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

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room - 2nd Floor Norbert Hill Center
October 21, 2026
9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be Approved

1. October 7, 2026 LOC Meeting Minutes (pg. 2)

III. Current Business

1. Tribal Environmental Quality Review Law Repeal Acknowledgement (pg. 9)
2. Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 (pg. 16)
3. Safe Neighborhoods Law (pg. 23)

IV. New Submissions

1. Oneida Food Service Law Amendments (pg. 39)
2. Oneida Higher Education Grant Law Amendments (pg. 47)

V. Additions

VI. Administrative Updates

VII. Executive Session

VIII. Recess/Adjourn

Oneida Nation
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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
October 7, 2026
9:00 a.m.

Present: Aliskwet Ellis, Jonas Hill, Kristal Hill, Lora Danforth
Excused: Jennifer Webster
Others Present: Clorissa Leeman, Grace Elliott, Carolyn Salutz, Susan House, Shoshana King, Shane Hill
Others Present on Microsoft Teams:, Ashley Blaker, Melissa Alvarado, Peggy Helm-Quest, Rhiannon Metoxen, Ronald Van Schyndel, Taryn Webster, Diane Wilson, Michelle Tipple, Katsitsiyo Danforth, Jada Lassila, Lorna Skenandore, Peggy Van Gheem, Shannon Stone, Terri Schiltz, Yohnehtote Danforth, Kaylynn Biely, Jeremy King, Martin Prevost, Ashley Blaker, David Jordan, Jodi Tess, Rhiannon Metoxen, Taryn Webster, Ralinda Ninhma-Lamberies, Quailen Thao, Tina Jorgensen, Laura Hartman

I. Call to Order and Approval of the Agenda

Aliskwet Ellis called the October 7, 2026, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jonas Hill to adopt the agenda; seconded by Lora Danforth. Motion carried unanimously.

II. Minutes to be Approved

1. August 19, 2026 LOC Meeting Minutes

Motion by Lora Danforth to approve the August 19, 2026, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

III. Current Business

IV. New Submissions

1. Technology Resources Law Amendments

Motion by Jonas Hill to add the Technology Resources Law Amendments to the Active Files List with Aliskwet Ellis and Jonas Hill as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

2. Disability Law

Motion by Jonas Hill to add the Disability Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

3. Tribal Environmental Response Law Amendments

Motion by Jonas Hill to Add the Tribal Environmental Response Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

4. Oneida Environmental Quality Law Amendments

Motion by Kristal Hill to add the Oneida Environmental Quality Law to the Active Files List with Kristal Hill as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

5. Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02

Motion by Lora Danforth to add the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 to the Active Files List with Lora Danforth and Jonas Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to accept the status update memorandum for the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

V. Additions

VI. Administrative Updates

1. Legislative Operating Committee 2026-2029 Officer Selection

Motion by Lora Danforth to accept the memorandum entitled, Legislative Operating Committee 2026-2029 Officer Selection; seconded by Kristal Hill. Motion carried unanimously.

2. 2023-2026 LOC Active Files List Outstanding Items Review

Motion by Lora Danforth to accept the memorandum entitled, 2023-2026 LOC Active Files List: Outstanding Items Review; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the All Terrain Vehicle Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Business Corporations Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Cemetery Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Jonas Hill. Motion carried

unanimously.

Motion by Kristal Hill to add the Child Custody, Placement, and Visitation Law Amendments to the Active Files List with Jennifer Webster and Lora Danforth as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Community Support Fund Law Amendments to the Active Files List with Jennifer Webster and Lora Danforth as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Jonas Hill to add the Conflict of Interest Law Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Jonas Hill to add the Credit Collections Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Jonas Hill to add the Culturally Significant Event Participation Program Law to the Active Files List with Jennifer Webster and Lora Danforth as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Data Sovereignty Law to the Active Files List with Aliskwet Ellis and Kristal Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Disposition of Excess Tribal Property Policy Amendments or Repeal to the Active Files List with Aliskwet Ellis as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Domestic Animals Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Election Law Amendments to the Active Files List with Jennifer Webster and Lora Danforth as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Endowments Law Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Furlough Law Amendments to the Active Files List with Aliskwet Ellis as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Jonas Hill to add the General Tribal Council Stipend Payment Policy Amendments to the Active Files List with Lora Danforth as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Guardianship Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Indian Preference in Contracting Law Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Judiciary Law Amendments to the Active Files List with Aliskwet Ellis and Jonas Hill as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Layoff Policy Amendments to the Active Files List with Aliskwet Ellis as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Local Land Use Regulation Reimbursement Policy Repeal to the Active Files List with Aliskwet Ellis as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Lora Danforth to add the Marijuana Law to the Active Files List with Lora Danforth and Jonas Hill as the sponsors; seconded by Kristal. Motion carried unanimously.

Motion by Kristal Hill to add the Marriage Law Amendments to the Active Files List with Kristal Hill as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Lora Danforth to add the Minors Trust General Welfare Law Amendments to the Active Files List with all LOC members as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Misappropriations of Funds Law to the Active Files List with Lora Danforth as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Oneida General Welfare Law Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Jonas Hill to add the Oneida Language Law to the Active Files List with Jennifer Webster, Jonas Hill, and Lora Danforth as the sponsors; seconded by Lora Danforth.

Motion carried unanimously.

Motion by Kristal Hill to add the Oneida Personnel Policies and Procedures Amendments to the Active Files List with all LOC members as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Lora Danforth to add the Oneida Worker's Compensation Law Amendments to the Active Files List with Lora Danforth as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the On-Site Waste Disposal Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Plastic Free Law to the Active Files List with Kristal Hill as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Probate Law to the Active Files List with Jonas Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Jonas Hill to add the Renewable Energy Law to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

Motion by Jonas Hill to add the Research Law – formally the Tribal sovereignty in Data Research Law -to the Active Files List with Kristal Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Safe Neighborhoods Law to the Active Files List with all LOC members as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Sanctions and Penalties Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Ten Day Notice Policy Amendments to the Active Files List with Jennifer Webster and Aliskwet Ellis as the sponsors; seconded by Lora Danforth. Motion carried unanimously.

Motion by Kristal Hill to add the Traffic Law to the Active Files List with Jennifer Webster as the sponsor; seconded by Lora Danforth. Motion carried unanimously.

Motion by Lora Danforth to add the Tribal Environmental Quality Review Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Two Spirit Inclusion Law to the Active Files List with Jennifer Webster and Lora Danforth as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Uniform Commercial Code to the Active Files List with Aliskwet Ellis and Lora Danforth as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Vendor Licensing Law Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Water Resources Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Kristal Hill to add the Well Abandonment Law Amendments to the Active Files List with Jonas Hill and Kristal Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to add the Whistleblower Protection Law Amendments to the Active Files List with Lora Danforth as the sponsor; seconded by Kristal Hill. Motion carried unanimously.

Motion by Lora Danforth to add direct the Legislative Reference Office that correspondence be sent informing the requestors of legislative items that were not carried over to the 2026-2029 legislative term; seconded by Kristal Hill. Motion carried unanimously.

3. Extension of the Emergency Adoption of the Probate Law

Motion by Jonas Hill to approve the emergency adoption extension packet for the Probate law and forward to the Oneida Business Committee for consideration; seconded by Kristal Hill. Motion carried unanimously.

4. One Year Review of the Law Enforcement Law

Motion by Jonas Hill to accept the memorandum entitled, One Year Review of the Law Enforcement law; seconded by Kristal Hill. Motion carried unanimously.

5. Certification of the Amendments to the Landlord Tenant Law Rule No. 2 - Income Based Rental Program Eligibility, Selection and Other Requirements

Motion by Jonas Hill to certify the Landlord-Tenant Law Rule No. 2 – Income Based Rental Program Eligibility, Selection and Other Requirements Amendments and forward

to the Oneida Business Committee; seconded by Lora Danforth. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Lora Danforth to adjourn at 10:00 a.m.; seconded by Kristal Hill. Motion carried unanimously.

