



General Tribal Council Meetings Law Legislative Analysis

SECTION 1. BACKGROUND

REQUESTER: LOC	SPONSOR: Daniel Guzman King	DRAFTER: Clorissa Santiago	ANALYST: Maureen Perkins
Intent of the Law	The intent of this law is to create organization and consistency for General Tribal Council (GTC) meetings.		
Purpose	The purpose of this law is to create standardized aspects of GTC meeting processes in order to create efficiency, cost and time savings.		
Affected Entities	The GTC, the Nation's Secretary, Oneida Business Committee (OBC), Business Committee Support Office (BCSO), Trust Enrollment Department, Oneida Judiciary, Oneida Law Office, Internal Security Department		
Affected Legislation	Oneida Nation Constitution, General Tribal Council Meeting Stipend Payment Policy, Oneida General Tribal Council Ten Day Notice Policy, OBC Resolution 10-26-11-C (prohibiting weapons on Tribal public property)		
Enforcement/Due Process	Internal Security Department is responsible for the enforcement of this law <i>[see 118.9-1]</i> . Any individual who fails to meet the responsibilities and requirements identified in section 118.8 may be subject to removal from the meeting area including on an emergency basis <i>[see 118.9-2 and 3]</i> . The Chairperson may request the sergeant-at-arms to remove an individual from the designated meeting area <i>[see 118.9-2(a)]</i> . An individual removed from a GTC meeting 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 qualified, in accordance with the General Tribal Council Meeting Stipend Payment Policy <i>[see 118.9-2(b)]</i> . A member of GTC who breaches confidentiality requirements in section 118.8-6 may be removed from the meeting area, prohibited from attending a meeting, and/or imposed a fine by the Judiciary <i>[see 118.9-4]</i> . Decisions of the Trial Court are appealable <i>[see 118.9-4(c)(3)]</i> .		
Public Meeting	A public meeting has not been held this term. Public meetings were held in previous terms for previous drafts on 12/06/12, 06/26/17 and 06/29/17.		

SECTION 2. LEGISLATIVE DEVELOPMENT

A. This proposal is for a new law to govern the scheduling and conducting of GTC meetings. The law is developed according to Oneida Nation Constitutional requirements and also aligns with related legislation including: Oneida Nation Constitution, General Tribal Council Meeting Stipend Payment Policy, Oneida General Tribal Council Ten Day Notice Policy, OBC Resolution 10-26-11-C (prohibiting weapons on Tribal public property). The law includes a standard agenda format and behavioral expectations for GTC members and others in attendance at GTC meetings; outlines the duties of those preparing and assisting with GTC meetings, and establishes a process for petitions for special meetings. The goal of the GTC Meetings Law is to improve the efficiency of GTC meetings and create time and cost savings.

- 12 **B.** The LOC began working on the GTC Meetings Law in 2011 and has developed several previous
13 drafts through four terms of office. The current draft was developed through outreach with the
14 community to guide legislative development and policy decision making.
15

16 **SECTION 3. CONSULTATION**

- 17 **A.** The Nation's Secretary and staff were consulted regarding the petition process, the scheduling of
18 GTC meetings, and handling of all meeting records. The Internal Security Department was consulted
19 regarding their role in ensuring safety of GTC meetings. The Oneida Law Office has responsibilities
20 to bring actions to the Oneida Judiciary regarding breach of confidentiality in the law and has not yet
21 responded to consultation efforts; however, these duties align with current responsibilities. The
22 Office of Intergovernmental Affairs assisted with the development of a community outreach survey
23 and analysis of data collected. There were ten work meetings and one community meeting held
24 during this term. There was also a survey developed and posted on the internet and also distributed
25 during a GTC meeting to collect community input prior to drafting.

