LUMBEE TRIBE OF NORTH CAROLINA
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ORDINANCE NO. 2005-000  
DATE: JUNE 23, 2005

WHEREAS, The Lumbee Tribe of North Carolina, a recognized American 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;

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

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 COMMITTEES, APPOINTMENTS, AND TRIBAL GOVERNMENT AFFILIATED POSITIONS."

Section 1: Committees

1. The duties of all Lumbee Tribal legislative committees shall be clearly defined by the
   Tribal Council.
2. Such committees shall report on their activities and decisions from time to time as
   required by the Tribal Council.
3. The actions and decisions of such committees shall be subject to review by the Tribal
   Council as long such review is in accordance with the Constitution of the Lumbee Tribe
   of North Carolina.
4. Committees shall have the authority to establish meeting time and decorum with the
   following exceptions:
   a. All meetings of committees shall be open to the public except:
      i. When the discussion shall concern employment issues not in the scope of
         the executive branch, contracts and litigation, and retention or discharge of
         personnel
      ii. When the question of the moral turpitude of any member of the Tribe is
          discussed
      iii. When the discussion deals with the fundamental rights of a member.
   b. In the event that consideration of a subject shall take place in a closed session,
      the action shall take place in an open meeting.

Section 2: Appointments

1. The Tribal Council shall approve all appointments and appointees to organizations,
   Boards, and entities and to the extent possible appointee(s) shall be tribal members who
   are not seated Tribal Council members.
2. The Tribal Council shall not make appointments to organizations, boards, and entities
   whose philosophy and mission conflicts with the Constitution of the Lumbee Tribe of
   North Carolina.

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3. Appointees shall report on their activities and decisions from time to time as required by the Tribal Council.
4. A vote of two-thirds (2/3) of the seated Tribal Council members can remove an appointee from a position by notifying the appointee in writing thirty days in advance the reason/s for removal, as long as such removal shall not conflict with the Constitution of the Lumbee Tribe of North Carolina.

Section 3: Tribal Government Affiliated Positions Not Constitutionally Mandated

1. The Tribal Council shall have the authority to decide how positions on commissions, organizations, and entities shall be filled.
2. If the process to fill a position is by an election, the Elections Board shall conduct the election in accordance with Article X, Section 1A, 1C, and 3 of the Constitution of the Lumbee Tribe of North Carolina. The Tribal Council shall draw geographical boundaries for tribal government affiliated elections that maintain "one man, one vote" appointment. While serving in an elected tribal government affiliated position, the person must continue to live within the elected district.
3. If an affiliated position is filled by appointment, to the extent possible, Tribal members who are not seated Tribal Council members shall be selected. Any affiliated position filled by the appointment process shall require a two thirds (2/3) vote of the seated Tribal Council.

Definitions:

"Moral turpitude" is an amoral, corrupt or depraved degenerate act or practice.

"Tribal Government Affiliated" includes commissions, organizations, and entities whose representative(s) is selected through the Lumbee Tribe of North Carolina.

"To the extent possible" means highest priority is given to non-council members.

CERTIFICATION

THIS ORDINANCE NO. 2005-000 was ADOPTED THIS THE 23 DAY OF June 2005 AT A MEETING OF TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA BY A VOTE OF 18 FOR, ___ AGAINST.

Tribal Chairman of the Lumbee Tribe of North Carolina

Attended to

Secretary

POSTING

This Ordinance No. 2005-000 duly posted in the Office of the Lumbee Tribe of North Carolina on this the 23 day of June, 2005.

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General Ordinance Governing the Duties of Committees, Appointments, and Tribal Government Affiliated Positions