

Karuk Tribe of California

Quarterly Newsmagazine
April, 2008

Post Office Box 1016 • 64236 Second Avenue • Happy Camp, CA 96039
(530) 493-1600 • (800) 505-2785 (800-50Karuk) • www.karuk.us



SPECIAL ELECTION ISSUE!

Notice of Special Election Karuk Tribe of California

NOTICE IS HEREBY GIVEN: that on **Saturday, July 19, 2008**, the Karuk Tribe of California will conduct a Special Tribal Election. Polling places will be open from 9 AM to 6 PM at the following locations:

- ✓ **Happy Camp: Tribal Administration Conference Room, 64236 Second Avenue;**
- ✓ **Yreka: Health Clinic Conference Room, 1519 South Oregon Street; and**
- ✓ **Orleans: Community Center, 39051 Highway 96.**

TO BE ELIGIBLE TO VOTE: you must be an enrolled member of the Karuk Tribe, who is eighteen years old, or older as of July 19, 2008, and has registered with the Karuk Voter's Registration Office (you may register to vote before the election or at the polling place on Election day).

SUBJECT MATTER OF ELECTION: **SIXTEEN (16) CONSTITUTIONAL AMENDMENTS**

COPIES OF PROPOSED CHANGES: will be available on Monday, May 12, 2008 at the Tribal Administration Building in Happy Camp, the Medical Clinics in Yreka and Orleans, and the Karuk Tribe Housing Authority Offices in Yreka and Happy Camp.

ABSENTEE BALLOTS: requests for absentee ballots must be submitted in writing with a return address and must be received no later than July 4, 2008. Mail all requests to:

**VOTER'S REGISTRATION OFFICE
POST OFFICE BOX 815
HAPPY CAMP, CA 96039**

All requests for absentee ballots must contain the requestor's signature and the requestor's identity must be verified by one of the following three methods:

1. by a notary public; or
2. by two eligible voters of the Karuk Tribe of California; or
3. by providing a copy of a State, Federal, or Tribal ID card with a signature.

It is highly recommended that absentee ballot requests be received by the Voter's Registration Office in a timely manner for those members who live outside the aboriginal territory due to the amount of time it takes for the mail to reach Happy Camp. No phone calls or faxes will be accepted according to the Tribal Election Ordinance, Section 16, B.

For more information we encourage you to call the Voter's Registration Office at: (800) 50-KARUK or (530) 493-1600, extension 2014.

Statement from the Tribal Council of the Karuk Tribe of California Regarding Proposed Constitutional Amendments

Ayukii,

The Tribal Council has been hard at work on proposed revisions to the Constitution for over two years now and is pleased to have finally brought those revisions forward for a Special Election to be held on Saturday, July 19, 2008 in conjunction with the Tribal Reunion.

Key proposed changes include greatly expanding Tribal jurisdiction to better protect our resources and reinstating District Elections, consistent with the intent of the Karuk governing body before adoption of the current BIA Constitution.

We are also proposing to clarify some ambiguities that exist in the current Constitution, which was written in the late 1970's by the BIA, as well as proposing some internal election process changes, to return the governing of the Tribe closer to the way we governed ourselves before the current BIA Constitution.



The Council has worked on these revisions for over two years and two separate rounds of community meetings have been held in Yreka, Happy Camp, and Orleans in September 2005 and March 2008 to gather input and feedback from the membership.

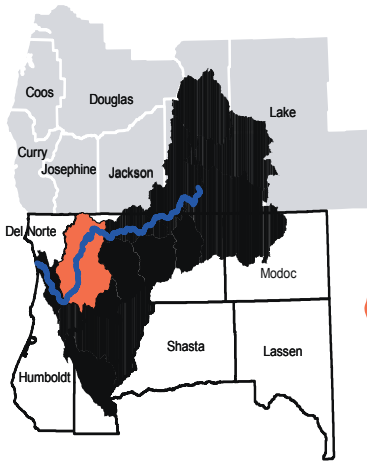
Included in this Newsletter is the final proposed strikethrough version showing all changes along with a Legislative Analysis that goes through each change individually so that the membership can have all information necessary to make an informed vote on July 19, 2008.

Yootva!