- 26 • The LOC developed an outreach plan for the proposed General Tribal Council Meetings Law.
27 The primary outreach tool included a GTC Meeting Law survey. The survey was designed to
28 collect input from the community that the LOC could then use to make policy decisions to
29 guide the lawmaking.
- 30 • Surveys were collected from September 11, 2017 to October 10, 2017. The survey was sent
31 out electronically via email and Facebook. In addition, paper copies were collected at three
32 community budget meetings and the October 8, 2017 General Tribal Council Meeting. A total
33 of 291 completed surveys were collected. (see attachment 1 for summary of survey)
 - 34 ▪ The majority of people that filled out the survey;
 - 35 1. 73% have attended four or more GTC meetings in the past year
 - 36 2. 52% are very dissatisfied or dissatisfied with GTC meetings
 - 37 3. 85% strongly agree or strongly agree the change at GTC meetings is needed
 - 38 4. 74% strongly agree or agree that a GTC Meetings Law is necessary
 - 39 5. "GTC behavior" is the most commonly identified item that should be in the
40 law.
 - 41 ▪ Common themes addressed in this law from the surveys include:
 - 42 1. concern for the level of respect shown to others,
 - 43 2. concern for safety, and
 - 44 3. frustration with the meeting's exiting procedures.
- 45 • A community meeting including a pot luck meal was held on the evening of October 23, 2017
46 to collect comments and ideas from the community regarding GTC Meetings and this law.
47 Sixteen community members and four LOC members attended this community meeting.
48 Feedback from this meeting was analyzed and used to guide the development of the current
49 draft.

- 50 **B.** Current laws of the Nation that were reviewed in this analysis include the GTC Meeting Stipend
51 Payment Policy and the GTC Ten Day Notice Policy. There are no conflicts with this current draft
52 and either of these laws. Previous GTC motions were also analyzed before the current draft of the
53 law developed. The Ho Chunk Nation and the Forest County Potawatomi petition processes were
54 reviewed and compared with the Nation's petition requirements. Results of the comparison revealed
55 that Ho Chunk Nation requires a higher number of signatures from qualified voters to call a special
56 meeting while Forest County Potawatomi requires fewer. The quorum for General Tribal Council

meetings for Ho Chunk Nation (1,184) is higher than both Oneida Nation (75) and Forest County Potawatomi (roughly 100 although exact number could not be identified) (see Chart 1 for comparison).

Chart 1. Comparison of Petition Process, Quorum and Stipend

Nation	Oneida Nation	Forest County Potawatomi	Ho Chunk Nation
Total Membership	17,268 Total Members	1,400 Total Members	7,762 total members
Voting Membership	14,161 voting age members age 18 and up	Roughly 926 voting age members age 21 and up.	5,920 voting age members age 18 and up
Number of Signatures for a Special Meeting	50 Qualified Voters (0.35%)	10 qualified voters (1.07%)	1,184 Eligible Voters (20%)
Section of Establishing Document Regarding Special Meeting Petition.	<u>Constitution: Section 6.</u> The chairman or fifty (50) qualified voters may, by written notice, call special meetings of the General Tribal Council.	<u>Constitution: Article III Sec. 3.</u> The Chairman may call a special meeting of the General Council, and shall call and hold a special meeting within fifteen (15) days from receipt of a written request signed by at least ten (10) qualified voters.	<u>Constitution: Section 6. Special Meetings.</u> Special Meetings of the General Council shall be called by the President upon petition by twenty (20) % of the eligible voters, or upon written request of a majority of the Legislature, or when deemed necessary by the President. Notice shall be provided by the President for all Special Meetings of the General Council.
Number of Members for a Meeting Quorum	75 Qualified Voters	Roughly 100 qualified voters Fifteen (15) % of qualified voters.	1,184 Eligible Voters Twenty (20) % of qualified voters.
Section of Establishing Document Regarding Meeting Quorum	<u>Constitution: Section 6.</u> Seventy-five (75) qualified voters shall constitute a quorum at any regular or special meeting of the General Tribal Council.	<u>Constitution Article III Sec. 5.</u> At its annual meeting, the General council shall determine the number of qualified voters constituting fifteen (15) % of the qualified voters of the Community. The number of qualified voters so determined shall constitute a quorum for the next annual meeting and all intervening regular and special meetings.	<u>Constitution: Section 7. Procedures.</u> Twenty (20) % of the eligible voters of the Nation present in General Council shall constitute a quorum.
Stipend	\$100	\$100	\$100

SECTION 4. PROCESS

A. Additional outreach with the community was conducted before this law was drafted to gain the Community's perspective on the content of the law. The law was drafted based on this outreach. The law will now follow the legislative process by completing legislative and fiscal analyses, a public meeting to gain further feedback from the community, draft any changes to the law as decided by the LOC, and submit finalized draft law, legislative and fiscal analyses to the OBC for approval before forwarding to the GTC for final adoption.

