

TITLE 16
GENERAL COUNCIL
INDEX

TITLE 16 GENERAL COUNCIL INDEX..... i

TITLE 16 GENERAL COUNCIL 1

CHAPTER ONE DUTIES 1

CHAPTER TWO RESPONSIBILITIES 2

CHAPTER THREE MEETINGS 3

Section 301..... 3

Section 302..... 3

Section 303..... 3

CHAPTER FOUR GENERAL COUNCIL SECRETARY 4

Section 401. General Council Secretary. 4

Section 402. Duties. 4

Section 403. Performance of Duties...... 4

Section 404. Job Classification. 5

Section 405. Sole Law Regarding Job Classification and Salary. 5

CHAPTER FIVE STIPEND PAYMENTS 6

Section 501. Stipend Payments to Members of the General Council. 6

Section 502. Travel and Per Diem. 6

CHAPTER SIX CONFIRMATION OF COMMITTEE APPOINTMENT 7

Section 601. Committee Member Confirmation Process...... 7

Section 602. Stipend Payments to Members of Official Boards,
 Commissions, Task Forces and Committees. 7

CHAPTER SEVEN SEMINOLE NATION ADMINISTRATIVE APPEALS

BOARD..... 6

Section 701. Definitions...... 6

Section 702. Seminole Nation Administrative Appeals Board. 6

Section 703. Board Qualifications; Term. 6

Section 704. Appeals Board Officers...... 6

Section 705. Hearing Panel. 7

Section 706. Administrative Record and Casefiles...... 7

(a) Program Summary Statement. 7

(b) Administrative Record. 7

(c) Establishment of Casefile. 7

(d) Use of Appeals Board Casefile at Hearing; Consideration of
 Additional Evidence...... 7

(e) Access to Casefiles. 8

Section 707. Manner of Filing Appeal...... 8

Section 708. Scheduling of Hearing...... 8

Section 709. Notice of Hearing to Appealing Party...... 8

Section 710. Service of Notices Related to Appeals; Computation of

<u>Appeal Time</u>	9
<u>Section 711. Communications with Board Members</u>	9
<u>Section 712. Issuance of Subpoenas</u>	9
<u>Section 713. Conduct of Hearing</u>	9
<u>Section 714. Right to Counsel</u>	10
<u>Section 715. Decision</u>	10
<u>CHAPTER EIGHT RULES OF ORDER OF THE GENERAL COUNCIL OF THE</u>	
<u>SEMINOLE NATION OF OKLAHOMA</u>	11
<u>ADOPTION AND APPLICABILITY OF RULES OF ORDER</u>	11
<u>PART I PRESIDING OFFICER, GENERAL COUNCIL MEMBERS,</u>	
<u>SECRETARY, SERGEANT AT ARMS</u>	11
<u>Rule 1.1. Legislative Body</u>	11
<u>Rule 1.2. The General Council</u>	11
<u>Rule 1.3. The General Council</u>	11
<u>Rule 1.4. Duties of Secretary</u>	12
<u>Presiding Officer (Chairperson); Sergeant at Arms</u>	12
<u>Rule 1.5. Basic Responsibilities</u>	12
<u>Rule 1.6. Presentations or Debates Regarding Proposed Measures by</u>	
<u>Chairperson</u>	13
<u>Rule 1.7. Sergeant at Arms</u>	13
<u>Authority of Principal Chief and Assistant Chief as Chairperson</u>	13
<u>Rule 1.8. Chief as Chairperson</u>	13
<u>Rule 1.9. Authority to Execute Documents</u>	14
<u>Rule 1.10. Responsibilities of Assistant Chief</u>	14
<u>Authority of Temporary Chairperson</u>	14
<u>Rule 1.11. Appointment</u>	14
<u>Rule 1.12. Authority</u>	14
<u>Rule 1.13. Voting</u>	15
<u>PART II MEETINGS; MEETING DECORUM</u>	16
<u>Rule 2.1. Regular Meeting Dates; Time; Stipends</u>	16
<u>Rule 2.2. Annual Meeting</u>	16
<u>Rule 2.3. Special Meeting</u>	16
<u>Rule 2.4. Special Meeting Called by Council Members</u>	16
<u>Rule 2.5. Special Meeting Times; Compensation</u>	17
<u>Rule 2.6. Notice</u>	17
<u>Rule 2.7. Open Meetings</u>	17
<u>Rule 2.8. Quorum</u>	18
<u>Rule 2.9. Approval of Minutes</u>	18
<u>Rule 2.10. Order of Business</u>	18
<u>Rule 2.11. Priority of Business</u>	19
<u>Rule 2.12. Items Not on Agenda</u>	19
<u>Rule 2.13. Authorization of Non-Council Members to Speak</u>	19
<u>Rule 2.14. Rules of Conduct</u>	19
<u>PART III DEFINITIONS, PRESENTATIONS, DEBATES AND VOTING</u>	21
<u>Rule 3.1. Motion</u>	21

<u>Rule 3.2. Resolution.....</u>	21
<u>Rule 3.3. Law or Ordinance.....</u>	21
<u>Rule 3.4. Presentation of Proposed Measures.....</u>	21
<u>Rule 3.5. Form of Council action on Proposed Measure.....</u>	21
<u>Rule 3.6. Placement of Measure on Floor for Debate.....</u>	22
<u>Rule 3.7. Restatement of Motion.....</u>	22
<u>Rule 3.8. Debate Limitations.....</u>	22
<u>Rule 3.9. Motions Permitted During Debate.....</u>	23
<u>Rule 3.10. Validity of Enactment's.....</u>	25
<u>Rule 3.11. Roll Call Voting.....</u>	25
<u>Rule 3.12. Reconsideration.....</u>	25
<u>Rule 3.13. Documentation of Motions; Maintenance of Records.....</u>	25
<u>CHAPTER NINE SEMINOLE TRIBAL OFFICIAL AND EMPLOYEE ETHICS</u>	
<u>ORDINANCE ACT.....</u>	27
<u>Section 901. Citation.....</u>	27
<u>Section 902. Purpose.....</u>	27
<u>Section 903. Authority.....</u>	27
<u>Section 904. Definitions.....</u>	27
<u>Section 905. Code of Ethical Standards.....</u>	28
<u>Section 906. Political Activity.....</u>	29
<u>Section 907. Nepotism.....</u>	29
<u>Section 908. General Council Representatives.....</u>	29
<u>Section 909. Review.....</u>	30

TITLE 16
GENERAL COUNCIL

CHAPTER ONE
DUTIES

RESERVED

CHAPTER TWO
RESPONSIBILITIES

RESERVED

CHAPTER THREE MEETINGS

Section 301.

