meeting Minutes (pg. 2)
- III. Current Business**
 - 1. Ten Day Notice Policy Amendments (pg. 5)
 - 2. Boards, Committees, and Commissions Law Amendments (pg. 37)
 - 3. Safe Neighborhoods Law (pg. 113)
- IV. New Submissions**
- V. Additions**
- VI. Administrative Updates**
- VII. Executive Session**
- VIII. Recess/Adjourn**



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
July 1, 2026
9:00 a.m.

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

Others Present: Clorissa Leeman, Grace Elliott, Carolyn Salutz, Mistylee Herzog, Fawn Billie, Martin Prevost

Others Present on Microsoft Teams: Sidney White, Taryn Webster, Ashley Blaker, Rhiannon Metoxen, Fawn Cottrell, Brittany Smith, David Jordan, Melissa Alvarado, Rae Skenandore, Sarah White, Kaylynn Biely, Diane Wilson, Jodi Tess, Justin Nishimoto, Eric Boulanger, Ralinda Nintah-Lamberies

I. Call to Order and Approval of the Agenda

Jameson Wilson called the July 1, 2026, Legislative Operating Committee meeting to order at 9:03 a.m.

Motion by Jennifer Webster to adopt the agenda with one (1) addition – item V.1. Hunting, Fishing, and Trapping Law Administrative Rulemaking Update; seconded by Jonas Hill. Motion carried unanimously.

II. Minutes to be Approved

1. June 17, 2026 LOC Meeting Minutes

Motion by Kirby Metoxen to approve the June 17, 2026, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Boards, Committees, and Commissions Law Amendments.

Motion by Jennifer Webster to accept the public comment review memorandum and defer to a work meeting for further consideration of the three public comments received; seconded by Jonas Hill. Motion carried unanimously.

2. Pardon and Forgiveness Law Amendments.

Motion by Jennifer Webster to approve the adoption packet for the Pardon and Forgiveness law amendments and forward to the Oneida Business Committee for consideration; seconded by Jonas Hill. Motion carried unanimously.



3. Code of Ethics Amendments.

Motion by Jennifer Webster to approve the updated public comment review memorandum with LOC consideration, updated legislative analysis, and updated draft for the proposed amendments to the Code of Ethics; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kirby Metoxen to approve the Fiscal Impact Statement Request Memorandum for the proposed amendments to the Code of Ethics, and direct the Finance Department to provide the LOC with a fiscal impact statement by July, 17, 2026; seconded by Jennifer Webster. Motion carried unanimously.

4. Eviction and Termination Law Amendments.

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

5. Petition: G. Powless-Buenrostro – Amend Judiciary Law #2026-01.

Motion by Jennifer Webster to accept the status update memorandum for the Petition: G. Powless-Buenrostro – Amend Judiciary Law #2026-01 and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

IV. New Submissions

1. Minors Trust GWA Emergency Law.

Motion by Jennifer Webster to Deny the request to add the Minors Trust GWA Emergency Law to the Active Files List as an emergency, noting the Minor's Trust General Welfare Assistance Law is already on the Active Files List for development as a high priority; seconded by Kirby Metoxen. Motion carried unanimously.

2. Election Law Emergency Amendments.

Motion by Jennifer Webster to add the Election Law Emergency Amendments to the Active Files List with Kirby Metoxen as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Jennifer Webster to approve the adoption packet for the proposed emergency amendments to the Election law with addition of signature of the Chairman, and forward to the Oneida Business Committee for consideration; seconded by Jonas Hill. Motion carried unanimously.

V. Additions

1. Hunting, Fishing, and Trapping Law Administrative Rulemaking Update.

Motion by Jennifer Webster to accept the Department's update on the progress of the Hunting, Fishing, and Trapping Law Administrative Rulemaking process; seconded by Jonas Hill. Motion carried unanimously.

VI. Administrative Updates

1. Certification of Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration.

Motion by Jennifer Webster to certify the Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration and forward to the Oneida Business Committee for consideration; seconded by Jonas Hill. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 9:57 a.m.; seconded by Jonas Hill. Motion carried unanimously.



Legislative Operating Committee
July 15, 2026

Ten day Notice Policy Amendments

Submission Date: 2/5/25	Public Meeting: 6/11/26
LOC Sponsors: Jennifer Webster and Jameson Wilson	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.
- 10/24/25:** *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 a backwards timeline and flowchart in the legislative analysis.

5/6/26 LOC: Motion by Jennifer Webster to approve the draft, legislative analysis, and public meeting packet, and schedule a public meeting for the proposed amendments to the Ten Day Notice Policy to be held on June 11, 2026, seconded by Jonas Hill; motion carried unanimously.

6/11/26: *Public Meeting Held.* No individuals provided oral comments during the public meeting.

6/18/26: *Public Comment Period Closed.* No individuals provided written comments during the public comment period.

Next Steps:

- Accept the public comments and public comment review memorandum.
- Approve the legislative analysis and final draft of the Ten day Notice Policy amendments.
- Direct the Finance Department to provide the LOC with a fiscal impact statement of the Ten day Notice Policy amendments by July 29, 2026.

TO: Legislative Operating Committee (LOC)
FROM: Carolyn Salutz, Legislative Reference Office, Staff Attorney
DATE: July 15, 2026
RE: Ten day Notice Policy Amendments: Public Comment Review

/s/ Carolyn Salutz

On June 11, 2026, a public meeting was held regarding the proposed amendments to the Ten day Notice Policy. No oral comments were made during the public meeting. The public comment period was then held open until June 18, 2026. No written comments were submitted during the comment period. The public meeting draft and public meeting transcript received are attached to this memorandum for review.



LEGISLATIVE OPERATING COMMITTEE PUBLIC MEETING

Ten day Notice Policy Amendments

Boards, Committees, and Commissions Law Amendments

Norbert Hill Center Business Committee Conference Room and Microsoft Teams

June 11, 2026

12:15 p.m.

Present: Jonas Hill, Carolyn Salutz, Sandra Skenandore, Mary Loeffler

Present on Microsoft Teams: Sidney White, Peggy Helm-Quest, Nathan Maufort, Ralinda Ninham-Lamberies, Melanie Burkhart, Jean Olson, Rae Skenandore, Jason Martinez, Brooke Doxtator, Terri Schiltz, Mkedemkokwe Montgomery, Sarah White, Sharon Mousseau

Jonas: Good afternoon. The time is 12:16 p.m. And today's date is Thursday, June 11th, 2026. I will now call to order the public meeting for the following two pieces of proposed legislation: Ten day notice policy amendments, boards, committees and commissions law amendments.

The legislative operating committee is hosting this public meeting 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 of 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 ensure 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 on the public meeting notice. These comments must be received by the close of business on Thursday, June 18th, 2026. In attendance from the LOC is myself, Jonas Hill. The LOC may impose a time limit for all speakers pursuant to Section 109.8-3C of the Legislative Procedures Act. As the presiding LOC member, I am imposing a time limit of five minutes per person. This time limit shall be applied equally to all persons. We will now begin today's public meeting for the two proposed legislative items.

First, we will be accepting comments on the Ten day notice policy amendments. The purpose of the 10-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 redefine what it means to provide notice to membership of a scheduled General Tribal Council meeting. Require the nation to mail 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 and Enrollments Department to mail 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 matter, member, to follow regarding how that member prefers to receive media materials for the next year. Require all eligible members to select to receive General Tribal Council media materials by either online access through the Members Only portal on the Nation's website or by selecting to receive in-mail a mailed paper packet. 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 to receive the packet at least fifteen days before. for 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 presentation shall only be based on information included in the meeting materials or any new information that was properly posted and make other drafting changes to the law.

We will also be accepting comments on the 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 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. 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 off-boarding procedures for when a member leaves an entity. 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 stipend in their bylaws. Clarify standards of conduct such as good mind, cultural accountability, 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 frame time after a conflict arises or becomes known. Clarify all entities may develop an internal conflict of interest mitigation plan for eligible and 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 or an actual or implied conflict of interest. Clarify that members have been 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 of the law under which the member received a sanction or penalty, various grammatical changes, and other minor changes throughout the law.

Those who wish to speak, please raise your hand, please state your name when making a comment, and which law you were commenting on.

A good mind. A good heart. A strong fire.



First up to speak is...

And then please just state your name for the record.

Sandra Skenandore: My name is Sandra Skenandore and I'm the vice chairperson for the [Oneida] Nation Commission on Aging. And the section I want to comment on is 105.7, appointment to an entity on the boards, committees and commissions law. And it would be line. Add it to like line 241. And my recommendation is to add each member of the entity shall review the applications and prepare to discuss and select an applicant. And the entity's chairperson shall forward the recommendation to the Oneida Business Committee. And the reason I, the reason I want to change it to shall, I know at one point it was the chairperson shall review, it was changed to May. And the reason I put shall is because on the [Oneida] Nation Commission on [Aging], we have nine members. And on our board, there's different needs. Like currently we have a need for representatives to attend like state meetings and our bylaws and funding laws for the federal funds that go to the state, they are required to get tribal input. And so, for example, as my responsibility, I am on the Brown County Aging and Disability Board. And I had to submit an application and reviewed it, my qualifications. I was, they made a recommendation, it went to the county board. Now, as part of my responsibilities on that board, we have to sign, we sign up for different responsibilities and some of them can be testifying before the state. New representatives, and the one I chose is to help with different activities going on at the center, so what we're looking at, I think the needs, the current needs of our board, I don't know that the business committee is aware of them. We have, right now we have two positions that we're looking for members to fill on our board and they're to be on like statewide boards. And some of the responsibilities we have is like to the Alzheimer's board. I'm on another board and we meet with the like we've already met with the program, the Alzheimer's program. And so, we have responsibilities. They asked us for input and to give and we have, you know, letters. Now we're looking for grants because the state funding is gone. The university that the funding was cut by 60% for research. So, there's responsibilities like you have to have writing skills, computer skills, meet with, they want you to meet with state representatives. We meet with the chancellor. The chancellor came here last week. They asked us to provide input on, you know, certain type of research. And we have a variety of groups. So, our current needs on this board, I'm not, you know, is something that is unique to us and each board is different. So, when we look at the applications, we're looking at who was able to meet these responsibilities and and meet, you know, be on these state boards. It's different for each board. And I think as Shell is that we could have all of the members review the applications, we'd set up our qualifications. We need somebody that can write, work on the strategic plan, work on the bylaws, review the laws, represent us at with the serve as a representative with the University of Wisconsin, with state representatives. And those are the type of things that we'd be looking at to meet our current need. And I think our needs change, like, and then we also meet with the elders in the community. So, each one of our members serves a different purpose. And so, I just feel that this would be the best way to meet the current needs of the board by having the boards review them, look at the criteria, set up criteria, review the applications and make the recommendation. Thank you.

Jonas: Thank you.

Mary Loeffler: I guess my comment is. When I was reading over... oh, my name is Mary Loeffler. I'm on the [ONCOA] board. I was reading under Line number 269. Page 7. 105.7 appointment to an entity. OK, so I underlined. 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 reposted. Well, that wasn't done. I mean, under recent events. When a vacancy is reposted, all applications from the first posting shall be considered to have been filed within the deadline period. Notification, and it goes on to say. Other things about that, but I am just curious. Did we agree to repost is sending? The matter to the election board considered a reposting. Well, because you, when it's going to the election board, right, to be voted on by General Tribal Council at some point. But, according to line 268 and 69, the United Business Committee may direct the vacancy to be reposted. But... is someone else?

Ralinda: It was just told to come up in, so I can't hear me.

Jonas: I do, but this is a public meeting. Can anybody online hear us?

Sidney J. White: Councilman, I can hear you. Thank you.

Jonas: Yeah. All right, let's see what I can do. Have these guys fix it. Apologies. Right, so wait, so, Sid you can hear us? All right, could everybody, did everybody hear me read the opening dialogue? Okay. So, everybody heard the public comment then as well. Okay. Must just be Ralinda. Okay, thank you. Yes. I called you. I apologize. Okay, sounds like everybody was heard that opening, so it must be that it must be your computer. It must be your computer because it sounds like everybody heard. Yeah.

Mary: [Okay], so that was my question about making a decision, us making a decision whether we were going to postpone it to the next, after the election, right, the new board. But according to this, and according to the beginning, where it says, you must adhere to all to be consistent and have standard procedures for choosing and appointing or electing the most qualified individuals. If they meet the requirements for the appointment, which you did say, right, is that okay if I use our recent as an example? I believe that was executive session, so that is confidential. Okay. So, script all that, right? Okay, so all my question is if the United Business Committee may direct the vacancy to be reposted, and it isn't reposted, but instead. An alternative option is given. What has to be the reason for going against the reposting? I'm assuming the reposting means that they will all come up for election after July. Is that is that correct?

Jonas: And just to remind you that these public comment listening sessions are more of a listening session. It's not a like I can't. [Okay], so it's not a question. I can't answer.

Mary: [Okay], so I guess that I'm just bringing that to the forefront as one of my concerns about the way this is written. So, I guess like to help you assist you a little bit is like how can there be a consistent process followed that the business committee follows or a procedure in when it comes to selecting qualified applicants? Yes, if I hear you right. That would be yes. Okay. That's what I'm trying to say. Thank you.

Jonas: Thank you, Mary.
Doctor White online.

Sidney J. White: Hello, I was just, can you hear me? I just want to make sure. If you're able to hear me, I know you're having issues.

Jonas: Yeah, just one second here. We don't have volume in the room. Chris, are you upstairs? Can you hear that? We don't have volume in the room. All right; I will reach back out to the guys. So, we got our computers on loudy phone. You, you want to say them out loud? We can hear it.