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Legislative Operating Committee
October 21, 2026

Tribal Environmental Quality Review

Submission Date: 12/7/22	**Public Meeting:** N/A
LOC Sponsor: Jonas Hill and Kristal Hill	**Emergency Enacted:** N/A

Summary: This item was carried over from the last two (2) terms. On August 10, 2022, the OBC made a motion "to direct the General Manager to complete the assessment regarding the feasibility of the Environmental, Health, Safety, Land, & Agriculture Division taking on the roles of the Environmental Resources Board and for the assessment to be submitted at the second meeting Business Committee meeting in September". In short, the GM concluded that although changes were necessary to those Oneida laws that delegated the authority and responsibility to the Environmental Resources Board (ERB), those responsibilities that were jointly executed by the ERB and Environmental, Health, Safety, and Land Division (EHSLA), could be assumed by EHSLA. Additionally, for those duties that delegated ERB the power and duty to carry out the intent and purposes of the law, including enforcement, those responsibilities could be delegated to EHSLA and/or the Land Commission.

On September 28, 2022, the OBC made a motion to accept the Environmental, Health, Safety, Land, and Agriculture Environmental Resource Board assessment; to recommend the dissolution the Environment Resource Board; and to direct Chief Counsel to bring back a report in 45 days on actions that need to take place in order to complete the dissolution of the Environmental Resource Board including amendments to laws and addressing any background material. The Oneida Law Office provided this report to the Oneida Business Committee on November 29, 2022.
This item was then added to the Active Files List on December 7, 2022, in an effort to make amendments to address the dissolution of the Environmental Resources Board, and transition the Board's responsibilities to the Environmental, Health, Safety, Land and Agriculture Division and/or the Oneida Land Commission.

10/7/26 LOC: Motion by Lora Danforth to add the Tribal Environmental Quality Review Law Amendments to the Active Files List with Jonas Hill, and Kristal Hill as the sponsors; seconded by Kristal Hill. Motion carried unanimously.

Next Steps:

- Approve the Resolution: *Confirming the Automatic Repeal of the Tribal Environmental Quality Review Law* and forward to the Oneida Business Committee for consideration.

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TO: Legislative Operating Committee
FROM: Grace Elliott, Legislative Reference Office, Staff Attorney
DATE: October 21, 2026
RE: Tribal Environmental Quality Review

Purpose

The proposed resolution addresses an unusual code-status issue rather than a new environmental policy decision. Chapter 606 contains an automatic-repeal provision tied to the culmination of a proposed land claim settlement with the State of New York. The resolution would formally confirm that the triggering event occurred and direct the Oneida Code and related legal records to reflect the resulting repeal.

Key point: Adopting the resolution would not repeal Chapter 606 for the first time. The resolution recognizes that Chapter 606 was already automatically repealed when the settlement failed to culminate. The resolution would document that existing legal status and authorize the related code-maintenance work.

Background

The Oneida Business Committee permanently adopted Chapter 606 through resolution BC-12-21-05-D for a narrow and settlement-dependent purpose. Section 606.2-3 limited the law to the Nation's Sullivan County lands identified in the contemplated Land Claim Settlement with the State of New York. Section 606.3-1 defined those lands as lands that were to be held in trust for the Nation for Class III gaming and related purposes.

Section 606.2-6 provided that, if the Land Claim Settlement failed to culminate, Chapter 606 "shall be automatically repealed." Although the Nation and the State entered into a proposed settlement in 2004, the additional governmental actions necessary to implement the settlement were not completed, and the contemplated Sullivan County lands were not taken into trust for the Nation. The settlement therefore failed to culminate, triggering the automatic-repeal provision.

Effect of Adopting the Resolution

The resolution would create an official legislative record confirming that the settlement failed to culminate and that Chapter 606 was automatically repealed under section 606.2-6. It is declaratory and would not establish a new repeal or effective date.

The resolution would also direct the Legislative Reference Office to remove Chapter 606 from the active body of the Oneida Code and update the Nation's public and internal legal records. The Legislative Procedures Act defines the Oneida Code of Laws as the unified collection of the Nation's current adopted laws and assigns the Legislative Operating Committee responsibility for maintaining

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the Oneida Register and publishing laws in the Oneida Code. *[1 O.C. 109.3-1(j), 109.4-2, and 109.9-4].*

The Legislative Procedures Act further provides that legislative analyses and resolutions may aid in the interpretation of ambiguous statutory text. *[1 O.C. 109.3-2].* Here, the automatic-repeal language is mandatory, but the triggering event occurred outside the text of the law. The resolution connects that historical event to the legal consequence already established by Chapter 606 and resolves the uncertainty caused by the chapter's continued publication.

The resolution would not create a new environmental-review program or prevent the Nation from considering a new environmental-review law through a separate legislative process. Existing environmental authorities under other applicable Nation and federal laws would remain unchanged.

Requested Action
Approve the Resolution: *Confirming the Automatic Repeal of the Tribal Environmental Quality Review Law* and forward to the Oneida Business Committee for consideration.

Oneida Nation
Post Office Box 365
Phone: (920)869-2214 Oneida, WI 54155

BC Resolution #
Confirming the Automatic Repeal of the Tribal Environmental Quality Review Law

WHEREAS, the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

WHEREAS, the Oneida Business Committee permanently adopted the Tribal Environmental Quality Review law, Chapter 606, through resolution BC-12-21-05-D; and

WHEREAS, section 606.2-3 limited the applicability of Chapter 606 to the Nation's Sullivan County lands identified in the Nation's Land Claim Settlement Agreement with the State of New York; and

WHEREAS, section 606.3-1 defined the "Sullivan County lands" as lands identified in the Land Claim Settlement with the State of New York that were to be held in trust by the United States for the benefit of the Nation for Class III gaming and related purposes; and

WHEREAS, section 606.2-6 expressly provided that "[s]hould the Land Claim Settlement with the State of New York fail to culminate this law shall be automatically repealed"; and

WHEREAS, although the Nation and the State of New York entered into a proposed land claim settlement in 2004 that contemplated lands and gaming rights in Sullivan County, the settlement remained subject to additional state and federal action and was not implemented; and

WHEREAS, the governmental approvals and actions necessary to complete the contemplated settlement and establish the Sullivan County lands described in Chapter 606 were not obtained, no such lands were taken into trust for the Nation under the contemplated settlement, and the settlement therefore failed to culminate; and

WHEREAS, the failure of the settlement to culminate satisfied the condition set forth in section 606.2-6 and caused Chapter 606 to be automatically repealed by operation of its own terms; and

WHEREAS, the continued publication of Chapter 606 may create uncertainty regarding its legal status, and the Oneida Business Committee finds it appropriate to formally confirm the automatic repeal and direct that the Nation's legal records accurately reflect that status.

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby confirms that the Land Claim Settlement with the State of New York referenced in Chapter 606 failed to culminate and that, pursuant to section 606.2-6, the Tribal Environmental Quality Review law was automatically repealed by operation of its own terms; and

BE IT FURTHER RESOLVED, this resolution is declaratory and confirms the legal effect of section 606.2-6; it does not repeal Chapter 606 as of the date of this resolution, revive Chapter 606, or create any implication that Chapter 606 remained in force after the settlement failed to culminate; and

BE IT FINALLY RESOLVED, the Legislative Reference Office is directed to remove Chapter 606 from the active body of the Oneida Code and to take the administrative actions reasonably necessary to implement this resolution and ensure that public and internal legal records accurately identify Chapter 606 as repealed.

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Statement of Effect

Confirming the Automatic Repeal of the Tribal Environmental Quality Review Law

Summary

This resolution confirms that the Land Claim Settlement with the State of New York referenced in Chapter 606 failed to culminate and that, pursuant to section 606.2-6, the Tribal Environmental Quality Review law was automatically repealed by operation of its own terms. The resolution directs the Legislative Reference Office to remove Chapter 606 from the active body of the Oneida Code and update the Nation's legal records to accurately reflect the law's repealed status.

Submitted by: Grace L. Elliott, Staff Attorney, Legislative Reference Office
Date: October 07, 2026

Analysis by the Legislative Reference Office

The Oneida Business Committee permanently adopted the Tribal Environmental Quality Review law, Chapter 606 of the Oneida Code, through resolution BC-12-21-05-D. The law was adopted in connection with a proposed land claim settlement between the Oneida Nation and the State of New York.