The regular quarterly meetings of the General Council of the Seminole Nation of Oklahoma shall be held on the first Saturday of March, June, September and December. In the event the Saturday designated as a regular quarterly meeting date is a holiday, the regular quarterly meeting shall be held on the Saturday following.

[HISTORY: Ordinance No. 70-4, June 6, 1970; Codified by Law
No. 91-12, November 16, 1991]

Section 302.

The regular quarterly meeting of the General Council in September shall be designated the Annual meeting, at which time the Chief and all committee chairmen and other officials shall make an annual report to the General Council.

[HISTORY: Ordinance No. 70-4, June 6, 1970; Codified by Law
No. 91-12, November 16, 1991.]

Section 303.

The General Council of the Seminole Nation by approval of a written ordinance shall adopt the Rules of Order which shall be the exclusive official rules of parliamentary procedure for the General Council meetings in all cases to which they are applicable and in which they are not inconsistent with the Constitution or laws of the Seminole Nation of Oklahoma. These Rules of Order may be amended only by General Council ordinance, provided that all proposed Rule amendments must first be referred to an appropriate committee for recommendations prior to presentation for General Council consideration, must be presented in the form of written ordinance, must appear on the meeting agenda and must be provided to Council members at least ten days prior to the meeting at which they are to be considered. In no case shall the General Council consider a verbal resolution or ordinance to amend any rule during the course of a meeting. Approval or amendment of any Rule pursuant to this provision shall not be effective until the General Council meeting following the meeting at which approval or amendment occurred.

[HISTORY: Law No. 94-06, May 7, 1994; Amended by
Ordinance No. 2003-16, September 17, 2003.]

CHAPTER FOUR
GENERAL COUNCIL SECRETARY

Section 401. General Council Secretary.

The General Council shall appoint for so long as it desires a Secretary from within or without its membership. Any appointee from without the elected membership of the General Council shall not be eligible to participate in any business before that body unless the General Council so desires.

[HISTORY: Ordinance No. 91-07, August 29, 1991; Codified by
Ordinance No. 91-12, November 16, 1991.]

Section 402. Duties.

The duties of the Secretary of the General Council shall include the following:

Attend all meetings of the General Council, and record and take notes regarding the proceedings;

Prepare minutes of General Council meetings;

Attest to the signature of the Principal Chief on resolutions, ordinances, and other tribal documents requiring such attestation;

Certify copies of original tribal documents;

Cause to be maintained files, records and correspondence of the General Council in an orderly manner for the convenience of the General Council;

Act as official custodian of all official original tribal documents, which shall be maintained at the General Council office at Wewoka Tribal Complex;

Attend to the giving and serving of all notices of the General Council; and

Perform all other duties concerning the preparation and maintenance of the Nation's records required by Seminole Nation Code, Title 21, Section 101 et seq.

[HISTORY: Ordinance No. 91-07, August 29, 1991; Codified by Law
No. 91-12, November 16, 1991; Amended by Ordinance No. 2001-07,
June 2, 2001; Amended by Ordinance No. 2007-05, June 2, 2007]

Section 403. Performance of Duties.

The Secretary of the General Council shall be present at an office set aside for her in the office complex of the Seminole Nation within five days following each General Council meeting, and shall perform all her duties arising from such meeting at her office at the Seminole Nation

complex between the hours of eight a.m. and five p.m., including preparation of minutes, attestation of resolutions, ordinances and other documents, and preparation of certified copies of documents. Such duties shall be completed no later than ten (10) days from the date of such General Council meeting.

[HISTORY: Ordinance No. 91-07, August 29, 1991; As Amended by Ordinance No. 91-7A, September 14, 1991; As amended and codified by Law No. 91-12, November 16, 1991.]

Section 404. Job Classification.

The General Council Secretary shall be designated as a permanent full-time employee of the Seminole Nation for accounting purposes, and shall be paid at the rate set by the General Council, based upon her signed and properly approved timesheets, which shall be approved prior to payment by the Principal Chief or the Assistant Chief.

[HISTORY: Ordinance No. 91-07, August 29, 1991; Amended by Ordinance No. 91-7A, September 14, 1991; Amended and Codified by Law No. 91-12, November 16, 1991; Amended by Ordinance No. 2003-12, September 6, 2003.]

Section 405. Sole Law Regarding Job Classification and Salary.

This enactment is intended to be the sole law governing job classification and salary of the General Council Secretary, and all other ordinances or resolutions which might be construed as pertaining to such matters shall have no force and effect as to the job classification and salary of the General Council Secretary.

[HISTORY: Ordinance No. 91-07, August 29, 1991; Codified by Law No. 91-12, November 16, 1991.]

CHAPTER FIVE
STIPEND PAYMENTS

Section 501. Stipend Payments to Members of the General Council.

Members of the General Council shall receive no salary for the performance of their duties, but shall receive meeting stipends, unless the General Council by majority vote decides to waive such payment for any specified General Council meetings. General Council members attending regular and specially called Council meetings shall receive a two hundred dollar \$ 200.00 stipend in lieu of expenses for each such meeting; provided that no payment shall occur if absence is taken before noon; and provided further that those members attending until afternoon recess, but leaving prior to adjournment shall receive only \$ 150.00 in lieu of expenses for said meeting.

[HISTORY: Ordinance No. 1-69, October 4, 1969; Ordinance No. 74-1, March 30, 1974; Ordinance No. 87-1, February 21, 1987; Ordinance No. 90-08, October 20, 1990; Amended and Codified by Law No. 91-12, November 16, 1991; Amended by Law No. 99-01, March 6, 1999; Ordinance No. 08-15, July 22, 2008]

Section 502. Travel and Per Diem.

No travel or per diem payments shall be made to members of the General Council or the General Council Secretary for attendance of General Council meetings within the Seminole Nation. Payments for travel and per diem to members of the General Council and the General Council Secretary authorized to travel to a specific location for a specific purpose shall be in strict accordance with tribal travel policies and procedures contained in the Personnel Policies of the Seminole Nation.

[HISTORY: Ordinance No. 1-69, October 4, 1969; Ordinance No. 74-1, March 30, 1974; Ordinance No. 87-1, February 21, 1987; Ordinance No. 90-08, October 20, 1990; Amended and Codified by Law No. 91-12, November 16, 1991]

CHAPTER SIX
CONFIRMATION OF COMMITTEE APPOINTMENT

Section 601. Committee Member Confirmation Process.

Reserved.

