
PROPOSED AMENDMENTS TO THE GOVERNING RESOLUTION OF THE QUAPAW NATION

This document is for individual notes so you can propose any changes to the wording of proposed amendments before the amendment is placed on the ballot.

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1. By Majority vote, shall the Quapaw Indian Council give authority to the Constitution Committee of the Quapaw Nation to make non substantiative edits to all governing documents. Non substantiative edits are to include;

- (i) numbering of paragraphs, consistency of terms, syntax, consolidation of documents, and reconciliation of said documents effective immediately and until such time the Quapaw Indian Council decides to disband the Constitution Committee.

2. By majority vote, shall the Quapaw Indian Council amend Section 1 to add Subsection (c), and (d) to provide:

(c) All proposed Resolutions shall be made public at least ten (10) calendar days prior to a Business Committee vote and posted on the official Quapaw Nation website. All passed Resolutions and minutes shall be posted within ten (10) calendar days of enactment posted on the official Quapaw Nation website. In the event of an emergency, the Chairman of the Business Committee may request a phone poll or email poll of Business Committee Members to take action regarding an issue. The proposed emergency Resolution will be posted immediately on the official Quapaw Nation Website with the reason the action taken was deemed an emergency.

(d) The Business Committee will conduct all Quapaw Nation business using Quapaw Nation issued technology and assets i.e., telephone, email address, computer, network, software, etc.

3. By majority vote, shall the Quapaw Indian Council amend Section 1 of the Governing Resolution to add Subsection (e) to provide:

(e) Any enrolled tribal member over the age of eighteen (18) may submit in writing a Freedom of Information request; however, personal identifying information, medical information, unaudited financial information, or pending litigation may be redacted or denied. The Business Committee shall respond in writing to all Freedom of Information requests within 30 calendar days of receipt of the request. The Business Committee has authority to provide by duly adopted resolution additional exceptions for redacting information not mentioned above; however, the Business Committee must include a written statement with the redacted information to any Freedom of Information request explaining the reason for the redaction or denial. The Business Committee shall create a process for Freedom of Information requests.

47 4. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution
48 Section 4 to add Section 4 (a) and (b) to provide:

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50 (a) All Business Committee Members are to be compensated fairly for their
51 work as an elected official of the Quapaw Nation. All compensation is to be
52 presented by the Business Committee and will be approved annually by the Quapaw
53 Indian Council provided that the voting membership has had proper notice (30
54 days) to review the proposed compensation and the method for its determination. It
55 will be the Business Committee's duty to present any and all proposed changes of
56 compensation to the Quapaw Indian Council for approval and that adjusted
57 compensation shall be effective beginning the next term of office for each position.

58 (b) The Quapaw Indian Council reserves the authority to suggest and vote on
59 additional compensation for immediate implementation by motion from the floor.
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63 5. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution
64 Section 4 to add Section 4 (c) to provide:

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66 (c) Compensation to the Business Committee Member will be paid solely and
67 directly from the Quapaw Nation. Compensation from any other tribal entity is
68 prohibited. If compensation is not approved by the Quapaw Indian Council, the
69 Business Committee Members' compensation shall be computed as follows:

70 (i) The individual median income (also known as per capita income)
71 for Ottawa County Oklahoma as reported in the most recent United
72 States census by the U.S. Census Bureau;

73 (ii) Median income shall be multiplied by six for the Chairman;

74 (iii) Median income multiplied by five for Vice Chairman and Secretary-
75 Treasurer

76 (iv) Median income multiplied by four for other Business Committee
77 Members.
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81 6. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution
82 Section 4 to add Subsection 4 (d) to provide:

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84 (d) Unless changed by vote of the Quapaw Indian Council, the Business
85 Committee shall oversee all Quapaw Nation commissions, agencies,
86 instrumentalities, and entities and each Quapaw Nation entity charter or organic
87 document is hereby amended to include the provision that no Business Committee
88 member may be a member of those entities' governing boards. This section and
89 section 4(b) shall be effective six (6) months from the day of passage of this
90 provision.
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93 7. By majority vote, shall the Quapaw Indian Council amend Section 5 of the Governing
 94 Resolution regarding Resolutions involving approval of membership by the Bureau of Indian
 95 Affairs to strike:

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 97 . . . and, so long as the affairs of the Quapaw Tribe are under the general supervision
 98 of the Federal Government, of the Commissioner of Indian Affairs or his authorized
 99 representative.