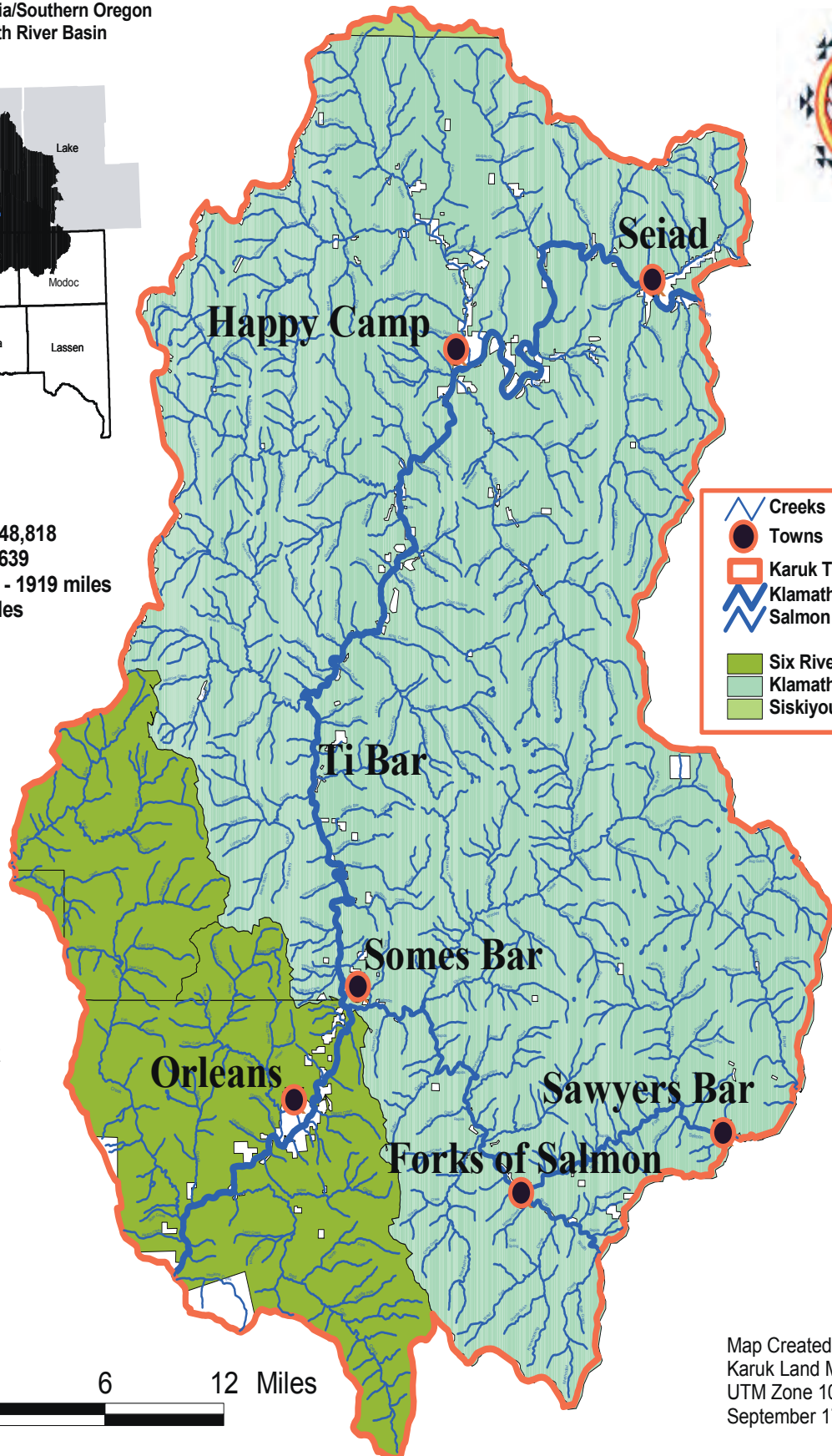
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Insert 2	Sample Ballot

KARUK ABORIGINAL TERRITORY

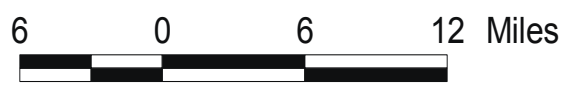
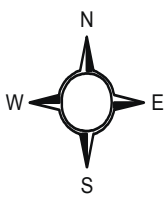
Northern California/Southern Oregon
With Klamath River Basin



Total Acres - 1,048,818
Square Miles - 1639
Creeks & Rivers - 1919 miles
Roads - 1825 miles



- Creeks
- Towns
- Karuk Territory
- Klamath River
- Salmon River
- Six Rivers National Forest
- Klamath National Forest
- Siskiyou National Forest



Map Created by Scott Quinn
Karuk Land Manager
UTM Zone 10, NAD 1927
September 17, 2004

~~KARUK TRIBE OF CALIFORNIA~~ CONSTITUTION OF THE KARUK TRIBE

PREAMBLE

We the Karuk Tribe being a sovereign native indigenous people, in order to form a representative tribal government, to promote the general welfare of all Karuk people, to establish equality and justice for our Tribe, to preserve and restore our common bonds, tribal traditions and ancestral rights, and to secure for ourselves and our descendants the power to exercise the inherent rights of self-government, do hereby establish and adopt this Constitution. ~~of the Karuk Tribe.~~

ARTICLE I – ABORIGINAL TERRITORY, TRIBAL LANDS AND COUNCIL DISTRICTS

Section 1. Aboriginal Territory. The Aboriginal Territory of the Karuk Tribe is depicted in the map of the Karuk Aboriginal Territory* on file in the Karuk Tribal Offices as described in Resolution 85-R-13*, and includes all submerged lands, and the beds, banks, and waters of all the waterways within the territory and the Tribe’s usual and customary ceremonial, hunting, fishing, and gathering sites.