Section 602. Stipend Payments to Members of Official Boards, Commissions, Task Forces and Committees.

A stipend payment shall be paid to all official Seminole Nation Commission, Committee, Task Force or Board members who are confirmed to sit on such Commissions, Committees, Task Forces or Boards by the General Council. For each Commission, Committee, Task Force or Board meeting attended, the member shall receive a stipend at the rate of \$100 per meeting from funds provided by the General Council budget or Administrative Support budget, unless the Commission, Committee, Task Force or Board by majority vote decides to waive such payments for any specified board, commission, task force or committee meeting. This section shall not apply to official Commissions, Committees, Boards or Task Forces reimbursement rates otherwise established by separate ordinance established by the Seminole Nation Code of Laws.

[HISTORY: Ordinance No. 1-69, October 4, 1969; Ordinance No. 74-1, March 30, 1974; Ordinance No. 87-1, February 21, 1987; Ordinance No. 90-08, October 20, 1990; Amended and Codified by Law No. 91-12, November 16, 1991; Amended by Ordinance No. TO-2007-18, December 1, 2007; Amended by Ordinance No. 2012-14, October 27, 2012]

Section 603. Board, Commission, Committee and Task Force Bylaws.

Within the Seminole Nation, all Boards, Commissions, Committees and Task Forces shall be required to adopt governing bylaws to maintain and establish parliamentary order that are not inconsistent with the Nation's Constitution, Code of Laws and its organic resolution or ordinance. Such bylaws and any future amendments shall be promptly submitted to the Seminole Nation General Council Secretary. Any Board, Commission, Committee or Task Force without bylaws shall not receive meeting stipends until such time as the duly adopted bylaws are submitted to the Council Secretary. Upon bylaw submission, any stipend payments withheld in accordance with this Section shall be promptly paid.

[HISTORY: Ordinance No. 2010-09, December 4, 2010.]

CHAPTER SEVEN
SEMINOLE NATION ADMINISTRATIVE APPEALS BOARD

Section 701. Definitions.

RESERVED.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 702. Seminole Nation Administrative Appeals Board.

The Seminole Nation Administrative Appeals Board is hereby established to serve in the capacity of a quasi-judicial body to hear appeals regarding decisions of Seminole Nation programs and agencies affecting individuals, provided that the Board shall have authority to hear only those appeals expressly authorized in other Titles of the Code of Laws of the Seminole Nation.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 703. Board Qualifications; Term.

The Administrative Appeals Board shall be composed of one (1) members of the General Council, and four (4) members of the Seminole Nation of Oklahoma, age 21 or older, appointed by the Principal Chief and confirmed by the General Council at a duly called General Council meeting. The initial term of each of these offices shall commence on January 12, 2002 and shall expire on January 13, 2006. Thereafter, each four (4) years the terms of office on the Administrative Appeals Board shall expire, and the Principal Chief, upon confirmation by the General Council, shall appoint such additional member/s as necessary to bring the total membership to five (5) on the Administrative Appeals Board in accordance with this section. No member of the Administrative Appeals Board shall be an employee of the Seminole Nation of Oklahoma.

[HISTORY: Enacted Law No. 93-22, November 6, 1993;
Amended by Tribal Ordinance No. 02, January 12, 2002.]

Section 704. Appeals Board Officers.

The Administrative Appeals Board shall select a Chairman and a Vice-Chairman from its membership. Term of office shall be for one year from October 1 until the following September 30. Any officer elected after October 1 of any given year shall serve the remainder of the one year term expiring on the following September 1.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 705. Hearing Panel.

Each appeal shall be heard by a panel consisting of three of the five Board members. Selection and assignment of panels to cases shall be conducted pursuant to rules established by the Board. No Appeal Board member who is related as follows to either of the parties in an appeal shall serve on the panel hearing the appeal: father, mother, step-father, step-mother, sister, brother, half-sister, half-brother, spouse, child, aunt, uncle, nephew, niece, brother-in-law, sister-in-law, grandparent, legal guardian or first cousin. Each member of the three member panel assigned to a case must be present during the hearing, must have access to all hearing materials and shall have a vote in making the Board's decision.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 706. Administrative Record and Casefiles.

Program Summary Statement.

The person in charge of the program or agency involved in the appeal shall prepare a Program Summary Statement for placement in the Administrative Record on a form containing the following information: Case number; name of appealing party; type of program benefits involved in the appeal; date decision made; date appeal received by the program; date appealing party notified of hearing before the board; statement that appealing party filed appeal within time required or that appellant did not file his appeal within the time required; and list of Seminole Nation laws which apply to the appeal.

Administrative Record.

The Administrative Record shall be prepared by the person in charge of the program which is the subject of the appeal, and shall contain the following documents: Program Summary Statement; appealing party's application form; decision letter which is subject of appeal; the appealing party's written appeal; notice of the Board hearing, with certified mail receipt; any documents submitted to the program by the appealing party; and any other relevant documents allowed into the record by the Board.

Establishment of Casefile.

The Appeals Board shall maintain an Administrative Appeals Board Casefile for each appeal filed, which shall contain the Administrative Record, other documents accepted by the Appeals Board, and decision of the Appeals Board. The person in charge of the program which is the subject of the appeal shall initially prepare the Casefile, by placing the Administrative Record in a file and delivering it to the Executive Office for storage in a locked file cabinet. The Chairman of the Appeals Board will assign each Casefile a number beginning with the words "Ad. Appeal No.", followed by the last two digits of the year in which the appeal was filed, followed by a dash, followed by an individual number for each appeal.

Use of Appeals Board Casefile at Hearing; Consideration of Additional Evidence.

The Administrative Appeals Board Casefile will be the official record of the case. In addition to the Appeals File record, the Board may consider any other evidence which it deems relevant to the hearing, including sworn testimony of witnesses. The Chairman will administer an oath to each witness, including Judgment Fund Office staff and the appellant, before each witness testifies. The witness will be asked to state: "I swear that I will tell the truth, and state that I understand that any statement of a falsehood would be perjury subject to criminal prosecution."

Access to Casefiles.

The Board members will share the Casefile during the hearing. Appeal Board members shall not keep the appeal Casefile or any other records or documents related to an appeal in their possession following the hearing. Public inspection of the Program Summary Statement and the Appeals Board decision shall be allowed. Other materials contained in the Casefile may be released for public inspection only if authorized by the Board Chairman pursuant to rules established by the Board.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 707. Manner of Filing Appeal.

The manner in which an appeal notice must be filed with the Administrative Appeals Board shall be as stated in the applicable law of the Seminole Nation establishing appeal rights with regard to a program or agency decision.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 708. Scheduling of Hearing.