Section 606.2-3 limited the law's applicability to the Nation's Sullivan County lands identified in the contemplated settlement. Section 606.3-1 defined those lands as lands that were to be held in trust by the United States for the benefit of the Nation for Class III gaming and related purposes.

Section 606.2-6 provided that, if the Land Claim Settlement failed to culminate, Chapter 606 "shall be automatically repealed." Although the Nation and the State entered into a proposed settlement in 2004, the additional governmental actions necessary to implement the settlement were not completed, and the contemplated Sullivan County lands were not taken into trust for the Nation. The settlement therefore failed to culminate, triggering the automatic-repeal provision in section 606.2-6.

The resolution formally documents the occurrence of that condition and confirms the legal consequence already established by Chapter 606. The resolution is declaratory and does not establish a new repeal or effective date.

The Legislative Procedures Act defines the Oneida Code of Laws as the unified collection of the Nation's current adopted laws and assigns the Legislative Operating Committee responsibility for maintaining the Oneida Register and publishing laws in the Oneida Code. *[1 O.C. 109.3-1(j), 109.4-2, and 109.9-4].* Directing the Legislative Reference Office to remove Chapter 606 from the active Code and update the related legal records is consistent with these code-maintenance responsibilities.

The Legislative Procedures Act also provides that legislative analyses and resolutions may aid in the interpretation of ambiguous statutory text. *[1 O.C. 109.3*-2]. Although section 606.2-6 uses mandatory language, the event triggering its operation occurred outside the text of the law. The resolution creates an official legislative record connecting that historical event to the automatic-repeal provision and resolves the uncertainty created by Chapter 606's continued publication.

Conclusion

Adoption of this resolution would not conflict with any of the Nation's laws. The resolution confirms that Chapter 606 was automatically repealed under section 606.2-6 and directs the administrative correction of the Oneida Code and related legal records.

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Legislative Operating Committee
October 21, 2026

Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02

Submission Date: 10/7/26	**LOC Sponsor:** Lora Danforth, Jonas Hill

Summary: *On August 25, 2026, the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 ("the Petition") was submitted to the Government Administrative Office by Gina Powless-Buenrostro and has since been verified by the Oneida Trust Enrollment Department on August 25, 2026.*

This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following: The purpose of this petition is to create a "decriminalization of marijuana" law for the Oneida Nation of Wisconsin. The Oneida Nation of Wisconsin is a sovereign nation and creates laws with the approval of the General Tribal Council. With the amount of states in the United States of America that are legalizing the use of recreational marijuana, the Oneida Nation of Wisconsin and its membership approve the decriminalization of marijuana, and that the use of marijuana within the Oneida Nation reservation boundaries shall not result in criminal charges. Additionally, the Oneida Nation of Wisconsin shall repeal any current or past laws that contradict with this law and the act of decriminalizing recreational marijuana

9/23/26 OBC: Motion by Jennifer Webster to acknowledge receipt of the petition from Gina Powless-Buenrostro regarding the Decriminalization of Marijuana; and to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the statement of effect, legal review, and fiscal impact statement, and to submit no later than the regular Business Committee meeting on October 14, 2026, seconded by Aliskwet Ellis. Motion carried.

10/7/26 LOC: Motion by Lora Danforth to add the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 to the Active Files List with Lora Danforth and Jonas Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

Motion by Lora Danforth to accept the status update memorandum for the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

10/14/26 OBC: Motion by Jennifer Webster to accept the statement of effect status update regarding petition # 2026-02, seconded by Kristal Hill. Motion carried.

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Next Steps:

- Accept the statement of effect for the Petition: G. Powless-Buenrostro – Decriminalize Marijuana 2026-02 and forward to the Oneida Business Committee.

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Statement of Effect

Petition: G. Powless-Buenrostro – Decriminalize Marijuana

#2026-02

Summary

This petition requests the General Tribal Council to consider the development of a Decriminalization of Marijuana law for the Nation.

Submitted by: Clorissa N. Leeman, Senior Staff Attorney, Legislative Reference Office
Date: October 15, 2026

Analysis by the Legislative Reference Office

On August 25, 2026, the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 ("the Petition") was submitted to the Government Administrative Office by Gina Powless-Buenrostro and has since been verified by the Oneida Trust Enrollment Department on August 25, 2026. On September 23, 2026, the Oneida Business Committee acknowledged receipt of this Petition regarding the Decriminalization of Marijuana; and to direct the Law, Finance, and Legislative Reference Offices to complete, respectively, the statement of effect, legal review, and fiscal impact statement, and to submit no later than the regular Business Committee meeting on October 14, 2026. On October 7, 2026, 2026, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.

This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following:

> *The purpose of this petition is to create a "decriminalization of marijuana" law for the Oneida Nation of Wisconsin. The Oneida Nation of Wisconsin is a sovereign nation and creates laws with the approval of the General Tribal Council. With the amount of states in the United States of America that are legalizing the use of recreational marijuana, the Oneida Nation of Wisconsin and its membership approve the decriminalization of marijuana, and that the use of marijuana within the Oneida Nation reservation boundaries shall not result in criminal charges. Additionally, the Oneida Nation of Wisconsin shall repeal any current or past laws that contradict with this law and the act of decriminalizing recreational marijuana.*

All applicable laws and policies of the Nation were reviewed in developing this statement of effect for the Petition.

Development of a Decriminalization of Marijuana Law

The Petition calls for the development of a *Decriminalization of Marijuana law* that would approve the decriminalization of marijuana and provide that the use of marijuana within the Oneida Nation reservation boundaries shall not result in criminal charges. The Petition also directs that the Nation repeal any current or past laws that contradict with this law and the act of decriminalizing recreational marijuana. The Nation currently does not have any laws that criminalize marijuana.

The development of any law of the Nation to address marijuana use would be required to follow the process and procedures contained in the Legislative Procedures Act.

The Legislative Process

The process for developing or amending a law of the Nation is governed by the Legislative Procedures Act. The General Tribal Council adopted the Legislative Procedures Act in 2013 to set forth the process for the development and adoption of laws of the Nation by the Oneida Business Committee and General Tribal Council. *[1 O.C. 109.1-1].* The Legislative Procedures Act intends to ensure that there is a standard process for developing legislation for the Nation. *[1 O.C. 109.1-2].* Although the Legislative Procedures Act is not construed to impede the constitutional right of a member of the Nation under Article III, Section 4 of the Oneida Nation Constitution and Bylaws to petition for a special meeting of the General Tribal Council, the lawmaking requirements provided by the Legislative Procedures Act do apply to all legislation considered by the Oneida Business Committee or the General Tribal Council. *[1 O.C. 109.1-3, 109.1-1].*

The legislative process begins when any person who is interested in pursuing the development of or amendment to a law of the Nation submits a written request for legislation to the Legislative Reference Office, who then is responsible for placing the request for legislation on the agenda of the next duly called Legislative Operating Committee meeting. *[1 O.C. 109.5-1, 109.5-2].* General Tribal Council delegated the Legislative Operating Committee the responsibility for the development of legislation of the Nation. *[1 O.C. 109.4-2].* The Legislative Operating Committee is comprised of the five (5) Oneida Business Committee members who do not hold officer positions. *[1 O.C. 110.4-1(b)].* Once the Legislative Operating Committee receives a request for legislation, the Legislative Operating Committee then either accepts or denies the request, except that the Legislative Operating Committee is not allowed to deny a request for legislation directed by a General Tribal Council law, resolution, or motion. *[1 O.C. 109.5-2(a)-(b)].*

Once the Legislative Operating Committee accepts a request for legislation and directs that legislation be developed in accordance with the Legislative Procedures Act, a draft of the legislation is created through research, review of other similar laws, collaboration with affected entities, and community engagement efforts. The Legislative Procedures Act provides guidance on how a law should be organized, such as different sections that need to be included in a law and

what information needs to be addressed in each section, to ensure there is a consistent format amongst all laws of the Nation. *[1 O.C. 109.11]*. Once a draft of the proposed legislation is approved by the Legislative Operating Committee, a legislative analysis of the draft legislation is completed. *[1 O.C. 109.7-1]*. The purpose of the legislative analysis is to describe the important features of the legislation being considered and factual information to enable the Legislative Operating Committee to make informed decisions regarding legislation. *[1 O.C. 109.3-1(g)]*. A legislative analysis includes a statement of the legislation's terms and substance; intent of the legislation; a description of the subject(s) involved, including any conflicts with Oneida or other law, key issues, potential impacts of the legislation and policy considerations. *Id.*

Once a draft and legislative analysis are completed for proposed legislation, the Legislative Operating Committee moves forward with obtaining public review of the proposed legislation. The Legislative Operating Committee determines a public meeting date and then a public meeting notice is created that contains the date, time and place of the public meeting, the time period for the public comment period, and the name, address, phone number, and other appropriate information on where to submit comments on the proposed legislation. *[1 O.C. 109.8-2]*. At least ten (10) business days before the public meeting is held, the public meeting notice is published in the Kalihwisaks, while the public meeting notice, proposed draft of the legislation, legislative analysis, and fiscal impact statement if available, are published on the Oneida Register on the Nation's webpage found at the following location: https://oneida-nsn.gov/government/register/, and electronically noticed to all managers and directors. *[1 O.C. 109.8-2]*. The managers and directors who receive the public meeting materials are then required by the Legislative Procedures Act to direct employees of the Nation who have special knowledge or expertise on the proposed legislation to provide public comments. *[1 O.C. 109.8-4(a)]*.

