



## **CHAPTER 2**

### **GENERAL MEETING LAW**



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**Purpose:** In order to establish a framework for the convening and conduct of general meetings of the Penobscot Nation the following law is enacted. No law or ordinance shall take effect or be amended until approved by the general membership of the Penobscot Nation at a general meeting. The Penobscot Nation shall be bound by all laws, ordinances, referendums, and petition matters approved by the general membership at a general meeting.

### **Section 1. Calling of Meetings**

The Chief, or his designee as prescribed by tribal law, with the advice and consent of Council, shall call all general meetings of the Penobscot Nation, except as otherwise provided in the General Petition Standards and Procedure Law (hereinafter referred to as the "Petition law").

### **Section 2. Agenda**

The agenda of any such meeting shall be set by the Chief and Council except as otherwise provided in Section 4 hereof and in the petition law. Only those issues on the agenda, any amendments specifically related thereto, procedural matters or petition matters can be voted on at a general meeting. Only issues dealing with or related to: Tribal referendums, Tribal ordinances, laws, petitions, legislative activities, land transactions, financial matters or other matters as the Chief and Council may deem necessary; may be sent to a general meeting. The Chief and Council shall make recommendations to the general membership for each agenda item.

### **Section 3. Notice of General Meeting**

Except as provided in the petition law, in Section 4 regarding the Annual General Meeting and Section 11 regarding Emergency General Meetings, notice of any general meeting shall be at least thirty (30) days prior to such general meeting. Notice shall be sufficient if a copy of the agenda shall be posted in at least three (3) conspicuous locations on the reservation, sent out in a community flier, and mailed to every off reservation member eighteen (18) years of age or older.

### **Section 4. Annual General Meeting**

In addition to any general meeting called by Chief and Council as provided herein, on the first Saturday in June of every year, the Penobscot Nation shall hold an annual general meeting. The agenda will be set by Chief and Council at least one month prior to this meeting date, and a copy of the agenda shall be posted in at least three (3) conspicuous locations on the reservation, sent out in the community flier and mailed to every off-reservation member eighteen (18) years of age and older. Any material and information that will be provided at the general meeting in relation to agenda items shall be made available to all tribal members at least 2 weeks prior to the general meeting. In addition to any agenda

item(s) designated by Chief and Council, the agenda will include "Other" as the final item; provided however, that issues raised under "Other" shall be for discussion purposes only. Any issues raised under "Other" may be submitted to the Chief and Council to be included on the agenda for a subsequent General Meeting; provided, however, if a person is proposing any new tribal laws or ordinances or proposing changes to existing tribal laws or ordinances that they are required to put their proposal in writing outlining specifically the new law they are asking be adopted or how existing tribal law should be amended. Also, this meeting shall include an informational session dealing with tribal annual financial audits, budgets and statements, land issues and any other issues as requested by Tribal members prior to the posting of the agenda for such meeting. All tribal departmental directors shall be present for this informational session including any non-member directors. It is also understood that with the approval of the Chair any presenters, including non-member presenters, can be present at the General Meeting to provide relevant and essential information to an agenda item.

**Section 5.      Public Hearing**

The Chief and Council shall send an item to a public hearing prior to a general meeting. Notice for any public hearing shall be at least fourteen (14) days prior to such public hearing. The date of such public hearing shall be set by Chief and Council to satisfy the requirements of this law.

**Section 6.      Quorum**

In order for a general meeting to convene, twenty five (25) or more tribal members eighteen (18) years of age or older must be present. Absent the required quorum to conduct the general meeting, such matter shall be placed before eligible tribal voting membership in a tribal wide referendum, not more that (45) days form the date of the general meeting. Once a quorum is present the Chairperson shall call the General Meeting to order.

**Section 7.      Eligible Voters**

Any duly enrolled member of the Nation who is at least eighteen (18) years of age shall be eligible to attend and vote on all matters brought before the general meeting. Any duly enrolled member of the Nation who is less than eighteen (18) years of age may attend the general meeting, but not vote on any general meeting matters.

**Section 8.      Conduct of General Meeting**

Except as otherwise provided in the petition law, the general meeting shall be conducted in accordance with the following General Meeting Rules.

- A. The Chief shall preside over the general meetings of the Penobscot Nation, provided, however, the Vice-Chief shall preside over a general meeting in those instances the Chief is unavailable
- B. A motion and a second must be made before a vote is taken. Discussion shall be specific and directed to the motion on the floor. Amendments may be made to a motion of it pertains directly

to the agenda item. The Chairperson of the meeting shall make the final determination regarding the validity of any requested amendment. Following an amendment, the discussion shall be specific and directed only to the amendment. Following discussion on the amendment a vote shall be taken on the amendment only. If no further amendments are made, the discussion shall be directed to the main motion as amended. Following discussion a vote shall be taken on the main motion as amended.

- C. A motion or second to a motion may be withdrawn at any time prior to the vote on such motion by the originator of the motion or second.
- D. Tribal member police officer(s) shall be present at the meeting. As requested by the Chairperson, the police officer(s) shall enforce tribal membership requirements and the removal of intoxicated or disorderly person(s).
- E. The Chairperson may declare a motion or amendment out of order if it does not conform to the general meeting law and/or rules.
- F. All eligible members in attendance at the general meeting, including the presiding official and the Tribal Clerk, shall have the right to vote on all matters brought before the general meeting.
- G. Unless stipulated in the motion, a motion passed by the general meeting shall become tribal law or policy immediately.
- H. Based upon new information, the chairperson can, at any time during the general meeting, ask for a motion to reconsider any action taken at that particular meeting. The Chairperson must specifically state his reason(s) for seeking a motion to reconsider. Upon a motion and second, the membership shall vote on such motion to reconsider.
- I. Once all agenda item(s) have been acted upon by the membership. Excepting the informational session provided for in Section 4, the Chairperson shall ask for a motion to adjourn. This motion must be seconded and duly voted upon. Upon an affirmative vote, the chairperson shall declare the meeting adjourned.

#### Section 9. Voting

- A. Approval of any item shall be by majority vote of the eligible members present at the general meeting.
- B. The method of voting shall be conducted by a show of hands, however, a vote by secret ballot may be requested and approved by the majority of eligible members present.

Before any vote of the general meeting can be conducted, twenty-five (25) or more tribal members eighteen (18) years of age and older must be present.

#### Section 10. Cancellation/Rescheduling

The general meeting may be canceled due to death in the community or inclement weather. The Chief, or Vice-Chief in the Chief's absence, shall be authorized to cancel the meeting. In the event of a cancellation, the meeting shall be rescheduled to four (4) weeks after the posted original date. In the event of a cancellation a recording of such cancellation shall be left on the tribal answering machine. Additionally, the Tribal Clerk or his/her designee shall call the television and radio stations in the Bangor and Portland areas requesting an announcement of the cancellation of the general meeting as well as announcing the meeting date. A special flier will be distributed on the reservation and mailed to every off-reservation member eighteen (18) years of age and older announcing the cancellation and new date.

Section 11. **Emergency General Meeting Procedure**

The Chief may call an emergency general meeting of the Penobscot Nation for the purpose of affirming or rejecting legislative proposals prepared by the Chief and Council for submission to the state legislature. Notice of the time and place of the general meeting shall be posted seven (7) or more days before said meeting day at the office of the Chief and one conspicuous location on the reservation.

Section 12 **Chief and Council Notice**

Any issues voted on and approved at the general meeting will be placed on the agenda of the next regularly scheduled council meeting. At such council meeting, the Chief and Council will take formal notice if any such general meeting votes.