

LUMBEE TRIBE OF NORTH CAROLINA

"ORDINANCE ESTABLISHING STANDING TRIBAL RECOGNITION TASKFORCE"

CLL0-2012-0517-01

DATE: MAY 17, 2012

WHEREAS, the Lumbee Tribe of North Carolina ("Lumbee Tribe") is a recognized Indian Tribe of the State of North Carolina, governed by the Constitution of the Lumbee Tribe of North Carolina, and enjoying inherent powers of self-government; and

WHEREAS, the Constitution of the Lumbee Tribe of North Carolina, Art. VII, Section 1, vests all legislative authority in the Lumbee Tribal Council; and

WHEREAS, the Constitution of the Lumbee Tribe of North Carolina, Art. VIII, Section 1(e), vests all executive power in the Tribal Chairperson; and

WHEREAS, since 1888 the Lumbee Tribe has continuously sought recognition from the United States and the effort for federal recognition remains an abiding and paramount concern and endeavor of the Lumbee Tribe; and

WHEREAS, it is vital that the Lumbee Tribe's effort for federal recognition be cooperative, unified, fully transparent and accountable to the membership;

THEREFORE, be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance cited as establishing the "**STANDING TRIBAL RECOGNITION TASKFORCE**", with the powers so stated:

SECTION 1: STANDING TRIBAL RECOGNITION TASKFORCE

(a). There is hereby created a standing Tribal Recognition Taskforce of the Lumbee Tribe. The Tribal Recognition Taskforce shall hold authority to supervise and direct all activity relating to the Lumbee Tribe's effort to achieve federal recognition, subject to Tribal Council authority to manage all tribal funds and approve all contracts as set forth in section 2 below.

(b). The standing Tribal Recognition Taskforce shall consist of Nine (9) members, as follows: three (3) Lumbee tribal members who hold no elected tribal position appointed by the Tribal Council; three (3) Lumbee tribal members who hold no elected tribal position appointed by the Tribal Chairperson; two co-chairs, who shall be the sitting Tribal Chairperson and the sitting Chairperson of the Tribal Council Recognition Committee; and the sitting Speaker of the Tribal Council. The eight (8) appointed members of the taskforce shall serve two (2) year terms and may be re-appointed up to three (3) consecutive terms

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(c). The two co-chairs shall alternately conduct all meetings of the standing Tribal Recognition Taskforce. The taskforce shall make its own rules and regulations regarding its meetings, provided that all meetings of the taskforce shall take place in the territory of the Lumbee Tribe; and provided further that the conduct of business requires the presence of a taskforce quorum consisting of a minimum of seven (7) members. All meetings of the standing Tribal Recognition Taskforce shall be open to tribal membership, except and unless both co-chairs certify in advance that the purpose of the meeting is to discuss strategy, tactics or issues not generally in the public domain.

SECTION 2: TRIBAL COUNCIL AUTHORITY OVER CONTRACTS AND TRIBAL FUNDS

(a) On all matters relating to recognition strategy, contracts, for lawyers, lobbyists, consultants or otherwise, and with fiscal implications, whether for raising or expending funds, whether by contract or reimbursement of expenses, the standing Tribal Recognition Taskforce has initial jurisdiction over the matter for the purpose of making recommendations regarding the same to the Recognition Committee of the Tribal Council.

(b) The Recognition Committee of the Tribal Council shall report to the sitting Tribal Council for action upon recommendations on matters relating to contracts and with fiscal implications, in accordance with the normal and usual oversight and control processes of the Tribal Council on such matters.

SECTION 3: AUTHORITY AND REPORTING RESPONSIBILITIES OF AGENTS

(a) No individual, firm, association, or company [agent] is authorized to represent the Lumbee Tribe on the matter of federal recognition unless he/she or it is retained by the standing Tribal Recognition Taskforce and approved by the Tribal Council as required, in accordance with Section 2.

(b) Any individual, firm, association, or company retained by the standing Tribal Recognition Taskforce approved by the Tribal Council as required by Section 2, shall report directly to and be supervised by the standing Tribal Recognition Taskforce.

SECTION 4: TERMINATION OF TASKFORCE RESPONSIBILITIES

(a). The responsibilities of the standing Tribal Recognition Taskforce shall extend until and terminate upon federal recognition of the Lumbee Tribe, unless the Tribal Council takes action to extend the responsibilities of the taskforce after federal recognition to assist in the transition into the federal relationship.

SECTION 5. SAVINGS CLAUSE

(a). In the event that any phase, provision, part, paragraph, subsection, or section of this ordinance is found by court of competent jurisdiction to violate the Constitution, laws, or ordinances of the Lumbee Tribe of North Carolina, such phase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this ordinance, the entirety of the balance of the ordinance to remain in full and binding force and effect.

SECTION 6. EFFECTIVE DATE

(a). This ordinance shall become effective upon approval of a majority vote of the Tribal Council, and signature of the Tribal Chairman after the 30 days of posting. In the event of a veto by the Tribal Chairperson, then an override of 2/3 vote of sitting council members is required at the regular Tribal Council meeting following the 30 days requirement.

ROLL CALL VOTE RESULTS TO ADOPT

CLLO-2012-0517-01 “ORDINANCE ESTABLISHING STANDING TRIBAL RECOGNITION TASKFORCE”

14 FOR, 5 AGAINST, 0 ABSTENTION(S)

District 1:	Audrey Revels Hunt	YES
District 2:	Terry Hunt	YES
	Larmari Louise Mitchell	YES
District 3:	Pearlean Revels	YES
	Lesaundri Hunt	NO
District 4:	Helen H. Locklear	NO
District 5:	Kernice Lee Locklear	YES
	Charles Bullard	YES
District 6:	McDuffie Cummings	EXCUSED
	Larry Anthony Chavis	YES
District 7:	Robert Chavis	YES
	Larry Campbell	YES
	Terry Campbell	YES
District 8:	Steve Sampson	ABSENT
District 9:	James Taft Smith	NO
District 10:	Terry Collins	YES
District 11:	Linda Revels	NO
District 12:	Danita Locklear	NO
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES

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CERTIFICATION

THIS CLLO-2012-0517-01 "ORDINANCE ESTABLISHING STANDING TRIBAL RECOGNITION TASKFORCE", ADOPTED AT A MEETING OF THE 21-MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 19 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 17TH DAY OF MAY 2012 BY A VOTE OF 14 FOR, 4 AGAINST, 0 ABSTENTION(S).

Pearlean Revels 5-21-12
ATTEST: PEARLEAN REVELS Date
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

Larmari Louise Mitchell 5-21-12
ATTEST: LARMARI LOUISE MITCHELL Date
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

PAUL BROOKS _____
Chairman, Lumbee Tribe of North Carolina Date

POSTING

This CLLO-2012-0517-01 "ORDINANCE ESTABLISHING STANDING TRIBAL RECOGNITION TASKFORCE." duly posted on this the 17th day of MAY 2012.

Ruth B. Locklear 5-29-12
ATTEST: RUTH B. LOCKLEAR Date
Tribal Clerk, Lumbee Tribe of North Carolina

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	Lesaundri Hunt	NO
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District 5:	Kernice Lee Locklear	YES
	Charles Bullard	YES
District 6:	McDuffie Cummings	EXCUSED
	Larry Anthony Chavis	YES
District 7:	Robert Chavis	YES
	Larry Campbell	YES
	Terry Campbell	YES
District 8:	Steve Sampson	ABSENT
District 9:	James Taft Smith	NO
District 10:	Terry Collins	YES
District 11:	Linda Revels	NO
District 12:	Danita Locklear	NO
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES

