

**REGULAR MEETING  
GOVERNMENTAL AFFAIRS COMMITTEE  
OCTOBER 5, 2006 - 8:30 A.M.  
TRIBAL OFFICE BOARDROOM**

**1. Call to order - Roll call:** Meeting was called to order at 8:38 a.m. by Chairperson, AnnMarie Johnson. Roll call was taken. Members present; Laurie Boivin, Ben Kaquatosh, Jeremy Weso, Kathy Kaquatosh and Neil Elgin. Members absent: Jamie Loudbear-Wayka. A quorum was present. Also present: Richard Dodge, Stacie O'Kimosh, Diane Taubel and Rita Keshena.

**2. Moment of Silence:** A moment of silence was observed.

**3. Approval of Minutes dated August 31, 2006 and September 7, 2006:**

**Motion made by Ben Kaquatosh to approve the minutes dated August 31, 2006. Second was by Jeremy Weso. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed 0 abstentions and 1 absent (Loudbear-Wayka).**

**Motion made by Laurie Boivin to approve the minutes dated September 7, 2006. Second was by Kathy Kaquatosh. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed, 0 abstentions and 1 absent (Loudbear-Wayka)**

**4. Personnel Policies and Procedures: Review and update-**

Ben Kaquatosh informed the Committee that hair follicle testing will now be added to the Personnel Policies and Procedures. Rita Keshena was present to explain the legal ramifications of this addition. An accusation would have to be in writing and within a certain time frame in order to justify subjecting an employee to this type of testing. This testing would only be used in extreme circumstances. This type of testing would not infringe on individual rights to cultural or religious beliefs. The Tribe would make this a condition of employment. Employees would need to sign a voluntary waiver when hired. Also, Ordinance 82-10 needs to be reviewed before it is actually incorporated into this document. The scoring on the interview sheets is another item that needs to be reviewed. There are a variety of evaluations processes that can be reviewed. Mr. Kaquatosh will get the full document ready and send this document to the Committee. A Special meeting was scheduled for Wednesday, October 11, 2006 at 8:30 a.m.

**5. Drivers License Issue:**

The Tribe can issue driver licenses if they choose to exercise their sovereignty. There are two major concerns. The first one is the jurisdictional question. The Tribe can require tribal members to have a tribal driver's license and also require non-Indians living on the Reservation to have one. Also, there is a Montana state case that would allow the Tribe to entertain this issue, but the political atmosphere is not correct to initialize this concept. Also, in order for the State to accept this concept, we would need to overcome certain thresholds.

The cost to the Tribe would be extreme. The Tribe would need to hire at least two more people. One with driver license training as this person would need to score and approve potential drivers. We would need to hire one more person in the office to keep up with the paperwork that is generated. The cost would also trickle down to law enforcement and the court systems.

Ms. Keshena's memo concerning this issue clearly states that this would not be feasible or practical for the Tribe to pursue at this time. We would give people the mistaken idea that we would allow people that can not drive in the State to drive here on the Reservation. This would also be a huge liability issue.

**Motion made by Ben Kaquatosh to concur with the legal department memo to not move forward with pursuing this issue Second by Kathy Kaquatosh. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed, 0 abstentions and 1 absent (Loudbear-Wayka).**

#### **6. Enrollment Policies and Procedures:**

The material presented was to be an amendment to the existing ordinance and was not properly formatted.

**Motion made by Jeremy Weso to table this item until it is presented in the correct form. Second was by Laurie Boivin. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed, 0 abstentions and 1 absent (Loudbear-Wayka).**

#### **7 Ordinance 95-06 Posting Procedures:**

Legislator Boivin was presented with a petition from the seniors requesting that meetings should be posted at both meal sites. This request should be honored and the meal sites should be added into the ordinance in Section 3.1 numbers 3.19 and 3.20 with the additional wording in 3.20 be moved into 3.21. The Aging Department will have to determine where these notices are going to be posted.

**Motion made by Laurie Boivin to recommend to the Legislature to amend Ordinance 80-06 by adding the Keshena and Neopit senior meal sites as primary postings areas and also recommend that it go through the public hearing process for Final Approval and that the legal department draft the amendment. Second was made by Ben Kaquatosh. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed, 0 abstentions and 1 absent (Loudbear-Wayka).**

## **8. Other Business:**

Rita Keshena informed the Committee that we have an ordinance that goes through the registration of sexual offenders. Ms. Keshena has checked with tribal police. There is an additional requirement under the ordinance that there is a committee that should be overseeing the aspects of this ordinance. Ms. Keshena will check with the Tribal Police to see what additional requirements are necessary to enforce this ordinance. The Tribe is very complacent when it comes to these offenders. In any other counties in this State sexual offenders are registered and you can view these people online. This a community concern and Ms. Keshena will need to contact the Tribal Police and Social Services for their input into this ordinance.

**Motion made by Laurie Boivin to recommend to the Legislature that the legal department send their concerns, findings, and recommendations on the Sexual Offenders Ordinance to the Enforcement Resource Protection committee. Second was made by Jeremy Weso. All those in favor signify by raising your right hand. Motion carried: 5 for, 0 opposed, 0 abstentions and 1 absent (Loudbear-Wayka).**

### **Defamation, Libel and Slander Draft Ordinance**

This draft ordinance is being brought forward because of irresponsible attacks that are being made and these should be addressed. The burden of proof would have to be placed onto the accuser. This type of behavior also happens between employees and the grievance process. This item will be placed onto the next agenda for the committee to review and compare to have this ordinance be brought forward to the Legislature level.

### **Ordinance 95-04 Tribal Government Plan**

The Committee will be reviewing and updating the Tribal Government Plan. The Committee will modify the committee structure first. The actual committee structures, bylaws, proxy voting along with the recommendation that three legislators are assigned to each committee. This item will be placed onto the next agenda. Tribal Administration will get the materials ready for this meeting.

## **9. Adjournment:**

**Motion by Jeremy Weso/Kathy Kaquatosh to adjourn the meeting. Meeting adjourned at 9:55 a.m.**

Respectfully submitted by,

Linda Peters, Recorder

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Governmental Affairs Committee  
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Legislative Staff