

Title 1. Government and Finances - Chapter 118
GENERAL TRIBAL COUNCIL MEETINGS
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GTC Meeting Law

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118.1. Purpose and Policy

118.1-1. *Purpose.* The purpose of this law is to identify how the General Tribal Council will carry out its responsibilities. Meetings of the General Tribal Council are for the purpose of conducting the business of the Oneida Nation as delegated to the General Tribal Council under the Constitution and By-Laws of the Oneida Nation.

118.1-2. *Policy.* It is the policy of the Nation to hold consistent, organized General Tribal Council meetings to enable General Tribal Council members to participate and provide input in a respectful and meaningful way.

118.2. Adoption, Amendment, Repeal

118.2-1. This law was adopted by the General Tribal Council by resolution GTC#_____.

118.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

118.2-3. 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.

118.2-4. 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.

118.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

118.3. Definitions

118.3-1. 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) "Business Committee Support Office" means the office that provides administrative support to the Oneida Business Committee.

(b) "Business day" means Monday through Friday from 8:00 a.m. through 4:30 p.m., excluding holidays recognized by the Nation.

(c) "Chairperson" means the individual elected to serve as the Chairperson of the Nation, and the Vice-Chairperson of the Nation while he or she is assuming the Chairperson's duties in the Chairperson's absence.

(d) "Constitution" means the Constitution and By-Laws of the Oneida Nation.

(e) "Entity" means a program, division, department, board, committee, commission or similar business unit of the Nation. It does not include the Oneida Business Committee.

(f) "General Tribal Council member" means an enrolled member of the Oneida Nation who is eighteen (18) years of age or older in attendance at a General Tribal Council

meeting.

(g) “Member of the Nation” means an individual enrolled in the Oneida Nation.

(h) “Nation” means the Oneida Nation.

(i) “Qualified voter” means an enrolled member of the Oneida Nation who is eighteen (18) years of age or older.

(j) “Secretary” means the individual elected to serve as the Oneida Nation Secretary.

(k) “Sergeant-at-arms” means the highest ranking member of the Internal Security Department in attendance at a General Tribal Council meeting or designee.

(l) “Weapon” means any gun, switchblade knife, knives with blades longer than three (3) inches, electric weapons, billy clubs, and any other similar instrument or device.

118.4. General Tribal Council Meeting Schedule

118.4-1. *Regular Meetings.* Annual and semi-annual meetings shall be held in January and July, in accordance with Article III, Section 4 of the Constitution.

118.4-2. *Budget Meetings.* A meeting shall be held at least once a year and as often as required for the primary purpose of adopting the Nation’s budget for the upcoming fiscal year.

118.4-3. *Special Meetings.* Special meetings shall be scheduled, as necessary in order to address General Tribal Council business, in accordance with Article III, Section 6 of the Constitution.

(a) If a special meeting is called by the Chairperson, the Secretary shall place the item on the next available Oneida Business Committee agenda for review. The Oneida Business Committee shall:

(1) approve the meeting date when the item will be considered by the General Tribal Council; and

(2) direct the appropriate parties to prepare any analyses that the Oneida Business Committee deems appropriate; including deadlines for submitting such analyses.

(b) If a special meeting is called through written notice by the minimum number of qualified voters as required by the Constitution, the process for petitions for a special meeting described in section 118.5 shall be followed.

118.4-4. *Scheduling of General Tribal Council Meetings.* The Secretary shall be responsible for scheduling and organizing meetings. The Secretary shall develop a schedule for potential special meeting dates that can be utilized if called by the Chairperson or the minimum number of qualified voters as required by the Constitution.

118.5. Petitions for a Special Meeting

118.5-1. *Petition Form.* The minimum number of qualified voters as required by the Constitution may petition to call a special meeting of the General Tribal Council by written notice by submitting a completed petition form to the Business Committee Support Office.

(a) The Secretary shall create a standard petition form and shall make the form available to any member of the Nation upon request.