The public meeting on the proposed legislation is required to be presided over by at least one (1) member of the Legislative Operating Committee. *[1 O.C. 109.8-3(a)]*. The purpose of the public meeting is to solicit oral comments from members of the community on the proposed legislation. *[1 O.C. 109.8-3]*. After the public meeting concludes, the Legislative Operating Committee holds open a public comment period for at least five (5) business days. *[1 O.C. 109.8-1(a)]*. During the public comment period individuals may submit written comments including data, views, arguments, or concerns to the Oneida Business Committee Secretary or the Legislative Reference Office in person or through United States mail, interoffice mail, e-mail, or fax. *[1 O.C. 109.8-1(c), 109.4-4(b)]*.

Once the public comment period has concluded, the Legislative Operating Committee is required by the Legislative Procedures Act to fully consider all written comments and oral testimony received during the public comment period and any public meeting on the proposed legislation. *[1 O.C. 109.8-4]*. The Legislative Operating Committee accomplishes this responsibility through the development of a public comment review memorandum that provides the Legislative Operating

Committee's consideration of every comment received, and demonstrates any changes made to the proposed legislation based on the public comments.

A fiscal impact statement is also required for all proposed legislation. *[1 O.C. 109.6-1].* A fiscal impact statement provides an estimate of the total fiscal year financial effects associated with legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an individual or agency to comply with the law after implementation. *[1 O.C. 109.3-1(c)].* The Legislative Operating Committee may direct that a fiscal impact statement be submitted by any agency who may receive funding if the legislation is enacted, may administer a program if the legislation is enacted, may have financial information concerning the subject matter of the legislation, or the Finance Department. *[1 O.C. 109.6-1].* Oneida Business Committee resolution BC-10-28-20-A, *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 Legislative Operating Committee, the Legislative Operating Committee may direct the Finance Department or any agency who may receive funding if the legislation is enacted, may administer a program if the legislation is enacted, may have financial information concerning the subject matter of the legislation to provide a neutral and unbiased fiscal impact statement to the LOC within ten (10) business days for inclusion in adoption materials.

After all the requirements of the Legislative Procedures Act are met and the Legislative Operating Committee is satisfied with proposed legislation, the Legislative Operating Committee then forwards an adoption packet comprised of the proposed legislation, legislative analysis, fiscal impact statement, resolution, statement of effect, and an adoption memorandum to the Oneida Business Committee for consideration. *[1 O.C. 109.9-1.* The Oneida Business Committee then either considers whether to approve or deny the adoption of the legislation or forwards the legislation to the General Tribal Council for consideration of adoption. *[1 O.C. 109.9-1(a)-(b)].* A law is adopted, amended, or repealed upon the adoption of a resolution. *[1 O.C. 109.9-2].* For those laws considered by the Oneida Business Committee a majority vote is required for the adoption of the law, while amendments and repeals of a law are handled in accordance with the laws governing Oneida Business Committee action. *[1 O.C. 109.9-2(a)].* The Oneida Business Committee utilizes Robert's Rules of Order, current edition, for the procedural rules of its meetings except as specifically modified by the Constitution and Bylaws of the Oneida Nation. *[1 O.C. 117.4-1]*. For those laws considered by the General Tribal Council, adoption, amendment, and repeal of laws are done in accordance with the laws governing General Tribal Council action. *[1 O.C. 109.9-2(b)].* Any action by the General Tribal Council to overrule previous passed motions or resolution requires a two-thirds (2/3) vote. *[1 O.C. 113.3-1(a)(3)].*

Once legislation is adopted through resolution by either the Oneida Business Committee or the General Tribal Council the law shall become effective ten (10) business days after the date of

adoption unless a different effective date is specified. *[1 O.C. 109.9-3].* The Legislative Operating Committee is then responsible for publishing the law in the Oneida Code of laws by the effective date. *[1 O.C. 109.9-4].* The Oneida Code of Laws can be found on the Oneida Register on the Nation's website at the following location: https://oneida-nsn.gov/government/register/laws/. Any law adopted in substantial compliance with the Legislative Procedures Act is considered valid. *[1 O.C. 109.10-1].* No law can be contested based on non-compliance with the procedural requirements of the Legislative Procedures Act after one (1) year from the effective date of the law. *[1 O.C. 109.10-2].*

The development of law of the Nation to address marijuana would be required to follow the process and procedures contained in the Legislative Procedures Act.

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: G. Powless-Buenrostro – Decriminalize Marijuana #2026-02 would have the following legislative impacts:

1. ***Requirement to Use the Legislative Procedures Act***.
    a. The Petition calls for the development of a Decriminalization of Marijuana law that would approve the decriminalization of marijuana and provide that the use of marijuana within the Oneida Nation reservation boundaries shall not result in criminal charges. The Petition also directs that the Nation repeal any current or past laws that contradict with this law and the act of decriminalizing recreational marijuana.
    b. The Nation currently does not have any laws that criminalize marijuana.
    c. The development of any law of the Nation to address marijuana use would be required to follow the process and procedures contained in the Legislative Procedures Act.

Requested Action

Accept the statement of effect for the Petition: G. Powless-Buenrostro - Decriminalize Marijuana #2026-02.

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

Legislative Operating Committee
October 16, 2026

Safe Neighborhoods Law

Submission Date: 2/23/26	**Public Meeting:** 9/10/26
LOC Sponsor: All LOC	**Emergency Enacted:** 2/25/26, 8/12/26

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.

The Oneida Business Committee extended the emergency adoption of the Safe Neighborhoods law for an additional six (6) months on August 12, 2026, through the adoption of resolution BC-08-12-26-B. The emergency adoption of this law will now expire on February 25, 2027.

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.

7/15/26 LOC: Motion by Jonas Hill to approve the draft and the legislative analysis of the proposed Safe Neighborhoods law; seconded by Kirby Metoxen. Motion carried unanimously.

8/5/26 LOC: Motion by Jennifer Webster to approve the public meeting packet for the proposed Safe Neighborhoods law and forward the Safe Neighborhoods law to a public meeting to be held on September 10, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

Motion by Kirby Metoxen to approve the emergency adoption extension packet for the Safe Neighborhoods law and forward to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

8/12/26 OBC: Motion by Lisa Liggins to adopt resolution # 08-12-26-B Extension of the Emergency Adoption of the Safe Neighborhoods Law, seconded by Lawrence Barton. Motion carried.

9/10/26: *Public Meeting Held*. Present: Jonas Hill, Lora Danforth, Clorissa Leeman, Carolyn Salutz. On Teams: David Jordan, Susan House. No individuals provided public comment during the public meeting.

9/17/26: *Public Comment Period Closed*. One (1) individual provided written comments during the public comment period.

10/7/26 LOC: Motion by Lora Danforth to add the Safe Neighborhoods Law to the Active Files List with all LOC members as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

10/7/26: *Work Meeting*. Present: Aliskwet Ellis, Jonas Hill, Kristal Hill, Lora Danforth, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this work meeting was to provide a plan for initiating work on all high priority legislative items.

