

Tribal Council Rules Of Procedure

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TRIBAL COUNCIL RULES OF PROCEDURE

1. PURPOSE AND AUTHORITY

The purpose of this ordinance is to provide for Tribal Council procedures as authorized by Article V, Section 2 of the Siletz Constitution, adopted June 2, 1979, and approved by the Secretary of the Interior on June 13, 1979.

2. GENERAL PROVISIONS

The conduct of all meetings of the Tribal Council shall be governed by these Rules of Procedure. All questions of procedure shall be decided by the Chairman, or by majority vote of the Tribal Council if there is any objection to the rulings of the Chairman.

3. MEETINGS

(A) **Regular Meetings.** Regular meetings of the Tribal Council shall be held on the third Tuesday of each month at a time and place to be decided by motion and vote of the Tribal Council. If the date of the regular meeting conflicts with a national, state, or tribal holiday or election, or for other good cause, the meeting shall be held one week later than scheduled, or as otherwise set by the Tribal Council.

(B) **Special Meetings.** Special meetings of the Tribal Council may be called by the Chairman at his or her discretion, but the Chairman must call a special meeting upon written request of three or more members of the Tribal Council. No special meeting shall be called without twelve (12) hours' notice to each member. Notice shall be in writing or by telephone. This notice may be waived by a quorum of the Tribal Council. Special meetings may take place in the form of conference telephone calls, as long as the other requirements of this section are met.

4. ORDER OF BUSINESS

The following order of business shall be observed at each meeting of the Tribal Council:

- (1) Call to Order by Chairman and Invocation.
- (2) Roll Call by the Secretary.
- (3) Approval of Agenda.
- (4) Reading by Secretary and approval or correction of Minutes of prior Tribal Council meeting or meetings.
- (5) Business matters.
- (6) Adjournment.

5. AGENDA

The agenda shall be prepared by the Chairman. He or she must include any item submitted upon the written request of three or more members of the Tribal Council. The agenda shall identify as clearly as possi-

ble the specific matters that are to be considered by the Council. The agenda shall be provided to Tribal Council members not less than five days prior to any regularly scheduled meeting.

6. RECESS

The Tribal Council may recess a meeting at any time by motion and continue its meeting to a later time, without giving further notice. Roll call shall be taken when the meeting reconvenes.

7. QUORUM

Five members of the Tribal Council shall constitute a quorum. A quorum shall be required for any official action of the Tribal Council, including any passing motions and adopting ordinances and resolutions.

8. DECISIONS AND VOTING

Decisions of the Tribal Council shall be by majority vote, except where otherwise required by the Constitution or tribal ordinance. Voting shall be by roll call vote and the ayes, nays, and abstentions shall be recorded in the minutes. No Tribal Council member shall vote on any matter wherein he or she or a member of his or her immediate family has a direct personal interest, including but not limited to employment contracts, project funding, and appointments to tribal committees.

9. OPEN MEETINGS

All meetings of the Tribal Council shall be open to the membership of the Confederated Tribes of Siletz Indians of Oregon; however, the Tribal Council may recess at its discretion to discuss any matter in a closed or executive session. The motion calling for each session shall state the general subject matter to be discussed. No final or official action may be taken in the executive session. The Chairman shall call the meeting back to order after the executive session.

10. ORDINANCES

(A) **When Required.** All final decisions of the Tribal Council on matters of general and permanent interest to the members of the tribe shall be embodied in ordinances.

(B) **Content of Ordinance.** Each ordinance shall contain the following items, but any ordinance which basically meets the requirements of this section shall be valid:

- (1) Number (to be assigned by the Tribal Secretary upon adoption of the ordinance);
 - (2) The date of adoption (and amendment where appropriate);
 - (3) The subject matter;
 - (4) Title;
 - (5) Statement of purpose and authority;
 - (6) The text of the ordinance;
 - (7) A statement of repeal if appropriate, identifying the number, date, and title of the ordinance repealed;
 - (8) A statement that the procedures of this ordinance were followed, the date of adoption, and the votes for, against and abstaining;
 - (9) The signature of the Tribal Chairman or presiding officer and date;
 - (10) Attestation and date by the Tribal Secretary.
- (C) **Introduction.** Any Tribal Council member may introduce a proposed ordinance.