(b) The petition form shall contain the following information:

(1) Name, address, date of birth, and enrollment number of the qualified voters;

(2) Telephone number and e-mail address, if available, of the qualified voters;

(3) Signatures of the qualified voters;

(4) A summary of the content of the issue to be considered at the special meeting; and

(5) Additional documents, if applicable.

118.5-2. *Petition Verification* Once a completed petition form is submitted to the Business

Committee Support Office, the Business Committee Support Office shall forward the petition form to the Trust Enrollment Department.

(a) *Valid Signatures.* The Trust Enrollment Department shall ensure that all signatures are valid by verifying that each signature on the petition form is from a qualified voter. The Trust Enrollment Department's decision to validate a signature is final and non-appealable.

(1) The Trust Enrollment Department shall develop standards to determine when and how a signature is verified as valid or invalid.

(b) The Trust Enrollment Department shall provide written notice of the verification results and a copy of the original petition form to the Business Committee Support Office after verifying the signatures. The Trust Enrollment Department shall retain a copy of the petition materials.

(c) Once the Business Committee Support Office receives the verification results from the Trust Enrollment Department, the Business Committee Support Office shall redact all personal information of each person who signed the petition form, leaving only the enrollment number visible. The Business Committee Support Office will forward the redacted petition form to the Secretary, who shall then place the item on the next available Oneida Business Committee agenda for review.

118.5-3. *Oneida Business Committee Review.* The Oneida Business Committee shall review the petition form and the verification results, and then either dismiss or accept the petition to call a special meeting.

(a) *Dismiss the Petition.* The Oneida Business Committee shall dismiss any petition for a special meeting that does not contain the required number of verified signatures from qualified voters. The Oneida Business Committee shall send written notice to the qualified voters within thirty (30) days of a petition dismissal informing the qualified voters that the petition was dismissed due to an insufficient number of verified signatures.

(b) *Accept the Petition.* The Oneida Business Committee shall accept the receipt of any petition for a special meeting that contains at least the minimum number of verified signatures from qualified voters.

118.5-4. *Scheduling a Special Meeting.* After a petition is accepted by the Oneida Business Committee, the Oneida Business Committee shall determine and approve the special meeting date when the petition issue will be considered by the General Tribal Council.

(a) The Business Committee Support Office shall provide the qualified voters the date of the special meeting.

118.5-5. *Special Meeting Packet Materials.* The special meeting packet will include the petition form materials.

118.5-6. *General Tribal Council Review.* At the special meeting the General Tribal Council shall review the petition form materials. The General Tribal Council shall take no action, except to either dismiss or accept the issue contained within the petition form materials.

(a) *Dismiss the Issue.* The General Tribal Council may dismiss any issue contained in the petition form materials if the General Tribal Council does not wish to pursue the issue.

(b) *Accept the Issue.* The General Tribal Council may accept any issue contained in the petition form materials if the General Tribal Council wishes to further pursue the issue and learn more, or take future action on the issue. If the General Tribal Council accepts an issue, the General Tribal Council may:

(1) Direct the Oneida Business Committee to forward the petition materials and

assign any analyses deemed appropriate, including, but not limited to:

(A) Legal, financial, and administrative analyses from the Law, Finance, and Direct Report Offices', and a statement of effect from the Legislative Reference Office.

(i) The Law, Finance, and Legislative Reference Office shall submit their analyses and statement of effect to the Secretary within sixty (60) days with a progress report to be submitted within forty-five (45) days;

(ii) The Direct Report Offices' shall submit all administrative analyses to the Secretary within thirty (30) days.

(2) Direct the Oneida Business Committee to create an ad hoc committee to further address the issue, or delegate the issue to the Oneida Business Committee or other entity of the Nation.

(3) Take any other appropriate action to address the issue.

118.6. Holding a General Tribal Council Meeting

118.6-1. *Notice.* Notice of a meeting shall be provided in accordance with the Oneida General Tribal Council Ten Day Notice Policy.