B. The current draft of the law was sent for a legislative analysis on 2/21/18.

SECTION 5. CONTENTS OF THE LEGISLATION

A. *General Tribal Council Meeting Schedule [see 118.4]*. Regular annual and semi-annual meetings will be held in January and July per the Constitution. Budget meetings will be held at least once a year and as often as necessary to adopt the Nation's budget for the upcoming fiscal year. Special meetings will be held as necessary to address GTC business, including petitions, in accordance with the Constitution.

The Secretary is responsible for scheduling and organizing GTC meetings.

- This draft gives the Nation's Secretary discretion over the development of a special meeting schedule. The Nation's Secretary currently develops a schedule of open dates at the meeting facility to schedule verified petitions. This provision in the law gives the Secretary further discretion to create a schedule as the Secretary decides which can mean fewer special meeting dates and a different method for determining when petitions will be presented to the GTC.

B. *Petitions [see 118.5]*. The minimum number of qualified voters according to the Constitution, currently 50, may call a special meeting by submitting completed petition requests to the Business Committee Support Office. Standard petition forms will be created by the Secretary. The requirements for a completed petition are detailed in this section. The Trust Enrollment Department verifies signatures and is required to develop a standard to determine how a signature is verified as valid or invalid. The OBSO will redact all personal information for each person who signed the petition except for the enrollment number. The Secretary will place verified petitions on the OBC agenda. The OBC will either dismiss a verified petition based on lack of verified signatures or accept a petition based on a valid number of verified signatures. Accepted petitions will be scheduled and presented to the GTC to decide if the issue will be analyzed and presented to GTC for consideration or dismissed with no action. The GTC will decide how the issue will move forward for analysis if the decision is made; suggestions are included in the law.

- The current petition process requires that a legislative analysis, fiscal analysis, and legal review be completed before the GTC has an opportunity to consider the petition. Completing the analyses is expensive and takes a lot of time and resources. The recent directive that petitions must be in front of GTC within 120 days puts an additional strain on staff and resources. The proposed petition process allows the GTC to give the OBC some indication as to whether or not they are interested in learning more about a petition, or declining it before the analyses are completed, which could result in a savings in time and resources.
- The average cost of a Special GTC meeting between 2015 and 2017 was \$252,809 in addition to the cost of staff hours in completing the required analyses and reviews prior to the GTC Meeting. Under the proposed petition process; the staff hours invested in petitions will be reduced to only those petitions the GTC is interested in learning more about.

109

Chart 2. An Analysis of Current Petition Process vs. Proposed Petition Process.		
Current Petition Process	Proposed GTC Petition Process Section 118.5	Analysis
Petition form is completed and signed by the minimum number of qualified voters as required by the Constitution (currently 50). Form is turned into the Business Committee Support Office (BCSO).	Petition form is completed and signed by the minimum number of qualified voters as required by the Constitution (currently 50). Form is turned into the Business Committee Support Office (BCSO).	This is the same process currently used.
The BCSO forwards the petition form to the Trust Enrollment Department where signatures are verified. The Trust Enrollment Department's decision is final and not appealable.	The BCSO forwards the petition form to the Trust Enrollment Department where each signature is verified for accuracy. The Trust Enrollment Department is responsible to develop standards to determine when and how signatures are verified as valid or invalid. The Trust Enrollment Department's decision is final and not appealable.	The process included in the draft law is the same as the current process aside from the added requirement that the Trust Enrollment Department develop standards to determine when and how signatures are verified as valid or invalid.
The verified petition form is returned to the BCSO where all personal information is redacted except for the enrollment number. The redacted petition form is submitted to the Secretary to be placed on the next OBC agenda for consideration. The OBC will either accept the petition if it contains the required number of signature of qualified voters or reject the petition if there are not enough qualified signature.	The verified petition form is returned to the BCSO where all personal information is redacted except for the enrollment number. The redacted petition form is submitted to the Secretary to be placed on the next OBC agenda for consideration. The OBC will either accept the petition if it contains the required number of signature of qualified voters or reject the petition if there are not enough qualified signature.	This current process is the same as proposed in the draft law.
The OBC directs the Direct Reports' Offices, the Oneida Law Office, the Legislative Reference Office and the Finance Department to complete appropriate analyses. The current process has been 30 days for direct reports to submit reports to the OBC, 45 days for updates for all analyses and 60 days for analyses to be submitted. A special GTC meeting is scheduled within 120 days by the OBC to review the petition form materials and completed analyses for GTC consideration. All materials must be received by the GTC 10 days prior to the meeting per the GTC 10 Day Notice Policy.	A special meeting will be scheduled with the GTC to review the accepted petition materials. All materials must be received by the GTC 10 days prior to the meeting per the GTC 10 Day Notice Policy. The GTC will decide whether the petition will be dismissed or accepted to learn more or take future action on the issue. GTC may direct the OBC to forward the petition form materials for appropriate analyses, direct the OBC to create an ad hoc committee to further address the issue, or take any other action as deemed appropriate.	The major difference between the current process and the proposed draft law is that petitions will presented to GTC and GTC will decide if the issue dies or moves forward before any analyses are completed. This is intended to save cost and time. GTC will decide if and how an issue moves forward. Several suggestions are included in the law for GTC to move a petition forward for further consideration.