Section 2. Tribal Lands. Karuk Tribal Lands consist of its Aboriginal Territory, service areas, and all lands subsequently and hereafter acquired by and for the Tribe, whether within or outside of the Tribe’s Aboriginal Territory.

Section 3. Council Districts. In order to have a representative government, representatives shall be elected from geographic districts within the Tribe’s territory, as more fully set forth in the Tribe’s Election Ordinance and the Karuk Voting District Map*. These Council districts are as follows:

1. The Orleans (Panámniik) District, which shall draw its membership from the towns and surrounding areas of Orleans, Weitchpec/Hoopa, Somes Bar, Forks of Salmon/Sawyers Bar, Weaverville, Crescent City, Klamath, McKinleyville, Arcata, Eureka, Fortuna, and Rio Dell.
2. The Happy Camp (Athithúfvuunupma) District, which shall draw its membership from the towns and surrounding areas of Happy Camp, Seiad Valley, Klamath River, Scott Bar, O Brien, Cave Junction, Brookings and Grants Pass.
3. The Yreka (Kahtishraam) District, which shall draw its membership from the towns and surrounding areas of Yreka, Montague, Fort Jones, Etna, Hornbrook, Ashland, Talent, Phoenix, Medford, and Central Point.

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* Karuk Aboriginal Territory Map, Page 3

* Resolution 85-R-13, Page 14

* Karuk Voting District Map, Page 13

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ARTICLE II - JURISDICTION

The laws of the Karuk Tribe shall extend to: ~~all persons and property located within the Tribes aboriginal territory subject to its jurisdiction.~~

1. All Tribal members;
2. All persons who are eligible to be enrolled as Tribal members or descendent Tribal members with the Tribe, for the purposes of certain Tribal programs and Indian Child Welfare matters, wherever located;
3. All persons throughout and within Karuk Tribal Lands who consent to the Tribe's jurisdiction;
4. All activities throughout and within Karuk Tribal Lands, or outside of Karuk Tribal Lands if the activities have caused an adverse impact to the political integrity, economic security, resources or health and welfare of the Tribe and its members; and
5. All lands, waters, natural resources, cultural resources, air space, minerals, fish, forests and other flora, wildlife, and other resources, and any interest therein, now or in the future, throughout and within the Tribe's territory.

ARTICLE III - MEMBERSHIP

Section 1. The membership of the Karuk Tribe ~~of California~~ shall consist of the following persons who are not enrolled as a member of any other Tribe:

- (a) Any person of one-eighth (1/8) degree or more of Karuk Indian blood whose name appears on the roll prepared pursuant to the Act of May 18, 1928, as amended by the Act of May 24, 1958, and the Act of September 21, 1968, for the distribution of judgement funds to Indians of California.
- (b) Any person of one-eighth (1/8) degree or more Karuk Indian blood ~~born to~~ members after the date of the rolls specified in Subsection (a) above who meets the membership criteria set forth in the Karuk Tribe's Enrollment Ordinance.

Section 2. Nothing in this Article shall prevent a person who has inherited an allotment or land use assignment on another Indian reservation and who is otherwise eligible for enrollment under this Article from being enrolled as a member of the Karuk Tribe.

Section 3. The Tribal Executive Council shall ~~adopt an~~ maintain a Tribal membership roll, along with an enrollment ordinance governing Karuk Tribal enrollment criteria, including membership and descendency criteria, future membership, and loss of membership. ~~and the adoption of members into the Tribe.~~



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Section 4. The Tribal Executive Council shall prescribe regulations governing the compilation and maintenance of a Tribal membership roll and the making of corrections to such membership roll.

ARTICLE IVH- RIGHTS OF MEMBERS

Section 1. Subject to the limitations imposed by this Constitution and by other duly enacted Tribal laws and policies, all members of the Karuk Tribe shall enjoy equal political rights and opportunities to participate in the tribal government, its economic resources, assets and all the rights that are conferred upon a Karuk citizen. ~~nor shall any members be denied the right to petition the Tribal Executive Council, or the tribal courts for redress of grievances against the tribal government.~~ No member shall be denied the right to petition the Tribal Council as the exclusive and final forum for redress of grievances against the Tribal government. Nothing in this Constitution is intended as, or shall be construed as, a waiver of the Tribe's sovereign immunity from unconsented suit. and No member shall be denied freedom of speech, religion or the right to peaceful assembly assemble, or otherwise be deprived of life, liberty or property without due process, which is notice and an opportunity to be heard.

ARTICLE IV - TRIBAL EXECUTIVE COUNCIL

Section 1. The governing body of the Karuk Tribe shall be the Tribal Executive Council, which shall consist of nine (9) members elected at large from the Tribe: ~~six (6) Council Members,~~ ["consisting of two (2) representatives elected from each of the three (3) Council Districts," if the Council Districts option is voted for] and three (3) officers (the Chairperson, Vice-Chairperson and Secretary/Treasurer), elected from anywhere within 100 road miles of the Tribe's Aboriginal Territory. All terms of office shall be for four (4) years.

Section 2. The Council shall consist of a chairman, vice-chairman, secretary, treasurer and five (5) council members elected at large from the Tribe.

