

TITLE 7 – ENROLLMENT, COMMITTEES, ELECTIONS AND REFERENDUMS

CHAPTER 7-5 GENERAL COMMITTEE CODE

7-5-1 Purpose

The purpose of this code is to form a more efficient and cohesive government through the appointment of committees by the Tribal Council. Each committee is to advise and make recommendations regarding each specific committee purpose. The committee will provide a unified voice as an advisory arm of the Tribes. All committees will be regulated by this code and the relevant provisions of the Tribal Court Code, except where a committee is established by a specific code, the specific provisions of that code will govern where those provisions differ from this Code.

7-5-2 General Policy

Committees are established to assist the Tribal Council in carrying out their responsibilities, to provide quality services to the tribal membership and to develop, maintain and protect the assets and interests of the Tribes. Each committee is to:

- (a) Act in an advisory capacity to the Tribal Council in recommending policies and procedures, identifying needs and developing priorities of the Tribes,
- (b) Report monthly to the Tribal Council on problems, activities and other relevant information,
- (c) Undertake any other duties and responsibilities as developed and approved by the Tribal Council, and
- (d) Work with Tribal Departments and Staff.

7-5-3 Definitions

- (a) "Service Area" means the counties of Coos, Lane, Lincoln, Douglas and Curry in the State of Oregon.
- (b) "Tribal Council" means the Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon.
- (c) "Tribes" means the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon.

(d) "Standing Committee" means a committee created to fulfill ongoing functions on behalf of the Tribal Council on a more or less permanent basis.

(e) "Ad-Hoc Committee" means a committee created to fulfill a specific short-term function on behalf of the Tribal Council and which shall be dissolved upon completion of that function.

(f) "Unexcused Absence" means an absence from any meeting of the committee for which no written excuse has been given to and accepted by a majority vote of the relevant committee (excluding the committee member who has submitted the written excuse).

(g) "Donation" means the voluntary transfer of funds or items of material value to a person or other entity for which no goods or services of substantially equal value are received in return.

#### 7-5-4 Authority

The Tribal Council may establish standing and ad-hoc committees as provided in this code. All committees established pursuant to this code shall be accountable to the Tribal Council. The Tribal Council shall deal directly with the committees as necessary.

#### 7-5-5 Committee Names

Tribal Council shall designate a committee name established pursuant to this code. All committees must indicate association with the Tribes by including "The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon" in the committee name.

#### 7-5-6 Membership

(a) Each committee, but the Cultural Committee who shall be composed of seven (7) committee members, shall be composed of five (5) committee members appointed by the Tribal Council. No tribal member having been found guilty of or entered a plea of nolo contendere or guilty to any felonious or any of two or more misdemeanor offenses under Federal, State or Tribal law involving crimes of violence, sexual assault, molestation, exploitation, contact or prostitution, crimes against persons or offenses committed against children shall serve on a committee that provides regular contact with or control over Indian children.

(1) Committee members may serve on two committees at a time.

(2) Committees may utilize the assistance of non-tribal member resource people. Individuals serving in a resource capacity shall not vote.

- (3) Tribal Council members may serve on a committee.
- (b) A tribal member owing a debt to the Tribes may not serve on a committee unless arrangements for repayment of the debt have been made.
- (c) Committee members shall attend all committee meetings unless they give reasonable written or verbal notice to the committee chairperson prior to the meeting, provided, however, that no prior notice is necessary if injury of the committee member or sickness, injury or death of a family member or dependent caused the absence.
- (d) At the end of each committee member's term of office or upon resignation or removal of a committee member or upon other vacancy by a committee member, the committee member shall deliver all papers, records and books and other items in the committee member's possession that relates to the committee to the committee chairperson.
- (e) All committee member appointments will be for four (4) years unless designated otherwise in the specific code governing that committee's activities.

#### 7-5-7 Oath of Office

Committee members shall assume their duties and obligations under this code upon written appointment by Tribal Council. At the next scheduled Tribal Council meeting following the written appointment, the Tribal Council Chairman or the Tribal Chief shall administer a Ceremonial Oath of Office to each committee member. The Oath shall be as follows:

*"I (name), do solemnly swear that I will uphold the Constitution and laws of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon, that I will serve the Tribes to the best of my ability, that I will work for the entire membership of the Tribes, that I will carry out the directions of the Tribal Council, and that I will declare when a conflict of interest could affect the performance of my duties on behalf of the Tribes."*

#### 7-5-8 Confidentiality

Committee members agree to sign a confidentiality agreement that states that they understand and agree that as a committee member they must hold as confidential all information learned in the course of their committee member status concerning the confidential business of the Tribes. Further, as a committee member, they understand that by signing the confidentiality agreement they will not violate the confidentiality of any person(s) or provide confidential information or documents to anyone not authorized by the Tribes. If it has been determined that a committee member has violated this confidentiality

agreement, that committee member will be removed as stated below in 7-5-10(a)(3).