(D) **First Reading.** A proposed ordinance shall be read out loud in open Tribal Council meeting when it is introduced, or at a later meeting if the Tribal Council so decides.

(E) **Second Reading.** A proposed ordinance shall be read by title only at the next Tribal Council meeting following the first reading, except that it shall be read out loud in full or in part at the request of any Tribal Council member.

(F) **Waiver of Second Reading.** The Tribal Council may waive the second reading requirement if it finds it to be in the best interest of the Tribe to do so. The motion to waive the second reading shall state the reason for so doing, and that reason shall be recorded in the minutes. A decision to waive the second reading shall only be made by a unanimous vote of the Tribal Council members present.

(G) **Changes to Proposed Ordinance.** Changes may be made in a proposed ordinance at any time prior to its adoption.

(H) **Adoption.** Proposed ordinances shall be considered for adoption after the second reading or, if the Tribal Council waives the second reading, after the first reading. Adoption of an ordinance shall be upon motion and second. Discussion shall be held on the motion until the question is called for.

(I) **Effective Date.** An ordinance shall become effective immediately upon its adoption, but it may have a later effective date if the Tribal Council so provides.

(J) **Amendment of Adopted Ordinance.** Existing, adopted ordinances may be amended by resolution. A proposed amendment shall be adopted according to the procedures required here for proposed ordinances. If adopted, the ordinance shall be revised to reflect the amendment. The date and number of the resolution amending the ordinance shall appear on the title page of the ordinance, as well as on each page thereof.

11. RESOLUTIONS

(A) **When Required.** All final decisions of the Tribal Council on matters of temporary interest shall be by resolution.

(B) **Content of Resolutions.** Each resolution shall contain the following items, but any resolution which basically meets the requirements of this section shall be valid:

- (1) Number (to be assigned by the Tribal Secretary upon adoption of the resolution);
- (2) The date of adoption;
- (3) The subject matter;
- (4) The title "Resolution";
- (5) Statement of authority;
- (6) Statement of purpose (optional);
- (7) The text of the resolution;
- (8) An adoption clause stating that the procedures of this ordinance were followed, the date of adoption, and the number of votes for, against, and abstaining;
- (9) The signature of the Tribal Chairman, Vice Chairman, or presiding officer, as appropriate;
- (10) Attestation by Tribal Secretary.

(C) **Adoption.** A proposed resolution shall be read out loud prior to being voted on. Adoption of a resolution shall be upon motion and second. Discussion shall be held on the motion until the question is called for.

(D) **Effective Date.** A resolution shall be effective immediately upon its adoption, but it may have a later effective date if the Tribal Council so provides.

12. MINUTES

It shall be the duty of the Secretary to keep written minutes of Tribal Council proceedings. These minutes shall include: the names of all the Tribal Council members present and the presiding officer, all motions, proposals, resolutions and ordinances and their disposition, the results of all votes and the vote of each member by name (roll call vote), the subject of any discussion on any matter, and reference to any document discussed. The Tribal Council's staff may be responsible for preparing the minutes, but the minutes shall be approved by the elected Secretary prior to final typing and distribution. The minutes shall be sent to all Tribal Council members prior to the next meeting if possible.

13. COMMITTEES

The Tribal Council may establish any committees necessary to assist it in carrying out its duties under the Constitution. Provision for standing committees shall be by ordinance; provision for ad hoc committees shall be by resolution. The number of members and manner of appointment shall be set forth in the ordinance or resolution, as well as the purpose, authority, durations and duties of the committee. Committee members must be tribal members if the committee is to exercise delegated authority of the Tribal Council. Committee members shall not be tribal employees.

14. LIMITATION ON DEBATE

Any Council member may move that a time limit be set for the number of minutes a person may speak on a particular agenda item. Debate shall be limited to the subject matter of the agenda item under consideration.

15. ABSENCE OF OFFICERS

In the absence of the Chairman, the Vice Chairman shall preside over the Council and have all powers and duties of the Chairman. In the absence of the Vice Chairman, the members of the Council present shall elect a presiding officer by majority vote. In the absence of the Secretary, the Chairman shall appoint a member of the Tribal Council to act as Secretary.

16. ORDER

The Chairman shall be responsible for assuring that order is maintained during all meetings of the Tribal Council. In fulfilling this responsibility, the Chairman may designate a sergeant at arms. Any unreasonably

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