ARTICLE VI - DELEGATION OF AUTHORITY TO THE TRIBAL EXECUTIVE COUNCIL

The members of the Karuk Tribe hereby delegate to the Tribal Executive Council the authority and responsibility to exercise by resolution or enactment of Tribal laws all the inherent sovereign powers vested in the Tribe as a Sovereign Aboriginal People. The Tribal Council shall exercise the following powers, subject to any limitations imposed by applicable law, and any express restrictions upon such powers contained in this Constitution.

1. To negotiate and contract with federal, state, Tribal and local governments, private agencies and consultants.
2. To purchase, lease or otherwise acquire land, and to receive gifts for the benefit of the Tribe.



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3. To prevent the sale, disposition, lease, or encumbrance of Tribal lands, interest in lands, or other Tribal assets without the consent of the Tribe.
4. To establish and manage Tribal enterprises and the economic affairs of the Karuk Tribe, including but not limited to: establishing boards, commissions and other tribally chartered entities to regulate housing, employment, gaming and other economic enterprises; approval of planning, programming, and development projects of all Tribal lands and assets; and other necessary financial and business activities.
5. To establish and oversee Tribal committees which have authority delegated by the Tribal Council for specific Tribal functions.
6. To license and regulate, including assessing applicable taxes and fees, the conduct of all business activities within Tribal jurisdiction.
7. To manage, develop, protect and regulate the use of Tribal land, wildlife, fish, plants, air, water, minerals, and all other natural and cultural resources within Tribal jurisdiction.
8. To provide for the preservation and unity of Karuk families, and the protection of Karuk Tribal children, while maintaining each child's cultural identity and relationship to the Tribe.
9. To enact laws and codes governing conduct of individuals and prescribe disciplinary action for offenses against the Tribe; to maintain order; to protect the safety and welfare of all persons within Tribal jurisdiction; and to provide for the enforcement of the laws and codes of the Tribe.
10. To establish Tribal courts and administrative bodies, and to provide for the courts' jurisdiction, procedures, separation of the judicial branch of government, and a method for selecting judges.
11. To take all actions that are necessary and proper for the exercise of the powers delegated to the Tribal Council or to any person or committee under the supervision of the Tribal Council.

ARTICLE VII - ELECTIONS AND NOMINATIONS

Section 1. All members of the Tribe who are eighteen years of age and over older who meet the eligibility criteria and have registered to vote with the Tribe pursuant to the provisions set forth in the Tribe's Election Ordinance, shall have the right to vote.

Section 2. All eligible voters must register to vote pursuant to the Tribe's Election Ordinance in order to vote. All registered voters are eligible to vote for all Council Member positions. Of the six (6) at large Council Member positions, two (2) shall be elected by candidates running from each of the three (3) Council Districts, described in Article I, Section 3 of this Constitution. Any eligible Tribal member may run for any of the three (3) Officer positions provided that he or she

resides within 100 road miles of the Tribe's Aboriginal Territory and otherwise meets the Tribe's candidate eligibility criteria. Should there be no eligible candidate running in any given District for any given election where a District seat is open, another candidate from outside that District may be elected to fill the vacancies, pursuant to the Election Ordinance.

Section 2-3. Any member of the Tribe who has, at least sixty days before the election, presented to the secretary or her designated representative, Election Committee a petition signed by at least twenty voting enrolled members of the Tribe who are eighteen years of age or older, and who has maintained a legal residence for a period of six consecutive months before the election within 100 road miles of the Tribe's Aboriginal Territory the territory of the Tribe as defined in a resolution adopted by the Interim Tribal Executive Council for that purpose, shall be declared by the Council to be nominated and to be a candidate for the office indicated in such petition. It shall be the duty of the secretary Election Committee to post the names of all qualified candidates in a public place at least ten days prior to the election.

Section 3. At the first election under this constitution, the chairman and the two (2) members receiving the highest number of votes shall be elected for a term of four (4) years. The vice-chairman and the two (2) members receiving the second highest number of votes shall be elected for a term of three (3) years. The Secretary, the Treasurer and the remaining one (1) member receiving the third highest number of votes shall be elected for a term of two (2) years. Thereafter, the term of office shall be for four (4) years.

Section 4. Candidates for Tribal Council must pass a criminal background check. Potential candidates who have been convicted of a felony involving murder, manslaughter, rape, assault with intent to kill, burglary, child or elder abuse, assault resulting in serious bodily injury, theft, fraud or embezzlement, during his or her term of office or within ten (10) years prior to the election, shall be ineligible to run for office or serve on the Tribal Council. However, persons who have completed their sentence for such conviction at least ten (10) years before the date of the election in which they intend to run for office may file as candidates. Potential candidates who have been removed from the Tribal Council office for gross misconduct, terminated from employment with the Tribe for theft, fraud or embezzlement, or who have been convicted of a crime requiring registration as a sex offender, shall be ineligible to run for office or serve on the Tribal Council.