The Board Chairman shall promptly notify a designated Seminole Nation Executive Office employee of the scheduling of a hearing, which shall be no later than sixty (60) days from date of the Chairman's receipt of the appeal notice, provided that for good cause the Board may grant either party an extension of time for the hearing date. The Executive Office employee shall verbally notify the person in charge of the program which is the subject of the appeal as to the hearing date, time and location.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 709. Notice of Hearing to Appealing Party.

The director of the program which is the subject of the appeal shall send a Notice of the Administrative Appeals Board Hearing to the person in charge by certified mail, return receipt requested. The Notice must be received by the appealing party at least five days before the hearing, unless the appealing party states that he waives any objection he might have to receiving the Notice. The person in charge of the program which is the subject of the appeal shall send the appealing party a copy of the Administrative Appeals Board Casefile with the Notice.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 710. Service of Notices Related to Appeals; Computation of Appeal Time.

All notices related to appeal rights of persons affected by Seminole Nation program or agency decisions and having recourse to the Administrative Appeals Board shall be mailed to the address of record or the last available address by certified mail, return receipt requested. If the certified letter is returned undelivered, then a second notice shall be sent by regular mail. Service of notices will be considered to have been made on:

(a) The date of delivery indicated on the return receipt when the notice has been sent by certified mail, return receipt requested; or

The date the second notice sent by regular mail is returned by the post office as undelivered, or ten (10) days after the date the second notice is sent by regular mail, when the letter has not been returned by the post office, whichever occurs first.

Section 711. Communications with Board Members.

The Administrative Appeals Board shall not discuss any pending appeal with any person before the appeal hearing, including the person responsible for the program decision which is the subject of the appeal or the appealing party. The parties shall have their opportunity to discuss the case with the Board at the appeal hearing.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 712. Issuance of Subpoenas.

RESERVED.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 713. Conduct of Hearing.

The Chairman or Vice-Chairman of the Administrative Appeals Board shall preside during the course of the hearing. The Chairman shall conduct the hearing pursuant to rules established by the Board. The hearing will be an audio-taped public hearing. The public, the person in charge of the program or agency which is the subject of the appeal and the person appealing have the right to be present during the hearing at all times, except when the Board retires to make its decision. No stenographic record of the proceedings and testimony shall be required except upon arrangement by, and at the cost of the party requesting said record. The Board will not be bound by technical rules of evidence in the conduct of hearings, and no informality in any proceeding, as in the manner of taking testimony, shall invalidate any order, decision, rule or regulation made, approved or confirmed by the Board. The hearing may be adjourned, postponed and continued if requested by either party, at the discretion of the Administrative Appeals Board.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 714. Right to Counsel.

The person appealing may be represented by counsel at his own expense. The person in charge of the program or agency which is the subject of the appeal may be represented by the Attorney General if the case involves complicated legal issues of serious importance to the Seminole Nation and if authorized by the Principal Chief.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

Section 715. Decision.

The Administrative Appeals Board must issue a written decision in a timely manner following each appeal hearing. The Administrative Appeals Board may reconvene the hearing to verbally announce its decision after a recess taken in order to reach a decision, or it may reserve announcement of its decision until finalization of its written decision. The decision of the Administrative Appeals Board shall be final and shall not be subject to further review by any other state, tribal or federal government body or court.

[HISTORY: Enacted Law No. 93-22, November 6, 1993]

CHAPTER EIGHT
RULES OF ORDER
OF THE GENERAL COUNCIL OF
THE SEMINOLE NATION OF OKLAHOMA

ADOPTION AND APPLICABILITY OF RULES OF ORDER

The following Rules of Order were adopted on May 7, 1994 by Seminole Nation Resolution No. 94-40, and again by Ordinance No. 2003-14 on September 27, 2003, pursuant to the authorization of the Seminole Nation Constitution, Article VII, *Order of Business*, Section 2 and 16 S.N.C. Section 303. These rules shall govern the General Council in all cases to which they are applicable and in which they are not inconsistent with the Constitution or laws of the Seminole Nation of Oklahoma. These rules may be amended only by procedures set forth in 16 S.N.C. Section 303.

PART I
PRESIDING OFFICER, GENERAL COUNCIL MEMBERS, SECRETARY,
SERGEANT AT ARMS

Rule 1.1. Legislative Body.

The legislative body of the Seminole Nation shall be known as the General Council and shall consist of two band representatives elected from each of the fourteen Seminole bands. (Constitution, Article IV). As a matter of convenience and simplicity, the pronouns "he & his" shall be used herein to refer to any member of the legislative body or any other person regardless of gender, and shall not be interpreted as a presumption that members of the Council or other tribal officials are male.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.2. The General Council.

The General Council subject to any restriction contained in the Constitution and laws of the United States, shall have the power to speak or act on behalf of the Nation in all matters in which the Nation is empowered to act (Constitution, Article V), including the right to make voting decisions on all matters before the Council.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.3. The General Council

The General Council shall appoint for as long as it desires a secretary from within or without its membership. (Constitution Article IV, Section 2; 16 S.N.C. Section 401) In the absence of the Secretary of the General Council, the General Council will appoint a Temporary Secretary.

(Constitution, Article III, Section 6). Appointment of a Council member as Secretary shall be avoided whenever possible, to enable all members' full and active participation at Council meetings, provided that any Council member serving as Secretary or Temporary Secretary shall retain the right to vote. Preference for the secretarial position shall be given to a person with computer skills who is a tribal employee or who otherwise demonstrates the ability to complete secretarial duties in a timely manner.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.4. Duties of Secretary.

Requirements for the performance of duties of the Secretary of the General Council shall include those set forth in 16 S.N.C. Section 402 and 403. Any appointee from without the elected membership of the General Council shall not be eligible to participate in any business before that body unless the General Council so desires. (Constitution, Article IV, Section 2; 16 S.N.C. Section 401).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Presiding Officer (Chairperson); Sergeant at Arms

Rule 1.5. Basic Responsibilities.

The presiding officer shall be referred to as the Chairperson. He shall refer to himself as the chair, not using terms such as "I" or "me". He shall be responsible for conduct of General Council meetings as follows:

Call the meeting to order.

Preside over the meeting.

Rise to put a question to a vote.

Preserve order and decorum, and

Issue final decisions regarding interpretation, implementation and enforcement of the General Councils Rules of Order without debate or delay in a fair and impartial manner and take appropriate enforcement action, as follows.

