



SENECA-CAYUGA NATION

CONSTITUTION COMMITTEE MEETING

DATE	Monday, April 29, 2026	TIME PLACE	10am CT Zoom	FACILITATOR	Roberta Smith
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MEMBERS			
Roberta Smith	Present	Yvonne Perryman	Present
Carrie Kneeland	Present	Jo Lynn Gentry	Present
Natalie Dixon	Present	Others Present:	Curt Lawrence – Present 3 General Council Members

TIME	ITEM	OWNER
10:10am	Called to Order - Quorum established at the Seneca-Cayuga Nation's regular Constitution Committee (CC) meeting.	Roberta
	Approval of Previous Minutes – No minutes approved at this meeting. <u>CERTIFICATION</u> On _05/11/2026_ the minutes of __04/13/2026 & 04/27/2026__ were approved by unanimous committee consent. Copy emailed to BC Secretary on _05/31/2026_. /s/Natalie Dixon Attest: _____ Natalie Dixon, Secretary	Natalie
	Housekeeping	Natalie

TIME	ITEM	OWNER
	i. Roll Call ii. Approval of Previous Meetings Minutes	
--	Planned Agenda • Housekeeping • Finalize Amendments • Open Forum • Next Constitution meeting 05/11/2026 @ 6pm	
Minutes Begin		
	Constitution Committee continues finalizing the drafted amendments. Due to this meeting's long run time, the amendments as they were fully approved are provided in the link below. Each new section of these minutes will summarize discussion surrounding proposed changes, the underlying concepts of government, and relevant historical issues discussed, listed under the amendments altered by them. https://sctribe.com/sites/default/files/2026-04/Final%20Draft%20Proposed%202026%20Constitutional%20Amendments.pdf	
	Constitution Committee member made several edits since 04/27/2026 meeting, changes reviewed and approved as a group • Changed several instances of membership to citizenship to be more consistent, Committee members present agree • Changed line of succession in proposed Constitution Article V to not include Chief, not necessary to name since they cannot succeed themselves ○ Discussion included question of "Who fills the 2nd Chief position?" ○ Vacancies are covered but not completely in the Election Ordinance, which is why it took almost 6 months to fill the recent vacant Secretary-Treasurer position ○ Additional paragraph clarifying the delegation of duties in a vacant office with a timeline for calling a Special Election in case of vacancy is	

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	added to proposed Constitution Article V • Question asked “Does the Grievance process as it stands fulfill due process?” ○ Last Secretary-Treasurer vacancy was created following the resignation, a Grievance was filed and a proper showing of misconduct was found. Pending on a hearing before the General Council, the Business Committee sanctioned the Secretary-Treasurer and passed a Resolution for them to step back from financial duties and account access, the Secretary-Treasurer resigned before the General Council meeting for removal was held and the Grievance process was terminated ○ Addition to proposed Constitution Article VII Section 1 section on Grievance Committee, requiring sanctions made by the General Council to have due process prior to enactment	
	Discussion surrounding the Tax Commission addition in proposed Constitution Article VII Section 1 • “What are the checks and balances in place for Tax Commission?” ○ Currently appointed by the Business Committee, a check and balance would be having a few elected positions in addition to the 2nd Chief and Treasurer’s duties as Chairperson and Secretary of the Tax Commission, respectively ○ Government website does not include any member of the Tax Commission, is also missing a member of the Election Committee and a member of the Grievance Committee ○ Duty of Tax Commission can include being on notice for any Tax Commission monies spent, auditing tribal enterprises with due process controls ○ Current issues with Tax Commission money spending is that it is used for a variety of allocations but is not tracked or made public, this could benefit from a check and balance	

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	where the Tax Commission is notified of all distributions and their allocations	
	Review of Proposed By-Laws Article I – Duties in Office Section 3 Business Committee Duties - All BC members • Review of duties place the BC collectively in charge of funding priorities • Inclusion of requirement for Business Committee members to refer for prosecution or civil sanction all verifiable instances of misuse or unauthorized distribution of tribal funds or assets including charge accounts	
~11am	Curt enters the meeting	
	Review of Tax Commission in proposed Constitution Article VII Other Bodies of Government Section 1 Additional Bodies of Government • Future goals for Tax Commission monies would be to one day run our government entirely off of it – not possible right now • Tax Ordinance passed by the General Council in 1985 • State is entitled to sales tax on cigarettes since we don't have a compact, only tax on tobacco is manufacturing tax • Tax Commission structure fits best with Standing Committees, would act as a check and balance on the spending of unrestricted monies from it • No current jurisdiction article in Constitution, this may help serve to define jurisdiction of the Nation if the authority of the Tax Commission defines its jurisdiction • Financial standing of all bank accounts has not been recently provided at Annual Meetings of the General Council; Tax Commission does regularly support Tribal Operations account; it is unclear what the Nation's approximate yearly budget is, as well as the approximate yearly and/or monthly income for the Tax Commission • A review of the Tax Ordinance shows that a budget is required for Tax Commission account distributions, nepotism clause that goes to the third degree,	