Section 4.5. Annual elections shall be held on the first Tuesday in November. All tribal elections shall be by secret ballot. Elected Tribal council members and officers shall be sworn in and take office at the next Tribal Council meeting following certification of the election results, no later than thirty (30) days after the election, within fifteen days after the general election.

Section 5. The first election of the Tribal Executive Council under this constitution shall be held within 60 days following ratification of this constitution.

Section 6. The Interim Tribal Council shall amend its Election Ordinance enact an election ordinance within 60 30 days following ratification of this Constitution to incorporate the changes to this Constitution and to provide further guidelines on procedures governing elections.



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ARTICLE VIII - DUTIES OF OFFICERS

Section 1. Duties of Tribal Executive Council Officers. Newly elected officers shall assume their respective offices and duties at the first meeting following their swearing-in. Council Members appointed to serve on a committee or board shall keep the Council informed of their activities.

Section 2. Chairpersonman. The Chairpersonman shall preside at all meetings of the Tribal Executive Council. The Chairpersonman shall assume general supervision of all officers and employees and committees of the Tribal Executive Council as directed by the Council.

The Chairpersonman, together with the Secretary of the Tribal Executive Council, shall sign on behalf of the Tribe all official papers, resolutions and other formal Tribal enactments and documents on behalf of the Tribe, as required.

Section 3. Vice-Chairpersonman. In the absence of the Chairpersonman, the Vice-Chairpersonman shall act as Chairpersonman and when so presiding shall have all rights, privileges and responsibilities of the Chairpersonman.

The Vice-Chairpersonman shall be the ex-officio member on committees appointed by the Tribal Executive Council and shall keep the Council informed of their activities.

The Vice-Chairpersonman shall perform such other duties as the Chairpersonman, with the consent of the Tribal Executive Council, may direct.

Section 4. Secretary/Treasurer. The Secretary/Treasurer shall act as Chairpersonman pro-tempore in the absence or incapacity of the Chairpersonman and Vice-Chairpersonman in order to elect an acting Chairpersonman for the meeting at which the Chairpersonman and Vice-Chairpersonman are absent.

At the direction of the Tribal Council, the Secretary/Treasurer shall be responsible for assuring that all Council correspondence is properly written and mailed, all public notices are issued, the minutes of the Tribal Council meetings are properly recorded, published and distributed, and that all petitions, ordinances, applications and other papers are received and prepared for the Council's action. The Secretary/Treasurer shall affix his or her signature to official documents as required and shall certify the enactment of resolutions and ordinances. The Secretary/Treasurer shall maintain a roster of Council members and serve as the Registrar for registered voters.

The Secretary of the Tribal Executive Council shall be responsible for all correspondence, issuing public notices, the recording, publication and distribution of the minutes of the Tribal Executive meetings, receiving all petitions, ordinances, applications and other papers and prepare them for the action of the Council.

The Secretary shall maintain a roster of Council members, eligible voters and perform such other duties as may be assigned by the Tribal Executive Council.

At the direction of the Tribal Council, the Secretary/Treasurer shall be responsible for safeguarding tribal assets, which includes ensuring adequate internal controls are in place, communicating with Fiscal staff to ensure that audits are completed annually, corrective action is taken on any audit findings, fiscal and personnel policies are maintained and kept current and financial reports are presented as needed and performing such other duties as may be assigned by the Tribal Council.

Section 5. Treasurer. ~~In the event the Chairman, Vice-Chairman and Secretary shall be absent or incapacitated, the Treasurer of the Tribal Executive Council shall act as Chairman, pro-tempore in order to elect a Chairman for the meeting at which the Chairman, Vice-Chairman and Secretary are absent.~~

~~The Treasurer of the Tribal Executive Council shall be responsible for accepting, receiving, receipting for and preserving and safeguarding all funds in the custody of the Tribal Executive Council, whether same be tribal funds or special funds for which the Council is acting as trustee or custodian. The Treasurer shall be responsible for seeing that all funds are deposited in such bank or elsewhere as directed by the Tribal Executive Council and shall preserve a faithful record of such funds and shall report in writing to the Council annually and at such other times as requested by the Council.~~

~~The Treasurer shall not pay out or otherwise disburse any funds in his/her possession or custody of the Tribal Executive Council except when properly authorized to do so by the Council.~~

Section 5. In the absence of an Officer, Council business may be conducted when a quorum is present, provided that a reasonable attempt has been made to notify all Council members of the meeting time and the business to be conducted. The Council member who has served the longest (has seniority) on the Council shall preside over such meetings.

Section 6. The Tribal Council shall maintain and adhere to a Code of Conduct governing internal protocols relevant to service on the Tribal Council.

ARTICLE IXVIII - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the Tribal Council or any official shall dies, resigns, fails to maintain a residency within 100 road miles of the Tribe's Aboriginal Territory, permanently leaves the Tribe's territory or is convicted of a felony involving murder, manslaughter, rape, assault with intent to kill, burglary, child or elder abuse, assault resulting in serious bodily injury, theft, fraud or embezzlement, or is convicted of a crime requiring registration as a sex offender, a felony or of a misdemeanor involving dishonesty in any Indian, State or Federal court, the Council shall declare the position vacant and elect to fill the unexpired term pursuant to the Tribe's Election Ordinance.