In the case of disorderly conduct, the Chairperson may direct the Sergeant at Arms to restore order.

In any member does not follow the rules, he may be called, out of order by the Chairperson, in which case he shall stop speaking until he receives instructions from the

Chairperson regarding the point of order. A Council member may also seek enforcement by stating: Mr. Chairperson I rise to a Point of Order. The person who was speaking when the member interrupted should then cease speaking, and the chair will ask the other member to state his point of order. The Chairperson must then make a decision. The Chairperson may overrule the objection and ask the speaker to continue. Or the Chairperson may find the objection in order and take appropriate enforcement action, which may include instructing the speaker to conform to the rules or to be seated.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.6. Presentations or Debates Regarding Proposed Measures by Chairperson.

The Chairman may make introductory comments and respond to factual questions without vacating the chair. If the person serving as Chairman desires to make a presentation in favor of or against a proposed measure, he shall absent himself from the chair. If the Principal Chief has absented himself from the chair to make a presentation, he shall declare that he is regaining control as the Chair for purposes of voting to break a tie. (See Constitution, Article III, Section 5).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.7. Sergeant at Arms.

An on-duty Seminole security officer shall serve as the Sergeant at Arms and shall be compensated as a tribal employee. The Sergeant at Arms shall maintain order pursuant to direction of the Chairperson. The Sergeant at Arms shall strictly enforce rules relating to privileges of the floor and attendance. He shall allow no unauthorized person to enter or remain on the floor.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Authority of Principal Chief and Assistant Chief as Chairperson

Rule 1.8. Chief as Chairperson.

The Chief shall preside over all meetings of the General Council and exercise any authority delegated to him by the Constitution. (Constitution, Article III, Section 5). He may vote only to break a tie (See Constitution, Article III, Section 5). The Chief shall have general supervision over the affairs of the General Council and he shall perform all duties appertaining to the office of chairman. (Constitution, Article III, Section 5).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.9. Authority to Execute Documents.

The Chief shall have the authority to sign all resolutions and ordinances enacted by the General Council and to sign all other official papers on behalf of the Nation when so directed by the General Council. (See Constitution, Article III, Section 5). The Chief shall retain the authority to sign all official documents arising from Council actions which occurred while the Assistant Chief acted as Chairperson.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.10. Responsibilities of Assistant Chief.

The Assistant Chief shall assist the Chief when called on to do so, and in the absence of the Chief from the Chair shall preside, and when presiding shall have all privileges, duties and responsibilities delegated to the Chief as set forth in Rules 1.5 and 1.8 herein. (See Constitution, Article III, Section 6).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Authority of Temporary Chairperson

Rule 1.11. Appointment.

If the Chief or Assistant Chief refuses or is unable to call or chair a regular or special meeting, the Council may appoint the Temporary Chairperson from within the General Council or from the voting membership of the Seminole Nation, to preside over the Council meeting so the Council shall be able to conduct official business. (See Constitution, Article XI, Section 3).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.12. Authority.

The Temporary Chairperson shall preside for that one meeting only and shall sign all official papers arising from that one meeting only when so directed by the Council. (See Constitution, Article XI, Section 3).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 1.13. Voting.

If the Temporary Chairperson is not a member of the Council, he shall not be allowed to vote to break a tie or to vote on any other official business. (See Constitution, Article XI, Section 3). If the Temporary Chairperson is a member of the General Council, he may vote to break a tie.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

PART II
MEETINGS; MEETING DECORUM

Rule 2.1. Regular Meeting Dates; Time; Stipends.

The regular quarterly meetings of the General Council of the Seminole Nation of Oklahoma shall be held on the first Saturday of March, June, September, and December. In the event the Saturday designated as a regular quarterly meeting date is a holiday, the regular quarterly meeting shall be held on the Saturday following. (See Constitution, Article VI; 16 S.N.C. Section 301). Regular meetings shall convene at 10:00 a.m. (Article VI, Section 1) Roll call shall be promptly taken at 10:00 a.m. if no quorum is present, roll call shall be taken a second time when it appears that a sufficient number of General Council members are present to make a quorum. If no quorum is present by 10:30 a.m., the meeting date will be rescheduled. A regular meeting will be adjourned no later than 5:00 p.m. unless the Council by consensus extends the meeting time. Stipend payments shall be as set forth in 16 S.N.C. Section 501.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.2. Annual Meeting.

The regular quarterly meeting of the General Council in September shall be designated the annual meeting, at which time the Chief and all committee chairmen and other officials shall make an annual report to the General Council. (See 16 S.N.C Section 302).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.3. Special Meeting.

The Chief may call a special meeting of the General Council at any time he thinks it necessary. (Article VI, Section 1).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.4. Special Meeting Called by Council Members.

The Chief shall be required to call a special meeting within ten (10) days upon receipt of a request in the form of a petition signed by at least fifteen (15) members of the General Council; provided that no special meeting shall be called except on matters of serious concern to the General Council. (Article VI, Section 1). This rule shall not be interpreted to require General Council consideration at special or regular meetings of individual complaints which have not first been brought to the Principal Chief for a solution; and shall not be interpreted to require General Council consideration at special or regular meetings of personnel appeals, membership appeal, judgment fund benefit appeals or any other type of individual appeal which, by express

provisions of the Seminole Nation Code, is subject to final decision by the Personnel Board, by the Administrative Appeals Board, by a Court having jurisdiction on the matter or by any other governmental entity.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.5. Special Meeting Times; Compensation.

The meeting time for special meetings held on Saturday shall be the same as regular meeting. A special evening meeting shall be called to order at 7:00 p.m. and end no later than 10:00 p.m. absent suspension of rule.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.6. Notice.

The General Council Secretary shall attend to the giving and serving of all notices of the General Council (See Constitution, Article VIII). Notice of regular and special meetings shall be given at least the (10) days in advance to all members of the General Council and shall contain the time, place, and purpose. Notice shall be published in at least one (1) prominent newspaper within Seminole County and notices posted at the Seminole Nation Complex and the BIA Agency Office South of Wewoka, and at the Council House South of Seminole. In case of an emergency, the (10) day notice period may be waived, provided that: reasonable efforts to contact every Council member were made, notice was posted and published at least twenty-four hours before the meeting; and at the meeting the General Council approves waiver of the notice by duly enacted resolution. (See Constitution, Article VI, Section 1).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.7. Open Meetings.

All meetings shall be open to the members of the Seminole Nation. (See Constitution, Article VI, Section 2). This requirement shall not be interpreted as preventing the General Council from going into closed session for the purpose of receiving legal advice or for the purpose of any deliberations in the exercise of any quasi-judicial function by the Council, provided that any resulting Council decision shall be made in the form of a public vote.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.8. Quorum.