Sidney J. White: Okay, sure. Thanks. My name is Sid White. I am the chair currently for the Oneida Land Commission. I'll be wrapping up my second term. I think if we're looking at the boards, committees and commission laws, I do agree that we probably could maybe clarify filling vacancies a little bit more, a little bit better. We've had vacancies that we've had to fill. I did read the law and we did follow the law. I think for me, I do appreciate when I was in the role of a commissioner, being able to provide feedback to the applicants. I've seen it like a couple different ways. And, you know, I think when I'm the chair is what I do is I bring the applicants and discuss it in executive session with our commissioners to get a consensus of of what our recommendation is. I've also experienced where the chairperson just goes ahead and makes the recommendation without discussing to the existing commissioners. I think the other thing that I had is, you know, I understand that it's up to the business committee to, you know, ensure they pick who they want, I guess, for the boards, committees and commissioners. I did have some concerns in that when I did forward a recommendation in discussions, a person indicated that they didn't receive the recommendation. So, I think for me, you know, I appreciate like the input of having, you know, of all the people that are available. I don't think I would change the law to say that all of them there, but maybe whoever is present at that meeting in a quorum, because if, you know, we have like one or two or three people missing, you know, I don't want to say we're going to hold this up because, you know, they didn't. provide their input. So that's just my comments is I would like to see a little bit consistency. As far as the boards, committees and commissions, I understand the guidelines that the chair makes, the chairperson makes the recommendation. I would like to ensure that the chairperson also receives input for whoever's serving in those roles with them. And that's something that I ensure we do as a current chairperson. It's not to say that the next chairperson will have a different method of just saying, well, I'll make the decision or the recommendation for it along. Thank you for considering. Appreciate it.

Jonas:
Thank you, Dr. White.

Is there anyone else online that would like to make a comment?

Last call.

With there being no more speakers, the public comment or public meeting for the proposed 10

A good mind. A good heart. A strong fire.



day notice policy amendments and the board's committees and commissions law amendments is now closed at 12:40 p.m.

Written comments may be submitted until close of business on Thursday, June 18th, 2026.

Thank you for everyone for your participation. Have a great day. Thank you.

-End of Transcript-

A good mind. A good heart. A strong fire.





TEN DAY NOTICE POLICY AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
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. <i>[1 O.C. 110.4-2]</i>. 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. <i>[1 O.C. 110.4-2(a)]</i>. 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. <i>[1 O.C. 110.4-2(b)]</i>.
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. <i>[1 O.C. 110.4-1]</i>. 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. <i>[1 O.C. 110.4-2]</i>. 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. <i>[1 O.C. 110.4-2(a)]</i>. 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. <i>[1 O.C. 110.4-3(a)]</i>. 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. <i>[1 O.C. 110-4.3(b)]</i>. 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. <i>[1 O.C. 110.4-4]</i>.

	Notice of General Tribal Council meetings shall be posted at all places of prominence as identified by the Oneida Business Committee through resolution. <i>[1 O.C. 110-4-5]</i> .
Public Meeting	A public meeting was 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 and public comment period.

- 31 ▪ On June 11, 2026, the Legislative Operating Committee held a public meeting with a public
- 32 comment period held open until June 18, 2026. No individuals provided comments during the
- 33 public meeting or public comment period.
- 34 B. At the time this legislative analysis was developed the following work meetings had been held
- 35 regarding the development of the amendments to this law:
- 36 ▪ May 9, 2025: LOC work meeting with Oneida Nation Secretary and Government
- 37 Administrative Office.
- 38 ▪ September 30, 2025: LOC work meeting with the Oneida Nation Secretary and Oneida Law
- 39 Office.
- 40 ▪ October 24, 2025: LOC work meeting.
- 41 ▪ January 26, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law
- 42 Office, and the Government Administrative Office.
- 43 ▪ February 19, 2026: LOC work meeting.
- 44 ▪ February 27, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law
- 45 Office, and the Government Administrative Office.
- 46 ▪ March 26, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law
- 47 Office, and the Government Administrative Office.
- 48 ▪ April 17, 2026: LOC work meeting with the Oneida Nation Secretary, the Oneida Law Office,
- 49 and the Government Administrative Office where the LOC informally approved the final draft.
- 50 C. At the time this legislative analysis was developed the following community outreach event had been
- 51 held regarding the development of the amendments to this law:
- 52 ▪ June 18, 2025: Community Meeting Held. The LOC held a community meeting in the cafeteria
- 53 of the Norbert Hill Center to gather input from the community on proposed amendments to this
- 54 law.

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

- 57 A. **Purpose and Policy.** The proposed amendments clarify the purpose is to provide how, when, and
- 58 what types of items require notice to General Tribal Council. [1 O.C. 110.1-1]. The proposed
- 59 amendments further clarify it is the policy of the Nation to provide the General Tribal Council notice
- 60 of, and items, regarding Annual, Semi-Annual, or Special General Tribal Council meetings. [1 O.C.
- 61 110.1-2].
- 62 ▪ **Effect.** The proposed amendments clarify the Nation is required to provide notice to the General
- 63 Tribal Council in order for the General Tribal Council to have information to make an informed
- 64 decision.
- 65 B. **Redefining “notice.”** The proposed amendments redefine “notice” to mean the official document used
- 66 to inform the membership of a regular or special meeting of the General Tribal Council by mailing an
- 67 agenda and stating a location, date, and time. [1 O.C. 110.3-1(e)]. The proposed amendments require
- 68 the Trust Enrollments department mail all voting-age members, at least thirty calendar days before
- 69 every General Tribal Council meeting, notice of an upcoming General Tribal Council meeting; the
- 70 notice shall contain the agenda, location, date, and time. [1 O.C. 110.4-1].
- 71 ▪ **Effect.** The proposed amendments clarify that providing notice to the membership of a General
- 72 Tribal Council meeting will no longer mean providing the entire packet of materials and rather
- 73 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)].

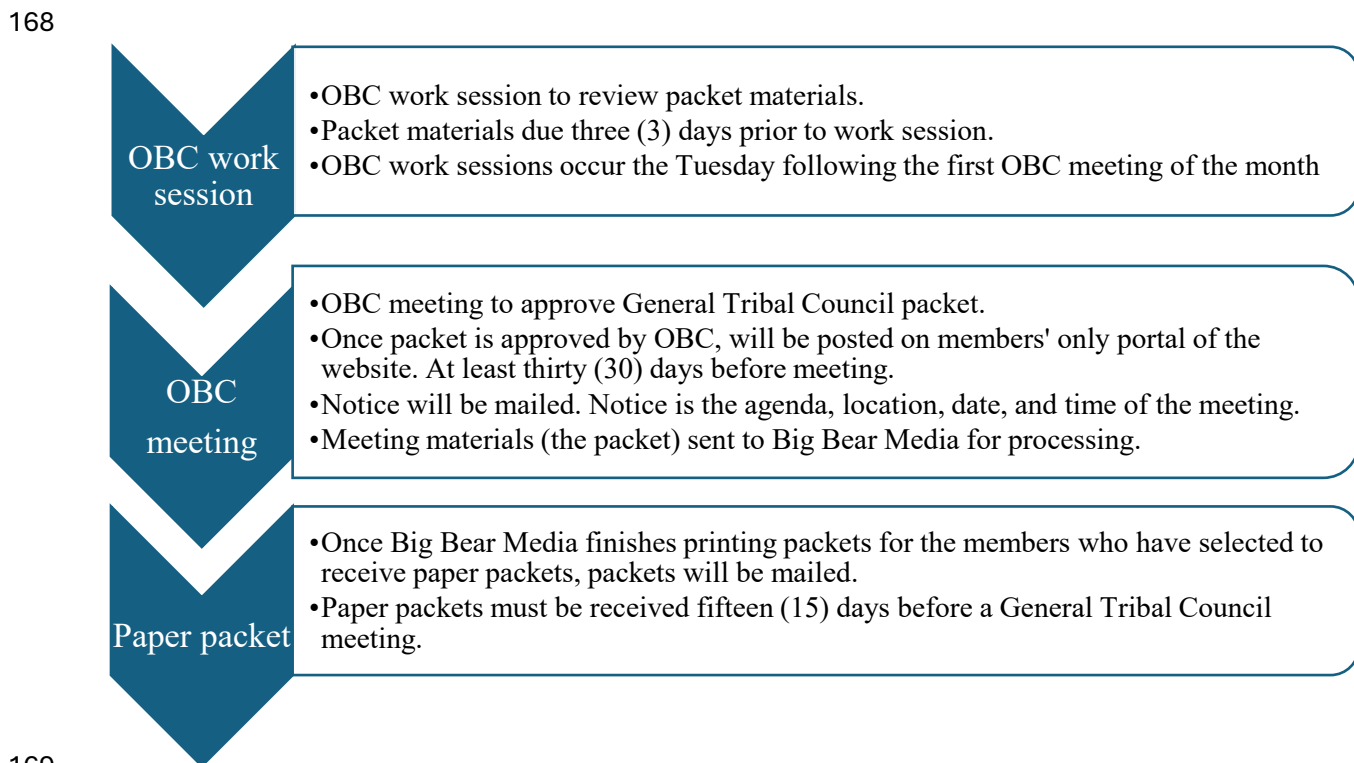
- *Effect.* At the July 1, 2024, Semi-Annual General Tribal Council meeting the General Tribal Council directed the Oneida Business Committee to bring back proposed amendments to the Ten Day Notice Policy to authorize notice of all GTC meetings and make materials available by request or access electronically 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) 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.

- 117 **F. *New Information.*** The proposed amendments require that when the Business Committee learns or
 118 becomes aware of new information that is required meeting materials, information the General Tribal
 119 Council must consider, after meeting materials have been posted but prior to the meeting, the Business
 120 Committee shall:
- 121 (a) Post the new information on the members only portal of the Nation's website.
 - 122 (b) Post information on the homepage of the Nation's website that new information and
 123 additional material(s) have been posted and the agenda item(s) the new information and
 124 additional material(s) reference. [1 O.C. 110.4-4].
 - 125 ■ *Effect.* The proposed amendments clarify that after meeting materials have been posted but
 126 prior to a meeting, the Business Committee may learn or become aware of information the
 127 General Tribal Council is required to consider; therefore, the General Tribal Council must be
 128 provided with that new information before the meeting.
- 129 **G. *General Tribal Council Meeting Procedure.*** The proposed amendments clarify presentations shall
 130 only be based on information included in the meeting materials or on new information properly posted
 131 according to the proposed amendments to this law. [1 O.C. 110.5-2].
- 132 ■ *Effect.* The proposed amendment clarifies the General Tribal Council shall consider any
 133 presentation only if the presentation is based on information the General Tribal Council
 134 received as part of the meeting materials, or on any new information that was properly posted.
 135 This proposed amendment strengthens the requirement of the Nation to properly notify the
 136 General Tribal Council of information it must consider in order for the General Tribal Council
 137 to make informed decisions.
- 138 **H. *Other amendments.*** Overall, a variety of other amendments and revisions were made to the law to
 139 address formatting, drafting style, and organization that did not affect the substance of the law.
- 140 **I. *Timeline and Flowchart.*** To assist the Nation in understanding and executing these proposed
 141 amendments, the Legislative Operating Committee has included a sample timeline, notes, and
 142 flowchart.

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 1/10/2027	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.

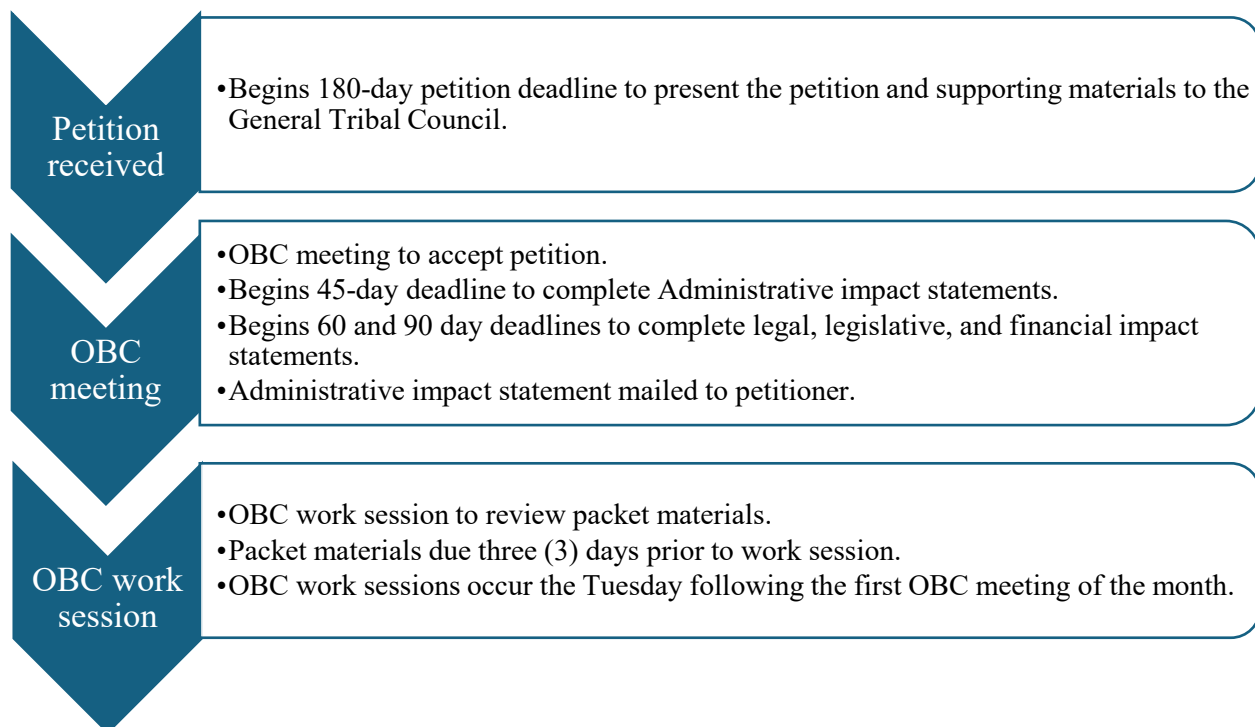
- 15-day Notice: Includes weekends & holidays – set by law. Only applies to members who have selected to receive a mailed, paper packet of meeting materials.
- Latest Mail Date: 5 USPS business days; if on a Saturday, then becomes Friday prior – set by Big Bear Media recommendation.
- Materials to Big 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.