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104 8. By majority vote shall the Quapaw Indian Council amend Section 6 (a) of the Governing
 105 Resolution regarding the Grievance Committee by striking the language “consisting of
 106 three persons of Quapaw Indian Blood” and replacing it with:

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 108 “consisting of five (5) enrolled Member of the Quapaw Nation”.

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113 9. By majority vote, shall the Quapaw Indian Council amend Section 6 (a) of the Governing
 114 Resolution to provide:

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116 (a)... Elections for the Members of the Grievance Committee, unless a vacancy is
 117 being filled, shall take place at the Quapaw Indian Council Meeting of the Quapaw
 118 Nation and shall be held by nominations and votes from the floor. Three (3)
 119 Members will be elected in even number years and two (2) Members will be elected
 120 in odd number years.

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125 10. By majority vote, shall the Quapaw Indian Council replace Subsection (b) and add
 126 Subsection (c)-(e) to Section 6.1 to provide:

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128 (b) The Grievance Committee shall investigate all complaints of professional
 129 and personal misconduct regarding Business Committee Members.

130 (c) The Grievance Committee may have access to information from all Quapaw
 131 Nation commissions, agencies, instrumentalities, and entities related to a grievance.

132 (d) Grievance Committee Members may serve two (2) consecutive terms and
 133 must take two (2) years off between serving in the same capacity.

134 (e) Grievance Committee Members shall adhere to the Quapaw Nation Code of
 135 Ethics.

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139 11. By majority vote, shall the Quapaw Indian Council add Subsection (f)-(h) to Section 6.1 to
140 provide:

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142 (f) A vacancy on the Grievance Committee occurring during a current
143 Member's term of office will be filled by the next candidate in line based on the
144 votes cast for Grievance Committee Member from the most recent Grievance
145 Committee election. If no replacement is available, the Grievance Committee will
146 continue to operate independently, and the position will stay vacant until the next
147 Quapaw Indian Council.

148 (i) If more than one vacancy occurs, a special Quapaw Indian Council
149 election shall take place the first Saturday following 60 days from the last
150 vacancy.

151 (g) Grievances must be written and signed by an enrolled member of the
152 Quapaw Nation. Grievances may be sent via email or mailed to Grievance
153 Committee Members. A statement of facts including, dates, times, witnesses,
154 allegations of wrongdoing, and the remedy requested must be included in the
155 grievance.

156 (h) The Grievance Committee may seek the assistance of, or work with the
157 Ethics Commission as it deems necessary.

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160 12. By majority vote, shall the Quapaw Indian Council add Subsection (i)-(l) to Section 6.1 to
161 provide:

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163 (i) The Grievance Committee may obtain legal counsel for assistance and
164 advice payable by the Quapaw Nation. Approval from the Business Committee
165 shall not be required.

166 (j) If the Grievance Committee finds cause for a Special Quapaw Indian
167 Council meeting, the Grievance Committee shall request the Chairman to call a
168 Special Quapaw Indian Council meeting. Should the Chairman fail to call the
169 Special Quapaw Indian Council meeting, then the Business Committee may call
170 the Special Quapaw Indian Council meeting. Should the Business Committee fail
171 to call the Special Quapaw Indian Council meeting, the Grievance Committee shall
172 have the authority, after acquiring legal counsels supporting opinion, to call a
173 Special Quapaw Indian Council meeting for the purpose of hearing and acting upon
174 grievances or complaints so long as 30 days' notice is given to the members of the
175 Quapaw Nation directly by certified mail, and appropriate publicity by social
176 media, print, and broadcast media to the major neighboring communities.