No official business may be transacted by the Council at any time in the absence of a quorum, which shall consist of fifteen (15) Council members and either the Chief or Assistant Chief or Temporary Chairperson. (See Constitution, Article VI, Section2).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.9. Approval of Minutes.

In the interests of time the Chairman shall request a waiver of the reading of the minutes, if there are no objections, and absent any objections, the minutes shall stand approved, including any amendments made on the Council floor. If there are any objections to such waiver, the reading of the minutes may still be waived and the minutes approved by motion.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.10. Order of Business.

The order of business at any regular or special meeting of the General Council shall be as follows, provided that the order of business may be changed at any meeting by the General Council (Article VII, Section 1) by consensus (without formal vote) upon request by the Chairperson, or by vote if any member of the Council stands and states an objection to the change:

- (1) Call to Order
 - (2) Roll call and prayer
- Reading of minutes of last meeting
- Unfinished Business
- Reports of committees
- New Business
- Prayer and Adjournment.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.11. Priority of Business.

The sequence of items on the meeting agenda may be Changed without formal motion, by General Council consensus, when requested by the Chairperson or a Council member.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.12. Items Not on Agenda.

Upon request by the Principal Chief or a General Council member, the General Council may, by consensus (without formal vote) or by vote if any member of the Council stands and states an objection to the change, allow an item which is not on the agenda but which is of serious concern to the Seminole Nation to be addressed and decided under the agenda item "other business", which shall be the last item under the agenda heading " new business". A matter which is not subject to call of a special meeting pursuant to Rule 2.4 shall not be addressed pursuant to this rule.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.13. Authorization of Non-Council Members to Speak.

Upon request by a General Council member, a member of his band may be authorized by General Council consensus to speak about the subject of an agenda item during debate of the item. Upon request by a General Council member, a member of his band may be authorized by General Council consensus (without formal vote), or by vote if any member of the Council stands and states an objection, to speak on a topic which is not on the agenda, provided that the request will not be honored until all pressing business on the agenda is completed.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 2.14. Rules of Conduct.

General Council meetings shall be conducted pursuant to the following rules of conduct:

When any member desires to speak he may rise and address the Chairperson, "Mr. or Ms. Chairperson." Members may address each other as "Mr." or: Ms." at all times members should seek to avoid personality.

(a) When two or more members rise at once, the Chairperson decides who will speak first. The person who is not selected shall be seated.

No member shall address matters not directly related to the proposed measure.

No Council member shall make a remark or statement on the floor without authorization of the Chairperson, with the exception of a Motion to recess to Another Date, a Motion to Adjourn and Questions of Privilege.

No Council member shall make remarks out loud during Council session off the floor.

Verbal outbursts, applause or other disorderly conduct by any person inside the Council house during Council session shall not be permitted.

Council members and officers are expected to treat others present at the Council meeting with courtesy and respect.

A member may smoke inside the Council chambers at the back of the room during session, provided that the back door is open and provided that the member shall not attempt to enter into debate while absent from his seat.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

PART III
DEFINITIONS, PRESENTATIONS, DEBATES AND VOTING

Rule 3.1. Motion.

A "motion" is a verbal statement by a member of the General Council by which such member submits a proposed measure for consideration and action by the General Council. (21 S.N.C. Section 101).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.2. Resolution.

A "resolution" is the formal expression of the opinion or will of the General Council relating to some specific matter or thing, adopted by vote following a duly seconded motion to approve such resolution. (21 S.N.C. Section 101).

Rule 3.3. Law or Ordinance.

A "law" or "ordinance", is the written law of the Seminole Nation intended to permanently direct and control matters applying to persons or things in general, adopted by vote of the General Council following a duly seconded motion to approve such ordinance. The term "ordinance" may be used interchangeably with the word "law" or "statute". (21 S.N.C. Section 101).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.4. Presentation of Proposed Measures.

Proposed ordinances and resolutions may be initially presented and explained to the General Council by a Council member, tribal employee or third party at any regular or special meeting. (21 S.N.C. Section 101). All ordinances presented to the General Council of the Seminole Nation of Oklahoma shall be in writing, provided that the General Council may pass a verbal ordinance if the Council adopts a motion that an emergency exists, requiring adoption of a verbal ordinance. (See 21 S.N.C. Section 103). During the presentation the presenter may take questions from the Council floor. When the presenter recognizes a Council member who wishes to ask a question, the member's question should be directly related to the measure in question. The questioner shall not make statements about the measure or attempt to debate the measure.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and
again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.5. Form of Council action on Proposed Measure.

Council action on a proposed measure shall occur as follows:

Following presentation of a proposed measure, the Chairperson shall entertain Council action on the measure by stating; " I will now entertain a motion regarding this measure".

(a) The Council may take affirmative action on the measure by one of the following main motions:

Motion to Approve the measure, provided that an Objection to Consideration of the Question may be raised following such Motion to Approve the Measure, but only before debate starts.

Motion to Postpone the proposed measure.

If no one moves to approve or postpone the measure the Chairperson shall announce that it has died for lack of action, the Council will proceed to the next agenda item and the measure may be brought back to the council as old business at the next Council meeting.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.6. Placement of Measure on Floor for Debate.

Ordinances and resolutions shall be placed on the floor only after presentation pursuant to Rule 3.4 and only after a proper motion has been made and seconded. (21 S.N.C. Section 101).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.7. Restatement of Motion.

When a motion has been made, the Chairperson shall restate it or cause it to be read aloud.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.8. Debate Limitations.

There shall be time limit. Presentation and debate of a measure as follows:

The person or persons presenting new business shall limit the total presentation time to fifteen minutes, including time for questions from the floor, unless authorized to exceed the time limit by consensus or majority vote of the Council.

(a) The person presenting old business shall limit the presentation to five minutes, unless authorized to exceed the time limit by consensus or majority vote of the Council.

Each Council member shall be limited to two minutes to debate a proposed measure, and shall attempt to limit debate to one presentation whenever possible. A Council member may yield some or all of his debate time to any other Council member.

Amendments to the original motion may be made in the course of debate pursuant to the provisions of Rule 3.9 (h) herein. Each Council member shall be limited to one minute to debate a proposed amendment to a proposed measure.

At any time during debate a Council member having the floor or the Chief may request the Seminole Nation's attorney to provide a legal interpretation or explanation regarding the proposed measure to the Council.

