

**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 law is to govern the payment of stipends for attendance at General Tribal Council meetings.

111.1-2. It is the policy of the Oneida Nation 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.<sup>1</sup>

**111.2. Adoption, Amendment, Conflicts**

111.2-1. This law was adopted by the Oneida Business Committee by resolution BC-12-10-08-K, amended by resolution BC-02-13-13-E and emergency amended by resolution BC-04-08-20-A.

111.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

111.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law 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 law and a provision of another law, the provisions of this law shall control.

111.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

**111.3. Definitions**

111.3-1. This section shall govern the definitions of words and phrases as 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 Nation, which is composed of the qualified voters of the Oneida Nation, as determined by the Constitution of the Oneida Nation.

(b) “Nation” means the Oneida Nation.

**111.4. Stipends**

111.4-1. Except as provided in section 111.4-3(c) of this law, any member of the Nation who meets the requirements of section 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:

(a) be a qualified voter, in accordance with the Constitution of the Oneida Nation;

(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

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<sup>1</sup>August 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.”

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 law, a member of the Nation who leaves the meeting area and any related bathroom facilities, as identified by the Office of the Nation's Secretary, 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 purposes of this law, 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 member of the Nation does not receive a stipend payment after meeting the requirements of section 111.4-2, he or she may contact the Enrollment Department to verify his or her eligibility to receive the stipend payment.

(c) *Exception.* The Oneida Business Committee may decide through adoption of a resolution to halt the payment of General Tribal Council meeting stipends to all eligible members for a period of time deemed necessary by the Oneida Business Committee to protect and safeguard the resources and general welfare of the Nation.

## **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 members of the Nation and verifying voter eligibility.

(2) Verifying mailing address of each member of the Nation.

(3) Providing eligible members of the Nation 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 members of the Nation 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 members of the Nation 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 two thousand five hundred (2,500) people, the Oneida Business Committee shall have the Security Department or other applicable individuals limit meeting attendees to those members of the Nation who are eligible to vote.

## **111.6. Appeals**

111.6-1. Any member of the Nation 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 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 member.

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

111.6-2. Any member of the Nation 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 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 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 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 member within fifteen (15) business days from the notification.

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

*End.*

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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  
Emergency Amended – BC-04-08-20-A  
Emergency Extension – BC-09-23-20-B