Section 2. If it is discovered that a member elected to the Tribal Council was convicted of one of the crimes set forth in Section 1 that was not discovered during the candidate screening process,



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the Council shall declare the position vacant and fill the unexpired term pursuant to the Tribe's Election Ordinance.

Section 23. The Council may by an affirmative vote of two-thirds (at least six Council members) expel, or suspend pending investigation, any member for neglect of duty or gross misconduct, provided that the accused member shall be given full and fair opportunity to reply to any and all charges at a designated Council meeting, and provided further, that the accused member shall have been given a written notice of the charges against him/her at least five days before the meeting at which he or she is to appear. The Tribal Council shall enact and maintain fair hearing procedures to ensure that the accused has a full and fair opportunity to respond, including bringing witnesses and evidence on his or her behalf.

Section 34. Upon a petition of at least two thirds (2/3) of the registered one-third (1/3) of the eligible voters of the Tribe, it shall be the duty of the Tribal Executive Council to call a special election for the recall of any member or members of the Council named in such petition. In the event that a majority of those voting in such election approve a council member's recall from office, the office shall be declared vacant and the Tribal Executive Council shall proceed in the usual manner to hold an election to fill said office direct the Election Committee to hold a special election to fill said office, pursuant to the provisions of the Tribe's Election Ordinance.

ARTICLE IX - REFERENDUM

Section 1. Upon a petition of at least one-third (1/3) of the eligible voters of the Tribe or upon the request of a majority of the members of the Tribal Executive Council any enacted or proposed ordinance or resolution shall be submitted to popular referendum and the vote of a majority of the qualified voters in such referendums shall be conclusive and binding on the Council, provided that at least 30 percent of the eligible voters shall vote in such election.

ARTICLE XI - PRIOR ENACTMENTS

Upon approval of this constitution, all prior actions of the Interim Tribal Executive Council are hereby ratified and confirmed as a valid exercise of the Tribe's inherent Sovereign powers.

ARTICLE XII - AMENDMENTS

This Constitution may only be amended if proposed amendments are approved by a vote of the Tribal membership. Amendments to this Constitution may be ratified and approved in the same manner as this Constitution: proposed by submitting either of the following documents to the Tribal Election Committee along with the proposed amendments:

1. A resolution in which a quorum of the Tribal Council members have voted in favor of the proposed Constitutional Amendment; or
2. A petition signed by at least one third (1/3) of the Tribe's eligible voters.



Upon receipt of either of these two documents, the Election Committee shall call and conduct a special election pursuant to the provisions set forth in the Election Ordinance. The specific language proposed as an amendment to the Constitution, along with language changes of any other parts of the Constitution that will be affected by the proposed modification and a brief explanation of the reason for the proposed changes, shall appear on the ballot materials sent to all eligible voters.

The amendment(s) shall take effect if adopted by the majority of those voting in the election held for that purpose, provided that at least fifty percent (50%) of the registered voters voted in the election.

CERTIFICATION

I, the undersigned, as Chairperson of the Tribal Council of the Karuk Tribe, do hereby certify that the Karuk Tribal Council is composed of nine (9) members of which _____ were present constituting a quorum at a Special meeting duly noticed and convened on _____, 2008, and that Resolution Number 08-R-____ was duly adopted by a vote of _____ for, _____ against, and _____ abstaining, voting in favor of the proposed changes to the Constitution of the Karuk Tribe, and that said resolution has not been rescinded or amended or modified in any way; and that the Karuk Tribe held an election on the _____ day of _____, 2008; and that these Constitutional Amendments were adopted by a majority vote of those voting in the election and that at least fifty percent (50%) of the registered voters voted in said election.

Dated on this _____ day of _____, 2008

Arch Super, Chairperson
Karuk Tribal Council

Attest:

Florraine Super, Secretary
Karuk Tribal Council

Please cut here, sign and return to Voter Registration Office

**Karuk Tribe of California
Voter Registration Form**

Last Name First Name Middle

Tribal Roll Number: _____ Birth Date: _____

Residence Street Address: _____ Town: _____ State: _____ Zip Code: _____

Mailing Address (if different): _____ Town: _____ State: _____ Zip Code: _____

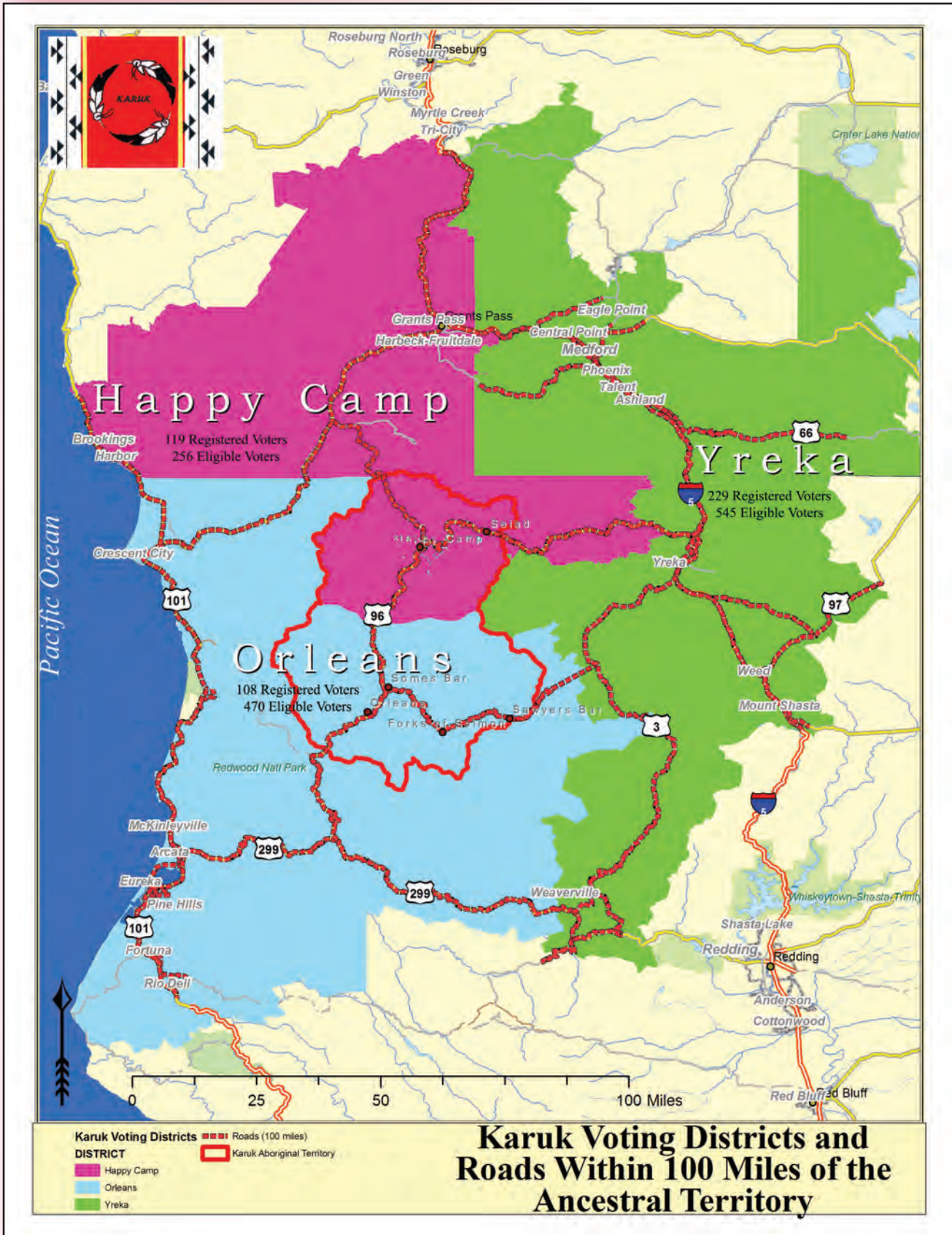
Usual Polling Place: Orleans Happy Camp Yreka Absentee
please circle one

OATH:
I solemnly swear that I am a Karuk Tribal member and over eighteen years of age.
I swear that I reside at the address indicated above.



Signature of Voter Date

Karuk Voting Districts





103 INDIAN CREEK ROAD
P. O. BOX 1098
HAPPY CAMP, CA 96039

CENTRAL OFFICE 916-493-5305
COMMUNITY DEVELOPMENT DEPT. 916-493-53

RESOLUTION OF THE

KARUK TRIBE OF CALIFORNIA

RESOLUTION NO: 85-13
DATE APPROVED: APRIL 17, 1985

AUTHORIZATION BY THE KARUK TRIBE TO MAKE KNOWN AND ESTABLISH THE TERRITORY OF THE TRIBE.

WHEREAS, the Karuk Tribe is a Sovereign Tribe and People recognized to have a government-to-government relationship with the government of the United States of America; and,


WHEREAS the Interim Tribal Executive Board is presently the formally constituted Governing Body of the Karuk Tribe entrusted with the responsibility of determining policy for the Karuk people; and,

WHEREAS, Article VI, Section 2 of the Constitution of the Karuk Tribe delegates to the Interim Tribal Executive Board the authority to determine the Tribe's territory for purposes of determining residency of candidates for the Karuk Tribal Executive Council; and,

NOW, THEREFORE LET IT BE RESOLVED, that the residency requirement for the Karuk Tribal Executive Council consists of all aboriginal territory as defined by the Tribal Indigenous Map, and the legal description of said territory as described in Attachment A.

CERTIFICATION

I, the Chairman, hereby certify the foregoing resolution, which was approved at a special meeting, where a quorum was present, on the 17th day of April, 1985, was duly adopted by a vote of 3 for; 0 against; and 1 abstain, and said resolution has not been rescinded or amended in any way. The Interim Tribal Executive Board is composed of six members of which 4 voted.


