

(Permanently
Recorded)

To be

Reconsider

1-27-03.

LUMBEE TRIBE OF NORTH CAROLINA

PO BOX

PEMBROKE, NC 28372

(910) 521-7861

ORDINANCE NO. 2002-006

DATE: October 17, 2002

WHEREAS, The Lumbee Tribe of North Carolina, a recognized Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina and its inherent powers of self-government; and

WHEREAS, Article VII, Section 1 of the Constitution of the Lumbee Tribe of North Carolina delegates all legislative authority to the Tribal Council;

THEREFORE, Be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as "GENERAL ORDINANCE GOVERNING THE DUTIES OF THE TRIBAL COUNCIL OFFICERS AND DECORUM OF COUNCIL MEETINGS."

SECTION 1: DUTIES OF TRIBAL COUNCIL OFFICERS

1. In accordance with Article IV, Section 1 and Section 4 (a - d) of the Constitution of the Lumbee Tribe, there shall be a Speaker, Vice-chairman, Secretary, Treasurer, with the duties stated therein, and any further duties imposed by this or other ordinances of the Tribal Council. Such officers shall be elected by the Tribal council from among its members.
2. Elections for such officers shall be held annually, following the swearing in of any newly elected Tribal Council member (s).

3. There shall be a Chaplain to the Tribal Council, who shall open and close each meeting of the Tribal Council by prayer. This officer shall be elected annually by the Tribal Council from among its members, following the swearing in of any newly elected Tribal Council member (s).
4. There shall be a Parliamentarian, who shall be responsible for the general conduct of the Council meetings. This officer shall be elected annually by the Tribal Council from among its members, following the swearing in of any newly elected Tribal Council member (s).

*Tribal Chairman
up this
would be the
1. Comm. of
Council,
not true.*

5. The Executive Committee of the Lumbee Tribe of North Carolina shall consist of the Speaker, Vice-Chairperson, Secretary, Treasurer, Chaplain and Parliamentarian.

SECTION II: TRIBAL COUNCIL MEETINGS

1. In accordance with Article IV, Section 1 of the Constitution of the Lumbee Tribe, the Tribal Council shall adopt rules and regulations governing the council's procedure and decorum. There shall be regular meetings of the Tribal Council as defined in a Resolution by the Tribal Council at the first annual meeting of each calendar year. The meeting for each calendar year shall be published and made available to the membership.
2. All proceedings of the Tribal Council shall be conducted in public session, except for proceedings certified in advance by the speaker as implicating privacy rights of a tribal employee or member. No proceedings of the Tribal Council shall take place in the absence of a quorum which shall constitute two-thirds (2/3) of the sitting council members and all decisions of the tribal council shall require an affirmative vote of the majority of present council members.
3. In determining what number constitutes two-thirds (2/3) of the sitting Council members, the number will be rounded up to the nearest whole number.
4. The Speaker shall, upon the request of one-third (1/3) or more of the Council members or the written request of the Tribal Chairperson, schedule a special session of the Tribal Council, with at least five (5) days advance notice thereof to all members of the Tribal Council. Only in the most extreme of cases or circumstances can the Speaker with the approval of a majority vote of the Executive Committee,

circumvent the five (5) day rule by calling an emergency meeting. Any request for a special session shall state the proposed agenda item and the special session shall be limited to consideration of the proposed agenda item. No business may be transacted if proper advance notice has not been provided to the members of the Tribal Council.

5. The Speaker shall prepare in consultation with the Tribal Administrator, an agenda for every regular meeting, with copies provided to each council member seven (7) days in advance of the meeting. Supporting documents for an agenda item shall be filed with the Tribal Administrator for inclusion in mailed packages to the Tribal Council. To the extent possible, committees will refrain from conducting committee meetings during this seven (7) day period.

6. Any matter that needs to be added after the agenda has been sent to the Council shall be brought to the Speaker for consideration to be placed on the agenda.

7. If the Speaker decides against placing the new item on the agenda, a majority vote of two-thirds of the members present can add an item to the agenda.

8. The agenda shall be enforced by the Speaker and shall include the following items:

- a. Debate of proposed ordinance (s) or other business
- b. Items that require action by the Tribal Council
- c. Remarks by the Tribal Chairperson, should a request be made in advance, and
- d. An allowed time for community remarks.

9. All meetings of the Tribal Council shall follow and adhere to the greatest extent possible to the latest edition of Robert's Rules of Order unless otherwise provided by the Constitution or a tribal ordinance.

10. Once a motion is on the floor:

- a. The time limit on the debate shall be set at no more than 15 (15) minutes.
- b. No member may speak more than once on the issue, but may offer one rebuttal to a comment of another council member. If a council member feels compelled to make a comment after his or her first rebuttal has been made, he or she can do so after everyone else has had an opportunity to speak.
- c. A rebuttal shall be no longer than three (3) minute per person.

11. Informational Reports from Committees shall be limited to five (5) minutes. During the report, the Committee Chairperson or designee

shall report only their findings and recommendations on matters undertaken by the Committee. Committees should refrain from discussing matters in which they have no findings or recommendation to report.

12. To the extent possible, new matters shall be referred to Committees.
13. Other Business is reserved for matters that arise after the agenda has been mailed to the Tribal Council.

Definitions

Informational Reports – A summary of Committee meetings that includes the Committee's findings and recommendations.

CERTIFICATION

**THIS ORDINANCE ADOPTED THIS THE 17th DAY OF October, 2002
AT A MEETING OF THE LUMBEE TRIBAL COUNCIL BY A VOTE
OF 17 FOR, and 0 AGAINST.**

Wilton O'Neale

Speaker of the Tribal Council of the Lumbee Tribe of North Carolina

Secretary of the Tribal Council of the Lumbee Tribe of North Carolina

Tribal Chairman of the Lumbee Tribe of North Carolina

POSTING:

This Ordinance duly posted in the Office of the Lumbee Tribe of North Carolina on this the 14th day of November, 2002 by the Person identified below:

Paul B. Jackson

Signature

11-14-02

Date:

Tribal Chairman did not sign this Ordinance. To be reconsidered 1-21-03. See 2nd page. W