At the close of debate the Chairperson shall provide the person who presented the measure with two minutes to make concluding remarks and then put the question to a vote. The Chairperson shall stand and state that the measure is being put to a vote and that all-Council member present should return to their seats.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.9. Motions Permitted During Debate.

When a question is under debate, only the following motions may be received, each having precedence in the order stated below:

Motion to Recess to Another Date (which is debatable)¹

(a) Motion to Adjourn (which is undebatable)²

Questions of Privilege³

¹ A "Motion to Recess Until a Later Date" will allow the meeting to be recessed and continued on a later specified date without payment of any additional compensation to Council members. A "Motion to recess Until a Later Date" takes precedence over all other motions. It is not debatable if made when another is before the Council. It is debatable if presented when no other measure is before the Council. The correct form for stating the motion is "I move that when the Council adjourns this meeting, adjournment be in the form of a recess to meet on (date) at (time).

² A "Motion to Adjourn" takes precedence over all other except a motion to fix the time to which to adjourn. It can't be made while someone else has the floor or while a vote is being taken. A Motion to Adjourn can't be debated or amended.

³ A "Question of Privilege" is a motion pertaining to the rights and privileges of the Council or its members, such as disorder by spectators, physical conditions causing discomfort or endangerment of health. The proper way to state the motion is: " I move to a Question of Privilege." If a question of privilege requires immediate action, it can interrupt a member's speech. The presiding officer may make an immediate decision on the motion without a vote if

Withdrawal of a Motion (which is undebatable)⁴

Motion to Suspend the Rules (which is undebatable)⁵

Motion to table (which is undebatable)⁶

Call for the question (which is undebatable)⁷

Motion to Amend (which is debatable)⁸

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and

the determines it is a question of privilege, unless the motion is tabled by the Council prior to his decision. Once the presiding officer has disposed of the question of privilege the Council may return to considering the original question that was interrupted.

⁴ A "Withdrawal of a Motion" may be made when a question is before an assembly and the person who made the motion withdraws or modifies it or substitutes another motion (which may be the informal request of another Council member or on his own) before a decision or amendment is made. When a motion is withdrawn, withdrawal of the second is unnecessary, and the effect is the same as if it had never been made.

⁵ A "Motion to Suspend the Rules" applies only to the rules of order. Rules of order must not be suspended except for a definite purpose, and then a two-thirds vote is required. Rules in the Seminole Nation Constitution cannot be suspended even by unanimous consent, unless they provide for their suspension (such as the provision in Article VII, Section 1 allowing the Council to change the order of business set forth therein).

⁶ The object of a "Motion to Table" is to postpone a subject so that it can be taken up later at the same or in a future meeting. The Motion to table should state whether the issue is referred to the Council, to the Executive Department or other Seminole Nation officers or staff persons or to a committee, or Commission, or Board for further study or information; and whether it should be placed on the next meeting agenda or postponed indefinitely. The motion may include the establishment of a special Council committee to study the measure.

⁷ A "Call for the Question" is a motion that will terminate all debate and bring the membership to a direct vote on the that immediate question, provided that a quorum is present and that a two-thirds majority of the membership votes to put the question to a vote without further debate.

⁸ A "Motion to Amend" another motion takes precedence, only over the motion to be amended. The Motion to Amend can itself be amended, although such amendment of an amendment can't be altered further. Amendment may take any of the following forms:

- (1) To "add" or "insert" certain words or paragraphs
- (2) To "strike out" certain words or paragraphs
- (3) To "strike out" certain words and insert others
- (4) T substitute another resolution or paragraph on the same subject for the one that is pending.

To "divide the question" into two or more motions, as the mover specified, to be a separate vote on some point.

again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.10. Validity of Enactment's.

Unless provided otherwise by the Constitution, all enactment's based upon a majority vote of those Council members present in their seat on the Council floor at the time the vote is taken and voting at a meeting at which a quorum of fifteen members and the Principal Chief, Assistant Chief or Temporary Chairperson is present shall be deemed valid. (See Constitution, Article IV, Section 5; 21 S.N.C. @ 101).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.11. Roll Call Voting.

Voting on motions to approve and voting on motions to table or amend proposed ordinances or resolutions shall be by roll call vote. Each successive roll call vote thereafter shall commence with vote by the Council members of the band seated to the left of the band, which commenced the last roll call vote. The Council member whose name is called shall answer as follows. "Yes", "No", or "Abstain". No statement shall be made by a Council member during the vote. Any Council member who is not in his seat when the vote is taken shall be counted as absent for the vote.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.12. Reconsideration.

After a motion has been made, carried or lost, any member who cast a vote with the majority may move for reconsideration of the question on the same day and such a motion shall take precedence over all other question except a motion to adjourn. The original vote may be overturned only by two-thirds majority vote of the Council members present when the vote is taken.

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

Rule 3.13. Documentation of Motions; Maintenance of Records.

Every proper motion shall be reduced to writing by the Attorney General and General Council Secretary and shall be noted on the minutes with the name of the person making it unless withdrawn that same day. All verbal ordinances and resolutions passed shall be documented pursuant to the requirements of (21 S.N.C. Sec. 101) original signed minutes, original signed ordinances, and original signed resolutions shall be maintained pursuant to (21 S.N.C. Sec. 106). Copies of documents shall be certified pursuant to (21 S.N.C. Sect/ 107).

[HISTORY: Adopted by Resolution No. 94-40, May 7, 1994 and again by Ordinance No. 2003-14, September 27, 2003.]

CHAPTER NINE
SEMINOLE TRIBAL OFFICIAL AND EMPLOYEE ETHICS ORDINANCE ACT

Section 901. Citation.

This Act shall be cited as the Seminole Tribal Official and Employee Ethics Ordinance Act of 2004.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 902. Purpose.

The purpose of this Act is to provide standard of fairness and integrity for all officials, administrators, directors, committee members, commissioners, independent contractors, and employees (used cumulatively for the purposes of this Act as, “officials and employees”) of the Seminole Tribe while conducting the business of the Tribe in their respective capacities.

It shall be recognized that officials and employees are in positions of trust on behalf of the Tribe and must endeavor to exercise the highest qualities of conduct, integrity and confidence on behalf of the Tribe and its citizenry. Also, it is the responsibility of each employee and official to conduct themselves in a polite and courteous manner with respect and consideration for others.

The standards established herein are not to be considered in lieu of ethical standards imposed by Federal Law, Tribal Law, or Personnel Policies and Procedures of the Tribe.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 903. Authority.

Section V of The Constitution of the Seminole Nation of Oklahoma, as ratified by the BIA, 1969, empowers the Seminole General Council to promulgate and enforce ordinances and codes on behalf of the Tribe.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 904. Definitions.

