

Oneida Nation

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Oneida, WI 54155

BC Resolution # 02-22-17-D Adoption of Per Capita Law Amendments

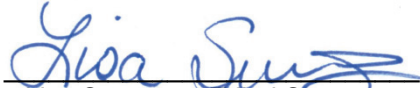
- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Nation Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted the Per Capita law pursuant to resolution BC-07-12-00-B and amended the law by resolutions: BC-11-06-02-A, BC-06-16-04-C, BC-04-22-09-A, BC-05-09-12-B and BC-08-14-13; and
- WHEREAS,** these amendments place all elders on the same distribution schedule as adults so that first time elders with birthdays after the distribution date will receive their payment early at the same time as everyone else; and
- WHEREAS,** these amendments modify the policy related to a Tribal member that dies prior to a distribution date to permit payment so long as the Tribal member timely filled out the distribution form, provided that such payments may not be re-issued to the estate or any other claimant; and
- WHEREAS,** these amendments add new provisions which allow for a beneficiary designation for any Tribal member with a per capita trust account; and
- WHEREAS,** these amendments clarify the distribution process and requirements for deceased Tribal members' trust accounts; and
- WHEREAS,** these amendments establish bank fees for closed accounts and returned distributions to be deducted from the per capita payment; and
- WHEREAS,** these amendments transfer the Trust Enrollment Committee's original hearing body authority to the Oneida Judiciary; and
- WHEREAS,** the these amendments revise the attachment process to allow the Nation's entities to collect debt owed to the Nation without requiring a court order; and
- WHEREAS,** public meetings regarding these amendments were held on May 19, 2016, June 16, 2016 and December 15, 2016, in accordance with the Legislative Procedures Act; and

NOW THEREFORE BE IT RESOLVED, that the Trust Enrollment Department and the Trust Enrollment Committee shall develop the rules required to support these Per Capita law amendments to be effective no later than June 25, 2017.

NOW THEREFORE BE IT FURTHER RESOLVED, that these Per Capita law amendments are hereby adopted.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members were present at a meeting duly called, noticed and held on the 22nd day of February, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 1 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."