



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin BUSINESS COMMITTEE



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

P.O. Box 365 • Oneida, WI 54155
Telephone: 920-869-4364 • Fax: 920-869-4040

RESOLUTION #04-12-06-JJ

Emergency Adoption of Termination of Appointment Amendments

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin 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 Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the General Tribal Council; and
- WHEREAS,** on January 9, 2006 the General Tribal Council approved the new Removal Law, which addresses elected officials but not appointed; and
- WHEREAS,** it is more appropriate for appointed members of entities to be subject to a termination of appointment by the Oneida Business Committee because the Oneida Business Committee made the appointment; and
- WHEREAS,** there is currently no oversight mechanism for appointed members of boards, committees and commissions; and
- WHEREAS,** the Administrative Procedure Act (APA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six months, renewable for an additional six months; and
- WHEREAS,** the Oneida Business Committee finds that providing oversight for boards, committees and commissions constitutes an emergency situation which requires the immediate passage of amendments to allow for termination of appointments; and
- WHEREAS,** emergency adoption of the amendments to the Comprehensive Policy Governing Boards, Committees and Commissions, the Conflict of Interest Policy and the Code of Ethics are necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the regular APA adoption requirements for passage of laws would be contrary to public interest.

NOW THEREFORE BE IT RESOLVED, that the following amendments are adopted on an emergency basis:

Comprehensive Policy Governing Boards, Committees and Commissions

Add: 6-5. *Termination of Appointment.* Appointed members of entities serve at the discretion of the Oneida Business Committee. Upon the recommendation of the Tribal Chair, an appointed member of an entity may have his or her appointment terminated by the Oneida Business Committee by a two-thirds majority vote of the entire Oneida Business Committee.

Delete: Article XII. Code of Ethics (please note this is a duplicate provision as it exists as its own law)

Amend: 14-3. Officials shall disclose and resolve conflicts of interest in a reasonable and timely manner. Failure to resolve conflicts shall result ~~or in~~ removal from office for elected officials and may result in termination of appointment for appointed officials. Provided that, all applicants shall submit, with the application forms, a signed conflict of interest declaration disclosing all known conflicts.

Amend: 14-25. Officials found to be in violation of this policy may be removed pursuant to the ~~appropriate r~~Removal Law if elected or have their appointment terminated if appointed.

Conflict of Interest Policy

Article V. Penalties

5-2. *Boards, Committees and Commissions.* Members of boards, committees and commissions may be either removed pursuant to the Removal Law for elected officials or have their appointment terminated by the Oneida Business Committee pursuant to the law governing board, committees and commissions for appointed officials.

Code of Ethics

3.6-1. Enforcement. This code shall be enforced according to the following:

- (a) Government ~~Officials, both elected and appointed~~ may be subject to either removal, if elected, or termination, if appointed, for a violation of any portion of this ethics code as it applies to them.

BE IT FURTHER RESOLVED, removal proceedings against appointed members of boards, committees or commissions that began prior to the adoption of this resolution shall be subject to the removal provisions of the Removal Law adopted by GTC Resolution #1-17-98-A.

BE IT FINALLY RESOLVED, that the amendments shall be effective immediately and remain in effect for six (6) months unless extended by the Oneida Business Committee for an additional six (6) months.

Certification

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of nine (9) members of whom five (5) members constituting a quorum. 6 members were present at the meeting duly called, noticed, and held on the 12th day of April, 2006; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for; 0 members against; 0 members not voting; and that said resolution has not been rescinded or amended in any way.

A handwritten signature in cursive script, appearing to read "Patricia Hoeft", is written over a horizontal line.

Patricia Hoeft, Secretary
Oneida Business Committee