167 Flowchart without petition:

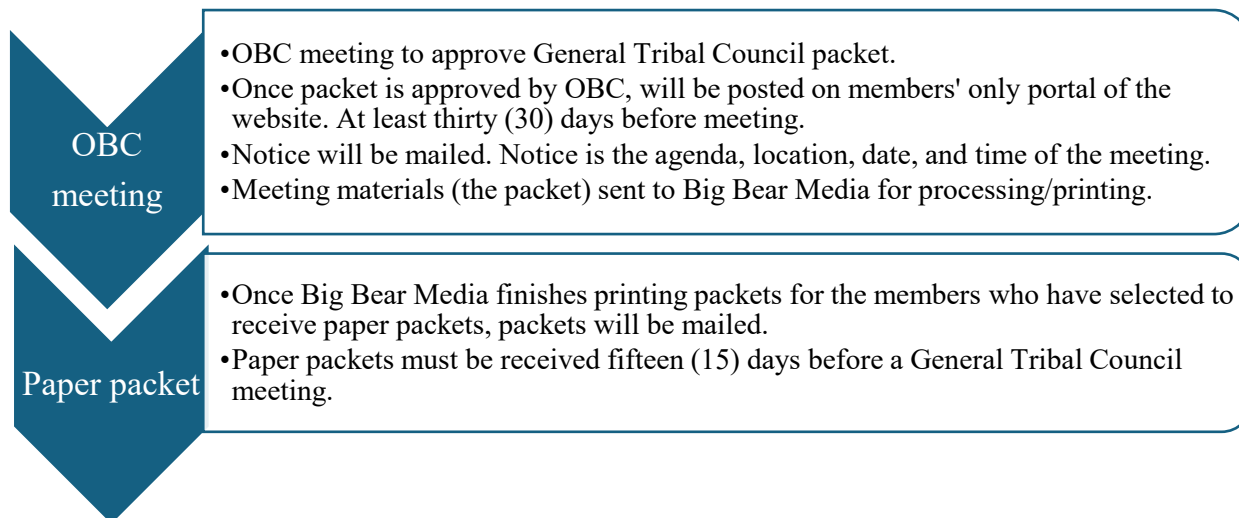


169 Flowchart with petition:

170



171



SECTION 6. EXISTING LEGISLATION

A. *Related legislation.* The following law of the Nation is 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. [*Oneida Nation Constitution*]. 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. [*Id.*].
 - 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.

B. *Related Policy.* The following policy of the Nation is related to the proposed amendments to this law:

- *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 that 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.

C. **Related Resolution.** The following resolution of the Nation is related to the proposed amendments to this law:

- *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 the General Tribal Council with complete information, 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)]*.

- 244 **D.** The proposed amendments further require the meeting materials to be posted on the members' only
 245 portal of the Nation's website as soon as the materials are approved by the Oneida Business Committee
 246 but no later than thirty days before the meeting. [1 O.C. 110.4-3(b)].
- 247 **E.** The proposed amendments require that when the Business Committee learns or becomes aware of new
 248 information that is required meeting materials, information the General Tribal Council must consider,
 249 after meeting materials have been posted but prior to the meeting, the Business Committee shall:
- 250 (a) Post the new information on the members only portal of the Nation's website.
- 251 (b) Post information on the homepage of the Nation's website that new information and
 252 additional material(s) have been posted and the agenda item(s) the new information and
 253 additional material(s) reference. [1 O.C. 110.4-4].
- 254 **F.** The proposed amendments clarify presentations shall only be based on information included in the
 255 meeting materials or on new information properly posted according to the proposed amendments to this
 256 law. [1 O.C. 110.5-2].

258 **SECTION 8. OTHER CONSIDERATIONS**

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

- 265 ■ **Conclusion.** The Legislative Operating Committee directed the Finance Department to prepare
 266 a fiscal impact statement of the proposed amendments to the Ten day Notice Policy by
 267 Wednesday, July 29, 2026.

Title 1. Government and Finances – Chapter 110
PRIOR ONEIDA 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 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 mailed the 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.~~

2026 07 15
Draft 11

~~(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 informing 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 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.

2026 07 15

Draft 11

~~(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 the new information on the homepage of the Nation's website that additional material(s) have been posted and the agenda item(s) the additional material(s) reference.~~

~~110.4-4. 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.~~

2026 07 15

Draft 11

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).~~

2026 07 15

Draft 11

~~(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 Katiwisaks in next scheduled Katiwisaks 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.~~

~~Semi-Annual General Tribal Council Meeting—July 8, 2000~~

~~Page 101 of 281~~

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 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 the new information on the homepage of the Nation's website that additional material(s) have been posted and the agenda item(s) the additional material(s) reference.

110.4-4. *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.



TO: Ralinda Ninham-Lamberies, Chief Financial Officer
Lawrence Barton, Oneida Business Committee Treasurer
FROM: Jameson Wilson, Legislative Operating Committee Chairman 
DATE: July 15, 2026
RE: Ten day Notice Policy Amendments Fiscal Impact Statement

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

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

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

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

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

On May 6, 2026, the Legislative Operating Committee approved the final draft of the proposed amendments to the Independent Contractors Policy. Therefore, the LOC is directing the Finance Department to provide a fiscal impact statement on the proposed amendments to Ten day Notice Policy by July 29, 2026.

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

Requested Action

Provide the LOC a fiscal impact statement of the proposed amendments to the Ten day Notice Policy by Wednesday, July 29, 2026.



Legislative Operating Committee
July 15, 2026

Boards, Committees, and Commissions Law Amendments

Submission Date: 2/7/24	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, 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 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.

5/06/26 LOC: Motion by Jennifer Webster to approve the public meeting packet and schedule a public meeting to be held on June 11, 2026, seconded by Jonas Hill; motion carried unanimously.

6/11/26: *Public meeting.* Three individuals provided oral comments.

6/18/26: *Public comment period.* No individuals provided written comments.

7/1/26 LOC: Motion by Jennifer Webster to accept the public comment review memorandum and defer to a work meeting for further consideration of the three public comments received; seconded by Jonas Hill. Motion carried unanimously.

7/1/26: *Work Session.* Present: Jonas Hill, Kirby Metoxen, Jameson Wilson, Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz. The LOC met to read and consider the public comments received and the public comment review memorandum.

Next Steps:

- Accept the updated public comment memorandum with the LOC's consideration, legislative analysis, and draft.
- Direct the Finance Department to provide the Legislative Operating Committee with a fiscal impact statement of the proposed amendments to the Boards, Committees, and Commissions law by Wednesday, July 29, 2026.

TO: Legislative Operating Committee (LOC)
 FROM: Carolyn Salutz, Legislative Reference Office, Staff Attorney /s/ Carolyn Salutz
 DATE: July 15, 2026
 RE: Boards, Committees, and Commissions Law Amendments: Public Comment Review

On June 11, 2026, a public meeting was held regarding the proposed amendments to the Boards, Committees, and Commissions law. Three (3) comments were made during the public meeting. The public comment period was then held open until June 18, 2026. No written comments were submitted during the comment period. This memorandum is submitted as a review of the comments received during the public meeting and public comment period. The public meeting draft and public meeting transcript received are attached to this memorandum for review.

Comment 1 – Selection of applicants

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.

Sandra Skenandore (oral): My name is Sandra Skenandore and I'm the vice chairperson for the [Oneida] Nation Commission on Aging. And the section I want to comment on is 105.7, appointment to an entity on the boards, committees and commissions law. And it would be line. Add it to like line 241. And my recommendation is to add each member of the entity shall review the applications and prepare to discuss and select an applicant. And the entity's chairperson shall forward the recommendation to the Oneida Business Committee. And the reason I, the reason I want to change it to shall, I know at one point it was the chairperson shall review, it was changed to may. And the reason I put shall is because on the Oneida Nation Commission on Aging, we have nine members. And on our board, there's different needs. Like currently we have a need for representatives to attend like state meetings and our bylaws and funding laws for the federal funds that go to the state, they are required to get tribal input. And so, for example, as my responsibility, I am on the Brown County Aging and Disability Board. And I had to submit an application and reviewed it, my qualifications. I was, they made a recommendation, it went to the county board. Now, as part of my responsibilities on that board, we have to sign, we sign up for different responsibilities and some of them can be testifying before the state. New representatives, and the one I chose is to help with different activities going on at the center, so what we're looking at, I think the needs, the current needs of our board, I don't know that the business committee is aware of them. We have, right now we have two positions that we're looking for members to fill on our board and they're to be on like statewide boards. And some of the responsibilities we have is like to the Alzheimer's board. I'm on another board and we meet with the like we've already met with the program, the Alzheimer's program. And so, we have responsibilities. They asked us for input and to give and we have, you know, letters. Now we're looking for grants because the state funding is gone. The university that the funding was cut by 60% for research. So, there's responsibilities like you have to have writing skills, computer skills, meet with, they want you to meet with state representatives. We meet with the chancellor. The chancellor came here last week. They asked us to provide input on, you know, certain type of research. And we have a variety of groups. So, our current needs on this board, I'm not, you know, is something that is unique to us and each board is different. So, when we look at the applications, we're looking at who was able to meet these responsibilities and and meet, you know, be on these state boards. It's different for each board. And I think as shall is that we could have all of the members review the applications, we'd set up our qualifications. We need somebody that can write, work on the strategic plan, work on the bylaws, review the laws, represent us at with the serve as a representative with the University of Wisconsin, with state representatives. And those are the type of things that we'd be looking at to meet our current need. And I think our needs change, like, and then we also meet with the elders in the community. So, each one of our members serves a different purpose. And so, I just feel that this would be the best way to meet the current needs of the board by having the boards review them, look at the criteria, set up criteria, review the applications and make the recommendation. Thank you.

Response

Commenter recommends that every member of a board, committee, or commission should be required to review all applications, discuss the current needs of the board, committee, or commission, and select an applicant; which the Chairperson will then be required to forward to the Oneida Business Committee. Commenter also mentions it is the board, committee, or commission that is most aware of its current needs and the needs of each board, committee, or commission is

different; and furthermore, each board, committee, or commission should be able to establish its own requirements for applicants.

The law does require each entity to establish membership requirements in its bylaws. This requirement is not a proposed amendment – it is currently in the law. Presumably, the law’s requirement for the entity to establish its own requirements for membership necessarily includes application requirements, applications to be appointed to serve on, and be a member of, a board, committee, or commission.

The law also allows the Chairperson to review the application materials and allows the Chairperson to submit a recommendation to the Oneida Business Committee. The law could be changed to require the entire entity, rather than just the Chairperson, to review the applicants and require the entire entity, rather than just the Chairperson, to submit a recommendation. Currently, the law allows the Chairperson to review applicants and make a recommendation. The LOC could decide to make reviewing an applicant and submitting a recommendation, or both, done by the entire entity and either, or both, could become obligations rather than options.

It is a policy determination for the LOC to make:

- Option 1: does the LOC want to require the entire entity, all members making up quorum, rather than only the Chairperson, to review applicants and submit a recommendation.
- Option 2: does the LOC want to require the entire entity, all members making up quorum, rather than only the Chairperson, to review applicants, and allow the entire entity, all members making up quorum, rather than only the Chairperson, to submit a recommendation.
- Option 3: does the LOC want to keep the proposed amendments as is and only change the option of reviewing and recommending applicants from something the Chairperson is allowed to do to something the entire entity is allowed to do.
- Option 4: does the LOC want to keep the proposed amendments as is and not make any changes, in which case the Chairperson will be allowed to review applicants and allowed to submit a recommendation.

If the LOC determines option 1 is the best policy choice, language could look like:

The entity’s ~~Chairperson may~~ shall review the application materials and shall submit a recommendation to the BCC Department to include in the application materials to be reviewed by Business Committee Support Office a recommendation to the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

If the LOC determines option 2 is the best policy choice, language could look like:

The entity’s ~~Chairperson may~~ shall review the application materials and may submit a recommendation to the BCC Department to include in the application materials to be reviewed by Business Committee Support Office a recommendation to the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

If the LOC determines option 3 is the best policy choice, language could look like:

The entity's ~~Chairperson~~ may review the application materials and may submit a recommendation to the BCC Department to include in the application materials to be reviewed by ~~to the Business Committee Support Office a recommendation to~~ the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

If the LOC determines option 4 is the best choice, language could look like:

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 ~~to the Business Committee Support Office a recommendation to~~ the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

The LRO's suggested revision, based on this comment, is option 2, to require all entities to review applicants and to allow all entities to make a recommendation. It is likely a good requirement to have the entire entity, rather than just the Chairperson, review applicants. However, it may be better to allow the entity to submit a recommendation rather than make it a requirement. If we create a legal requirement, we also need to create repercussions if that requirement is not followed. Therefore, the recommended change is to make reviewing applications a requirement of the entire entity, and not just the Chairperson, and submitting a recommendation to the Oneida Business Committee, from the entire entity, and not just the Chairperson, an option. The LRO recommends the amended language of option 2.

