

# Oneida Tribe of Indians of Wisconsin

## BUSINESS COMMITTEE



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



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.

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BC Resolution # 9-04-02-A

*Resolution Adopting Emergency Amendments to the Hunting, Fishing and Trapping Law*

- 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; 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, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted the Hunting, Fishing and Trapping Law in April, 1996, which was amended in July of 1998, and September of 2000, and
- WHEREAS,** the Hunting, Fishing and Trapping Law regulates the hunting of the deer population on the Oneida Indian Reservation, and
- WHEREAS,** Chronic Wasting Disease (CWD) is a brain disease which threatens North American deer populations and is related to "Mad Cow Disease," and
- WHEREAS,** CWD is spread when deer eat from the same pile of food, or bait, and
- WHEREAS,** the current Hunting, Fishing and Trapping Law allows the practice of baiting under certain conditions, and
- WHEREAS,** while there is no scientific evidence that CWD can infect humans, the World Health Organization says that CWD infected meat should not be eaten by people or other animals, and
- WHEREAS,** Article VI of the Administrative Procedure Act authorizes the 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 Environmental Resources Board (ERB) was created for the purpose of overseeing matters concerning the environment of the Oneida Reservation and the environment of Turtle Island, and
- WHEREAS,** the ERB has recommended adoption of emergency amendments which would ban deer baiting and place a fine on that practice, and
- WHEREAS,** the Oneida Business Committee finds that addressing CWD is an emergency situation which requires the immediate adoption of amendments to the Hunting, Fishing and Trapping Law which would ban the practice of deer baiting, and

**WHEREAS,** the adoption of a ban on baiting is necessary for the preservation of the public health, safety, and general welfare of the reservation population, and that observance of the regular, non-emergency APA passage requirements would be contrary to public interest, and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby adopts the following amendment to the Hunting, Fishing and Trapping Law (as indicated in highlight for addition and ~~strikeout~~ for deletion):

45.6-8. *Baiting.* It is unlawful to: to bait any specie of animal.<sup>1</sup>

~~(a) Hunt with the aid of more than 10 gallons of bait. Provided that, salt and salt blocks shall be excluded from this prohibition.~~

~~(b) Hunt over a baited area with bait consisting of honey, bones, fish, meat, solid animal fat, or parts of animal carcasses.~~

~~(c) Place, use or hunt over bait contained within or containing metal, paper, plastic, glass, wood (other than hollow stumps) or other nondegradable material.~~

~~(d) Hunt over bait during the bow season without possessing a valid, unused sports license, non-member sports license, or special permit.~~

45.15-1. Sanctions

~~129. Baiting~~

~~129.~~

~~1<sup>st</sup> Violation - \$75.00~~

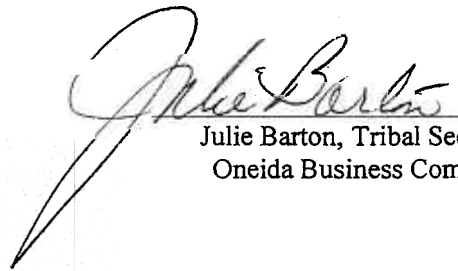
~~2<sup>nd</sup> Violation - \$150.00~~

**NOW THEREFORE BE IT FURTHER RESOLVED,** that these 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 subsequent to the completion of the initial six (6) months.

**NOW THEREFORE BE IT FINALLY RESOLVED,** that the Environmental Resource Board shall print, or cause to be printed, notices to affected parties of the amendments to the law, and shall print, or cause to be printed, addendums to existing publications if necessary.

**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 4<sup>th</sup> day of September, 2002; that the foregoing 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.

  
Julie Barton, Tribal Secretary  
Oneida Business Committee

<sup>1</sup>In order to prevent the spread of Chronic Wasting Disease (CWD) among the deer population, it is necessary to prevent the practice of baiting for all species of animals, except for fish. CWD can be spread when deer eat from the same of pile food/bait and it would be difficult to prevent deer from eating bait intended for another species of animal.