#### 7-5-9 Vacancies

(a) Any vacancy shall be filled by recommendation by appointment of the Tribal Council for the duration for the unexpired term.

(b) Vacancies shall occur upon expiration of a committee member's term, when a committee member resigns for any reason, is removed or has unexcused absences from three (3) consecutive meetings.

#### 7-5-10 Removal of Committee Members

(a) By majority vote, the Tribal Council may remove any committee member to include, but not limited to the following:

- (1) Overstepping their authority;
- (2) Creating a disruptive atmosphere;
- (3) Violation of their confidentiality agreement; or
- (4) Violating Tribal law.

(b) A committee member shall automatically be removed upon having been found guilty of or entered a plea of nolo contendere or guilty to any felonious or any of two or more misdemeanor offenses under Federal, State or Tribal law involving crimes of violence, sexual assault, molestation, exploitation, contact or prostitution, crimes against persons or offenses committed against children on a committee that provides regular contact with or control over Indian children.

#### 7-5-11 Voting

Each committee member shall have one (1) vote on each matter. Committee members must be present to vote. No proxies will be permitted.

#### 7-5-12 Quorum

A majority of the committee members must be present to constitute a quorum. Committee action is valid only when a quorum exists.

#### 7-5-13 Conflicts of Interest

No committee member may vote on any action directly involving a member of his or her immediate family. A committee member may take part in discussion and count toward a quorum regarding action involving a member of his or her family. Immediate family members include father, mother, adoptive mother, adoptive

father, daughter, son, spouse, person in a spousal relationship, brother, sister, stepbrother and stepsister.

7-5-14 Appointment of Officers

Each committee shall elect a Chairperson and Vice-Chairperson annually.

7-5-15 Duties of Officers

(a) The Chairperson shall:

- (1) issue notice of committee meetings,
- (2) preside at all committee meetings, and
- (3) make reports to the Council and General Council as provided herein,

(b) The Vice-Chairman shall:

- (1) act as presiding officer in the Chairperson's absence.

(c) The following may be delegated to the appropriate staff member:

- (1) keep minutes of all regular and special meetings,
- (2) maintain all official records of the committee,
- (3) take attendance at meetings,
- (4) provide copies of meeting minutes to the Council Chairperson for typing and distribution to the Council members,
- (5) answer all correspondence for the committee,
- (6) draft updates of committee business each month for publication in the tribal newsletter,
- (7) keep an accurate financial statement,
- (8) provide the Tribal Council with a monthly financial report, or
- (9) comply with the provisions of 7-5-17 herein.

#### 7-5-16 Meetings

(a) All meetings shall be open to the General Council, provided, however, the meetings may be closed to the General Council when dealing with confidential material. The committee may invite guests to attend meetings.

(b) All regular and special meetings require four (4) days written notice. Notice shall be delivered to each committee member and shall be posted in a conspicuous place at the Tribal Administration Office. Notice shall include the date, time, place and purpose of the meeting.

(c) Regular monthly meetings shall be held on a date set by the committee.

(d) Special meetings may be called by the Chairperson or Vice-Chairperson acting jointly but only when business must be done prior to the next regular meeting.

#### 7-5-17 Compensation

Committee participation is a voluntary contribution to the Tribes. The only people paid to attend committee meetings will be Department Heads or their designate who are required by their duties to attend. Staff attending committee meetings within their scope of work are entitled to mileage compensation.

(a) The Accounting Office is responsible for tracking travel reimbursements.

(b) Travel and Per-Diem for all committee members is subject to the travel requirements specified by Tribal policy. Travel reimbursement rates are subject to change; therefore, each traveler is responsible for keeping up to date on travel reimbursement rates.

#### 7-5-18 Severability

If a court of competent jurisdiction finds any provision of this code to be invalid or illegal under applicable federal or tribal law, such provision shall be severed from this code and the remainder of this code shall remain in full force and effect.

#### 7-5-19 Consistency with Other Codes

Where a specific committee code differs from this code, the specific code shall govern.

APPENDIX A

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

GENERAL COMMITTEE

**LEGISLATIVE HISTORY AND EDITORIAL CHANGES**

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the General Committee Ordinance in Resolution 03-024 on May 18, 2003, Ordinance #051. Vote was 6 (for), 1 (against) and 0 (abstaining).