LOC Consideration

Initially, the LOC chose option 1 (which would make it mandatory for the entity to review qualifications and mandatory to submit a recommendation); however, after the LOC reviewed and considered the third public comment, the LOC revisited this comment and ultimately chose option 3:

The entity's ~~Chairperson~~ may review the application materials and may submit a recommendation to the BCC Department to include in the application materials to be reviewed by ~~to the Business Committee Support Office a recommendation to~~ the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

The LOC ultimately chose option 3 because it wants to give the entire board a choice and the opportunity for input. The LOC doesn't want to make it a requirement and potentially require the entire board to meet to review and select an applicant. The LOC was concerned about making this a mandatory requirement and concerned about requiring a quorum of the entity to meet for only that reason (reviewing applicants). Even though the LOC wanted to keep reviewing applicants and providing a recommendation discretionary, the LOC thought it was a good option to expand the option from something solely the Chairperson is allowed to do, to something the entire entity is allowed to do. This amendment is substantially similar to the comment and consideration of the third public comment, below; as such, the law will ultimately be amended to reflect that public comment and consideration.

The LOC also decided it may be a good idea to include in the law a timeframe for the entity's recommendation to go to the Oneida Business Committee; but if that timeframe passes, the LOC wants to give the responsibility to the Chairperson of that entity to review applicants and submit a recommendation. The LOC directed the LRO to talk to the Boards, Committees, and Commissions Department, specifically Brooke Doxtator, the Boards, Committees, and Commissions Department supervisor, to determine if a timeframe is administratively feasible. The LRO emailed Brooke Doxtator on July 6th. If or when the LRO receives feedback from Brooke Doxtator of the Boards, Committees, and Commissions Department on the administrative feasibility of a deadline for submitting recommendations, the LRO will inform the LOC and the LOC may direct an additional amendment be made in response to that feedback.

Comment 2 – Selection of 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.

Mary Loeffler (oral): I guess my comment is when I was reading over, oh, my name is Mary Loeffler. I'm on the [ONCOA] board. I was reading under Line number 269. Page 7. 105.7 appointment to an entity. Okay, so I underlined. 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 reposted. Well, that wasn't done. I mean, under recent events. When a vacancy is reposted, all applications from the first posting shall be considered to have been filed within the deadline period. Notification, and it goes on to say. Other things about that, but I am just curious. Did we agree to repost? Is sending the matter to the election board considered a reposting? Well, because you, when it's going to the election board, right, to be voted on by General Tribal Council at some point. But, according to... Line 268 and 69, the United Business Committee may direct the vacancy to be reposted. But... is someone else?

O[kay], so that was my question about making a decision, us making a decision whether we were going to postpone it to the next, after the election, right, the new board. But according to this, and according to the beginning, where it says, you must adhere to all to be consistent and have standard procedures for choosing and appointing or electing the most qualified individuals. If they meet the requirements for the appointment, which you did say, right, is that okay if I use our recent as an example?

Jonas: I believe that was executive session, so that is confidential.

Mary: Okay. So, script all that, right? Okay, so all my question is, if the Oneida Business Committee may direct the vacancy to be reposted, and it isn't reposted, but instead an alternative option is given. What has to be the reason for going against the reposting? I'm assuming the reposting means that they will all come up for election after July. Is that, is that correct?

O[kay], so I guess that I'm just bringing that to the forefront as one of my concerns about the way this is written. So, I guess like to help you assist you a little bit is like how can there be a consistent process followed that the business committee follows or a procedure in when it comes to selecting qualified applicants? Yes, if I hear you right. That would be yes. Okay. That's what I'm trying to say. Thank you.

Response

Commenter questions the Oneida Business Committee's process for determining and reposting a vacancy when, for example, the Oneida Business Committee has been presented with applicants and a recommendation for an applicant's appointment to a board, committee, or commission, but does not select the applicant and instead determines to repost the position as a vacancy but the vacancy is not reposted properly. Commenter also believes there should be a consistent process and procedure for the Oneida Business Committee to follow when selecting qualified applicants.

No reason for or against the selection of applicants is required to be made or be made publicly available by the Oneida Business Committee. The law allows the Oneida Business Committee's discussion and selection to be done in executive session, only the actual, formal appointment is required to be made during the open session of an Oneida Business Committee meeting.

Currently, the law mandates that the Oneida Business Committee shall not select an applicant that fails to meet the requirements of that entity, as established in the entity's bylaws. [105.7-

l(d)]. The exact provision reads: “The Oneida Business Committee shall not appoint an applicant who fails to meet the requirements set out in the entity's bylaws.” *[Id]*.

Currently, the law does mandate a consistent process and procedure for the Oneida Business Committee to follow when rejecting applicants. The law and the proposed amendments do not contain a process and procedure for the Oneida Business Committee to follow when selecting an applicant.

Because the discussion and selection of applicants is done in executive session, it may not be appropriate to include procedures in the law regarding how the Oneida Business Committee is required to review, discuss, and ultimately select an applicant or decide to repost for a vacancy. The processes and procedures for the Oneida Business Committee to follow when selecting and appointing an applicant are internal and done in executive session; the Oneida Business Committee is currently required to reject any applicant who fails to meet the requirements of the board, committee, or commission as established in that board, committee, or commission’s bylaws; therefore, there is no recommended revision to the proposed amendments to the Law based on this comment. If the LOC decides they are in favor of having more formalized, solidified requirements, the most appropriate option may be including a requirement in the adopting resolution for the Oneida Business Committee to adopt an internal standard operating procedure regarding the discussion and selection or rejection of applicants to serve on a board, committee, or commission of the Nation.

Regarding vacancies, the proposed amendments do contain a process and procedure for the Oneida Business Committee to follow when it determines a vacancy. Currently, the proposed amendments require an entity to notify the Boards, Committees, and Commissions Department as soon as the entity learns that a position has or will become vacant. The Boards, Committees, and Commissions Department is required to forward notice of the vacancy to the Secretary. Then, the Secretary requests approval from the entire Oneida Business Committee to direct the Boards, Committees, and Commissions Department to post the vacancy and the law identifies specific times when the notice of vacancy must be posted. Additionally, the proposed amendments contain five instances where a vacancy must be found and posted.

The law does not have a process or procedure to challenge any supposed failure of the Oneida Business Committee to repost a vacancy or a supposed failure to direct that a vacancy be reposted. If anyone wishes to discuss or challenge the Oneida Business Committee’s supposed failure to determine and direct the reposting of a vacancy, the best and most appropriate option may be to contact the Boards, Committees, and Commissions Department. There is no recommended revision to the law based on this comment.

LOC consideration

The LOC would like the Business Committee to have more options regarding applicants: reject, repost, defer, etc.

The law does require the Business Committee to have a full and complete discussion of the merits and qualifications of potential applicants. That requirement is found in section 105.7-1(c)

of the law; it will be expanded to give the Business Committee more options regarding how to handle potential applicants. It will be amended to say:

“(c) During executive session, 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; ~~or~~
- (3) ask the Secretary to re-notice the vacancy because of an actual or implied conflict of interest;
- (4) direct the Election Board to hold a special election; or
- (5) defer to the next administration of the Oneida Business Committee.” [1 O.C 105.7-1(c)].

Comment 3 – Selection of 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.

Sidney J. White (oral): Okay, sure. Thanks. My name is Sid White. I am the chair currently for the Oneida Land Commission. I'll be wrapping up my second term. I think if we're looking at the boards, committees and commission laws, I do agree that we probably could maybe clarify filling vacancies a little bit more, a little bit better. We've had vacancies that we've had to fill. I did read the law and we did follow the law. I think for me, I do appreciate when I was in the role of a commissioner, being able to provide feedback to the applicants. I've seen it like a couple different ways. And, you know, I think when I'm the chair is what I do is I bring the applicants and discuss it in executive session with our commissioners to get a consensus of, of what our recommendation is. I've also experienced where the chairperson just goes ahead and makes the recommendation without discussing to the existing commissioners. I think the other thing that I had is, you know, I understand that it's up to the business committee to, you know, ensure they pick who they want, I guess, for the boards, committees and commissioners. I did have some concerns in that when I did forward a recommendation in discussions, a person indicated that they didn't receive the recommendation. So, I think for me, you know, I appreciate like the input of having, you know, of all the people that are available. I don't think I would change the law to say that all of them there, but maybe whoever is present at that meeting in a quorum, because if, you know, we have like one or two or three people missing, you know, I don't want to say we're going to hold this up because, you know, they didn't provide their input. So that's just my comments is I would like to see a little bit consistency. As far as the boards, committees and commissions, I understand the guidelines that the chair makes, the chairperson makes the recommendation. I would like to ensure that the chairperson also receives input for whoever's serving in those roles with them. And that's something that I ensure we do as a current chairperson. It's not to say that the next chairperson will have a different method of just saying, well, I'll make the decision or the recommendation for it along. Thank you for considering. Appreciate it.

Response

The commenter would like to see the law have a clearer process for filling vacancies. Commenter also believes the entity should review and discuss applicants at a meeting of the entity, where at least quorum is met, in order for members of the entity to provide the Chairperson with input on applicants.

Regarding vacancies, currently, the proposed amendments require an entity to notify the BCC Department as soon as the entity learns that a position has or will become vacant. The BCC Department is required to forward notice of the vacancy to the Secretary. Then, the Secretary requests approval from the entire Oneida Business Committee to post the vacancy and the law identifies specific times when the notice of vacancy must be posted. Currently, the law also requires all entities to establish in their bylaws, a requirement for how vacancies of that entity will be filled. The law already contains a process and procedure for filling vacancies and a requirement for all entities, in their bylaws, to establish requirements for how vacancies will be filled; therefore, there is no recommended revision to the law based on that comment.

Commenter goes on to discuss reviewing applicants, in general, in a way that seems to indicate the commenter's concerns regarding vacancies are about discussing applicants and filling

positions. In which case, the LOC may decide to amend the law to require the entire entity to meet and review applicants; the law could be amended like it was suggested to be amended after the first comment. Because the comment regarding filling vacancies and discussing and recommending applicants seems to indicate a revision similar to the suggested revision in the first comment, there is no further recommended revision to the law based on this comment; the law could be amended as it was recommended by the LRO following the first comment; amended as follows:

The entity's ~~Chairperson may~~ shall review the application materials and may submit a recommendation to the BCC Department to be included in the application materials to be reviewed by to the Business Committee Support Office a recommendation to the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

LOC consideration

Similar to the LOC's consideration following the first public comment, the LOC doesn't want to require an entity to meet just to review applicants and likes that it is discretionary; however, the LOC does want to extend the option from solely something the Chairperson is allowed to do, to something the entire board is allowed to do. The LOC expressed concern that the Chairperson may submit a recommendation to the BCC Department without the support of, or input from, the rest of the entity and wanted to ensure that the recommendation comes from the entire entity and not solely the Chairperson. Therefore, Section 105.7-1(b)(1) will be amended to say:

The entity's ~~Chairperson~~ may review the application materials and the entity may submit a recommendation to the BCC Department to be included in the application materials to be reviewed by to the Business Committee Support Office a recommendation to the Oneida Business Committee. ~~of an applicant for appointment.~~ [1 O.C. 105.7-1(b)(1)].

Title 1. Government and Finances – Chapter 105
Laotiyansh&ha k<tyohkway<=t&=se>
Their laws of the groups we have
BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
 105.2. Adoption, Amendment, Repeal
 105.3. Definitions
 105.4. Creation of an Entity
 105.5. Applications
 105.6. Vacancies
 105.7. Appointment to an Entity
 105.8. Election to an Entity
 105.9. Oath of Office

105.10. Other Responsibilities
 105.11. Bylaws
 105.12. Electronic Polling
 105.13. Reporting Requirements
 105.14. Stipends, Reimbursement and Compensation
 105.15. Official Oneida Nation Email Address
 105.16. Standards of Conduct
Confidential Information
 105.15. Conflicts of Interest
 105.17. Use of the Nation's Assets
 105.18. Dissolution of an Entity
 105.19. 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:

(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, ~~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~~) "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 ~~persons~~ 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 ~~elected or appointed~~ term or during their employment.

(~~h~~) "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.~~

(~~h~~) "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~~ ~~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.

(~~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 ~~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.~~

(~~re~~) "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.

(~~v~~) "~~q~~" "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~~) "~~f~~" "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

(~~x~~) "~~s~~" "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.

(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 ~~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 Office~~ 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 ~~Business Committee Support Office~~ BCC 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 her ~~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, and/or policies governing elections. Applications for appointed positions shall be verified by the ~~Business Committee Support Office~~ 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 date has passed for appointed positions, the ~~Business Committee Support Office~~ BCC 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. ~~on~~ 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~~

(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) request additional time from the Oneida Business Committee to complete the requirements of section 105.7-1(a)(1)-(2) 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 the entity may 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) During executive session, ~~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;

(3) ask the Secretary to re-notice the vacancy because of an actual or implied conflict of interest;

(4) direct the Election Board to hold a special election; or

(4) defer to the next administration of the Oneida Business Committee.

(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 reposted. When a vacancy is reposted 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)~~ 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. Bylaws

~~105.11-1.~~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 ~~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) ~~Exemption~~~~Exception~~. Task Forces and Ad Hoc Committees are ~~exempted~~~~excepted~~ from the requirement to have bylaws. However, these entities shall have, at minimum, mission or goal statements for completion of the task.