110

111

112 **C. Holding a GTC Meeting [see 118.6].** Regular annual and semi-annual meetings will be held in
113 January and July per the Oneida Nation Constitution. Budget meetings will be held at least once a year

and as often as necessary to adopt a budget for the upcoming fiscal year. Special meetings will be held as necessary to address GTC business including petitions. GTC Members shall register with the Trust Enrollment Department with an Oneida Nation or state issued ID. Non-GTC members who are approved to attend shall register.

- This aligns with the General Tribal Council Meeting Stipend Payment Policy.
- Currently non-GTC attendees who attend GTC meetings are not required to register. This is a new provision that helps the Secretary keep track of attendance of non-GTC attendees.

The Secretary is responsible for maintaining the record for each meeting including the audio recording, the action report, the transcript and the minutes.

- Minutes are not currently kept due to a previous motion from the GTC floor to keep all minutes verbatim. The Secretary will now begin keeping actual minutes in addition to the verbatim transcript.

The Secretary is also responsible for including a notice that all printed materials are not to be shared or distributed to any person who is not a member of the Nation unless authorized by the Nation to access the materials.

- It isn't current practice to include a statement on each GTC packet; however there is a statement on the Member Only section of the Oneida Nation website where packets are available to Oneida Nation enrolled members that states the following:
 - The documents contained in the Members Only section are confidential and only available to tribal members. The materials contained here are not to be shared with non-tribal members.

D. GTC Meeting Agenda [see 118.7]. Detail related to the agenda for GTC meetings include descriptions of agenda items is contained in each section. The order of the proposed agenda is consistent with Robert's Rules of Order (RRO). The agenda items shall appear in the order as described except that items within each section may be moved at the adoption of the agenda. Not all sections of the agenda will be utilized each meeting.

- RRO states if Rules of Order are adopted those rules dictate the order of the agenda items. Adoption of the GTC Meetings Law would dictate the order of the agenda. The law would allow GTC Members to change the order of the agenda within sections but will not allow sections to be moved around. This decision was made to ensure agenda items are considered in a timely and orderly fashion; ensuring that tabled items are considered before new agenda items unless modified by the Secretary. This also removes the potential for political maneuvering. This is a change from current practice which allows GTC Members to manipulate the agenda before it is adopted which has impacted important agenda items from being considered in a timely manner.

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

- RRO encourages this flexibility of the agenda and this provision allows for emergency and time sensitive items to be moved to the top of the agenda.

When the meeting is adjourned, items from annual and semi-annual meetings that have not been completed shall be deferred to the next annual or semi-annual meeting. Items not completed at the adjournment of a budget meeting shall be deferred to a new budget meeting.

- This is consistent with both RRO and current practice.