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	inspection powers of documents/financials and facilities • Audit power included in Tax Commission powers as a check and balance over all tribal enterprises that pay tax to the Tax Commission • Currently unknown if the vacant position on the Tax Commission has been filled; is currently filled by Business Committee appointees, suggested check and balance is having the 2 officers be the Chairperson and Clerk of the Tax Commission, plus 1 Business Committee appointee and 2 General Council elected members	
	Review of proposed Article VII – Other Bodies of Government Section 2 – Legislative Hierarchy • When introducing new Resolutions that may conflict with previous ones, the Constitution Committee agrees that the originating authority should be the ones to identify and repeal conflicting Resolutions • Footer added to document to acknowledge that a Secretary-Treasurer split is an issue to be decided upon by the General Council and any instance in these documents should be combined if the position is not split • Requirement for “review and duplication” and “in a timely manner” included in #2 General Council Ordinances (a) Accessible Ordinance section due to present day lack of access to Ordinances and lack of ability to duplicate documents when reviewing under Secretary-Treasurer’s presence • Debate over #3 General Council Resolutions (b) Funding requirements ○ Current wording of this section requires a General Council member responsible for identifying the funding for their Resolution ○ Historical issues with Secretary-Treasurer position mean that General Council members do not always have access to the basic financial info that will determine which funding sources to pull from • Alteration proposed and	

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	accepted that establishes the responsibility to identify funding with the Business Committee, and the failure to find funding voids the original GC resolution but this must be reported to the General Council at the following Annual Meeting ○ This allows for a good faith effort for the Business Committee to appropriate funds in the upcoming budget for General Council initiatives and directives ○ Current system includes no mechanisms for accountability of the Business Committee to fully implement or carry out General Council Resolutions • Debate in #3 General Council Resolutions (c) Powers of the General Council list items ○ List Item iii - “distribution of tribal enterprise profits” – How can this be done if it’s not clear what the profits will be? ▪ Current General Council Resolution 188-090608 distributes monthly profits from all tribal enterprises by percentages to the Education, Social Services, Tribal Operations, and General Council Welfare accounts ▪ This was originally only supposed to be in place until a revenue allocation plan was in place for per capita payments; the revenue allocation plan was unable to be put in place ▪ General Council accounts explicitly added to amendment draft ▪ https://drive.google.com/open?id=1fkHtUJBc18z8Cek7nMPrSAraTJqWF-ho&usp=drive_fs ○ List item v – review of General Council powers to dictate Committee operations ▪ Clarification added that this is for Standing Committees and General	

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	Council subcommittees ▪ Business Committee subcommittees are overseen by the Business Committee ○ List item viii – the determination and regulation of pay ▪ Current powers rest with the General Council who determines the pay of the Business Committee, and then the Business Committee determines the pay of all other Committees in practice ▪ Clarification added that it covers Standing Committees, Commissions, and the Business Committee ○ List item ix – “mortgaged” added to General Council’s power to approve sales of owned land sales ○ List item x – reference to Constitution Article III added to make clear that due process is required for the termination of membership ○ List item xi – clarification added that other powers reserved should be exercised by General Council Resolution • Debate over #3 General Council Resolutions (d) Interpretation ○ Previously the Ethics Committee did consult for directions with the first and second of the motion that created their committee ○ Typical treaty interpretation provision suggested, section changed to read “the questioning body shall interpret the Resolution to uphold the sovereignty and best interests of the Nation and its membership.” • Discussion over the inclusion of a section for General Council petitions ○ Currently there is no process outlined for petitions other than having a required number of tribal member signatures on a “written request” ○ A recent petition has faced unwritten and unenforceable rules about signature legibility ○ A General Council petition is a good mechanism	

