

# Oneida Nation

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Oneida, WI 54155

## **BC Resolution # 04-12-17-D Endowments 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 Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Endowments law (the "Law") was adopted by the Oneida Business Committee by resolution BC-02-23-05-G; and
- WHEREAS,** the amendments to the Law identify that authorization in a resolution creating an endowment is the equivalent of authority delegated by law as identified in the Administrative Rulemaking law so that a resolution which creates an endowment has the ability to delegate rulemaking authority to create and enact a set rules in accordance with the Administrative Rulemaking law, as authorized by the Law, in order to implement, interpret and/or enforce the Law; and
- WHEREAS,** the delegation of rulemaking authority through resolutions allows an endowment to delegate rulemaking authority to programs in order for programs to create and enact rules in order to access funding derived from endowment investments; and
- WHEREAS,** currently, the Law allows an endowment fund account to be dissolved only by recommendation of the Oneida Finance Committee and the Oneida Trust Enrollment Committee and ratification by the Oneida Business Committee; and
- WHEREAS,** the amendments modify how an endowment fund account can be dissolved now requiring a two-thirds (2/3) vote of each of the following: Oneida Trust Enrollment Committee, Oneida Finance Committee and the Oneida Business Committee. Additionally a two-thirds (2/3) vote of the Oneida General Tribal Council is required if the endowment fund account proposed to be dissolved contains five hundred thousand dollars (\$500,000) or more; and
- WHEREAS,** additional amendments update the language to ensure compliance with drafting style and formatting requirements; and

**WHEREAS,** a public meeting on the amendments was held on February 16, 2017, in accordance with the Legislative Procedures Act, and comments received were reviewed and accepted by the Legislative Operating Committee on March 15, 2017; and

**NOW THEREFORE BE IT RESOLVED,** that amendments to the Endowments law are hereby adopted and effective immediately.

#### **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 12<sup>th</sup> day of April, 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."