Items not completed by the adjournment of a special meeting shall be automatically placed on the next special meeting agenda one (1) time. If not completed by the end of the second meeting it is up to the GTC on whether or not to defer or table the item to another special meeting.

- RRO states that an item laid on the table can be taken off the table during the same session or during the next session and if not taken off the table the issue dies. Current practice has been that items not taken off the table or deferred to another meeting die at the end of that meeting.

E. Responsibilities of GTC Members [see 118.8]. GTC Members and meeting attendees are expected to behave in alignment with the Nation's core values of the Good Mind, comply with prohibition of weapons and violence, follow the designated entrance and exit plan, and comply with all facility regulations or the designated sergeant-at-arms may remove them from the meeting. GTC Members and meeting attendees are prohibited from sharing sensitive/classified information and may be prohibited from attending or removed from GTC meetings by the sergeant-at-arms if this provision is violated. Audio and video recordings are prohibited except for those who are recording for their employment. Meetings materials are prohibited from being distributed to anyone who is not a member of the Nation unless they are performing the responsibilities and duties of their employment.

- The law was drafted to include Oneida cultural teachings related to behavioral expectations. GTC members are currently expected to behave in accordance with the traditional Oneida core values expressed by The Good Mind which includes:
 - Kahletsyalúsla. The heart felt encouragement of the best in each of us.
 - Kanolukhwásla. Compassion, caring, identity, and joy of being.
 - Ka'nikuhli-yó. The openness of the good spirit and mind.
 - Ka'tshatstásla. The strength of belief and vision as a People.
 - Kalihwi-yó. The use of the good words about ourselves, our Nation, and our future.
 - TwahwahtsíláyΛ. All of us are family.
 - YukwatsístayΛ. Our fire, our spirit within each one of us.
- Weapons and violence are currently prohibited at all Nation owned buildings.
- The Internal Security Department currently regulates facilities owned by the Nation and this law reinforces their current authority.
- Meeting materials are currently prohibited from being distributed to non-members of the Nation except for work purposes. The OBC may authorize non-members employees to access GTC meeting material for work purposes through an SOP or authorize other non-members to access the materials.

F. Enforcement [see 118.9]. The Internal Security Department is delegated responsibility to enforce this law. A sergeant-at-arms shall be designated by the Internal Security Department. Penalties for violating this law include removal from a meeting and forfeit any meeting stipend, imposed a fine by the Judiciary, and/or restricted entrance to the designated meeting area temporarily or permanently. Violations of this law will be brought by the Oneida Law Office before the Trial Court of the Judiciary and decisions may be appealed according to applicable rules of procedure. The sergeant-at-arms may temporarily or permanently restrict an individual from entering the premises of the meeting facility for repeated violations of this law resulting in removal or if a person threatens the health and safety of other GTC members.

- According to RRO, the chair of the meeting has no authority to order a member removed from a meeting. Instead, the Chair can "call the member to order". The chair should then direct the Secretary to enter the offending behavior or language into the record. The Chair should then direct the offender to be seated. If the member complies the membership can drop the issue if they choose. If the member does not comply, the Chair should ask the meeting membership what

penalty should be imposed. Suggested penalties that could be imposed by the GTC include asking the offending member: to apologize, be censured, leave the meeting place for the remainder of the meeting or until prepared to apologize. Majority vote can require the member leave the meeting place until the vote is complete. Currently, the Chair has been asking the offending GTC Member to move away from the microphone or sit down and if they do not comply the Chair has been shutting the microphone down and ignoring the offending member.

- The Internal Security Department indicated that the RRO method described above is not feasible given the number of GTC Members that attend meetings and the set up of the current GTC Meeting location. Asking the GTC Membership to decide what penalties how a disruptive Member receives would cause the crowd to get agitated and the goal of the Internal Security Department is to keep the crowd as cooperative as possible. Additionally, not all members are aware that there is a disturbance happening at times due to the different rooms and also the size of the rooms. For these reasons it was decided by the LOC that the RRO method would not be used and that the Chairperson of the GTC Meeting would have the authority to direct the sergeant-at-arms to remove a disruptive GTC Member if necessary.
- There isn't currently a law regarding sharing the Nation's confidential GTC materials so although there is notice that the materials are confidential; there isn't currently a law in place to enforce this. This law serves as the mechanism to hold GTC members accountable for violations of this law.