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	to be heard by the Business Committee, currently requests are made but not necessarily recorded or acted upon ○ Process added into By-Laws Article I Duties in Office Section 3 Business Committee Duties – Chief for the calling of a Special Meeting requested via General Council petition	
1:08pm	Committee agrees to few minute break	
1:14pm	Committee comes back to meeting	
	Social media request for minutes reviewed, addressed by Committee member on same platform	
	Discussion on June 02, 2026 public information meeting reviewing amendments • Written confirmation received for HR building meeting room • Link for virtual participation to be provided	
	Continued review of proposed Constitution Article VII – Other Bodies of Government Section 2 – Legislative Hierarchy • Debate over #4 Business Committee Resolutions wording surrounding employment decisions as recorded in Resolutions in Powers of the Business Committee ○ Oversight of tribal administration wording placed in Business Committee duties ○ Business Committee Resolutions typically already used when hiring and firing general managers and administrative directors ○ “Primary management officials” is language used in the amendments and can be further defined by the Nation but is defined by 25 CFR 502.19 and includes “the general manager or a position with duties similar to a general manager” ○ https://www.ecfr.gov/current/title-25/chapter-III/subchapter-A/part-502/section-502.19 • Debate over #4 Business Committee Resolutions wording for Business Committee meetings in Powers of	

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	the Business Committee ○ Currently the only known written requirement is in By-Laws Article III Section 4, requiring a Resolution for changing the monthly meetings ○ Current Business Committee does have routine Special Meetings that are not scheduled via any known written Resolution, these are open to tribal members ○ Historical issues include the changing of times of BC meetings, not all BC members being notified of a meeting being scheduled ○ Addition of need for a resolution when “setting or resetting regularly scheduled meetings” of the Business Committee ● Debate over #4 Business Committee Resolutions wording surrounding the transfer of General Council monies via Business Committee Resolution in Powers of the Business Committee ○ Current situations include General Council Resolutions authorizing the transfer of money from General Council Welfare accounts, including the BC having the discretion to pull money for overages ○ Requirement added for a Business Committee Resolution to document every authorized transfer of General Council monies ● Debate over #4 Business Committee Resolutions wording surrounding the suspension and delegation of BC member duties via Business Committee Resolution in Powers of the Business Committee ○ Historical issues include a Secretary-Treasurer who resigned after the Grievance Committee found a proper showing of misconduct but before a removal hearing before the General Council was held – part of the reason for her resignation included being suspended from financial duties after a proper showing of misconduct was found to have happened relating to a financial Grievance ○ There is a need to balance protection of the Nation with due process rights during a	

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	Grievance process ○ Addition of a written standard (“proper showing of misconduct [...] published findings of a Grievance”) to any suspension or delegation of BC member duties in light of a Grievance • Debate over #4 Business Committee Resolutions wording for other general business powers in Powers of the Business Committee (final list item) ○ It is not clear that the Business Committee can purchase land, this is necessary to include ○ Current process includes the General Council Resolution requirement to have an appraisal for each land purchase, this is included in the amendment ○ Fiduciary duty included in amendment wording for “reasonable land purchases” made with “a showing of sufficient funds” • Debate over #4 Business Committee Resolutions wording surrounding General Council Resolution violations ○ Rhetorical question - How do we give mechanisms for a General Council Resolution that is unenforceable or unwise for a Business Committee to implement? ○ Current issues include Business Committees disregarding General Council Resolutions without any notice to the General Council, the “loss” of General Council Resolutions that are viewed as unfavorable or unenforceable by the Business Committee ○ It is guaranteed that General Council Resolutions will be violated, so how do we constitutionally create accountability when this happens? ○ “Violations” section added that requires documentation of the issue(s) and reason(s) for a violation of a General Council Resolution, including plans for reconciliation of the violations, with the General Council having the authority to void Business Committee actions	

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	• Debate over #4 Business Committee Resolutions and giving notice to the General Council ○ Section added under Powers of the Business Committee - allows the Business Committee to define notice via Business Committee Resolution in 2 physical forms (e.g. newspaper, physical posting at the community building/offices, publishing in newsletter) and 2 digital forms (e.g. digital posting on the website and/or social media, text message system already in use) ○ This allows the Business Committee and General Council more effective communication where there are clear channels of communication • Continued review and approval of previously drafted Grievance Committee, no major additions made	
2:20pm	Committee agrees to 40-minute break	
3:00pm	Committee comes back from break, Yvonne arrives during this time	
	Continued review of proposed Constitution Article VII – Other Bodies of Government Section 2 – Legislative Hierarchy • Review and approval of Standing Committee section covering the Election Committee ○ Reference to election terms already established in Constitution Article VIII added so all Committee positions follow the same election cycles happening every 2 years at present ○ What are the duties of an Election Committee? – Verification of candidacy qualifications, oversight of elections, distribution of Voter List, etc ○ Current issues include addressing absentee voting – how can it be made clear in the Constitution that absentee voting is a decision of the General Council but that every General Council member does have the right to vote in an election? ○ Sentence added under proposed Article VII	