105.1 ~~10~~-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.

105.1 ~~10~~-3. *Sections*. Articles shall be divided into ~~the following "s~~Sections"~~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) ~~N~~unumber of members on the entity;
 - (B) ~~I~~f members on the entity are appointed or elected ~~or appointed~~, and how a member is appointed or elected ~~or appointed~~;
 - (C) ~~H~~how vacancies are filled; and
 - (D) ~~Q~~ualifications 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 ~~e~~Chairperson and ~~v~~Vice-~~e~~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 ~~e~~Chairperson, as well as limitations of the ~~e~~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-e~~Chairperson, as well as limitations of the ~~Vice-e~~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 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+) An executive 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."~~

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

- (2B) 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.
- 105.13~~2~~-3. *~~Quarterly~~ Reports to the Oneida Business Committee.* Every fiscal year ~~e~~Entities 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~~ 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 ~~exception exemption from~~ 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 105.143-3(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~~ hearing stipend for conducting ~~a~~ hearings 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.

105.14~~3~~-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~~3~~-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)~~ (e) 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~~3~~-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.

105.14~~3~~-11~~0~~. *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.

(i) 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.

791 105.16-4. Attendance and Meeting Conduct. Members shall honor their responsibility to
792 participate fully and professionally in the governance of the Nation. Attendance and conduct
793 during meetings reflect the integrity of leadership and the trust placed in members by the Oneida
794 people. Accordingly:

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

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

802 (1) Actively and thoughtfully participate.

803 (2) Contribute to deliberations with clarity and respect.

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

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

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

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

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

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

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

819 105.16-5. Fair Dealing and Impartiality. Members shall carry out their duties with fairness,
820 honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:

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

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

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

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

829 105.16-6. Accountability and Transparency. Public service is a sacred responsibility. Members are
830 entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions
831 shall reflect the values of the Nation and honor the trust placed in them by the community.

832 (a) Duty to be Accountable. Members shall be answerable to the Oneida people for their
833 decisions, conduct, and use of authority; explain their actions, accept responsibility for
834 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~~ ~~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.~~

~~105.16-8. Conflicts of Interest. 105.15-1. 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~~s~~ 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:~~

~~(1a)~~a political appointees;

(2b) 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

(3e) 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 one thousand dollars (\$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 nine hundred ninety-nine dollars (\$999) 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 (24) 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 with a 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 (24) 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;

(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; or

(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 sanctions and penaltyies 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~~

~~(e) 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
Laotiyansh&ha k<tyohkway<=t&=se>
Their laws of the groups we have
BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
 105.2. Adoption, Amendment, Repeal
 105.3. Definitions
 105.4. Creation of an Entity
 105.5. Applications
 105.6. Vacancies
 105.7. Appointment to an Entity
 105.8. Election to an Entity
 105.9. Oath of Office

105.10. Other Responsibilities
 105.11. Bylaws
 105.12. Electronic Polling
 105.13. Reporting Requirements
 105.14. Stipends, Reimbursement and Compensation
 105.15. Official Oneida Nation Email Address
 105.16. Standards of Conduct
 105.17. Use of the Nation's Assets
 105.18. Dissolution of an Entity
 105.19. 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 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) request additional time from the Oneida Business Committee to complete the requirements of section 105.7-1(a)(1)-(2) if delays in compiling the applications, summary of qualifications, or results of any investigations exist.

(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 may review the application materials and the entity may 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) During executive session, 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 entity. After completing a thorough discussion the Oneida Business Committee shall:

(1) select an applicant for appointment;

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

(3) ask the Secretary to re-notice the vacancy because of an actual or implied conflict of interest;

(4) direct the Election Board to hold a special election; or

(4) defer to the next administration of the Oneida Business Committee.

(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 reposted. When a vacancy is reposted 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) *Exemption*. Task Forces and Ad Hoc Committees are exempted 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

472 (1) *Stipends*. This section shall include a comprehensive list of all stipends
473 members are eligible to receive and the requirements for collecting each stipend,
474 if any, in addition to those contained in this law. This section shall also include the
475 procedure to withhold a member's stipend if a member does not meet the
476 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 exception from 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 105.14-3(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 105.15-10.

(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.* 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 one thousand dollars (\$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 nine hundred ninety-nine dollars (\$999) 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 the 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 to 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;

(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; or

(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



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 the purpose of the amendments is 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. <i>[1 O.C. 105.15]</i>. ▪ 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. <i>[1 O.C. 105.16]</i>. ▪ Clarify how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms. <i>[1 O.C. 105.16-8(a)]</i>. ▪ Add a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known. <i>[1 O.C. 105.16-8(a)(3)]</i>. ▪ 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. <i>[1 O.C. 105.16-8(b)(1)]</i>. ▪ 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. <i>[1 O.C. 105.16-8(c)]</i>. ▪ 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. <i>[1 O.C. 105.16-8(d)]</i>. ▪ Clarify enforcement provisions. <i>[1 O.C. 105.19]</i>. ▪ 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. <i>[1 O.C. 105.19-4]</i>. ▪ 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. <i>[1 O.C. 105.1-1]</i> .
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. <i>[1 O.C. 105.19-1]</i>. 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. <i>[1 O.C. 105.19-2]</i>. 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. <i>[1 O.C. 105.11-3(6)]</i>. ▪ 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. <i>[1 O.C. 105.11(3)(d)]</i>. ▪ The requirement that all entities shall address in their bylaws a procedure for withholding a member's stipend. <i>[1 O.C. 105.11-3(e)(1)]</i>. ▪ 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. <i>[1 O.C. 105.13-5]</i>.
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. <i>[1 O.C. 105.7-1]</i>. The entity may review the application materials and the entity may submit a recommendation to the Boards, Committees, and Commissions Department to include in the application materials to be reviewed by the Oneida Business Committee. <i>[1 O.C. 105.7-1(b)(1)]</i>. All appointments shall be made during open session of the Oneida Business Committee. <i>[1 O.C. 105.7-1(d)-(e)]</i>. 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. <i>[1 O.C. 105.7-2]</i>.

	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 was held on June 11, 2026, with a public comment period held open until June 18, 2026.
Fiscal Impact	On July 15, 2026, the Legislative Operating Committee directed the Finance Department to provide a fiscal impact statement, prepared in accordance with the Legislative Procedures Act, by Wednesday, July 29, 2026.

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.
- On May 6, 2026, the Legislative Operating Committee approved the public meeting packet and directed a public meeting be held on June 11, 2026, with a public comment period held open until June 18, 2026.
- On June 11, 2026, a public meeting was held. Three (3) individuals provided oral comments.
- On June 18, 2026, the public comment period closed. No individuals provided written comments.
- On July 1, 2026, the Legislative Operating Committee accepted the public comments and public comment review memorandum and deferred to a work meeting for further consideration of the comments received and the public comment review memorandum.

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.
- July 1, 2026: LOC work meeting. The LOC met to review the public comments received and the public comment review memorandum.

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 between 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:
 - [T]o 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].

- 198 ▪ The proposed amendments to the Code of Ethics law remove its application to
199 appointed and elected members and because of this amendment most Standards
200 of Conduct that were once addressed in the Code of Ethics have been moved to
201 the proposed amendments to the Boards, Committees, and Commissions law as
202 applicable to appointed and elected members. [1 O.C. 105.16].
- 203 ▪ The proposed amendments align with the proposed amendments to the Code of
204 Ethics law by streamlining the Nation's ability to monitor and establish standards
205 regarding the behavior of its appointed and elected members.
- 206 ▪ *Conflict of Interest Law.* The Conflict of Interest law is currently being amended.
 - 207 ▪ Currently, "[t]he purpose of this law is for the Nation to ensure that all employees,
208 contractors, elected officials, officers, political appointees, appointed and elected
209 members and all others who may have access to information or materials that are
210 confidential or may be used by competitors of the Nation's enterprises or interests
211 be subject to specific limitations to which such information and materials may be
212 used in order to protect the interests of the Nation." [2 O.C. 217.1-1].
 - 213 ▪ In the proposed amendments, the amended purpose of the law will remove
214 elected officials and appointed and elected members and only be for the purpose
215 of ensuring all employees, contractors, political appointees, and all others who
216 may have access to information or materials that are confidential or may be used
217 by competitors of the Nation's enterprises or interests be subject to specific
218 limitations to which such information and materials may be used in order to
219 protect the interests of the Nation." [Id].
 - 220 ▪ The proposed amendments change the application of the conflict of interest law
221 and remove the coverage of appointed and elected members. [2 O.C. 217.4-1].
 - 222 ▪ While appointed and elected members are being removed from the Conflict of
223 Interest law, the provisions regarding conflicts of interest in the Boards,
224 Committees, and Commissions law are being strengthened. [1 O.C. 105.16-8].
 - 225 ▪ The proposed amendments align with proposed amendments to the Conflict of
226 Interest law by streamlining the Nation's ability to monitor and enforce conflict
227 of interests. The proposed amendments to this law strengthen the Nation's ability
228 to monitor conflict of interest as applicable solely to members of boards,
229 committees, and commissions.
- 230 ▪ *Removal Law.* The purpose of the Removal law is to govern the removal of persons elected to
231 serve on boards, committees, and commissions of the Oneida Nation. [1 O.C. 104.1-1].
 - 232 ▪ The Removal law contains various grounds for removal including:
 - 233 ▪ failure to attend four (4) regularly scheduled meetings without a written
234 explanation;
 - 235 ▪ failure to attend fifty percent (50%) of an entity's regular scheduled
236 meetings within a twelve (12) month period for any reason provided that
237 this subsection shall not apply to the Oneida Business Committee;
 - 238 ▪ intentional misuse of Tribal funds;
 - 239 ▪ alcohol use while performing official responsibilities or use of illegal
240 drugs at any time;
 - 241 ▪ 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. [1 O.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. 102.6; 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. [1 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 directed the Finance Department to complete a Fiscal Impact Statement by July 29, 2026.



TO: Ralinda Ninham-Lamberies, Chief Financial Officer
Lawrence Barton, Oneida Business Committee Treasurer
FROM: Jameson Wilson, Legislative Operating Committee Chairman
DATE: July 15, 2026
RE: Boards, Committees, and Commissions Law Amendments Fiscal Impact Statement

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

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

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

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

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

On March 18, 2026, the Legislative Operating Committee approved the final draft of the proposed amendments to the Boards, Committees, and Commissions Law. Therefore, the LOC is directing the Finance Department to provide a fiscal impact statement on the proposed amendments to Boards, Committees, and Commissions Law by July 29, 2026.

A copy of the proposed amendments to the Boards, Committees, and Commissions Law as well as the legislative analysis, have been attached to this memorandum for your convenience.

Requested Action

Provide the LOC with a fiscal impact statement of the proposed amendments to the Boards, Committees, and Commissions Law by Wednesday, July 29, 2026.



Legislative Operating Committee July 15, 2026

Safe Neighborhoods Law

Submission Date: 2/23/26	Public Meeting: N/A
LOC Sponsor: Jameson Wilson	Emergency Enacted: 2/25/26

Summary: *At the February 5, 2026, Oneida Business Committee work session, the Oneida Business Committee was made aware by the Oneida Law Office and Oneida Police Department that a Senior Probation and Parole Agent with the Wisconsin Department of Corrections - Division of Community Corrections, notified the Oneida Police Department of the pending release of a sex offender who has requested residence in a central location within the boundaries of the Oneida Reservation. This notification by the Wisconsin Department of Corrections brought to the forefront that the Nation currently lacks any laws to regulate the presence and residency of sex offenders within the boundaries of the reservation.*

The Legislative Operating Committee added the Safe Neighborhoods law to its Active Files List on an emergency basis on February 23, 2026. 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.

The Oneida Business Committee adopted the Safe Neighborhoods law on an emergency basis on February 25, 2026 through the adoption of BC-02-25-26-C. The emergency adoption of this law will expire on August 25, 2026. There will be one (1) opportunity to extend the emergency adoption of this law for an additional six (6) month period.

2/17/26: *Work Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Eric Boulanger, Joel Maxam, Brandon Vande Hei Kelly McAndrews, Krystal John, Stephanie Skenandore, Fawn Cottrell, Fawn Billie, Kristal Hill, Rhiannon Metoxen. The purpose of this work meeting was to review and discuss the potential emergency adoption of a law to address sex offender residency restrictions.*

2/18/26: *Work Meeting. Present: Jameson Wilson, Clorissa Leeman, Stephanie Skenandore, Kristal Hill, Joel Maxam, Kelly McAndrews, Rhiannon Metoxen, Fawn Cottrell, Brandon Vande Hei, Eric Boulanger, Fawn Billie, Krystal John, Grace Elliott. The purpose of this work meeting was to continue the discussion on the adoption of a law to address sex offender residency restrictions.*

2/23/26: *Work Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Clorissa Leeman, Kristal Hill, Rhiannon Metoxen, Fawn Cottrell, Fawn Billie. The purpose of this work meeting was to review updated emergency adoption materials prior to the e-poll being sent out in case there are any questions.*

2/23/26: *E-Poll Conducted. This e-poll was entitled, Safe Neighborhoods Law Emergency Adoption. The requested action of this e-poll was to add the Safe Neighborhoods law to the Active Files list with Jameson Wilson as the sponsor; and approve the Safe Neighborhoods law emergency*

adoption packet and forward to the Oneida Business Committee for consideration. This e-poll was approved by Jonas Hill, Jennifer Webster, Kirby Metoxen, and Jameson Wilson. Marlon Skenandore did not provide a response.