(a) The Secretary shall ensure that all printed meeting materials include a statement of notice identifying that meeting materials shall not be shared with, or distributed to, any person who is not a member of the Nation, unless the individual who is not a member of the Nation is authorized by the Nation to access the materials.

118.6-2. *Quorum.* The quorum for a meeting shall be established by the Constitution.

118.6-3. *Eligibility to Attend a General Tribal Council Meeting.* The following individuals are eligible to attend a meeting:

(a) Members of the Nation qualified to vote in accordance with the Constitution; and

(b) Other individuals who attend the meeting for official purposes and are approved to attend the meeting by majority vote of the General Tribal Council. The General Tribal Council shall approve each such individual to attend either all or a certain part(s) of the meeting. Such individuals shall not be permitted to vote. Such individuals shall be required to follow all provisions of this law.

118.6-4. *Registration.* All members of the Nation who attend a meeting shall follow the registration requirements as identified in the General Tribal Council Meeting Stipend Payment Policy. Individuals who are not members of the Nation, who are approved to attend the meeting for official purposes, shall register with their name, contact information, and purpose for attending the meeting.

118.6-5. *Canceling a Meeting.*

(a) The Oneida Business Committee may cancel a meeting if:

(1) Neither the Chairperson, nor the Vice-Chairperson of the Nation, can be present due to circumstances beyond their control, or

(2) Holding the meeting would endanger those individuals who attend the meeting, due to circumstances that cannot be controlled, including but not limited to, inclement weather or public health dangers.

(b) Meetings shall not be cancelled less than twenty-four (24) hours in advance of the meeting start time, unless, for good cause.

(c) Notice of a meeting cancellation shall be provided through the Nation's official media outlets, as identified by Oneida Business Committee; as well as any other practicable media outlets.

118.6-6. *Rescheduling a Meeting.*

(a) When a regular or budget meeting is canceled, the Oneida Business Committee shall re-schedule the meeting as soon as practicable.

(b) When a special meeting is canceled, the Oneida Business Committee shall either:

(1) re-schedule the meeting as soon as practicable; or

(2) place the agenda items from the meeting on the agenda for the next available meeting, as determined by the Secretary.

118.6-7. *Record.* The Secretary shall be responsible for maintaining a record for each meeting.

(a) *Audio Recording.* The Secretary shall ensure that each meeting is recorded, and that the audio recordings are available to members of the Nation within five (5) business days after a meeting.

(b) *Action Report.* The Secretary shall ensure that an action report for the meeting is created. The action report is an unofficial document that shall contain a summary of action taken by the General Tribal Council and shall be available within five (5) business days after a meeting.

(c) *Transcript.* The Secretary shall ensure a transcript of the meeting is created and available within sixty (60) days after a meeting. The transcript shall be transcribed verbatim.

(d) *Minutes.* The Secretary shall ensure draft minutes of the meeting are created and available within sixty (60) days after a meeting. The draft minutes shall contain:

(1) The start and end times of the meeting;

(2) A quorum count from the meeting;

(3) Action taken by the General Tribal Council; and

(4) Signature of the person submitting the minutes for approval.

118.7. Agenda

118.7-1. The agenda for the meetings shall contain the following sections. The general characteristics of each section are defined below.

(a) *Call to Order.* The Chairperson shall call meetings to order at the noticed meeting time or upon confirmation of a quorum, whichever occurs later. If a quorum has not been established within fifteen (15) minutes after the noticed meeting time, the meeting shall not be held.

(1) *Announcements.* The Chairperson may allow time, prior to the opening, for announcements to be made which do not directly relate to the agenda, provided the announcements last no more than fifteen (15) minutes.

(b) *Opening.* This portion of the agenda shall be used to present a purposeful opening statement given by an individual designated by the Chairperson, such as a prayer or other pomp and circumstance.

(c) *Adoption of the Agenda.* This portion of the agenda shall be used to adopt the agenda for that meeting. Amendments to the agenda may be made before the agenda is adopted. Any time limitations on participation shall be identified during this portion of the agenda.