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	Section 2 #3 General Council Resolutions (c) Powers of the General Council list items – acknowledging that the General Council has the right to regulate the manner of voting including absentee, electronic, and/or mail-in voting ○ Historical issues include a canceled Annual Meeting the resulted in a delayed election as well as an Annual Meeting that did not meet quorum – a canceled Annual Meeting should not stop voting from taking place and an election should not rely on physical quorum if proper notice is given ○ Section amended to include a sentence that allows elections to coincide with Meetings of the General Council regardless if physical quorum is met provided notice is given to the General Council at least 60 calendar days before the lection ○ Clarification that the Election Committee may request the Business Committee to host a Special Meeting of the General Council to fill a vacancy of office	
	Review of Proposed By-Laws Article I – Duties in Office Section 2 Standard Committee Duties • Addition of “Open Forum” to Meeting Agenda section for duties of All Committee Clerks • Currently the only known Committee that submits minutes to the Business Committee/Secretary-Treasurer is the Constitution Committee, there is no written requirement for this Committee but there was for the Constitution Advisory Committee • Section added in All Committee Clerks for Committees to send minutes to the Secretary-Treasurer position, or Secretary in the case of a split • Addition of a section under All Committee Clerks instructing a Committee to determine their drafting and approval schedule of minutes, with delays requiring a recorded reason and not to exceed 30 days past a meeting date	

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	Review of Proposed By-Laws Article I – Duties in Office Section 3 Business Committee Duties • In “All Business Committee Members” section under Proactive Responsibility a requirement to publish measurable goals and report on those goals at the Annual Meeting • In “Chief’s Duties” debate over the timely calling of a Special Meeting of the General Council ○ Current issues include a significant delay in a Chief calling a Special Meeting after having received a valid petition from 150 members of the General Council, and also when the majority of BC members in a Business Committee meeting requested that Chief call a Special Meeting of the General Council but it was only the majority of those present in quorum and not the total majority of the Business Committee (the vote was 3 of 5 present in the meeting as opposed to 4 of 7 members in entirety, to include members absent from the meeting) ○ Further requirements for calling a Special Meeting with 10 business days of proper petition and for those meetings to be set for a time within 45-60 calendar days of petition receipt	
4:54pm	Committee unanimously agrees to break until 6:30pm	
6:30pm	Committee returns to meeting, Carrie arrives within the first 10 minutes	
	Continued review and approval of proposed By-Laws Article I – Duties in Office Section 3 Business Committee Duties • Simplification of language under “Secretary’s Duties” subsection “Business Committee Meeting Duties” to guarantee access and copies of Business Committee minutes at the monthly meeting • Addition of “reviewing and duplication” language to “Secretary’s Duties” subsection “Recordkeeping and Succession” – current issues include the present-day Secretary-Treasurer being unwilling to provide	

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	requested materials to multiple Constitution Committee members • Addition of requirement for a receipt/acknowledgement of records requests under “Secretary’s Duties” subsection “Recordkeeping and Succession” - current issues include the present-day Secretary-Treasurer being unwilling to respond to emailed records requests and claiming to have “lost” the records requests in their government email as well as having to be tracked down at Business Committee monthly meetings to schedule a records request appointment which is then cancelled the day of • Change of “reasonable deadline” for complex records requests to 60 business days plus a 30 day extension if necessary, requiring a given reason and written notice to a requester to extend the deadline under “Secretary’s Duties” subsection “Recordkeeping and Succession” • Currently drafted section on the setting of reasonable copy fees is moved from “Secretary Duties” to a Power of the Business Committee located in #4 Business Committee Resolutions located in proposed Constitution Article VII – Other Bodies of Government Section 2 – Legislative Hierarchy – copy fees are also only made applicable to individual member requests longer than 20 pages • Clarification of audit responsibility in “Treasurer Duties,” specifically that it is the outgoing Treasurer’s duty to have the previous fiscal year’s audit done during an election year • Debate over bonding requirements ○ Current requirement includes bonding when tribal accounts total more than \$50 (original to 1937 Constitution & By-Laws) ○ Section added to proposed By-Laws Article I – Duties in Office Section 3 Business Committee Duties in “All Business Committee Members” subsection “Fiduciary Duty” for all BC members with direct financial oversight to be bonded with tribal monies, and that other BC members have the right to purchase Directors and	

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	Officers liability insurance at their own expense	
	Agreement on all proposed amendments and their publishing to the General Council – disclaimer added in footer that all provisions in these amendments are subject to the approval of the General Council and may be changed by them at the Annual Meeting	
	Confirmation of next meeting on May 11, 2026 @ 6pm	
9:21pm	Meeting Adjourned by Group Consensus	