2/25/26 OBC: Motion by Lawrence Barton to adopt resolution # 02-25-26-C Emergency Adoption of the Safe Neighborhoods Law, seconded by Jennifer Webster. Motion carried.

3/4/26 LOC: Motion by Jennifer Webster to enter into the record the results of the February 23, 2026, e-poll entitled, Safe Neighborhoods Law Emergency Adoption; seconded by Jonas Hill. Motion Carried unanimously.

5/8/26: *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Clorissa Leeman, Kelly McAndrews, Stephanie Skeandore, Gregory Matson, Dana McLester, Scott Denny, Michelle Hill, Jennifer Garcia, Derrick Denny, Carolyn Salutz, Grace Elliott, Fawn Cottrell. The purpose of this work meeting was to review the law and begin discussing any additional amendments that need to be made for the permanent adoption of this law.

Next Steps:

- Approve the draft and the legislative analysis of the Safe Neighborhoods law.

Title 3. Health & Public Safety - Chapter 310 SAFE NEIGHBORHOODS

310.1. Purpose and Policy
310.2. Adoption, Amendment, Repeal
310.3. Definitions
310.4. Prohibited Locations
310.5. Residence Restrictions

310.6. Waiver of Residence Restrictions
310.7. Map of Prohibited Locations and Residence Restriction
Distances
310.8. Enforcement and Penalties

310.1. Purpose and Policy

310.1-1. *Purpose.* The purpose of this 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 sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this 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.

310.1-2. *Policy.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that 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.

310.2. Adoption, Amendment, Repeal

310.2-1. This law was adopted by the Oneida Business Committee ~~on an emergency basis~~ by resolution BC-02-25-26-C- - - - .

310.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

310.2-3. 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.

310.2-4. 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.

310.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

310.3. Definitions

310.3-1. 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) "Day" means calendar day.

(b) "Immediate family" means individual's husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, and any of the these relations attained through legal adoption or marriage.

(c) "Judiciary" means the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation, 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.

(d) “Nation” means the Oneida Nation.

(e) “Oneida Public Safety and Security Commission” means the entity made up of those individuals appointed by the Oneida Business Committee to provide oversight regarding the activities and actions of public safety and security operations throughout the Reservation.

(f) “Park” means any outdoor area held open for use by the public, including, but not limited to a public park, parkway, campground, recreation or open access space area, beach, conservation area, lake access point, recreation trail/route, or Safe Route, by whatever name such area is known by.

(g) “Permanent residence” means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

(h) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Sex offender” means a person who:

(1) Is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am);

(2) Is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or

(3) Within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 False Imprisonment, if the victim was a minor and not offender’s child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender’s child.

(j) “Temporary residence” means a place where the person abides, lodges or resides for a period of four (4) or more days within a thirty (30) day period, or for a period of fourteen (14) or more days during any calendar year and which is not the person's permanent address.

(k) “Trial Court” means the Trial Court of the Oneida Nation Judiciary.

310.4. Prohibited Locations

310.4-1. *Prohibited Locations*. No sex offender shall enter or be present on any property upon which there exists any:

(a) school;

(b) Tribal or other licensed day care or childcare center;

(c) park or park facility;

(d) playground or green space otherwise designated as a play or recreational area by the Nation’s ~~planning department~~ Planning Department;

(e) athletic field, including any practice field;

(f) library;

(g) community center;

(h) fitness center, recreation center, or gym;

(i) farmers market;

(j) place of worship;

(k) any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate.

310.4-2. *Prohibited Locations Exceptions.* A sex offender present in a prohibited location as identified in section 310.4-1 of this law shall not be found to have committed an offense if any of the following apply:

(a) The property also supports a place of worship, subject to the following conditions:

(1) Entrance and presence on the property may occur only during hours of worship or other religious program or service; and

(2) The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).

(b) The property also supports a use lawfully attended by the sex offender's natural or adopted child, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child.

(c) The property also supports a polling location in a local, state, or federal election, subject to the following conditions:

(1) The sex offender is eligible to vote;

(2) The polling location is the designated polling location for the sex offender; and

(3) The sex offender casts their ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(d) The property also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for their educational purposes.

(e) The property is accessed for use of a medical facility or clinic, behavioral health clinic, police station, food security services, economic or social services, or other governmental building not otherwise enumerated in 310.4-1 of this law, provided that the sex offender vacates the property immediately after completing the activity or service that required their presence at the property.

(1) Any department of the Nation in a property providing services as referenced in the subsection above shall have a standard operating procedure regarding providing for a sex offender's access for services in these particular locations.

310.5. Residence Restrictions

310.5-1. *Prohibited Location of Residence.* No sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations identified in section 310.4-1 of this law.

310.5-2. *Measurement of Distance.* For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations identified in section 310.4-1 of this law.

310.5-3. *Residency Restriction Exceptions.* A sex offender residing within an area otherwise prohibited by this law does not commit an offense if any of the following apply:

(a) The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.

(b) The sex offender had established and registered a permanent residence within a restricted area prior to the effective date of this law.

(1) In such circumstances, a sex offender who duly registered their permanent residence address before residency restrictions were adopted by the Nation shall be deemed to have received a waiver, provided that this waiver may be revoked in accordance with section 310.6-5 of this law.

(c) The prohibited location identified in section 310.4-1 of this law was established after the sex offender established a permanent residence at the location and registered that residence as required by law.

(d) The sex offender is a minor or ward under guardianship.

(e) The sex offender's most recent offense occurred more than ten (10) years ago and it has been at least ten (10) years since the sex offender has completed any period of incarceration or court mandated supervision for any offense.

310.5-5. *Prohibition of Sale, Lease, or Rental of Property.* No person or entity shall sell, lease, sublease, rent, convey, or otherwise allow 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.

310.6. Waiver of Residence Restrictions

310.6-1. *Petition for Residence Restriction Waiver.* A sex offender may request a waiver from the residence restrictions provided in section 310.5-1 of this law by submitting a written request for a waiver, including any pertinent rationale for a waiver, to the Oneida Police Department prior to establishing a residence that would be in violation of this law.

(a) A sex offender shall not, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter.

310.6-2. *Review of Waiver Request.* The Chief of Police or their designee shall conduct a review of the request for a waiver using any pertinent information and the following factors related to the Nation's interest in promoting, protecting, and improving the health, safety, and welfare of the community:

- (a) The nature of the offense causing the individual to be a sex offender;
- (b) Police reports related to the predicate offense if available;
- (c) Proximity of the requested residence to the victim;
- (d) The age of the offense, offender, and victim;
- (e) Recommendation of the probation or parole officer, if one exists;
- (f) Recommendation of the police department;
- (g) Recommendation of any treatment practitioner;
- (h) Proposals for safety measures and assurances by the sex offender;
- (i) Conditions to be placed on any exception or variance from the requirements of this law;
- (j) Support systems in place by the sex offender;
- (k) Who the sex offender will be or is living with at the prohibited location;
- (l) Statements of the surrounding community or victim;
- (m) Treatment, sobriety, or rehabilitative measures taken by the sex offender;
- (n) The sex offender's current employment or social activities;
- (o) The sex offender's criminal history; and

(p) Whether the sex offender meets any of the exceptions provided for in this law.
310.6-3. *Approval or Denial of Waiver.* Within fourteen (14) days of receiving a waiver request, the Chief of Police or their designee shall issue a written decision to the sex offender by first class mail, to the address provided by the requestor, in regard to the request for a residence restriction waiver.

(a) The decision of the Chief of Police or their designee shall be one (1) of the following:

(1) denial of the waiver;

(1) approval of the waiver; or

(2) approval of the waiver subject to necessary conditions.

(A) Conditions may include, but are not limited to, the following:

(i) curfew restrictions;

(ii) cohabitation restrictions or requirements;

(iii) sobriety restrictions;

(iv) conduct restrictions; and/or

(v) any other decision deemed reasonable and necessary by the Chief of Police.

(b) Any request for a waiver which has not been approved, approved for a conditional waiver, or denied by the Chief of Police or their designee within thirty (14) days of the request shall be deemed to be denied unless the Chief of Police provides written notice to the sex offender that a one (1) time extension of ten (10) days would be required to make a decision on the waiver.

(c) If a waiver is granted by the Chief of Police or their designee, the exemption shall only apply to the specific sex offender who had applied for the waiver at the requested residence and shall not be transferable to any other or to any other location.

(d) A waiver expires when the sex offender who was granted the waiver changes their residence.

310.6-4. *Appeal of Waiver Decision.* A sex offender may appeal the waiver decision made by the Chief of Police or their designee by submitting a written appeal to the Oneida Public Safety and Security Commission within ten (10) days from the date the waiver decision was postmarked.

(a) The Oneida Public Safety and Security Commission shall make a decision regarding the appeal of the Chief of Police or their designee's decision within fourteen (14) days of receipt of the appeal.

(1) The Oneida Public Safety and Security Commission may use a one (1) time extension of ten (10) days to make a decision on the waiver appeal by providing written notice of the extension to the Chief of Police and the sex offender.

(b) The Oneida Public Safety and Security Commission shall make one of the following decisions in regard to the appeal:

(1) Uphold the Chief of Police or their designee's denial of the waiver; or

(2) Overturn the Chief of Police or their designee's denial of the waiver and approve:

(A) a waiver; or

(B) a waiver subject to conditions.

(c) The decision of the Oneida Public Safety and Security Commission shall be in writing and provided to the sex offender and the Chief of Police.

310.6-5. *Revocation of Waiver.* A waiver issued by the Chief of Police or their designee or the Oneida Public Safety and Security Commission may be revoked by the Chief of Police or their designee if the sex offender is found to have violated the conditions of the waiver or there is

probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued.

- (a) The Chief of Police or their designee shall provide written notice to the sex offender that the exemption or conditional exemption has been revoked and/or further conditioned.

310.7. Map of Prohibited Locations and Residence Restriction Distances

310.7-1. The Geographic Information System Department shall maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances.

- (a) The Geographic Information System Department shall review the map on an annual basis and update the map to reflect any changes in the prohibited locations.

- (b) The map shall be made available electronically on the Nation's website.

310.7-2. The absence of a location on the map shall not be a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location.

310.8. Enforcement and Penalties

310.8-1. *Issuance of a Citation.* An individual who violates any provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer.

- (a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

- (b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

- (c) *Notice to the Comprehensive Housing Division.* The Oneida Police Department shall provide notice to the Oneida Law Office ~~attorney assigned to the Comprehensive Housing Division~~ of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division.

~~(1) Any information or reports shared by the Oneida Police Department officer with the Oneida Law Office attorney shall be redacted by the Oneida Law Office attorney as agreed upon between the Oneida Law Office and the Oneida Police Department Chief of Police prior to release to the Comprehensive Housing Division for potential lease or rental enforcement.~~

310.8-2. *Penalties.* Upon a finding by the Trial Court that a violation of this law has occurred, the individual may be subject to the following penalties:

- (a) *Fines.* An individual may be ordered to pay a fine as a result of a violation of this law. The Oneida Business Committee shall adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this law.

- (1) All fines shall be paid to the Judiciary.

- (2) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later.

- (A) The ninety (90) day deadline for payment of fines may be extended if an alternative payment plan is negotiated by the Oneida Law Office and approved by the Trial Court.

- (3) If an individual does not pay their fine the Trial Court may seek to collect the money owed through the Nation's garnishment and/or per capita attachment process or any other collection process available to the Trial Court.

- (4) 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.

(b) *Community Service*. An individual may be ordered to perform community service. Community service can be used in lieu of, or in addition to, a fine.

(1) All community service assignments shall be approved by the Trial Court. The Trial Court shall give preference to culturally relevant community service assignments or community service assignments that focus on the betterment of the individual's community.

(2) The Trial Court shall provide the individual a written statement of the terms of the community service order, and a statement that the community service order is monitored.

(3) The Trial Court's community service order shall specify:

(A) how many hours of community service the individual is required to complete;

(B) the time frame in which the hours shall be completed;

(C) how the individual shall obtain approval for their community service assignment;

(D) how the individual shall report their hours; and

(E) any other information the Trial Court determines is relevant.

(c) *Counseling or other Programs*. An individual may be ordered to participate in counseling or any other program relevant and available to the Nation.

(d) Any other penalty as deemed appropriate by the Trial Court.

End.

Emergency Adopted – BC-02-25-26-C

~~Emergency Extended – BC- - - -~~
~~Adopted – BC- - - -~~

Title 3. Health & Public Safety - Chapter 310 SAFE NEIGHBORHOODS

310.1. Purpose and Policy
310.2. Adoption, Amendment, Repeal
310.3. Definitions
310.4. Prohibited Locations
310.5. Residence Restrictions

310.6. Waiver of Residence Restrictions
310.7. Map of Prohibited Locations and Residence Restriction
Distances
310.8. Enforcement and Penalties

310.1. Purpose and Policy

310.1-1. *Purpose.* The purpose of this 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 sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this 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.

310.1-2. *Policy.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that 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.

310.2. Adoption, Amendment, Repeal

310.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__.

310.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

310.2-3. 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.

310.2-4. 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.

310.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

310.3. Definitions

310.3-1. 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) "Day" means calendar day.

(b) "Immediate family" means individual's husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, and any of the these relations attained through legal adoption or marriage.

(c) "Judiciary" means the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation, 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.

(d) “Nation” means the Oneida Nation.

(e) “Oneida Public Safety and Security Commission” means the entity made up of those individuals appointed by the Oneida Business Committee to provide oversight regarding the activities and actions of public safety and security operations throughout the Reservation.

