

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-26-18-C

Amendments to the Comprehensive Policy Governing Boards, Committees, and Commissions

- 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 Comprehensive Policy Governing Boards, Committees, and Commissions (“the Law”) was adopted by the Oneida Business Committee through resolution BC-05-14-97-F and amended by resolutions BC-09-27-06-E, and BC-09-22-10-C; and
- WHEREAS,** the purpose of the Law is to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions; and
- WHEREAS,** the amendments to this Law change the name from “Comprehensive Policy Governing Boards, Committees, and Commissions” to “Boards, Committees, and Commissions law”; and
- WHEREAS,** the amendments to this Law provide guidelines for the creation of a board, committee, or commission; and
- WHEREAS,** the amendments to this Law update the information required to be included on an application and the process for submitting an application; and
- WHEREAS,** the amendments to this Law revise how vacancies on a board, committee, and commission are handled, and allow for an individual to remain in office until the member’s successor has been sworn in by the Oneida Business Committee in an effort to prevent a discontinuation of business or a loss of quorum for the entity; and
- WHEREAS,** the amendments to this Law update the appointment selection process to provide for more efficient and effective selections; and
- WHEREAS,** the amendments to this Law require that oaths of office be taken at Oneida Business Committee meeting, and provide for an updated oath of office; and
- WHEREAS,** the amendments to this Law expand the information that boards, committees, and commissions are required to include in their bylaws; and

- WHEREAS,** the amendments to this Law provide a process for electronic polling, if a board, committee, or commission decides to use electronic polling; and
- WHEREAS,** the amendments to this Law expand the reporting requirements of boards, committees, and commissions to include requirements regarding standard operating procedures, quarterly reports to the Oneida Business Committee, and annual and semi-annual reports to the General Tribal Council; and
- WHEREAS,** the amendments to this Law provide detailed information on what stipends or compensation is available for members of boards, committees, and commissions, and state that Oneida Business Committee shall set specific stipend amounts by resolution; and
- WHEREAS,** the amendments to this Law address how confidential information is handled by boards, committees, and commissions, including the addition of a requirement for board, committee, and commission members to be provided an official Oneida e-mail address to conduct business of the board, committee, and commission on; and
- WHEREAS,** the amendments to this Law simplify the information provided in the law regarding conflicts of interest and clarify that due to the potential for a real or perceived conflict of interest to exist, political appointees shall not serve on an appointed or elected board, committee, or commission; and
- WHEREAS,** the amendments to this Law provide additional notice requirements for the dissolution of a board, committee, or commission; and
- WHEREAS,** the amendments to this Law provide greater detail on how violations of this Law may be enforced; and
- WHEREAS,** the amendments to this Law make other minor drafting revisions and updates; and
- WHEREAS,** a public meeting on the proposed amendments to this Law was held on June 21, 2018, in accordance with the Legislative Procedures Act, and the public comments were reviewed and accepted by the Legislative Operating Committee on July 18, 2018; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee sets forth the following in regards to the implementation of this resolution:

1. *Informational Bylaws Meetings.* Section 105.10-1(a) of the Law requires that all existing boards, committees, and commissions of the Nation comply with the bylaw format prescribed in the Law and present bylaws for adoption within a reasonable time after adoption of this Law. The Oneida Business Committee directs that boards, committees, and commissions of the Nation shall have six (6) months from the adoption of this Law to present bylaws for adoption. Within thirty (30) days, the Legislative Reference Office shall provide at least two (2) informational bylaw meetings with the various boards, committees, and commissions of the Nation. The purpose of the informational bylaws meetings will be for the Legislative Reference Office to:
 - a. provide an update on the revised bylaw requirements as a result of the amendments to the Law;
 - b. provide a template for the development of revised bylaws; and
 - c. offer assistance to boards, committees, and commissions in the development and drafting of updated bylaws.

2. *Official Oneida Nation E-Mail Addresses.* Section 105.14-3 of the Law requires that each member of a board, committee, or commission be provided an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically. The Management Information System Department shall have six (6) months from the adoption of the Fiscal Year 2019 budget to provide an official email address to all members of a board, committee, or commission of the Nation.
3. *Oneida Business Committee's Political Appointees.* Due to the potential for a real or perceived conflict of interest to exist, section 105.15-3 of this Law requires that an individual who serves as a political appointee to an Oneida Business Committee member shall not simultaneously serve on an appointed or elected board, committee, or commission.
 - a. *Current Political Appointees on Elected Boards, Committees, and Commissions.* All political appointees of the Oneida Business Committee that are currently simultaneously serving on an elected board, committee, or commission of the Nation shall be allowed to complete his or her term.
 - b. *Political Appointee Job Descriptions.* The Nation's Human Resources Department shall update the job descriptions for Oneida Business Committee political appointee positions to include a reference to the requirement that a political appointee of an Oneida Business Committee member shall forgo serving on an elected or appointed board, committee, or commission of the Nation.

BE IT FINALLY RESOLVED, that the amendments to the Comprehensive Policy Governing Boards, Committees, and Commissions are hereby adopted and shall be effective October 10, 2018.

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; 9 members were present at a meeting duly called, noticed and held on the 26th day of September, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 8 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, Secretary
Oneida Business Committee

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