

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-25-19-A

Interpreting “Fiscal Impact Statement” in the Legislative Procedures Act

- 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 Legislative Procedures Act was adopted by the General Tribal Council by resolution GTC-01-07-13-A, to update and improve the procedures for adoption of laws that were originally set forth in the Administrative Procedures Act, adopted by resolution GTC-08-19-91-A; and
- WHEREAS,** the Legislative Operating Committee has created procedural mechanisms to implement the Legislative Procedures Act which focus on generating public and organizational input and transparency assisted by new technologies; and
- WHEREAS,** since adoption of the Legislative Procedures Act in 2013 through resolution GTC-01-07-13-A and implementation, the Legislative Operating Committee has identified areas requiring clarification, but do not rise to the level of requiring amendments to the law; and
- WHEREAS,** the Legislative Procedures Act requires the development of a “Fiscal Impact Statement” by any affected agency or person directed by the Legislative Operating Committee, or by the Finance Department if requested by the Legislative Operating Committee, as set forth in section 109.6-1; and
- WHEREAS,** the Legislative Operating Committee has determined that having a Fiscal Impact Statement for the public meeting is important in providing transparency and understanding the full impact of a proposed law while at the same time recognizing the limited resources and time available from the Finance Department to develop multiple Fiscal Impact Statements; and
- WHEREAS,** the Legislative Operating Committee had determined that Fiscal Impact Statements from affected agencies and affected individuals will be informative during the legislative development processes and public meeting discussion; and
- WHEREAS,** the Treasurer, in accordance with resolution GTC-07-11-94-A and her supervision of the Chief Financial Officer, and after discussion with the Finance Department, has directed that the Chief Financial Officer shall submit a Fiscal Impact Statement to the Legislative Operating Committee within ten (10) business days of final approval of draft legislation by the Legislative Operating Committee; and

WHEREAS, upon final approval of draft legislation, the Legislative Operating Committee shall send a memorandum to the Finance Department notifying the Finance Department of the final approval and that a Fiscal Impact Statement is required to be submitted within ten (10) business days; and

WHEREAS, the Legislative Operating Committee, for purposes of standardizing the interpretation of the Legislative Procedures Act requests adoption of this interpretive resolution; and

NOW THEREFORE BE IT RESOLVED, that the Fiscal Impact Statement required in section 109.6-1 of the Legislative Procedures Act shall be applied as follows.

1. *Fiscal Impact Statements for use during a Public Meeting.* When developing a Fiscal Impact Statement for proposed legislation to be used in a public meeting scheduled under section 109.8-2, the Legislative Operating Committee may use any agency who:
 - a. may receive funding if the legislation is enacted;
 - b. may administer a program if the legislation is enacted; or
 - c. may have financial information concerning the subject matter of the legislation.
2. *Fiscal Impact Statements for use during Consideration of Adoption.* When developing a Fiscal Impact Statement for proposed legislation to be used for presentation to and consideration of adoption by the Oneida Business Committee and/or General Tribal Council under section 109.9-1, the Finance Department shall, within ten (10) business days of final approval of draft legislation by the Legislative Operating Committee, send a Fiscal Impact Statement to the Legislative Operating Committee for inclusion in adoption materials.

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 25th day of September, 2019; 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."