

Title 1. Government and Finances – Chapter 111
GENERAL TRIBAL COUNCIL MEETING STIPEND PAYMENT POLICY

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111.1. Purpose and Policy

111.1-1. The purpose of this policy is to govern the payment of stipends for attendance at General Tribal Council meetings.

111.1-2. It is the policy of the Oneida Tribe of Indians of Wisconsin to pay eligible General Tribal Council members a stipend for attending a General Tribal Council meeting at which a quorum is established and maintained and where official Tribal business is conducted.¹

111.2. Adoption, Amendment, Repeal

111.2-1. This policy was adopted by the Oneida Business Committee by Resolution BC-12-10-08-K and amended by BC-02-13-13-E.

111.2-2. This policy may be amended pursuant to Tribal law by the Oneida General Tribal Council.

111.2-3. Should a provision of this policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this policy which are considered to have legal force without the invalid portions.

111.2-4. In the event of a conflict between a provision of this policy and a provision of another law, ordinance, policy, regulation, rule, resolution or motion, the provisions of this policy shall control. Provided that, nothing in this policy is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

111.2-5. This policy is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

111.3. Definitions

111.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “General Tribal Council” means the governing body of the Oneida Tribe of Indians of Wisconsin, which is composed of the qualified voters of the Tribe, as determined by the Constitution of the Oneida Tribe of Indians of Wisconsin.

(b) “Tribe” or “Tribal” means the Oneida Tribe of Indians of Wisconsin.

111.4. Stipends

111.4-1. Any Tribal member who meets the requirements of 111.4-2 shall receive a stipend in an amount determined by General Tribal Council for attending a General Tribal Council meeting, if a quorum is established.

(a) If a quorum has not been established within fifteen (15) minutes after the published starting time, the meeting shall not be held and no stipend shall be paid.

111.4-2. In order to receive a stipend for attending a General Tribal Council meeting, a person shall:

¹August 11, 2007 GTC Directive: “Motion by Madelyn Genskow that a stipend of \$100 be paid to any General Tribal Council member who attends a GTC meeting and is eligible to vote and stays until the end of the meeting effective in calendar year 2008 and for all time, seconded by Nancy Skenandore.”

- (a) be a qualified voter, in accordance with the Oneida Constitution;
- (b) except as provided under (1), register no later than fifteen (15) minutes after the published starting time of the meeting by checking in at a registration table, filling out any required forms, and providing a valid Tribal or state issued picture identification;
 - (1) A person who is physically in line to register for a General Tribal Council meeting within fifteen (15) minutes after the published starting time of the meeting, may receive a stipend for attending a General Tribal Council meeting if he or she registers and meets the other requirements under this section.
- (c) be present for the entire meeting, from the time the meeting is called to order until the meeting is adjourned; and
 - (1) For purposes of this policy, a Tribal member who leaves the meeting area and any related bathroom facilities, as identified by the Tribal Secretary's Office, is not considered present for the entire meeting.
- (d) check out and provide a valid Tribal or state issued picture identification card after the meeting ends.
 - (1) For the purposes of this policy, a meeting ends when the meeting is adjourned, the meeting is recessed to a later date, or a quorum is lost.

111.4-3. *Payment.* The stipend payment shall be made by an acceptable distribution process approved by the Accounting Department. Any fees associated with reissuing a payment shall be deducted from a reissued payment.

- (a) The Accounting Department shall distribute stipend payments no later than fifteen (15) business days after a General Tribal Council meeting is held.
- (b) If a Tribal member does not receive a stipend payment after meeting the requirements of 111.4-2, he or she may contact the Enrollment Department to verify his or her eligibility to receive the stipend payment.

111.5. General Tribal Council Meetings

111.5-1. *Enrollment Department.*

- (a) The Enrollment Department shall be responsible for the following at each General Tribal Council meeting:
 - (1) Conducting check in/out of Tribal members and verifying voter eligibility.
 - (2) Verifying mailing address of each Tribal member.
 - (3) Providing eligible Tribal members with a hand stamp, bracelet or other identifier that can be displayed upon request to prove they are eligible to attend the meeting and/or vote during the meeting.
- (b) Enrollment Department officials shall be responsible for verifying the information provided by Tribal members while checking in and out. A Tribal or state issued picture identification card shall be required to verify the identity of the person registering.
- (c) The Enrollment Department shall send the relevant information regarding Tribal members who are eligible to receive a stipend to the Accounting Department as soon as possible after the meeting.

111.5-2. If the facility where the meeting is held does not seat at least twenty-five hundred (2,500) people, the Oneida Business Committee shall have the Security Department or other applicable individuals limit meeting attendees to those Tribal members who are eligible to vote.

111.6. Appeals

111.6-1. Any Tribal member denied a stipend payment may file an appeal with the Enrollment Department within forty-five (45) days after the meeting for which the meeting stipend was denied.

The review shall be conducted by the Enrollment Director or his/her designee. A determination as to whether the Tribal member was eligible for the stipend shall be made within five (5) business days of receipt of the appeal.

(a) The determination shall be sent by registered mail (return receipt requested) or delivered in person to the Tribal member.

(b) In the event a stipend payment is denied, the determination shall include a statement notifying the Tribal member that he or she has fourteen (14) calendar days to file an appeal with the Oneida Trust/Enrollment Committee.

(c) In the event a stipend payment is granted, the determination shall include a statement notifying the Tribal member that the Enrollment Department will forward his or her relevant information to the Accounting Department to process the payment.

111.6-2. Any Tribal member denied a stipend payment after an appeal to the Enrollment Director may appeal the Director's determination to the Oneida Trust/Enrollment Committee. The appeal shall be filed within fourteen (14) calendar days of receipt of the determination. An appeal shall be filed with the Oneida Trust/Enrollment Committee in care of the Enrollment Department. The Enrollment Department shall forward the appeal to the Oneida Trust/Enrollment Committee no later than the next business day.

111.6-3. A quorum of the Oneida Trust/Enrollment Committee shall conduct a hearing of the appeal and issue a determination within forty-five (45) days of the receipt of the Tribal member's request for review.

(a) The Oneida Trust/Enrollment Committee determination shall be sent by registered mail (return receipt requested) or delivered in person to the Tribal member.

111.6-4. *Payments after an Appeal.*

(a) Within five (5) business days after the Enrollment Director or the Oneida Trust/Enrollment Committee determines that a stipend should have been granted, the Enrollment Department shall notify the Accounting Department of the determination, the name of the Tribal member and any additional relevant information needed by the Accounting Department to make the payment.

(b) The Accounting Department shall distribute a stipend payment to the Tribal member within fifteen (15) business days from the notification.

111.6-5. The determination of the Oneida Trust/Enrollment Committee shall be final.

End.

GTC Directive – 8/11/07
Emergency Adoption – BC-12-07-07-A
Emergency Extension – BC-05-28-08-C
Permanent Adoption – BC-12-10-08-K
GTC Directive – GTC-11-21-11-A
Emergency Adoption – BC-05-09-12-A
Emergency Extension – BC-10-14-12-B
Adopted – BC-02-13-13-E