(d) *Approval of Minutes.* This portion of the agenda shall be used to approve the minutes of each meeting of the General Tribal Council.

(e) *Unfinished Business.* This portion of the agenda shall be used when agenda items

from prior meetings were not completed.

(f) *Tabled Business*. This portion of the agenda shall be used when an agenda item has been specifically tabled from a prior meeting. The item on the agenda shall be clearly labeled as a tabled action and the date of the meeting at which it was tabled shall be noted.

(g) *New Business*. This portion of the agenda shall be used for any new business brought before the General Tribal Council.

(h) *Reports*. This portion of the agenda shall be used for any reports to the General Tribal Council. All reports shall conform to the format and contain information as required by the Oneida Business Committee. Each entity and Tribally-chartered corporation shall file an Annual and Semi-Annual Report with the Business Committee Support Office to be made available to members of the Nation, either electronically or through inclusion in the meeting materials provided to members of the Nation.

(i) *Other*. This portion of the agenda shall be used for any other business of the General Tribal Council that does not fit into other portions of the agenda.

(j) *Adjourn*. This portion of the agenda shall adjourn the meeting.

(1) Items not completed before the adjournment of an annual or semi-annual meeting shall be deferred to the next annual or semi-annual meeting.

(2) Items not completed by the adjournment of a budget meeting shall be deferred to a new budget meeting.

(3) Items not completed by the adjournment of a special meeting shall be automatically placed on the next special meeting one (1) time. If the item is not completed by the adjournment of the second special meeting it is put to the General Tribal Council on whether or not to defer or table the item to a subsequent special meeting.

118.7-2. The meeting agenda shall follow the prescribed order found in section 118.7-1(a)-(j). The order of agenda sections shall not be modified. The order of items within each agenda section may be modified.

(a) *Exception*. The Secretary may modify the order of the agenda if action for an agenda item is time sensitive or is needed on an emergency basis for the immediate preservation of the public health, safety, or general welfare of the reservation population.

118.7-3. The meeting agenda shall only contain sections that contain business that must be addressed during that meeting. Not all sections of the agenda will be addressed at every meeting.

118.8. Responsibilities of General Tribal Council Members

118.8-1. *Behavior of General Tribal Council Members*. All members of the General Tribal Council shall behave in a manner that exhibits and upholds the Nation's core values of The Good Mind as expressed by Onyote'a:ka, which include:

(a) Kahletsyal&sla. The heart felt encouragement of the best in each of us.

(b) Kanolukhw@sla. Compassion, caring, identity, and joy of being.

(c) Ka>nikuhli=y%. The openness of the good spirit and mind.

(d) Ka>tshatst^sla. The strength of belief and vision as a People.

(e) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.

(f) Twahwahts\$lay<. All of us are family.

(g) Yukwats\$stay<. Our fire, our spirit within each one of us.

118.8-2. *Prohibition of Weapons and Violence*. All members of the General Tribal Council shall adhere to the prohibition of weapons and violence at meetings.

(a) *Weapons*. No member of the General Tribal Council shall carry a weapon, whether in the open or concealed, at a meeting.

(1) *Exception*. An individual actively engaged in the performance of the duties of their employment may carry a required weapon.

(b) *Violence*. No member of the General Tribal Council shall engage in any behavior that intentionally inflicts, attempts to inflict, or threatens to inflict damage to property, or emotional or bodily harm on another person.

118.8-3. *Entering and Exiting a Meeting*. The Chairperson shall develop a safe and orderly plan for entering and exiting a meeting that shall be followed by all members of the General Tribal Council.

118.8-4. *Participation*. All members of the General Tribal Council are encouraged to participate during meetings by speaking and sharing ideas, opinions, questions and concerns.

(a) During the adoption of the meeting agenda, the General Tribal Council may determine if a time limit for participation is necessary and if so, identify the time limit.