(f) “Park” means any outdoor area held open for use by the public, including, but not limited to a public park, parkway, campground, recreation or open access space area, beach, conservation area, lake access point, recreation trail/route, or Safe Route, by whatever name such area is known by.

(g) “Permanent residence” means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

(h) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Sex offender” means a person who:

(1) Is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am);

(2) Is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or

(3) Within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 False Imprisonment, if the victim was a minor and not offender’s child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender’s child.

(j) “Temporary residence” means a place where the person abides, lodges or resides for a period of four (4) or more days within a thirty (30) day period, or for a period of fourteen (14) or more days during any calendar year and which is not the person's permanent address.

(k) “Trial Court” means the Trial Court of the Oneida Nation Judiciary.

310.4. Prohibited Locations

310.4-1. *Prohibited Locations*. No sex offender shall enter or be present on any property upon which there exists any:

(a) school;

(b) Tribal or other licensed day care or childcare center;

(c) park or park facility;

(d) playground or green space otherwise designated as a play or recreational area by the Nation’s Planning Department;

(e) athletic field, including any practice field;

(f) library;

(g) community center;

(h) fitness center, recreation center, or gym;

(i) farmers market;

(j) place of worship;

(k) any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate.

310.4-2. *Prohibited Locations Exceptions.* A sex offender present in a prohibited location as identified in section 310.4-1 of this law shall not be found to have committed an offense if any of the following apply:

(a) The property also supports a place of worship, subject to the following conditions:

(1) Entrance and presence on the property may occur only during hours of worship or other religious program or service; and

(2) The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).

(b) The property also supports a use lawfully attended by the sex offender's natural or adopted child, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child.

(c) The property also supports a polling location in a local, state, or federal election, subject to the following conditions:

(1) The sex offender is eligible to vote;

(2) The polling location is the designated polling location for the sex offender; and

(3) The sex offender casts their ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(d) The property also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for their educational purposes.

(e) The property is accessed for use of a medical facility or clinic, behavioral health clinic, police station, food security services, economic or social services, or other governmental building not otherwise enumerated in 310.4-1 of this law, provided that the sex offender vacates the property immediately after completing the activity or service that required their presence at the property.

(1) Any department of the Nation in a property providing services as referenced in the subsection above shall have a standard operating procedure regarding providing for a sex offender's access for services in these particular locations.

310.5. Residence Restrictions

310.5-1. *Prohibited Location of Residence.* No sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations identified in section 310.4-1 of this law.

310.5-2. *Measurement of Distance.* For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations identified in section 310.4-1 of this law.

310.5-3. *Residency Restriction Exceptions.* A sex offender residing within an area otherwise prohibited by this law does not commit an offense if any of the following apply:

(a) The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.

(b) The sex offender had established and registered a permanent residence within a restricted area prior to the effective date of this law.

(1) In such circumstances, a sex offender who duly registered their permanent residence address before residency restrictions were adopted by the Nation shall be deemed to have received a waiver, provided that this waiver may be revoked in accordance with section 310.6-5 of this law.

(c) The prohibited location identified in section 310.4-1 of this law was established after the sex offender established a permanent residence at the location and registered that residence as required by law.

(d) The sex offender is a minor or ward under guardianship.

(e) The sex offender's most recent offense occurred more than ten (10) years ago and it has been at least ten (10) years since the sex offender has completed any period of incarceration or court mandated supervision for any offense.

310.5-5. *Prohibition of Sale, Lease, or Rental of Property.* No person or entity shall sell, lease, sublease, rent, convey, or otherwise allow 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.

310.6. Waiver of Residence Restrictions

310.6-1. *Petition for Residence Restriction Waiver.* A sex offender may request a waiver from the residence restrictions provided in section 310.5-1 of this law by submitting a written request for a waiver, including any pertinent rationale for a waiver, to the Oneida Police Department prior to establishing a residence that would be in violation of this law.

(a) A sex offender shall not, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter.

310.6-2. *Review of Waiver Request.* The Chief of Police or their designee shall conduct a review of the request for a waiver using any pertinent information and the following factors related to the Nation's interest in promoting, protecting, and improving the health, safety, and welfare of the community:

- (a) The nature of the offense causing the individual to be a sex offender;
- (b) Police reports related to the predicate offense if available;
- (c) Proximity of the requested residence to the victim;
- (d) The age of the offense, offender, and victim;
- (e) Recommendation of the probation or parole officer, if one exists;
- (f) Recommendation of the police department;
- (g) Recommendation of any treatment practitioner;
- (h) Proposals for safety measures and assurances by the sex offender;
- (i) Conditions to be placed on any exception or variance from the requirements of this law;
- (j) Support systems in place by the sex offender;
- (k) Who the sex offender will be or is living with at the prohibited location;
- (l) Statements of the surrounding community or victim;
- (m) Treatment, sobriety, or rehabilitative measures taken by the sex offender;
- (n) The sex offender's current employment or social activities;
- (o) The sex offender's criminal history; and

(p) Whether the sex offender meets any of the exceptions provided for in this law.
310.6-3. *Approval or Denial of Waiver.* Within fourteen (14) days of receiving a waiver request, the Chief of Police or their designee shall issue a written decision to the sex offender by first class mail, to the address provided by the requestor, in regard to the request for a residence restriction waiver.

(a) The decision of the Chief of Police or their designee shall be one (1) of the following:

(1) denial of the waiver;

(1) approval of the waiver; or

(2) approval of the waiver subject to necessary conditions.

(A) Conditions may include, but are not limited to, the following:

(i) curfew restrictions;

(ii) cohabitation restrictions or requirements;

(iii) sobriety restrictions;

(iv) conduct restrictions; and/or

(v) any other decision deemed reasonable and necessary by the Chief of Police.

(b) Any request for a waiver which has not been approved, approved for a conditional waiver, or denied by the Chief of Police or their designee within thirty (14) days of the request shall be deemed to be denied unless the Chief of Police provides written notice to the sex offender that a one (1) time extension of ten (10) days would be required to make a decision on the waiver.

(c) If a waiver is granted by the Chief of Police or their designee, the exemption shall only apply to the specific sex offender who had applied for the waiver at the requested residence and shall not be transferable to any other or to any other location.

(d) A waiver expires when the sex offender who was granted the waiver changes their residence.

310.6-4. *Appeal of Waiver Decision.* A sex offender may appeal the waiver decision made by the Chief of Police or their designee by submitting a written appeal to the Oneida Public Safety and Security Commission within ten (10) days from the date the waiver decision was postmarked.

(a) The Oneida Public Safety and Security Commission shall make a decision regarding the appeal of the Chief of Police or their designee's decision within fourteen (14) days of receipt of the appeal.

(1) The Oneida Public Safety and Security Commission may use a one (1) time extension of ten (10) days to make a decision on the waiver appeal by providing written notice of the extension to the Chief of Police and the sex offender.

(b) The Oneida Public Safety and Security Commission shall make one of the following decisions in regard to the appeal:

(1) Uphold the Chief of Police or their designee's denial of the waiver; or

(2) Overturn the Chief of Police or their designee's denial of the waiver and approve:

(A) a waiver; or

(B) a waiver subject to conditions.

(c) The decision of the Oneida Public Safety and Security Commission shall be in writing and provided to the sex offender and the Chief of Police.

310.6-5. *Revocation of Waiver.* A waiver issued by the Chief of Police or their designee or the Oneida Public Safety and Security Commission may be revoked by the Chief of Police or their designee if the sex offender is found to have violated the conditions of the waiver or there is

probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued.

- (a) The Chief of Police or their designee shall provide written notice to the sex offender that the exemption or conditional exemption has been revoked and/or further conditioned.

310.7. Map of Prohibited Locations and Residence Restriction Distances

310.7-1. The Geographic Information System Department shall maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances.

- (a) The Geographic Information System Department shall review the map on an annual basis and update the map to reflect any changes in the prohibited locations.

- (b) The map shall be made available electronically on the Nation's website.

310.7-2. The absence of a location on the map shall not be a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location.

310.8. Enforcement and Penalties

310.8-1. *Issuance of a Citation.* An individual who violates any provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer.

- (a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

- (b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

- (c) *Notice to the Comprehensive Housing Division.* The Oneida Police Department shall provide notice to the Oneida Law Office of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division.

310.8-2. *Penalties.* Upon a finding by the Trial Court that a violation of this law has occurred, the individual may be subject to the following penalties:

- (a) *Fines.* An individual may be ordered to pay a fine as a result of a violation of this law. The Oneida Business Committee shall adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this law.

- (1) All fines shall be paid to the Judiciary.

- (2) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later.

- (A) The ninety (90) day deadline for payment of fines may be extended if an alternative payment plan is negotiated by the Oneida Law Office and approved by the Trial Court.

- (3) If an individual does not pay their fine the Trial Court may seek to collect the money owed through the Nation's garnishment and/or per capita attachment process or any other collection process available to the Trial Court.

- (4) 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.

- (b) *Community Service.* An individual may be ordered to perform community service. Community service can be used in lieu of, or in addition to, a fine.

- (1) All community service assignments shall be approved by the Trial Court. The Trial Court shall give preference to culturally relevant community service

assignments or community service assignments that focus on the betterment of the individual's community.

(2) The Trial Court shall provide the individual a written statement of the terms of the community service order, and a statement that the community service order is monitored.

(3) The Trial Court's community service order shall specify:

(A) how many hours of community service the individual is required to complete;

(B) the time frame in which the hours shall be completed;

(C) how the individual shall obtain approval for their community service assignment;

(D) how the individual shall report their hours; and

(E) any other information the Trial Court determines is relevant.

(c) *Counseling or other Programs.* An individual may be ordered to participate in counseling or any other program relevant and available to the Nation.

(d) Any other penalty as deemed appropriate by the Trial Court.

End.

Emergency Adopted – BC-02-25-26-C

Emergency Extended – BC-__-__-__-__

Adopted – BC-__-__-__-__



SAFE NEIGHBORHOODS LAW LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	- Prohibit a sex offender from being present or entering into specified prohibited locations, that are primarily focused on areas in which vulnerable populations, including children, are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area. [3 O.C. 310.4]; - Prohibit 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]; - Provide 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 - Provide for the enforcement of violations of this Law and subsequent penalties that are available. [3 O.C. 310.8].
Purpose	The purpose of this 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 sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this 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. [3 O.C. 310.1-1].
Affected Entities	Oneida Police Department, Oneida Nation Judiciary, Geographical Information Systems Department, Oneida Law Office, Comprehensive Housing Division, Reservation Community
Public Meeting	A public meeting has not yet been held.
Fiscal Impact	A fiscal impact statement has not yet been requested.

Expiration of Emergency
Legislation

The emergency adoption of the Safe Neighborhoods Law expires on August 25, 2026. There is one (1) opportunity for a six (6) month extension of the emergency adoption of this Law.

SECTION 2. LEGISLATIVE DEVELOPMENT

- A. *Background.*** The Safe Neighborhoods law (“the Law”) was a new law for the Nation adopted on an emergency basis for the purpose of not imposing 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 sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. This Law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through this 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.*
- B. *Request for Emergency Amendments.*** At the February 5, 2026, Oneida Business Committee work session, the Oneida Business Committee was made aware by the Oneida Law Office and Oneida Police Department that a Senior Probation and Parole Agent with the Wisconsin Department of Corrections - Division of Community Corrections, notified the Oneida Police Department of the pending release of a sex offender who has requested residence in a central location within the boundaries of the reservation. This notification by the Wisconsin Department of Corrections brought to the forefront that the Nation currently lacks any laws to regulate the presence and residency of sex offenders within the boundaries of the reservation. The Oneida Business Committee was concerned regarding the safety and protection of the community and forwarded this issue to the Legislative Operating Committee for consideration.
- The Legislative Operating Committee determined that the Safe Neighborhoods law should be pursued on an emergency basis for the immediate preservation of the safety and general welfare of the reservation population. The Legislative Operating Committee added the Safe Neighborhoods law to its Active Files List with Jameson Wilson as the sponsor on February 23, 2026.
 - The Oneida Business Committee adopted the Safe Neighborhoods law on an emergency basis on February 25, 2026, through the adoption of resolution BC-02-25-26-C. The Oneida Business Committee determined the emergency adoption of this Law was necessary for the immediate preservation of the safety and general welfare of the reservation population since 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. Observance of the requirements under the Legislative Procedures Act for adoption of this Law was contrary to public interest and the process and requirements of the Legislative Procedures Act could not 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 will expire on August 25, 2026. There will be one (1) opportunity to extend the emergency adoption of the Safe Neighborhoods law for an additional six (6) month period.

SECTION 3. CONSULTATION AND OUTREACH

- A. Representatives from the following departments or entities participated in the development of the Law and this legislative analysis:
- Oneida Police Department;
 - Oneida Law Office;
 - Geographic Information Systems Department; and
 - Comprehensive Housing Division.
- B. The following laws of the Nation were reviewed in the drafting of this analysis:
- Legislative Procedures Act;
 - Eviction and Termination law;
 - Public Peace law; and
 - Citations Law.
- C. Ordinances regarding sex offender restrictions and residency restrictions from the following municipalities were reviewed in the development of this Law and legislative analysis:
- Allouez;
 - Angelica;
 - Ashwaubenon;
 - Bellevue;
 - Black River Falls;
 - Brookfield;
 - Cedarburg;
 - Clintonville;
 - Green Bay;
 - Hobart;
 - Howard;
 - Kewaskum;
 - Little Chute;
 - Paddock Lake;
 - Seymour; and
 - Suamico.