“Official” means any person serving the Tribe by constitutional appointment or certified election, which are the Principal Chief, Vice Chief, and General Council Representatives.

“Employee” means any person engaged for his or her services to the Tribe or any tribal agency or authority part or full-time and who receives compensation from the Tribe for his or her services.

Administrators, Directors, Committee Members, Commissioners and Independent Contractors are those persons, who neither fall into the employee or official definition and are hired, appointed or confirmed by the General Council or by General Council delegation.

“Conflict of Interest” means matters and issues for which a person may have an unfair advantage by virtue of his or her position and would receive more than significant value in money or items of worth by participating in the decisions of such matters and issues.

“Significant Value” means things or money which would amount to salary, benefits or more than reasonable costs or expenses incurred for conducting business.

“Coerce” means undue influence or intimidation using official capacity as leverage for or against another person.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 905. Code of Ethical Standards.

Every official and employee of the Seminole Nation of Oklahoma should endeavor to:

(a) Put loyalty to the highest moral principles and to the Seminole Tribe above loyalty to other persons, parties or governmental entities;

Uphold the laws and regulations of the Seminole Tribe and never be a party to their evasion;

Give a full day’s labor for a full day’s pay, giving earnest effort and best thoughts to performance of duties;

Seek to find and employ more efficient and economical ways of getting tasks accomplished;

Never dispense special favors or privileges to anyone, whether for remuneration or not and never sell influence to gain special favors for any person, business or governmental entity.

Never accept, for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of tribal duties;

Make no private promises of any kind, binding upon the duties of office, since a tribal official or employee has no private word which can be binding on public duty;

Engage in no business with the Tribe, either directly or indirectly, which is inconsistent with the conscientious performance of tribal duties, and further make every effort in his or her private work to avoid conflicts of interest, unless participation in the conduct of the business,

personal and Tribal is deemed to be of no substantial effect on his or her integrity and any other interests are deemed insignificant;

Never use any information gained confidentially in the performance of tribal duties as a means of making private profits to the detriment of the Seminole Tribe;

Never use his or her position in any way to coerce or give the appearance of coercing anyone to provide a financial benefit to himself or herself or another person;

Expose corruption wherever discovered.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 906. Political Activity.

Political activity of any kind, shall be prohibited during working hours, on tribal property, except as those allowed by the election code.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 907. Nepotism.

For the purposes of this Act, the term “family” is defined as any individual who is related in the following ways: husband, wife, mother, father, daughter, son brother, sister, grandparent, in-law relationship, aunt, uncle, niece, nephew, cousin to the second degree, or an said relation by legal or tribal adoption.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 908. General Council Representatives.

It shall be the policy of the Seminole Nation of Oklahoma to discourage the appointment or election of tribal employees to the position of General Council Representative. If such appointment or election occurs, the Council Representative shall not vote in any tribal business concerning directly or indirectly his or her employment. It is deemed a conflict of interest. Said Council Representative shall not take part in General Council debate in any tribal business concerning directly or indirectly his or her employment. It is the proprietary interest in employment and potential undue influence that may be exerted either at the band or General Council level that constitutes a bias and conflict of interest.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 909. Review.

The Seminole Tribe may be entitled to administrative costs and attorney fees, should it be determined that action by an official or employee was frivolous, unreasonable, without foundation, or brought in bad faith in violation of this Act.

[HISTORY: Enacted by Ordinance No. 2004-16, March 6, 2004.]

Section 910. Official Correspondence and Communication on behalf of the Nation.

A. Findings:

- (1) In accordance with the Seminole Nation Constitution, Article V, the General Council of the Seminole Nation of Oklahoma, shall have the power to speak or act on behalf of the Nation in all matters in which the Nation is empowered to act. In accordance with Article III, the executive authority of the Seminole Nation of Oklahoma shall be vested in a Chief and Assistant Chief, and exercise any authority delegated to him by the provisions of this constitution. In accordance with Article IV, unless otherwise provided for in the Constitution, no enactment of the General Council shall be considered valid unless supported by a majority of those voting in a legal meeting; and
- (2) Therefore, it is vested with the General Council and the Executive to conduct the governance of the Seminole Nation and to act on behalf of the Nation, or delegate that authority; and
- (3) It is incumbent on every tribal official or tribal employee to serve responsibly in the best interests of the Nation and is required by law to abide by the enumeration of powers provided for in the Seminole Nation Constitution.

B. Limitations:

- (1) It shall be deemed unethical for any tribal official or tribal employee to:
 - (a.) On behalf of the Seminole Nation of Oklahoma, officially contact or initiate contact, through correspondence or any form of communication, any federal, state, or third-party official without delegation of authority either from the Seminole Nation General Council or the Seminole Nation Chief, or Assistant Chief; or
 - (b.) On behalf of the Seminole Nation of Oklahoma, officially contact or instigate contact, through correspondence or any form of communication, any federal, state, or third-party official without delegation of authority from the

appropriate supervisory individual, manager, director, Board, Commission, Committee, or Task Force within the chain-of command.

(2) It shall be unethical for any tribal official or tribal employee to:

(a.) Represent verbally or in writing to any person, any federal, state, or third-party official that you can bind the Seminole Nation or consent on behalf of the Nation or any of its subordinate programs, Board, Commission, Committee, Task Force, businesses, or enterprises without delegation of authority either from the Seminole Nation General Council or the Seminole Nation Chief, or Assistant Chief; or

(b.) Represent verbally or in writing to any person, any federal, state, or third-party official that you can bind the Seminole Nation or consent on behalf of the Nation or any of its subordinate programs, Board, Commission, Committee, Task Force, businesses, or enterprises without delegation of authority from the appropriate supervisory individual, manager, director, Board, Commission, Committee, or Task Force within the chain-of command.

C. Consequences:

Any tribal official or tribal employee who violates the ethical responsibilities contained herein shall be subject to the following:

- (1) General Council Representatives shall be deemed to have committed actions that constitute misconduct reflecting on the dignity and integrity of the General Council subject to the due process requirements for removal contained in the Seminole Nation Constitution, Article IX, Section 1;
- (2) Other Tribal Officials shall be deemed to have committed actions that constitute misconduct or cause for removal from their respective office subject to the due process requirements for removal contained the terms of their appointment;
- (3) Employees of the Nation shall be deemed to have committed actions that constitute misconduct or cause for immediate termination from employment subject to the labor laws and policies of the Nation.

[HISTORY: Enacted October 29, 2011.]

