

Oneida Nation

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Oneida, WI 54155

BC Resolution # 05-24-17-A Legal Resource Center Emergency 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, on November 14, 2016, the Oneida General Tribal Council approved a motion directing the Oneida Business Committee to establish a legal office consisting of advocates and an advising attorney to represent Tribal members and employees in any type of litigation at the Oneida Judiciary and to advise the Oneida General Tribal Council during duly called General Tribal Council meetings; and

WHEREAS, the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, adopting an emergency law to create the Legal Resource Center is necessary in order to preserve the public health, safety, or general welfare of the reservation population as two (2) advocates are on the ballot for the July 8, 2017 general election and legislation is necessary to provide structure to the Legal Resource Center; and

WHEREAS, observance of the adoption requirements under the Legislative Procedures Act for passage of laws and policies would be contrary to public interest; and

NOW THEREFORE BE IT RESOLVED, that the Legal Resource Center law is hereby adopted on an emergency basis for six (6) months and shall take effect immediately.

BE IT FURTHER RESOLVED, that the Oneida Business Committee is hereby directed to implement a Transition Plan to include the following:

- (1) *Elections.* The elections for the Legal Resource Center shall be held during the 2017 general election. The election process shall follow the Nation's Election law and during the first Legal Resource Center election, the Advocates shall be elected as follows:
 - a. The candidate for Advocate with the highest number of votes shall be elected to a term of four (4) years.
 - b. The candidate for Advocate with the next highest number of votes shall be elected to a term of three (3) years.
 - c. In the event of any tie vote, the provisions of the Nation's Election law for resolving a tie vote shall determine the outcome.
- (2) *Legal Resource Center Opening.* The Legal Resource Center shall be open to Tribal members and employees beginning on February 1, 2018.

BE IT FURTHER RESOLVED, that the Oneida Business Committee is authorized to make such modifications and additions to the above Transition Plan as it deems necessary to implement the Legal Resource Center in accordance with the proposed timelines, and shall subsequently file a report at the annual or semi-annual meeting of the Oneida General Tribal Council that occurs after the modifications or additions are made.

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; 6 members were present at a meeting duly called, noticed and held on the 24th day of May, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 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."