SECTION 6. INTENT

A. The purpose of the 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. *[see 118.1-1]*.

- The law is intended to apply to GTC members. Members of the Oneida Nation are considered GTC members only when a duly called GTC meeting is in session. The law creates expectations for GTC members' behavior and also holds GTC members accountable by detailing how violations of conduct and also confidentiality will be enforced.
- The survey data collected prior to drafting the GTC Meetings Law indicated that 74% of survey participants agree that a GTC Meetings Law is necessary, that 57.3% indicated that GTC behavior and 57.3% indicated that safety concerns were issues that should be addressed in the law. These concerns have been addressed in the law.

SECTION 7. EFFECT ON EXISTING LEGISLATION

A. The law does not conflict with any current laws in place. The laws below were reviewed.

- The General Tribal Council Meeting Stipend Payment Policy dictates the criteria established for GTC Members to receive a stipend.
- The Oneida General Tribal Council Ten Day Notice Policy dictates the deadlines established related to GTC meeting materials.
- The Oneida Nation Constitution dictates requirements related to GTC Meetings, GTC Membership, qualified voting age, responsibilities of the Chairperson and the Secretary of the Nation.

- The OBC Resolution 10-26-11-C prohibits weapons on Tribal public property despite State of Wisconsin law allowing individuals to carry concealed weapons. The resolution prohibits carrying open or concealed handguns other firearm on Tribal on public property, including in any Tribal building, gaming or retail business, facility, construction site, vehicle or any Tribally sponsored event. Exceptions are included for performance of duty during employment. The term used for weapon in this draft law is consistent with Resolution 10-26-11-C.

SECTION 8. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR OBLIGATIONS

- A. The proposed legislation creates a process regarding existing rights, privileges, benefits and obligations related to GTC meetings. The process related to the Constitutional right for qualified voters to petition for a special GTC meeting is contained in the law.
- B. The legislation creates a process for GTC meetings which will supersede processes currently in place, as well as RRO.

SECTION 9. ENFORCEMENT

- A. The law will be enforced by the Internal Security Department, the Oneida Law Office, and the Judiciary.
 - The Internal Security Department is already delegated this authority because they are responsible for the safety of the building. The provisions of this law reinforce the ability for the Internal Security Department to act upon their delegated authority and also detail which instances the Chair of the meeting shall act and when Internal Security shall act upon their own delegated authority.
 - Oneida Law Office is delegated to bring actions before the Oneida Judiciary for violations of a breach of confidentiality related to dissemination of confidential materials. The Oneida Law Office is currently delegated authority to represent the Nation in legal matters. There is currently not a law in place to enforce this authority. This law establishes the delegated authority of the Oneida Law Office to bring violations of this law before the Judiciary.
 - Oneida Judiciary is the appropriate entity to hear cases resulting from this law because this is the entity the GTC created to enforce the laws of the Nation.
- B. The Internal Security Department, the Oneida Law Office and the Judiciary will provide the human resources to enforce this law.
 - The Internal Security Department currently provides security to the GTC meetings and this law will not change the human resources provided by this department.
 - The Oneida Law Office does not anticipate the need for any additional personnel for their role in enforcing this law.
 - The Judiciary is tasked to enforce the Nation's Code of Laws and the Trial Court and the Court of Appeals are currently fully staffed [see Judiciary law].

SECTION 10. ACCOUNTABILITY

- A. The General Tribal Council, the Nation's Secretary, the OBC, the Internal Security Department and the Judiciary have a large role in the implementation and operation of the law.
 - All GTC members are subject to the laws of the Nation.

- The draft law lacks the necessary provision for the Removal Law to create accountability for elected officials to follow this law. The Removal Law states that elected officials may be removed from office for a violating a Tribal law which specifies removal as a penalty. This penalty is not included in this draft of the GTC Meetings Law. There are currently no other laws related to penalties for elected officials (see other considerations section on page 11 of this analysis).