SECTION 4. PROCESS

- A. The development of the proposed Safe Neighborhoods law complies with the process set forth in the Legislative Procedures Act (LPA).
- On February 23, 2026, the Legislative Operating Committee conducted an e-poll entitled, Safe Neighborhoods Law Emergency Adoption. The requested action of this e-poll was to add the Safe Neighborhoods law to the Active Files list with Jameson Wilson as the sponsor; and approve the Safe Neighborhoods law emergency adoption packet and forward to the Oneida Business Committee for consideration. This e-poll was approved by Jonas Hill, Jennifer Webster, Kirby Metoxen, and Jameson Wilson. Marlon Skenandore did not provide a response.
 - On February 25, 2026, the Oneida Business Committee adopted a motion to adopt resolution # 02-25-26-C Emergency Adoption of the Safe Neighborhoods Law.
 - On March 4, 2026, the Legislative Operating Committee entered into the record the results of the February 23, 2026, e-poll entitled, Safe Neighborhoods Law Emergency Adoption.

- B. The following work meetings were held regarding the development of this law and legislative analysis:
- February 17, 2026: LOC work session with Oneida Law Office, Oneida Police Department, and the Geographical Information Systems Department.
 - February 18, 2026: LOC work session with Oneida Law Office, Oneida Police Department, and the Geographical Information Systems Department.
 - February 23, 2026: LOC work session.
 - May 8, 2026: LOC work session with the Oneida Law Office, Geographical Information Systems Department, Comprehensive Housing Division.

SECTION 5. CONTENTS OF THE LEGISLATION

A. *Purpose and Policy.* The purpose of this 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 sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. This Law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through this 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.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that 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. [3 O.C. 310.1-2].

- *Effect.* Overall, it is the goal of this Law to protect the public safety of the community, especially vulnerable populations such as children. Sexual offenses are serious crimes that pose a large risk to public safety.
 - The Dru Sjodin National Sex Public Website¹ provides information on sexual assault and sexual offending, including the following statistics:
 - As many as one (1) in four (4) girls and one (1) in twenty (20) boys experience sexual abuse before age eighteen (18).
 - Over their lifetime, nearly one (1) in five (5) women and one (1) in seventy-one (71) men reported experiencing rape at some time in their lives.
 - Approximately forty-five percent (45%) of women and twenty-two percent (22%) of men reported experiencing sexual violence other than rape in their lifetime.
 - Studies that have tracked adult sex offenders for longer periods of time show that the likelihood of re-offense for another sex crime ranges from five percent (5%) after three (3) years to twenty-four percent (24%) after fifteen (15) years.
 - Compared to other crimes, sexual violence is the most underreported violent crime in the United States. Approximately two (2) out of three (3) or sixty-five percent (65%) of adult sexual assaults were not reported to the police between 2006-2010 and sixty-eight (68%) of violent victimizations of youth aged twelve (12) through seventeen (17) (includes

¹ <https://www.nsopw.gov/safety-and-education/questions-and-answers#6-0>

rape/sexual assault, robbery and aggravated and simple assault) were not reported to police. The National Crime Victimization Survey 2016 found that only twenty-three percent (23%) of rapes and sexual assaults were reported to police.

- The National Sexual Violence Resource Center Website² provides information on sexual assault in the United States and, including the following statistics:
 - One (1) in five (5) women in the United States experienced completed or attempted rape during their lifetime.
 - Nearly a quarter (24.8%) of men in the U.S. experienced some form of contact sexual violence in their lifetime.
 - Nationwide, eighty-one percent (81%) of women and forty-three (43%) of men reported experiencing some form of sexual harassment and/or assault in their lifetime.
 - One (1) in three (3) female victims of completed or attempted rape experienced it for the first time between the ages of eleven (11) and seventeen (17).
 - About one (1) in four (4) male victims of completed or attempted rape first experienced it between the ages of eleven (11) and seventeen (17).

B. Sex Offender. The Law defines a sex offender as a person who is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am); is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 false imprisonment, if the victim was a minor and not offender's child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender's child. [3 O.C. 310.3-1(i)].

- *Effect.* The Law clearly defines who the term sex offender applies to based on a person's requirement to register with the Wisconsin Sex Offender Registry and based on an individual's offense. The definition for sex offender requires the reader of the Law to also look to Wisconsin statutes on how sex offenders are defined and handled. Wis. Stat §301.45(b) provides that a "sex offense" means a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 944.18, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.125, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and the person who committed the violation was not the victim's parent.

C. Prohibited Locations. The proposed Law sets forth locations where sex offenders are prohibited from entering or being present on. [3 O.C. 310.4-1]. Prohibited locations include a school; Tribal or other licensed day care or childcare center; park or park facility; playground or green space otherwise designated as a play or recreational area by the Nation's Planning Department; athletic field, including any practice field; library; community center; fitness center, recreation center, or gym; farmers market; place of worship; or any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate. *Id.* The Law then goes on to provide exceptions to the

² <https://www.nsvrc.org/statistics/>

prohibited locations to address situations in which the sex offender may be present in a prohibited location and not found to be in violation of this Law. [3 O.C. 310.4-2].

- *Effect.* The prohibited locations provided for in this Law are areas in which vulnerable populations, especially children, are known to congregate. Therefore, it is in the public's best interest to prohibit a sex offender from entering or being present at those locations. Allowing certain exceptions to the prohibited locations ensure that a sex offender can still practice their basic rights like voting or practicing their religion, and have access to various services that a sex offender may need.

D. *Residence Restrictions.* The Law provides that no sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations. [3 O.C. 310.5-1]. For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the Law requires that a person measures by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations. [3 O.C. 310.5-2]. The Law then provides various exceptions for when a sex offender may actually reside within an area that would otherwise be prohibited. [3 O.C. 310.5-3].

- *Effect.* The Law provides that no sex offender can live within two thousand five hundred (2,500) feet of a prohibited location in an effort to reduce opportunity and temptation by prohibiting sex offenders from residing in specified areas near places where vulnerable populations commonly congregate. Below is a chart that demonstrates the various restrictions other Wisconsin municipalities place on the residence of a sex offender:

SEX OFFENDER RESIDENCE RESTRICTIONS	
<i>Municipality</i>	<i>Residence Restriction Distance Requirements</i>
Allouez	1500 feet
Angelica	2000 feet
Ashwaubenon	1500 feet
Bellevue	2500 feet
Black River Falls	750 feet
Brookfield	1400 feet
Cedarburg	200 feet
Clintonville	250 feet
Green Bay	1500 feet
Howard	2500 feet
Kewaskum	750 feet
Little Chute	2000 feet
Paddock Lake	1500 feet
Seymour	1500 feet
Suamico	1500 feet

E. *Prohibition of Sale, Lease, or Rental of Property.* The Law provides that no person or entity shall sell, lease, sublease, rent, convey, or otherwise allow 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.

- *Effect.* Due to the serious threats to public safety a sex offender could have on a community if regulations are not in place and followed, the Law also places responsibility on a landlord, lessor, or owner of a property to not sell, lease, sublease, rent, convey, or otherwise allow a sex offender

to stay in any place where the sex offender would be prohibited. A landlord, lessor, or owner of a property who violates this Law may be subject to receiving a citation from the Oneida Police Department.

F. *Waiver of Residence Restrictions.* The Law allows a sex offender may request a waiver from the residence restrictions of this law by submitting a written request for a waiver to the Oneida Police Department prior to establishing a residence that would be in violation of this law. [3 O.C. 310.6-1]. A sex offender is not allowed to, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. [3 O.C. 310.6-1(a)]. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter. *Id.* The Law then provides the timeline and the various factors the Chief of Police may consider when reviewing a waiver request. [3 O.C. 310.6-2]. The Chief of Police can wither deny the waiver request, approve the waiver request, or approve a waiver request subject to certain conditions. [3 O.C. 310.6-3]. If the Chief of Police denies a waiver request, the sex offender may appeal the waiver decision made by the Chief of Police by submitting a written appeal to the Oneida Public Safety and Security Commission. [3 O.C. 310.6-4]. The Oneida Public Safety and Security Commission then can make a decision to uphold the Chief of Police's denial of the waiver, or overturn the Chief of Police's denial of the waiver and approve a waiver or a waiver subject to conditions. [3 O.C. 310.6-4(b)]. The Law also allows the Chief of Police to revoke a waiver of a residence restriction if the sex offender is found to have violated the conditions of the waiver or there is probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued. [3 O.C. 310.6-5].

- *Effect.* The Law allows a sex offender the opportunity and due process to request a waiver to establish a residence in an otherwise prohibited area when no other exception exists.

G. *Map of Prohibited Locations and Residence Restrictions.* The Law requires that the Geographic Information System Department maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances. [3 O.C. 310.7-1]. The Geographic Information System Department is required to review the map on an annual basis and update the map to reflect any changes in the prohibited locations. [3 O.C. 310.7-1(a)]. The map is required to be made available electronically on the Nation's website. [3 O.C. 310.7-1(b)]. In regard to the map, the Law provides that the absence of a location on the map is not a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location. [3 O.C. 310.7-2].

- *Effect.* The map will provide a visual reference of areas within the reservation that are prohibited locations for sex offenders and the surrounding residency restriction distances required around each prohibited location. The map serves as a tool for sex offenders, or anyone in the community, to view what areas are protected throughout the reservation. Attached to the end of this legislative analysis are maps created by the Geographic Information Systems Department showing prohibited locations and resulting restricted residence areas in certain areas of the reservation. It is important to note that the map required by this Law does not illustrate where sex offenders reside. To find information regarding the location of specific sex offenders, or to conduct a geographical search to determine the location of sex offenders in a designated area an individual may utilize the following resources:

- Wisconsin Department of Corrections Sex Offender Registry at the following link <https://appsdoc.wi.gov/public>
- National Sex Offender Public Website at <https://www.nsopw.gov/search-public-sex-offender-registries>

H. *Enforcement and Penalties.* The Law provides that an individual who violates any provision of this Law may be subject to the issuance of a citation by an Oneida Police Department officer. [3 O.C. 310.8-1]. A citation for a violation of this Law or any orders issued pursuant to this Law may include fines and other penalties, as well as conditional orders made by the Trial Court. [3 O.C. 310.8-1(a)]. A citation for a violation of this law is required to be processed in accordance with the procedure contained in the Nation's Citations law. [3 O.C. 310.8-1(b)]. The Law requires that Oneida Police Department provide notice to the Oneida Law Office of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division. [3 O.C. 310.8-1(c)]. Upon a finding by the Trial Court that a violation of this Law occurred, an individual may be subject to penalties such as fines, community service, participation in counseling or other programming, or any other as deemed appropriate by the Trial Court. [3 O.C. 310.8-2].

- *Effect.* The Law describes how enforcement will be handled through the use of citations, as well as describes potential penalties for violations of this Law the Trial Court may impose on a violator.

SECTION 6. EXISTING LEGISLATION

A. *Related Legislation.* The following laws of the Nation are related to the emergency amendments to this Law:

- ***Legislative Procedures Act.*** The Legislative Procedures Act was adopted by the General Tribal Council on January 7, 2013, for the purpose of providing a standard process for the adoption of laws of the Nation which includes taking into account comments from members of the Nation and input from agencies of the Nation. [1 O.C. 109.1-1, 109.1-2].
 - The development of the Safe Neighborhoods law complies with the requirements of the Legislative Procedures Act.
- ***Citations Law.*** The Citations law provides a process that governs all citations that fall under the jurisdiction of the Oneida Nation. [8 O.C. 807.1-1]. It is the policy of the Nation to provide a consistent process for handling citations of the Nation in order to ensure equal and fair treatment to all persons who come before the Judiciary to have their citations resolved. [8 O.C. 807.1-2].
 - The Safe Neighborhoods law provides that an individual who violates a provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer in accordance with the Nation's laws and policies governing citations. [3 O.C. 310.8-1].
 - Any citations issues under the Safe Neighborhoods law must comply with the process for handling citations as provided for in the Citations law.
- ***Eviction and Termination Law.*** The Eviction and Termination law provides consistent procedures relating to the Nation's rental and leasing programs for terminating a contract and/or evicting an occupant which affords the applicant 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 preserve the peace, harmony, safety, health, general welfare and the Nation's resources. [6 O.C. 610.1-2].
 - The Eviction and Termination law provides that an owner may terminate the contract prior to the contract term and evict the occupant, if the occupant violates the terms of the

contract; is alleged to have violated any applicable law or rule; and/or is alleged to have committed one or more nuisance activities.

- The Safe Neighborhoods law provides that no person or entity shall sell, lease, sublease, rent, convey, or otherwise allow 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].
- An individual who violates by Safe Neighborhoods law may be subject to the early termination of a contract or eviction in accordance with the Eviction and Termination law.

SECTION 7. OTHER CONSIDERATIONS

A. *Deadline for Permanent Adoption of Legislation.* The emergency adoption of this Law expires six (6) months after adoption. The emergency legislation may be renewed for an additional six (6) month period.

- *Conclusion:* The Legislative Operating Committee will need to develop for adoption the permanent Law within the next six (6) to twelve (12) months.

B. *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 requested a fiscal impact statement be developed.



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 28	29	30	Jul 1 8:30 AM LOC Prep Meeting 9 AM Legislative Operations	2	3 8 AM Holiday - Fourth of July	4
5	6	7	8	9	10 1 PM Conflict of Interest - 1	11
12	13	14 1:30 PM Draft Probate Law	15 8:30 AM LOC Prep 9 AM Legislative Operations 1:30 PM UCC Filing System	16	17	18
19	20	21	22	23 11 AM Indian Preference in 1:30 PM Oneida Worker's C	24	25
26	27	28	29	30 1:30 PM Research Law Dev	31	Aug 1