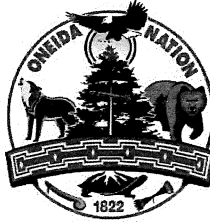


# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 03-17-20-E

### Emergency Amendments to the Emergency Management and Homeland Security Law Adding Section Identifying COVID-19 Core Decision-Making Team and Delegating Authority

- 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 March 12, 2020, Chairman Hill signed an order declaring a public health emergency based on the COVID-19 pandemic, *Declaration of Public Health Emergency*; and
- WHEREAS,** since approval of the declaration the number of cases in Wisconsin has increased from six (6) to forty-seven (47), with one (1) positive case identified in Outagamie County; and
- WHEREAS,** the Center for Disease Control has updated large gatherings reducing the number from two hundred and fifty (250) people to fifty (50) people; and
- WHEREAS,** since Governor Evers has signed Executive Order # 72, the Wisconsin Public Health Officer has issued an order prohibiting mass gatherings of fifty (50) people or more; and
- WHEREAS,** the Oneida Business Committee has declared a Tier IV budget contingency action which results in budget reductions resulting from the financial distress the Nation will be experiencing arising out of the pandemic; and
- WHEREAS,** the Emergency Management and Homeland Security Law ("the Law"), delegates authority to the Oneida Nation's Public Health Officer to take actions to protect the public health, including issuance of orders regarding gathering and quarantines; and
- WHEREAS,** there is no identification in the Law of how internal governmental operations can be adjusted and laws adjusted to reflect the state of the pandemic; and
- WHEREAS,** the Oneida Business Committee, in the budget contingency resolution, has identified exception to resolutions (budget contributions to endowments for example) and amendments to employee compensation; and
- WHEREAS,** there is a need for the Nation to respond to issues arising on a daily, and sometimes hourly basis; and

**WHEREAS,** the Oneida Business Committee desires to create a "Core Decision Making Team" specifically for the COVID-19 pandemic that would authorize the team to declare emergency exceptions to laws to protect the public health, safety, and general welfare of the Nation's community, members, and employees; 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,** emergency adoption of legislation is allowed when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act; and

**WHEREAS,** the emergency adoption of these amendments to the Law are necessary for the preservation of the public health, safety, and general welfare of the Reservation population to allow the COVID-19 team to take action to protect the Reservation population against the public health crisis that is the COVID-19 pandemic; and

**WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this amendment would be contrary to public interest; and

**WHEREAS,** the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering emergency legislation; and

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the emergency amendments to the Emergency Management and Homeland Security law, 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; 9 members were present at a meeting duly called, noticed and held on the 17<sup>th</sup> day of March, 2020; 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."