10/16/26: *Work Meeting*. Present: Aliskwet Ellis, Lora Danforth, Kristal Hill, Jonas Hill, Clorissa Leeman, Susan House, Shoshana King. The purpose of this work meeting was to review the draft of the Safe Neighborhoods law and determine if the LOC would like to make any changes before this item moves forward in the legislative process.

Next Steps:

- Accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration.

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

TO: Legislative Operating Committee (LOC)
FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
DATE: October 21, 2026
RE: Safe Neighborhoods Law: Public Comment Review

On September 10, 2026, a public meeting was held regarding the proposed Safe Neighborhoods law. No individuals provided oral comments during the public meeting. The public comment period was then held open until September 17, 2026. One (1) submission of written comments was received during the public comment period. This memorandum is submitted as a review of the comments received during the public comment period. The public meeting draft and public meeting transcript are attached to this memorandum for review.

Comment 1 – Evidentiary Basis:

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.

Marena Bridges (written): Good morning, I am submitting the following public comment regarding the proposed Safe Neighborhoods Law.

I support the Nation's responsibility to protect children and other vulnerable community members and appreciate that the proposed law includes exceptions and an individualized waiver process. However, I have concerns about whether the breadth of the proposed restrictions is adequately supported by the legislative analysis.

The proposed law establishes a 2,500-foot residency restriction around a broad range of prohibited locations, including parks, libraries, community centers, fitness centers, farmers markets, and places of worship. The legislative analysis shows that 2,500 feet is at the highest end of the Wisconsin municipal restrictions reviewed. Given the number and distribution of prohibited

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

locations on the reservation, I encourage the Nation to evaluate and publicly explain how much residential land would actually remain available under the proposed restriction.

I am also concerned that the legislative analysis states that sex offenders have a "high rate of recidivism," while the statistics cited in the analysis report sexual reoffense rates ranging from 5% after three years to 24% after fifteen years. More importantly, the analysis does not appear to provide evidence demonstrating that broad geographic residency restrictions themselves reduce sexual offending or improve community safety. Before permanent adoption, I encourage the Legislative Operating Committee to provide a stronger evidentiary basis for the specific 2,500-foot restriction and consider whether a more individualized, risk-based approach could achieve the Nation's public-safety goals without unnecessarily limiting housing and successful community reintegration.

Response

The commenter encourages the Nation to evaluate and publicly explain how much residential land would actually remain available under the proposed restriction and also provide stronger evidentiary basis for the specific two thousand five hundred (2,500) foot residency restriction, and consider whether a more individualized, risk-based approach could achieve the Nation's public-safety goals without unnecessarily limiting housing and successful community reintegration.

When deciding to develop this law for the Nation, the Legislative Operating Committee had to weigh and balance its responsibility to sex offenders by allowing them an opportunity to reintegrate back into the community with its overall responsibility to providing a safe community, especially for those vulnerable populations like children. To make its decisions regarding this law, the Legislative Operating Committee relied on information gathered from research on other municipal ordinances regarding restrictions on the presence and residency of sex offenders, as well as information gathered from its subject matter experts with the Oneida Law Office, Oneida Police Department, Geographic Information Systems Department; and Comprehensive Housing Division. Protecting vulnerable populations, especially children, is of the highest importance to the Legislative Operating Committee – and it is with that in mind that the Legislative Operating Committee made its decisions regarding residency restrictions for this law.

Ultimately, although the Legislative Operating Committee decided that the Nation's residency restrictions should be more strict than other residency restrictions found in municipal ordinances that were reviewed, the Legislative Operating Committee determined the exceptions to the residency restrictions found in section 310.5-3 of the Law, as well as the process for requesting a waiver from the residency restrictions found in section 310.6 of the Law provide numerous fair opportunities for a sex offender to potentially find housing in an area that may be prohibited.

There is no revision to the Law recommended based on this comment. The Legislative Operating Committee may determine whether additional evidentiary basis for this Law is needed.

LOC Consideration

Comment 2 – Error in Length of Time for Denial of Waiver:

310.6. Waiver of Residence Restrictions

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.

Marena Bridges (written): Finally, I recommend correcting the apparent drafting error in section 310.6-3(b), which refers to a decision not being made within "thirty (14) days." Yawʌ́ko for the opportunity to provide public comment.

Response

The commenter pointed out a typo in section 310.6-3(b) of the Law. The following revision to the Law is recommended as a result of this comment:

310.6-3(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~~ fourteen (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.

LOC Consideration

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
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LEGISLATIVE OPERATING COMMITTEE
PUBLIC MEETING
Safe Neighborhoods Law
Norbert Hill Center Business Committee Conference Room and Microsoft Teams
September 10, 2026
12:15 p.m.

Present: Jonas Hill, Lora Danforth, Clorissa Leeman, Carolyn Salutz

Present on Microsoft Teams: David Jordan, Susan House.

Jonas Hill: Good Afternoon, the time is 12:15 p.m. and today's date is Thursday, September 10, 2026. I will now call to order the public meeting for the Safe Neighborhoods law.

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, e-mail or fax as provided on the public meeting notice. These comments must be received by close of business on Thursday, September 17, 2026.

In attendance from the LOC is myself, Jonas Hill, and Councilwoman Laura Danforth.

The LOC may impose a time limit for all speakers pursuant to section 109.8-3(c) of the Legislative Procedures Act. As the presiding LOC member, I am imposing a time limit of five (5) minutes per person. This time limit shall be applied equally to all persons.

We will now begin today's public meeting for the Safe Neighborhoods law. 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 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.

The Safe Neighborhoods law will:

- 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.
- 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.
- Prohibit 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.
- 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.
- 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. And
- Provide for the enforcement of violations of this Law and subsequent penalties that are available.

Those who wish to speak please raise your hand. Please state your name when making a comment. And… We will open it up.

With there being no more speakers, the public meeting for the proposed Safe Neighborhoods law is now closed at 12:25 p.m. Written comments may be submitted until close of business on Thursday, September 17, 2026.

Thank you and have a great day.

-End of Meeting-

Outlook

Public Comment – Safe Neighborhoods Law

From Marena Bridges <marena.bridges@gmail.com>
Date Sun 8/16/2026 10:00 AM
To LOC <LOC@oneidanation.org>

Good morning,

I am submitting the following public comment regarding the proposed Safe Neighborhoods Law.

I support the Nation's responsibility to protect children and other vulnerable community members and appreciate that the proposed law includes exceptions and an individualized waiver process. However, I have concerns about whether the breadth of the proposed restrictions is adequately supported by the legislative analysis.

The proposed law establishes a 2,500-foot residency restriction around a broad range of prohibited locations, including parks, libraries, community centers, fitness centers, farmers markets, and places of worship. The legislative analysis shows that 2,500 feet is at the highest end of the Wisconsin municipal restrictions reviewed. Given the number and distribution of prohibited locations on the reservation, I encourage the Nation to evaluate and publicly explain how much residential land would actually remain available under the proposed restriction.

I am also concerned that the legislative analysis states that sex offenders have a "high rate of recidivism," while the statistics cited in the analysis report sexual reoffense rates ranging from 5% after three years to 24% after fifteen years. More importantly, the analysis does not appear to provide evidence demonstrating that broad geographic residency restrictions themselves reduce sexual offending or improve community safety. Before permanent adoption, I encourage the Legislative Operating Committee to provide a stronger evidentiary basis for the specific 2,500-foot restriction and consider whether a more individualized, risk-based approach could achieve the Nation's public-safety goals without unnecessarily limiting housing and successful community reintegration.

Finally, I recommend correcting the apparent drafting error in section 310.6-3(b), which refers to a decision not being made within "thirty (14) days."

Yaw^ko for the opportunity to provide public comment.