177 (k) The Quapaw Indian Council will give the accused notice of the allegation
178 and an opportunity to explain conduct related to the grievance and present witnesses
179 in his or her defense. The accused may retain a lawyer at his or her own expense.
180 The Quapaw Indian Council shall have the power to remove the Member(s) from
181 office or clear them of the grievance. The Quapaw Indian Council's decision is final
182 and not appealable to any court or tribunal.

183 (l) The Grievance Committee may submit a grievance complaint and any
184 relevant information it obtains to the tribal prosecutor for prosecution.

185 13. By majority vote, shall the Quapaw Indian Council add Subsection (m)-(o) to Section 6.1
186 to provide:

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188 (m) The Grievance Committee is empowered to request and receive any
189 documents or information from every tribal entity related to any complaint so long
190 as it is directly related to said complaint. If, in the course of an investigation, the
191 Grievance Committee finds additional unrelated evidence of misconduct, then the
192 Grievance Committee shall investigate said misconduct.

193 (n) Obstruction of the Grievance Committee's investigation is punishable by
194 tribal law and/or the Quapaw Nation's Code of Ethics, which may include removal
195 from office by Quapaw Indian Council.

196 (o) The Grievance Committee shall create policies and procedures for the
197 Grievance Committee to be submitted to the Quapaw Indian Council. The
198 Grievance Committee shall have the authority to request amendments or changes
199 to its policies and procedures subject to approval by the Quapaw Indian Council.

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203 14. By majority vote shall the Quapaw Indian Council rename Section 6 to Section 6.1 and
204 establish Section 6.2 to provide:

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206 (a) An Ethics Commission shall be established and be comprised of five (5)
207 Quapaw Nation Members who shall be elected by nomination from the floor at the
208 next Quapaw Indian Council and shall not include any Member of the Business or
209 Grievance Committees. Three (3) Members will be elected to serve a two-year
210 term and two (2) Members will be elected to serve a three-year term. The two (2)
211 Members receiving the most votes in the initial vote will be the two serving the
212 three-year term.

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216 15. By majority vote, shall the Quapaw Indian Council adopt a Code of Ethics to be
217 administered by the Ethics Commission and amend the Governing Resolution to add Subsection
218 6.2 (b), (c), and (d) to provide:

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220 (b) The Ethics Commission shall prepare a Code of Ethics to be approved by
221 the Quapaw Indian Council at the next Quapaw Indian Council meeting after
222 enactment of this provision so Quapaw Nation members can have confidence in
223 their elected and appointed officials.

224 (c) The Code of Ethics must contain provisions for Conflicts of Interest,
225 Procurement, Illicit and Prohibited Conduct, Abuse of Power, Retaliation, Gifts
226 Received, Undue Influence, Violations of the Ethics Code, and Penalties, Ethics
227 Commission Procedures for Complaints, Resolve, Exceptions, and Confidential
228 Information.

229 (d) The Ethics Commission will have the authority to amend or change the
230 Code of Ethics subject to approval by the Quapaw Indian Council.

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232 16. By majority vote, shall the Quapaw Indian Council amend Section 9 of the Governing
233 Resolution regarding account of receipts and disbursement to strike the language:

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235 “and shall forward copies of the minutes of meetings to the Area Director and to
236 the Commissioner of Indian Affairs.”

