

**ROSEBUD SIOUX TRIBE
ORDINANCE NO. 86-08**

**LEGISLATIVE PROCEDURE FOR THE GOVERNING BODY OF THE
ROSEBUD SIOUX TRIBE**

ROSEBUD SIOUX TRIBE

ROSEBUD SIOUX RESERVATION

BE IT ORDAINED by the Rosebud Sioux Tribal Council that there is hereby enacted a Rosebud Sioux Tribe Legislative Procedure Code, as follows:

SECTION 100 - RESOLUTIONS

- 101. Introducing Resolutions
- 102. Community Resolutions
- 103. Committee Review and Submission
- 104. Minimum Requirements
- 105. Amending or Rescinding

SECTION 200 - ORDINANCES

- 201. Introducing Ordinances
- 202. Public Hearings
- 203. Article IV, Section 1 (t); Exemption
- 204. Amending and Rescinding
- 205. Publication

SECTION 300 - SECRETARY OF THE ROSEBUD SIOUX TRIBE

- 301. Submission date for Resolutions and Ordinances
- 302. Review and compliance
- 303. Numbering
- 304. Dissemination
- 305. Agenda

SECTION 400 - EMERGENCY LEGISLATION

- 401. Waiver

SECTION 500 - ENFORCEMENT

- 501. Non-compliance

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SECTION 600 - IMPLEMENTATION

- 601. Effective date
- 602. Recession

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All resolutions or ordinances to be enacted by the legislative body of the Rosebud Sioux Tribe shall abide by the Sections herein governing the procedural requirements of a resolution or ordinance.

SECTION 100 - RESOLUTIONS

101. Introducing Resolutions

- A. All resolutions shall first be submitted to a Rosebud Sioux Tribal Council Committee which has proper subject matter jurisdiction. The exception being Community Resolutions.

102. Community Resolutions

- A. Community resolutions shall be subject to Subsections 301 (A), 303 (A), 304 (A) and 305 (A)
- B. Any Community resolution submitted to a Rosebud Sioux Tribal Council Committee shall be subject to all Sections herein.

103. Committee Review and Submission

- A. Any resolutions that has been reviewed by a Rosebud Sioux Tribal Council Committee of proper subject matter jurisdiction shall be submitted by the committee chairperson to the Secretary of the Rosebud Sioux Tribe.

104. Minimum Requirements

- A. Each resolution reported out of the Rosebud Sioux Tribal Council Committee shall have as a minimum.
 - 1. Recognition Statement of the Rosebud Sioux Tribe by the Federal Government of the United States.
 - 2. Citation of authority statement as found in the Constitution of the Rosebud Sioux Tribe, Tribal or Federal Law or Tribal Resolution.

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3. Statement of purpose or intent.
4. Rosebud Sioux Tribal Council Committee of referral statement.
5. Statement of authorization to the proper tribal governmental entity for implementation.

105. Amending or rescinding

- A. To amend or rescind a prior and duly approved resolution a majority vote of the legislative body of the Rosebud Sioux Tribe shall be required; unless such resolution to be amended or rescinded provides otherwise.

SECTION 200 - ORDINANCE

201. Introducing Ordinance

- A. All ordinances shall be subject to SECTION 100 – RESOLUTIONS; except Subsection 102, Community Resolutions; and Subsection 105, amending or rescinding for procedural requirements.

202. Public Hearings

- A. Each Committee of the Rosebud Sioux Council shall have at least one public hearing prior to Subsection 103 (A) on ordinances affecting residents within the exterior boundaries of the Rosebud Sioux Tribe.

203. Article IV. Section 1(t); Exemption

- A. Ordinances regulating the procedure of the Rosebud Sioux Tribal Council itself and any of its committees, other tribal agencies and tribal officials shall be exempt from Subsection 202 (A), Public Hearings.

204. Amending or rescinding

- A. To amend or rescind an ordinance, at least two-thirds (2/3) vote of a full legislative body of the Rosebud Sioux Tribe shall be required; unless such an ordinance to be amended or rescinded provided otherwise.

205. Publication

- A. Any ordinance approved by the legislative body of the Rosebud Sioux Tribe shall be published at least once in a local newspaper.

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300 - SECRETARY OF THE ROSEBUD SIOUX TRIBE

301. Submission date for resolutions and ordinances

- A. All Resolutions or Ordinances shall be submitted to the Secretary of the Rosebud Sioux Tribe no later than the last Wednesday of each month, by 5:00 p.m. for consideration by the legislation body of the Rosebud Sioux Tribe.

302. Review and Compliance

- A. The Secretary of the Rosebud Sioux Tribe, upon receiving any resolution or ordinance from a committee of the Rosebud Sioux Tribal Council shall review each resolution and ordinance to ensure compliance of Subsection 104 (A) and Subsection 301 (A).

303. Numbering

- A. The Secretary of the Rosebud Sioux Tribe shall then assign and affix a number to each resolution or ordinance meeting the procedural review in Subsection 302 (A).

304. Agenda

- A. Secretary of the Rosebud Sioux Tribe shall place on the Rosebud Sioux Tribal Council Agenda all legislation to be considered for enactment by the Rosebud Sioux Tribal Council.

SECTION 400 - EMERGENCY LEGISLATION

401. Waiver

- A. For emergency legislation, two-thirds (2/3) vote of the Rosebud Sioux Tribal Council in session shall be required on each individual resolution or ordinance to waive all Section, except Subsection 104, Minimum Standard, of the legislation procedure.

SECTION 500 - ENFORCEMENT

501. Non-compliance

- A. The Secretary of the Rosebud Sioux Tribe shall be empowered to enforce this ordinance.

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- B. Any resolution or ordinance not in compliance with this ordinance shall not be considered by the legislative body of the Rosebud Sioux Tribe for enactment.

SECTION 600 - IMPLEMENTATION

601. Effective Date

- A. This ordinance shall become effective thirty days after approval by the Rosebud Sioux Tribal Council.

602. Recession

- A. All prior rules, resolutions and ordinances regarding the legislation process of the Rosebud Sioux Tribal Council are hereby rescinded.