Best,

Marena Bridges, PhD (she/her/hers)
marena.bridges@gmail.com
(920) 371-3718

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-__-__-_--__

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

AGENDA REQUEST FORM

1) Request Date: 10/9/2026

2) Contact Person(s): Brittany Nicholas

Dept: Environmental

Phone Number: 920-869-4554 Email: bnichola@oneidanation.org

3) Agenda Title: Oneida Food Service Law Updates

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

Update various parts of the Oneida Food Service Law. Sanitarian cannot make rules so the law needs to be updated. There are various part of the law that are unclear or undefined and this is needs to be updated or changed
to support consistent and efficient regulation of food service businesses

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

1) proposed changes attached in Word Document
2) _____
3) _____
4) _____

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

Oneida Food Service Law, Oneida Building Code,

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

Krystal John, Code Compliance and Zoning, Sylvia Cornelius, Eric McLester, Kelly McAndrews,

7) Do you consider this request urgent? ■ Yes ☐ No

If yes, please indicate why:

It's difficult to regulate and enforce food service businesses if the law does not make sense or has gaps.

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

Signature of Requester:

Brittany Nicholas Digitally signed by Brittany Nicholas Date: 2026.10.09 12:26:59 -05'00'

Please send this form and all supporting materials to:

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

Oneida Food Service Law Proposed Changes updated as of 10/9/2026

Fine and Penalty Schedule

- 1st offense for non-priority and priority offenses- Need to clarify whether the first offense is the first time the violation happens or the first repeat violation. It does not make sense to charge a fine for the first time a violation happens because an operator may not always be able to fix it immediately. It is appropriate in some cases to allow an operator time to fix it and come back and check without penalty.
- What is the difference between a re-inspection and a follow-up inspection? This needs to be defined to determine when to charge the business owner the $100 re-inspection fee. My suggestion is one follow-up inspection occurs free of charge after the first offense and if the violation is not corrected by the follow-up, then the violation is now a repeat violation and the next inspection to check for compliance is a re-inspection and the establishment will be charged a re-inspection fee and a fine if not corrected.
- We should define a date for when license renewals must be submitted and impose a late fee.
- We should specify that prorated fees will only be applied to NEW establishments otherwise prorating fees awards late renewals.
- We should specify at which point renewal will not be accepted.
- Can we cite Oneida Nation owned food establishments?
- Can we or should we institute a separate inspection fee if we decide to honor licenses from other jurisdictions at our events or for mobile operators street vending here?

Mobile Food Service Establishments

- Need to define what mobile food establishment is and is not. Need to distinguish between a non-permanent food stand (popup food stand) and a mobile food establishment
    - It is important that we clarify that a food stand that someone can assemble and dissemble and move around to different spots is NOT a mobile because a food stand would not meet the FDA model food code requirements for mobile operation. All equipment must be integral to the mobile food service establishment (items need to be permanently affixed to the mobile establishment)
    - Need to define what constitutes *permanency*. Permanent is a permanent brick and mortar establishment, not a mobile unit that moves around.

        - **Can we honor mobile food establishment and temporary food establishment licenses from other jurisdictions with the current Code ? So, we would not just waive the licensing fee. We could still put in a provision that we can inspect TFEs or mobiles licensed from other jurisdictions in our area if we choose to do so. *See (B) The Department shall waive the licensing fee required hereunder upon proof from a food service business or prepackaged restaurant of payment to another governmental unit located within the boundaries of the Reservation for a similar license or permit to operate that covers the same term.***
    - Need to define what a service base (or commissary) is and is not. Do we want to require mobile operators or temporary food service establishment operators to get a separate service base/commissary license?
        - Example: There's an Indian taco stand at Farmer's Market. They want to cook their taco meat at the Civic Center the day before the market and store at the civic center and then bring it to the farmer's market to reheat onsite the next day. So:
        - Operator gets a license to sell at farmer's market
        - Operator gets an additional license to prepare food at Civic Center
        - **OR do we issue a license to sell at farmer's market and as part of this license approve them to use Civic center? We can notify the operator that we can inspect them at the civic center and at the farmer's market at any time they are operating there.**
        - Fundamentally, if a given license is tied to one entity and one set-up, then a license really should be required for both (for the event or the mobile unit and for the separate brick and mortar kitchen they are using). However, locally, cost of licensing and availability of kitchens seems to be a prohibitive factor for small food entrepreneurs, and I would like a more vibrant food scene but not at the cost of food safety. Either way, historically, operators using kitchens to prepare food before temporary events were not inspected at those kitchens or required to get a separate license to use the kitchen and this is gap that needs to be filled. They at least need to be inspected at the kitchens especially if they are using it more than once.
        - Does every mobile food establishment require a service base or only a food truck to operate?
- Non-Profit Organizations not owned or operated by the Nation– one example could be local churches and their fish fry's, Indian Taco sales, etc. Do these

organizations need to have a license to serve and fundraise? Or can we implement a licensing threshold where they can do so many fundraising events without a license? Can we or should we waive licenses for private non-profits that are selling food? A nonprofit organization selling food does mean there is no safety risk.

        - Some of these church kitchens are not code compliant, meaning they do not have commercial cooking equipment. This could make it difficult for them to get a license. However, we could set a threshold for when commercial equipment is required. For example, the county allows nonprofit organizations to sell food up to 12 times a year without commercial food equipment, but they still require a license and inspection. If they sell more than 12 times in a year, then they must get commercial equipment too.

- Community sponsored non-profit fundraising and/or charity events-this terminology is not clear.
    - Does the fundraising or charity event have to be held by an registered nonprofit organization or can be a single person?
    - Are we able to exempt these organizations from paying a license fee if we require a license? When would we require a license? Food sales for non-profit fundraising or charity event does NOT mean there is not a food safety risk. Therefore, a frequency threshold should be established for when a license would be required.

    - We need a definition as to what constitutes " Community sponsored non-profit fundraising". Community members try to say that they "fundraising" for travel cost for a vacation but this amounts to a personal expense.
- What counts as a "private rummage sale"?
    - We need to define it as occurring at a person's primary residence. We need to clarify that is not a group rummage sale at or on a public space. This is to avoid unlicensed food sales at flea-market-like events.
    - Is it the intention of the law that any food sold at rummage sales is exempt from licensing or does it mean a rummage sale in which no food is sold at all?
- Can language be added pertaining to consequences for falsifying information provided to the sanitarians? Examples include lying about the location where food is prepared, where food is stored, etc.
    - Possibly adding a statement that a vendor will not be allowed to sell at any events on the Oneida Reservation for one (1) year.
- Independent Food Service Operator category needs to be better defined…need to clarify or add specific language stating that this category is not a mobile unit.

    - This category does not limit where the food can be sold but needs to clearly define that the food sold under this category is not a mobile license, meaning the food stand or food preparation location cannot be moved to different areas of the reservation.
    - We need to define the requirements for an independent operator that is NOT in a permanent facility (i.e a food stand). Do they follow the same requirements as temporary food serve establishment? Is it the intention of our law that food stands be included in this category? Food stands outside of Oneida are typically only allowed to operate at public events throughout the year (not street vending like a mobile) and FDA Model Food Code prescribes requirements for temporary food stands *at events*. These requirements are less than for mobiles or permanent facilities specifically because the risk associated with a minimal, basic setup in a food stand is mitigated by limiting the frequency of operation to events only. To allow a food stand to move around and operate year around outside of events is risky.
    - **I propose we eliminate food stands except at temporary events.**
- Need to define what an “Oneida Nation Food Service Program” is. What we are looking for is clarification as to “who” and “what” qualifies to be under this category. We have operations under this category that sell food and those that do not sell but provide food. We still hold them to the requirements of the law but they just do not pay a licensing fee.
    - How is a “food service program” defined?
    - Are these programs only applicable for waiving licensing fee if owned and operated by Oneida Nation?
    - Historically, old versions of the food code appear to have waived the license fee for departments providing or selling food that were “business units” and those that were “enterprise units” had to pay a fee.
- **Do we need to require temporary food establishment licenses for operators that already have a county license either as a mobile unit or as a transient at our events? We propose that we honor these licenses completely and opt for a discretionary inspecting. Not honoring licenses discourages food vendors from coming here due to administrative or financial burden.**
- If a vendor has a mobile license from the county or Oneida, do we still need to require the vendor to have an additional license to street vend here? **Not honoring licenses discourages food vendors from coming here due to administrative or financial burden.**
- **Can we use one temporary food establishment license that counts for multiple events? Do we have to inspect the same vendors repeatedly at each event? Currently, we require a separate temporary food service**

establishment license for each event and then inspect at every event. This creates administrative and financial burdens for both us and the operators.