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240 17. By majority vote, shall the Quapaw Indian Council amend Section 9 of the Governing
241 Resolution to replace the language “The accounts and records of Quapaw Tribal Business
242 Committee and the general council [sic] shall be open at all times for inspection and audit by the
243 Commissioner of Indian Affairs or his authorized representative.” and provide:

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245 The accounts and records of the Quapaw Nation Business Committee and any
246 account the Secretary-Treasurer is a signatory or agent of, shall be open at all times
247 for inspection by the Grievance Committee and, when necessary, a third-party
248 agency selected by the Grievance Committee. Expenses incurred for said
249 inspection are to be paid for from the Quapaw Nation General Fund.

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252 -END OF NUMBERED AMMENDMENTS. PAGES FOR NOTES TO FOLLOW

<p>1. By Majority vote, shall the Quapaw Indian Council give authority to the Constitution Committee of the Quapaw Nation to make non substantiative edits to all governing documents. Non substantiative edits are to include;</p> <p>(ii) numbering of paragraphs, consistency of terms, syntax, consolidation of documents, and reconciliation of said documents effective immediately and until such time the Quapaw Indian Council decides to disband the Constitution Committee.</p>	
<p>2. By majority vote, shall the Quapaw Indian Council amend Section 1 to add Subsection (c), and (d) to provide:</p> <p>(c) All proposed Resolutions shall be made public at least ten (10) calendar days prior to a Business Committee vote and posted on the official Quapaw Nation website. All passed Resolutions and minutes shall be posted within ten (10) calendar days of enactment posted on the official Quapaw Nation website. In the event of an emergency, the Chairman of the Business Committee may request a phone poll or email poll of Business Committee Members to take action regarding an issue. The proposed emergency Resolution will be posted immediately on the official Quapaw Nation Website with the reason the action taken was deemed an emergency.</p> <p>(d) The Business Committee will conduct all Quapaw Nation business using Quapaw Nation issued technology and assets i.e., telephone, email address, computer, network, software, etc.</p>	

3. By majority vote, shall the Quapaw Indian Council amend Section 1 of the Governing Resolution to add Subsection (e) to provide:

(e) Any enrolled tribal member over the age of eighteen (18) may submit in writing a Freedom of Information request; however, personal identifying information, medical information, unaudited financial information, or pending litigation may be redacted or denied. The Business Committee shall respond in writing to all Freedom of Information requests within 30 calendar days of receipt of the request. The Business Committee has authority to provide by duly adopted resolution additional exceptions for redacting information not mentioned above; however, the Business Committee must include a written statement with the redacted information to any Freedom of Information request explaining the reason for the redaction or denial. The Business Committee shall create a process for Freedom of Information requests.

4. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution Section 4 to add Section 4 (a) and (b) to provide:

(e) All Business Committee Members are to be compensated fairly for their work as an elected official of the Quapaw Nation. All compensation is to be presented by the Business Committee and will be approved annually by the Quapaw Indian Council provided that the voting membership has had proper notice (30 days) to review the proposed compensation and the method for its determination. It will be the Business Committee's duty to present any and all proposed changes of compensation to the Quapaw Indian Council for approval and that adjusted compensation shall be effective beginning the next term of office for each position.

(f) The Quapaw Indian Council reserves the authority to suggest and vote on additional compensation for immediate implementation by motion from the floor.

5. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution Section 4 to add Section 4 (c) to provide:

(c)

Compensation to the Business Committee Member will be paid solely and directly from the Quapaw Nation. Compensation from any other tribal entity is prohibited. If compensation is not approved by the Quapaw Indian Council, the Business Committee Members' compensation shall be computed as follows:

- (v) The individual median income (also known as per capita income) for Ottawa County Oklahoma as reported in the most recent United States census by the U.S. Census Bureau;
- (vi) Median income shall be multiplied by six for the Chairman;
- (vii) Median income multiplied by five for Vice Chairman and Secretary-Treasurer
- (viii) Median income multiplied by four for other Business Committee Members.