SECTION 11. OTHER CONSIDERATIONS

A. Section 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.

- The LOC may consider adding a provision that individual GTC members will have an opportunity to respond to questions or allegations made from the GTC floor regardless of time constraints or speaking requirements established in the law or at the adoption of the agenda. Often allegations are made against employees or officials of the Nation and these individuals deserve a chance to respond to the allegations regardless of the constraints established with the adoption of the agenda. Additionally, the LOC may want to add a provision that all accusations and allegations of any individual or entity of the organization must have factual back up as proof; and, if not, those comments are ruled out of order and removed from the record. An amendment to the main motion to adopt the agenda made at the March 19, 2017 GTC meeting detailed this requirement of all accusations and allegations made from the floor:
 - That all accusations and allegations of any individual or entity of the organization have factual back-up as proof; and, if not, those comments be ruled out of order.

B. Section 118.5-3(a). *Dismiss the Petition.* 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.

- The law establishes that all of the current number of qualified voters according to the Constitution, currently 50 or more, who sign the petition will receive notice of actions taken with regard to the petition.
- The LOC may consider providing notice in the Kalihwisaks and other official media outlets rather than burdening the BCSO to notify each qualified voter who signed a petition which is equal or greater than 50.
 - Consultation with the BCSO revealed that this process would have to be done by hand which could result in error due to inability to read handwritten addresses and also transcription error.
 - The amount of time required to inform each of the GTC members who signed the petition form would be burdensome to the BCSO.
 - In the case of a removal petition, the number of qualified voters will increase drastically as the law requires either fifty (50) or a number equal to at least thirty (30) percent of the vote cast in the previous general election; whichever is greater. The last general election had a total of 1,612 voters. Thirty (30) percent of 1,612 is equal to 484 qualified voters who must sign a removal petition. It would be a burden to the BCSO to notify each of these Members who sign a removal petition.

C. Section 118.5-4. *Scheduling a Special Meeting.* (a) The Business Committee Support Office shall

provide the qualified voters the date of the special meeting.

- The LOC may consider providing notice in the Kalihwisaks and other official media outlets rather than burdening the BCSO to notify each qualified voter who signed a petition which is equal or greater than 50.
 - Consultation with the BCSO revealed that this process would have to be done by hand which could result in error due to inability to read handwritten addresses and also transcription error.
 - The amount of time required to inform each of the GTC members who signed the petition form is burdensome to the BCSO.

D. Section 118.5-1(b). *Petition Form.* (b) The petition form shall contain the following information:

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

- The LOC may consider removing the address from the required information on the petition form. If the LOC decides to notify those qualified voters that signed the petition form in the Kalihwisaks rather than requiring the BCSO to notify each individual; the address is not a necessary piece of information to include on the form.

E. Section 118.7-1(j)(1) to (3). *Adjourn.* Items not completed by the adjournment of a special meeting shall be automatically placed on the next special meeting one (1) time. If not completed by the end of the second meeting it is up to the GTC on whether or not to defer or table the item to another special meeting [*see 118.7-1(j)(1) to (3)*].

- There is not an enforcement mechanism included with this provision. Will the Chair be responsible to ask if the GTC wants to hear the item again?

F. GTC Motion July 17, 2017. Motion by Linda Dallas to have General Tribal Council petitions submitted to the Tribal Secretary's Office shall be processed and a General Tribal Council meeting be convened within 120 calendar days of receipt by the Tribal Secretary's Office. Seconded by Debbie Powless. Motion carried by show of hands.

- The draft law gives the Secretary discretion for developing a schedule for GTC meetings; including special meetings. The law also schedules initial Special GTC meetings for the GTC to decide how and if submitted petitions will move forward. The law does not address the 120 calendar day GTC motion above, however; it will be the Secretary's discretion to schedule the initial GTC meeting within 120 calendar days from receipt by the Tribal Secretary's Office. It is possible to meet this deadline under the current draft.

G. Removal. The LOC may consider adding a provision that failure to follow this law by elected officials is cause for removal. The Removal Law states that an elected official can be removed for failure to follow tribal law if removal is indicated as a penalty in the law. Removal is currently the only penalty elected officials are subject to and adding this provision to the GTC Meetings Law will create accountability for elected officials to follow this law. There are currently no other laws that cover penalties for elected officials. The LOC may also want to reference "other applicable laws" in addition to the Removal Law to cover future law development related to penalties.