- Need to add language about requirement for “shared kitchen use agreements” for people who use a kitchen that is not their own to do advanced food preparation prior to events or for mobile operators that need a kitchen (service base, commissary, whatever we are calling it) to accomplish task they cannot do on their truck or onsite at event.
- Need to clarify regulations around cottage foods (PHF is old language (it’s now TCS) and update language to cottage foods are NON-TCS. Who do we go to if we don’t know/can’t determine if it’s TCS or not? We need to clarify that direct sale is not a wholesale/resale, and sales inside licensed retail establishments can occur with permission of the host but cottage food products must be temporarily displayed by the producer separately from any products of the licensed establishment hosting them. What burden of proof are required for canned food items or anything that the cottage food operator must actively alter to ensure shelf stability (and are we allowing acidified foods without pH verified by lab? Acidified foods can cause fatal botulism if the pH is not correct. At the same time, lab testing can be a prohibitive cost to small food entrepreneurs, and I would like a vibrant food scene but not at the cost of food safety.)

- Would it be possible to publish the food service inspection reports online? Meaning the inspection reports are not confidential and for public viewing? Accessing food service inspection reports via the local health department website is common practice for several other local jurisdictions. I don’t know if this something that needs to be introduced in the law or not. In some cases, food service inspections reports may contain confidential information and therefore before sharing to the public, that information would have to somehow be redacted.

- The current definition of prepackaged restaurant in our Code is unclear. Does this mean that facility that holds and handles prepackaged perishable (TCS) food is exempt from a license but we still inspect them ever year? Why do we exempt it? You still need to check the facility, and operation is appropriate to handle or store prepackaged food (refrigeration, reheating or hot holding equipment, sanitation, cleanable floor/walls/ceilings, food safety knowledge, appropriate food labeling, etc.). Our current definition does not seem to coincide with FDA Model Food Code’s exemption:

    - "Food establishment" does not include:
      (a) An establishment that offers only pre-*PACKAGED *FOODS that are not *TIME/TEMPERATURE CONTROL FOR SAFETY FOODS;

    - **I propose we take out the license exemption for a prepackaged restaurant. We can add a new exemption for if establishment only sells non-TCS prepackaged foods, then they do not need a license. This would be like a gas station that only sells soda, and chips.**

- What category would a vending machine be in? Do we license and inspect vending machines?

- **We need to make Plan Review required both internally and externally. Plan Review is not mentioned in Oneida Food Service Law. It is a review of food business's layout, equipment, and operating procedures before construction or remodeling. Our food service law just mentions passing an inspection, but Plan Review is necessary even before an inspection otherwise the risk is costly retrofitting due to improper design and delayed opening or possibly license denial. Plan Review is required in FDA model Food Code. This would also need to be included in the Oneida Nations CIP process.**

- **What are limitations of a probationary license versus a regular license? This is not defined in Oneida Food Service Law.**

- **Can we put hold or embargo orders on food and enforce these with our current law? A hold order is defined in FDA Model Food Code that we can require an operator to not sell, serve, or throw away food that we suspect is somehow not in compliance with Code until we can determine if it's safe or not.**

- Update the definition for "Department' as our Division name has changed.

- **We need to define our jurisdiction. While the law states we have jurisdiction over any food service business within the reservation boundary, the reality seems to be more complicated than that. There are many food businesses within the reservation boundary it seems we actually do not have jurisdiction over. Considerations seem to be who owns the land or the building and lease agreements. We need to be able to communicate our jurisdiction quickly to prospective licensees as well as our local/overlapping county health departments.**

- **Should we be to make "rules"? Currently, we can only make SOPS.**

- **Need to clarify if areas zoned residential or any zoning designation that is not business can have a licensed food service businesses operating on them.**

- **Need to clarify what responsibility Zoning has in regulation of mobile units**

- What do about items not covered by retail food code? Processing plants – slaughtering (livestock) , retail operations canning acidified or low acid foods – adopt federal canning law, or majority wholesale operations
- We want our own citation form instead of citations from OPD – don't know if this a LOC item or not?

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

AGENDA REQUEST FORM

1) Request Date: October 14, 2026
2) Contact Person(s): Mistylee Herzog
   Dept: Higher Education
   Phone Number: 920-869-4471 Email: mherzog@oneidanation.org
3) Agenda Title: Amendment to the Higher Education Grant Law
4) Detailed description of the item and the reason/justification it is being brought before the LOC:
   I am asking LOC to consider an amendment to the Higher Education Grant Law (Title 10 General Welfare Exclusion-Chapter 1005, ~~BC-04-22-26-F). The additional language would permit additional funding~~ when an accredited program requires more credits than the maximum allocation for that degree level, provided the student is making

   List any supporting materials included and submitted with the Agenda Request Form
   1) Draft Higher Education Law with amendment
   2) _____
   3) _____
   4) _____
5) Please list any laws, policies or resolutions that might be affected:
   Higher Education Grant Law- Title 10 General Welfare Exclusion- Chapter 1005
6) Please list all other departments or person(s) you have brought your concern to:
   Legislative Reference Office and OBC Legal Office
7) Do you consider this request urgent? ☒ Yes ☐ No
   If yes, please indicate why:
   We would like the amendment activated for the upcoming spring semester

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

Signature of Requester:
Mistylee Herzog Digitally signed by Mistylee Herzog Date: 2026.10.14 13:03:42 -05'00'

Please send this form and all supporting materials to:

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

Title 10. General Welfare Exclusion - Chapter 1005

Kayaʔtakenhásla

It is helpful they'll go on to school

People of the Standing Stone, the great place where they teach them the traditions, money

HIGHER EDUCATION GRANT LAW

1005.1 Purpose and Policy
1005.2 Adoption, Amendment, Repeal
1005.3 Definitions
1005.4 Higher Education Office
1005.5 Higher Education Grant
1005.6 Establishment
1005.7 Enforcement
1005.8 Appeals

1005.1. Purpose and Policy

1005.1-1. *Purpose.* The purpose of this law is to implement the Higher Education Grant program; and set forth the funding requirements and procedural controls for awarding Higher Education grants.

1005.1-2. *Policy.* It is the policy of the Nation to provide a fiscally responsible and consistent methodology for awarding Higher Education grants to enhance postsecondary educational opportunities for members of the Nation.

1005.2. Adoption, Amendment, Repeal

1005.2-1. This law was adopted by the Oneida Business Committee by resolution BC-04-22-26-F.

1005.2-2. 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.

1005.2-3. Should a provision of this law or the application thereof to any person or circumstances be held invalid, such invalidity does not affect other provisions of this law which are considered to have legal force without the invalid portions.

1005.2-4. In the event of a conflict between this law and a provision of another law of the Nation, the provisions of this law shall control.

1005.2-5. This law is adopted under the authority of the Constitution of the Oneida Nation.

1005.3. Definitions

1005.3-1. This section governs the definitions of words and phrases used within this law. All words not defined herein are to be used in their ordinary and everyday sense.

(a) "Accredited program" means any educational institution accredited by a federally approved accrediting agency.

(b) "Appeal" means a request for review of a grant decision made by the Higher Education Office for which the requestor shall demonstrate that the entity has failed to abide by the provisions of this law or the Higher Education Student Rulebook.

(c) "Financial Needs Analysis" or "FNA" means the financial needs analysis form Oneida Higher Education sends directly to the school's financial aid office for completion. The school's financial aid office uses the appropriate FAFSA to complete our FNA.