(b) Whenever a time limit is established, a General Tribal Council member will have up to the allotted time to ask questions or make a statement concerning the topic at hand. Once that time expires or the General Tribal Council member yields the floor, that General Tribal Council member must wait until all other members have had an opportunity to speak on that topic before making additional comments.

118.8-5. *Facility Regulations*. All members of the General Tribal Council shall abide by all policies and regulations of the facility in which the meeting is held.

118.8-6. *Confidentiality*. Meetings are a forum for the governing body of the Nation to gather and discuss matters related to the Nation, including but not limited to, policy making, internal governance, and business strategy. Information provided and shared at meetings is considered sensitive; and should be treated as confidential. To ensure confidentiality is maintained, the following shall apply:

(a) No person shall make or disseminate any audio or video recording within the designated meeting area.

(1) *Exception*. An individual actively engaged in the performance of the duties and responsibilities of their employment may make and disseminate audio or video recordings.

(b) No person shall disseminate any meeting materials, including but not limited to, meeting packets and meeting minutes, to any individual who is not a member of the Nation, unless the individual who is not a member of the Nation is authorized by the Nation to access the materials.

(c) The Oneida Business Committee may establish a standard operating procedure that authorizes employees of the Nation who are not members of the Nation access to meeting materials as may be necessary for performing the responsibilities and duties of their employment, and/or authorize any non-member of the Nation access to meeting materials.

118.9. Enforcement

118.9-1. *Internal Security*. The Nation's Internal Security Department, under direction of the sergeant-at-arms, shall be responsible for the enforcement of this law. Internal Security shall oversee the security of the meeting, ensure the safety of all present, and enforce the designated meeting area boundaries.

118.9-2. *Removal of an Individual*. A member of the General Tribal Council who fails to meet

the responsibilities and requirements provided in section 118.8 of this law may be subject to removal from the designated meeting area. An Internal Security officer shall address any General Tribal Council member exhibiting behaviors that do not meet the standards provided in this law. If the individual continues to exhibit adverse behavior, the sergeant-at-arms may remove the individual.

(a) The Chairperson may request the sergeant-at-arms to remove an individual from the designated meeting area.

(b) An individual removed from the designated meeting area shall not be allowed to return for the duration of the meeting and shall forfeit any meeting stipend for which he or she would have been eligible, in accordance with the General Tribal Council Meeting Stipend Payment Policy.

118.9-3. *Emergency Removal of an Individual.* If the behavior of an individual has the potential to result in an immediate danger to the health and safety of any General Tribal Council member, the sergeant-at-arms may take immediate action to remove the disorderly or disruptive person.

118.9-4. *Breach of Confidentiality.* A member of the General Tribal Council who breaches the confidentiality requirements provided for in section 118.8-6 may be:

(a) removed from the designated meeting area if making audio or visual recordings or disseminating information or materials during a meeting;

(b) prohibited from attending a meeting if found disseminating information and materials in advance of a scheduled meeting; or

(c) imposed a fine by the Oneida Judiciary for disseminating information or materials after a meeting.

(1) The Oneida Law Office, acting on behalf of the Nation, is delegated the responsibility to bring actions before the Judiciary when there is a violation of this section.

(A) An individual who is aware of a breach of confidentiality may inform the Oneida Law Office.

(2) The Trial Court of the Judiciary shall conduct a hearing, and if the Trial Court determines there has been a violation, shall impose the appropriate penalty.

(3) The Trial Court's decision may be appealed in accordance with the applicable rules of procedure.

118.9-5. *Restricting Entrance of a Disorderly or Disruptive Person.* The sergeant-at-arms may temporarily or permanently restrict an individual from entering the premises of the meeting facility for any of the following:

(a) A person is repeatedly removed from the designated meeting area for disorderly or disruptive behavior; or

(b) The behavior of a person reaches such a severe level that restricting the individual from entering the designated meeting area is necessary for the protection of the health and safety of all other General Tribal Council members.

End.

Adopted – GTC#