<p>6. By majority vote, shall the Quapaw Indian Council amend the Governing Resolution Section 4 to add Subsection 4 (d) to provide:</p> <p>(g) Unless changed by vote of the Quapaw Indian Council, the Business Committee shall oversee all Quapaw Nation commissions, agencies, instrumentalities, and entities and each Quapaw Nation entity charter or organic document is hereby amended to include the provision that no Business Committee member may be a member of those entities' governing boards. This section and section 4(b) shall be effective six (6) months from the day of passage of this provision.</p>	
<p>7. By majority vote, shall the Quapaw Indian Council amend Section 5 of the Governing Resolution regarding Resolutions involving approval of membership by the Bureau of Indian Affairs to strike:</p> <p>. . . and, so long as the affairs of the Quapaw Tribe are under the general supervision of the Federal Government, of the Commissioner of Indian Affairs or his authorized representative.</p>	
<p>8. By majority vote shall the Quapaw Indian Council amend Section 6 (a) of the Governing Resolution regarding the Grievance Committee by striking the language "consisting of three persons of Quapaw Indian Blood" and replacing it with:</p> <p>"consisting of five (5) enrolled Members of the Quapaw Nation".</p>	

<p>9. By majority vote, shall the Quapaw Indian Council amend Section 6 (a) of the Governing Resolution to provide:</p> <p>(a)... Elections for the Members of the Grievance Committee, unless a vacancy is being filled, shall take place at the Quapaw Indian Council Meeting of the Quapaw Nation and shall be held by nominations and votes from the floor. Three (3) Members will be elected in even number years and two (2) Members will be elected in odd number years.</p>	
<p>10. By majority vote, shall the Quapaw Indian Council replace Subsection (b) and add Subsection (c)-(e) to Section 6.1 to provide:</p> <p>(b) The Grievance Committee shall investigate all complaints of professional and personal misconduct regarding Business Committee Members.</p> <p>(c) The Grievance Committee may have access to information from all Quapaw Nation commissions, agencies, instrumentalities, and entities related to a grievance.</p> <p>(d) Grievance Committee Members may serve two (2) consecutive terms and must take two (2) years off between serving in the same capacity.</p> <p>(e) Grievance Committee Members shall adhere to the Quapaw Nation Code of Ethics.</p>	

11. By majority vote, shall the Quapaw Indian Council add Subsection (f)-(h) to Section 6.1 to provide:

(f) A vacancy on the Grievance Committee occurring during a current Member's term of office will be filled by the next candidate in line based on the votes cast for Grievance Committee Member from the most recent Grievance Committee election. If no replacement is available, the Grievance Committee will continue to operate independently, and the position will stay vacant until the next Quapaw Indian Council.

(i) If more than one vacancy occurs, a special Quapaw Indian Council election shall take place the first Saturday following 60 days from the last vacancy.

(g) Grievances must be written and signed by an enrolled member of the Quapaw Nation. Grievances may be sent via email or mailed to Grievance Committee Members. A statement of facts including, dates, times, witnesses, allegations of wrongdoing, and the remedy requested must be included in the grievance.

(h) The Grievance Committee may seek the assistance of, or work with the Ethics Commission as it deems necessary.

12. By majority vote, shall the Quapaw Indian Council add Subsection (i)-(l) to Section 6.1 to provide:

(i) The Grievance Committee may obtain legal counsel for assistance and advice payable by the Quapaw Nation. Approval from the Business Committee shall not be required.

(j) If the Grievance Committee finds cause for a Special Quapaw Indian Council meeting, the Grievance Committee shall request the Chairman to call a Special Quapaw Indian Council meeting. Should the Chairman fail to call the Special Quapaw Indian Council meeting, then the Business Committee may call the Special Quapaw Indian Council meeting. Should the Business Committee fail to call the Special Quapaw Indian Council meeting, the Grievance Committee shall have the authority, after acquiring legal counsels supporting opinion, to call a Special Quapaw Indian Council meeting for the purpose of hearing and acting upon grievances or complaints so long as 30 days' notice is given to the members of the Quapaw Nation directly by certified mail, and appropriate publicity by social media, print, and broadcast media to the major neighboring communities.