(d) "Free Application for Federal Student Aid" or "FAFSA" means the application which determines eligibility for any financial resources such as state and federal funding.
(e) "Full-time student" means a student taking twelve (12) or more credits in an undergraduate or lower tier program, and nine (9) or more credits in a graduate level program.
(f) "Grade Point Average" or "GPA" means the average of a student's academic performance, calculated by dividing the total grade points earned by the total number of credits funded by Oneida Higher Education Grant for the term.
(g) "Grant" means monetary funds awarded to a student through the Oneida Higher Education Grant Program.
(h) "Higher Education Student Rulebook" means the source of the rules and regulations for carrying out this law as further described in 1005.4-1(b).
(i) "Member of the Oneida Nation" means an enrolled member of the Nation.
(j) "Nation" means the Oneida Nation.
(k) "Part-time student" means a student taking between six (6) and eleven (11) credits per term in an undergraduate or lower tier programs, and between six (6) and eight (8) credits for graduate or doctorate degree programs.
(l) "Postsecondary" means education following secondary school such as college, university, or vocational school.
(m) "Probation" means the term during which students must improve their GPA to meet the eligibility criteria for Higher Education Grant funding, pursuant to 1005.5-1(f). A student placed on probation by the Higher Education Office shall continue to receive funding for one (1) term, during which they are required to regain eligibility.
(n) "Rule" means a set of requirements, enacted by the Oneida Higher Education Office in accordance with the Administrative Rulemaking law based on authority delegated in this law to implement, interpret and enforce this law.
(o) "Term" means a portion of an academic year during which an educational institution holds classes. Common terms such as a quarter, trimester, and semester are used to denote terms of specific durations.

1005.4. Higher Education Office

1005.4-1. The Higher Education Office shall award grants in accordance with the provisions of this law.

1005.4-2. *Administrative Rulemaking*. The Oneida Higher Education Office shall be delegated rulemaking authority in accordance with the Administrative Rulemaking law to promulgate rules to govern the administration of the Higher Education Grant program and shall make such rules and regulations available in the Higher Education Student Rulebook. The rules promulgated by the Higher Education Office shall at a minimum address:

(1) The Higher Education Student File clearly describing the documents required to complete the Higher Education Student File.
(2) Funding
    (a) how funding periods are calculated.
    (b) cap amounts for the following tiers:

(i) associate degree, vocational or certificate program.
(ii) undergraduate degree.
(iii) graduate degree.
(iv) doctoral degree.

(3) Clearly describe application requirements and process.
(4) Clearly describe the appeals process.
(5) Additional rules may be promulgated, provided they do not conflict with any provision of this law.

1005.4-3. The Oneida Higher Education Office shall develop and maintain standard operating procedures for the Higher Education Office.

1005.5. Higher Education Grant

1005.5-1. *Eligibility Requirements.* To be eligible for a Higher Education Grant award, a student shall:

(a) be an enrolled member of the Nation.
(b) be enrolled in an accredited postsecondary vocational program, college, or university.
(c) complete the Higher Education Student File with the Higher Education Office.
(d) comply with FAFSA standards.
(e) be pursuing a degree in a higher funding tier than any previously earned degree, unless unused credits remain within the funding cap of their current degree tier pursuant to 1005.5-2.
(f) meet GPA requirements, as follows:
(1) associate degree, vocational or certificate program must maintain a GPA of 2.0
(2) undergraduate students must maintain a GPA of 2.0
(3) graduate students must maintain a GPA of 3.0
(4) doctoral must maintain a GPA of 3.0; except where:
(i) The school's grading policy considers professional doctoral students (MDs and JDs) to be in good academic standing even with a GPA below 3.0.
(5) apprenticeship/certificate/license students must maintain academic progress and submit scheduled/monthly progress reports.

1005.5-2. *Length of Funding.* The following are the maximum credit allocations for grant funding:

(a) ninety (90) credits for an associate degree, vocational or certificate program.
(b) one hundred fifty (150) credits for an undergraduate degree.
(c) sixty (60) credits for a graduate degree.
(d) one hundred twenty (120) credits for a doctoral degree.
(e) *Program Credit Exception*. The Higher Education Office may approve grant funding beyond the maximum credit allocation established in this section when:
(1) the student is enrolled in an accredited program that requires more credits for completion than the maximum credit allocation established for the applicable degree tier;
(2) the additional credits are required by the educational institution for completion of the student's declared program and are not the result of a change in program,

repeated or failed coursework, withdrawal from coursework, or enrollment in courses that are not required for completion of the program;

(3) the student is making satisfactory academic progress and remains eligible for grant funding under this law and the Higher Education Student Rulebook; and

(4) the student provides documentation from the educational institution identifying the program's total credit requirements, the credits completed by the student, and the credits remaining for completion of the program.

(f) An exception granted under section 1005.5-2(e) shall be limited to the additional program-required credits necessary for the student to complete the degree and shall not authorize funding beyond the otherwise applicable funding period established by the Higher Education Student Rulebook.

(g) The Higher Education Office shall establish, through the administrative rulemaking process, the application, documentation, review, and approval requirements for a program credit exception.

(h) *Transition for Previously Enrolled Students*. A student who began an eligible degree program before the effective date of the credit-based funding limits may receive grant funding for the lesser of:

(1) the program-required credits necessary to complete the degree; or

(2) the number of academic terms for which the student would have remained eligible under the funding requirements in effect when the student began the program.

A student receiving funding under this subsection shall continue to satisfy all other eligibility and academic-progress requirements of this law and the Higher Education Student Rulebook.

1005.5-3. Students who have not used the maximum credit allocation under their highest degree earned tier may remain in that tier up to the credit limit.

1005.5-4. *Tiered Funding System.* The Oneida Higher Education Office, in accordance with the Administrative Rule Making Procedure, shall establish maximum funding caps for the following funding tiers (listed from lowest to highest, a through d):

(a) associate degree, vocational or certificate program.

(b) undergraduate degree.

(c) graduate degree.

(d) doctoral degree.

1005.5-5. *Award.* The amount of the grant awarded to a student is based upon:

(a) The funding cap for each tier under Section 1005.5-4.

(b) The minimum award package shall consist of:

(1) Full-time students shall receive funding for tuition, fees, books, and room and board up to the funding cap amount for their program.

(2) Part-time students shall receive funding for tuition, fees, and books up to the funding cap amount for their program.

(3) Students enrolled in one (1) to five (5) credits shall receive funding for tuition, fees, and books up to the funding cap for their program.

(c) If the student's financial need, as determined by the financial needs analysis, exceeds the minimum award package, the student shall receive an award equal to their financial need, up to the maximum allowed by the funding tier cap.

(1) A full-time student's award may also cover transportation and personal/miscellaneous expenses.

(2) A part-time student's award may also cover room and board, transportation and personal/miscellaneous expenses.

1005.5-4. *Probation*. Students may be placed on probation for failure to earn the required GPA if their GPA falls between:

(a) 1.0-1.9 for associate degree, vocational, certificate program, and undergraduate students.

(b) 2.0-2.9 for graduate students.

1005.6. Establishment. The Higher Education Grant meets the requirements of the General Test as defined in the Oneida General Welfare law; General Criteria as defined in I.R.S. Rev. Proc. 2014-35, section 5; and the requirements of the Tribal General Welfare Exclusion Act of 2014, 26 U.S.C. §139E(b). The assistance provided through the Higher Education Grant is:

(a) paid on behalf of the Nation;

(b) pursuant to an approved program of the Nation;

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

(d) available to any eligible member of the Nation who meets the guidelines of the approved program;

(e) provided for the promotion of general welfare;

(f) not lavish or extravagant;

(g) not compensation for services; and

(h) not a per capita payment.

1005.7. Enforcement

1005.6-1. *Accountability.* The Higher Education Office shall deny funding to any student who violates this law or fails to comply with the Higher Education Student Rulebook.

1005.8. Appeals

1005.7-1. *Appeal Process and Requirements.* An appeal is a request for review of a grant decision made by the Higher Education Office, in which the student must demonstrate that the Higher Education Office failed to comply with this law or the Higher Education Student Rulebook. A student may appeal a grant decision made by the Higher Education Office within thirty (30) calendar days of receipt of the decision the student is appealing.

End.

Adopted. BC-04-22-26-F

October 2026

LOC

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 27	28	29	30	Oct 1 OBC Work Session	2	3
4	5	6 8:30 AM **LOC Work Session** 10 AM **Administrative Rule**	7 8:30 AM **LOC Prep Meeti** 9 AM **Legislative Operati**	8	9	10
11	12 10 AM **Sanctions and Pena** 1 PM **Permanent Probate L** 3 PM **Marriage Law Amenc**	13	14	15	16	17
18	19	20	21 8:30 AM **LOC Prep Meeti** 9 AM **Legislative Operati** 1:30 PM **Sanctions and Pen** 2:30 PM **Probate**	22	23 1:30 PM **Oneida Personnel**	24
25	26	27	28	29	30	31