(k) The Quapaw Indian Council will give the accused notice of the allegation and an opportunity to explain conduct related to the grievance and present witnesses in his or her defense. The accused may retain a lawyer at his or her own expense. The Quapaw Indian Council shall have the power to remove the Member(s) from office

<p>12. Continued-</p> <p>or clear them of the grievance. The Quapaw Indian Council's decision is final and not appealable to any court or tribunal.</p> <p>(l) The Grievance Committee may submit a grievance complaint and any relevant information it obtains to the tribal prosecutor for prosecution.</p>	
<p>13. By majority vote, shall the Quapaw Indian Council add Subsection (m)-(o) to Section 6.1 to provide:</p> <p>(m) The Grievance Committee is empowered to request and receive any documents or information from every tribal entity related to any complaint so long as it is directly related to said complaint. If, in the course of an investigation, the Grievance Committee finds additional unrelated evidence of misconduct, then the Grievance Committee shall investigate said misconduct.</p> <p>(n) Obstruction of the Grievance Committee's investigation is punishable by tribal law and/or the Quapaw Nation's Code of Ethics, which may include removal from office by Quapaw Indian Council.</p> <p>(o) The Grievance Committee shall create policies and procedures for the Grievance Committee to be submitted to the Quapaw Indian Council. The Grievance Committee shall have the authority to request amendments or changes to its policies and procedures subject to approval by the Quapaw Indian Council.</p>	

14. By majority vote shall the Quapaw Indian Council rename Section 6 to Section 6.1 and establish Section 6.2 to provide:

(a) An Ethics Commission shall be established and be comprised of five (5) Quapaw Nation Members who shall be elected by nomination from the floor at the next Quapaw Indian Council and shall not include any Member of the Business or Grievance Committees. Three (3) Members will be elected to serve a two-year term and two (2) Members will be elected to serve a three-year term. The two (2) Members receiving the most votes in the initial vote will be the two serving the three-year term.

<p>15. By majority vote, shall the Quapaw Indian Council adopt a Code of Ethics to be administered by the Ethics Commission and amend the Governing Resolution to add Subsection 6.2 (b), (c), and (d) to provide:</p> <p>(e) The Ethics Commission shall prepare a Code of Ethics to be approved by the Quapaw Indian Council at the next Quapaw Indian Council meeting after enactment of this provision so Quapaw Nation members can have confidence in their elected and appointed officials.</p> <p>(f) The Code of Ethics must contain provisions for Conflicts of Interest, Procurement, Illicit and Prohibited Conduct, Abuse of Power, Retaliation, Gifts Received, Undue Influence, Violations of the Ethics Code, and Penalties, Ethics Commission Procedures for Complaints, Resolve, Exceptions, and Confidential Information.</p> <p>(g) The Ethics Commission will have the authority to amend or change the Code of Ethics subject to approval by the Quapaw Indian Council.</p>	
<p>16. By majority vote, shall the Quapaw Indian Council amend Section 9 of the Governing Resolution regarding account of receipts and disbursement to strike the language:</p> <p>“and shall forward copies of the minutes of meetings to the Area Director and to the Commissioner of Indian Affairs.”</p>	

17. By majority vote, shall the Quapaw Indian Council amend Section 9 of the Governing Resolution to replace the language “The accounts and records of Quapaw Tribal Business Committee and the general council [sic] shall be open at all times for inspection and audit by the Commissioner of Indian Affairs or his authorized representative.” and provide:

The accounts and records of the Quapaw Nation Business Committee and any account the Secretary-Treasurer is a signatory or agent of, shall be open at all times for inspection by the Grievance Committee and, when necessary, a third-party agency selected by the Grievance Committee. Expenses incurred for said inspection are to be paid for from the Quapaw Nation General Fund.

-END OF DOCUMENT