Paul Gary Beck, Chairman


Date April 17, 1985

TERRITORY

The legal description of the indigenous territory is more particularly described as follows:

Tanner Mt. section 15, easterly to section 36, turn southerly to Pyramid Peak to Goff Butte then southerly to Rattle Snake Mountain in section 16 to Kangaroo Mountain, from Kangaroo Mountain go northeast on the Oregon-California border to Cook and Green Pass, south on the eastern ridge of East Fork of Seiad Creek to the ridge on the southeast side of Seiad Creek to the Klamath River, up the eastern ridge of Grider Creek all the way to Grider Valley, section 14, and south to Kings Castle section 34, south to Black Marble Mountain section 14, turning southeast on the ridge to Summit Meadow corner of section 33, turning southerly Shelly Meadows section 23, turning south along easternly ridge of North Fork of Salmon River, down the North Fork of the Salmon River till Blue Ridge Lookout, section 11, turning southerly to Yoakumville section 29 crossing the south fork of the Salmon River sections 29 and 30 up to Hettling Ridge to section 30 turning west at Youngs Peak, northwest to Salmon Mountain section 8, turning south on Devils Backbone to section 12, turning northwest on section 11 to Packards Saddle ridge to Hopkins Buttes section 33, turning northwesterly to Shelton Butte crossing Klamath River at section 19 and 24 to Burrill Peak, sections 21 and 22, turning northwesterly to Bee Mountain section 3, turning north to Onion Mountain section 5, turning northeasterly on section 3 to section 27 turning north on Lonesome ridge to section 10, continue northwest to Doctor Rock and Peak 8, then northeasterly to Sawtooth Mountain, section 10, to Harrington Mountain on the ridge to Prescott Mountain section 36 north to Bear Mountain to section 12, turning northwesterly to section 36 turning northwesterly to section 25, turning easterly to Twin Peak, turning at section 30 to the northeast to Rocky Knob Mountain, turning north on section 20 to Youngs Peak section 4, turning east to section 11, turning northerly to Lookout Mountain section 35, turning east to section 31, turning northerly to Little Greyback section 5, turning north section 32, turning northeasterly to section 15, turning on section 14 to Dolan Mountain; turning on section 8 east to Tanner Mountain to section 15, the point of beginning. (This description was made in using the Klamath National Forest Map of California and Oregon, 1978). Map is attached hereto as Exhibit 1.

ATTACHMENT A

Continued on next page...

The Tribal Council is proposing the following sixteen (16) amendments to the Constitution to be voted on by the general membership on **July 19, 2008**.

The original sections of the Constitutional articles are in normal type, the proposed deletions are ~~lined out~~, and the proposed additions or changes are underlined:

PROPOSED CONSTITUTIONAL AMENDMENTS

Proposed Constitutional Amendment 1a:

Shall the Tribe change its name to the Karuk Nation?



A YES VOTE would change the name of the Tribe to the Karuk Nation

A NO VOTE would keep the name of the Tribe as the Karuk Tribe of California

For the Amendment:

The Karuk Tribe is a sovereign nation with a government-to-government relationship with the United States. Having the word “California” in the Tribe’s name has the appearance of lowering the Tribe’s status to make it dependent on a state.

Any inconveniences would be temporary and outweighed by the benefits of changing the Tribe’s name.

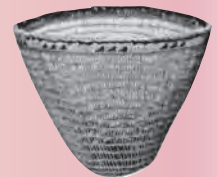
The Tribe has checked with the BIA – *there will be NO interruption in services, funding, or federal recognition if the membership votes to change the Tribe’s name.*

Against the Amendment:

New letterhead, logos, business cards, signs, etc. will have to eventually be created with the new name. The complete change over will take several months, cost money, and may cause some confusion at first; the Tribe will need to formally tell everyone, from the BIA to the local counties, of the new name.

Proposed Constitutional Amendment 1b:

Shall the Tribe change its name to the Karuk Tribe?



A YES VOTE would change the name of the Tribe to the Karuk Tribe

A NO VOTE would keep the name of the Tribe as the Karuk Tribe of California

For and Against the Amendment (see above, 1(a))

Note: If you want to vote to change the name of the Tribe, only vote YES for ONE of the proposals 1(a) OR 1(b), not both.

Proposed Constitutional Amendment 2:

Shall the name of the Tribe's governing body be officially changed to the "Tribal Council"?

A YES VOTE would change the name of the governing body of the Tribe from the "Tribal Executive Council" or "Interim Tribal Executive Council" to the "Tribal Council."

A NO VOTE would make no changes to the name of the governing body of the Tribe.

This is a technical amendment. Most people already refer to the Tribal Executive Council as the "Tribal Council," and the "Interim" Tribal Council only referred to the very first Tribal Council under the current Constitution. No comments have been received opposing this amendment.

Proposed Constitutional Amendment 3:

Shall the Preamble be changed as proposed?

A YES VOTE would change the Preamble to add the word "Preamble" and make other minor changes as follows:

PREAMBLE

We the Karuk Tribe being a sovereign ~~native~~ indigenous people, in order to form a representative tribal government, to promote the general welfare of all Karuk people, to establish equality and justice for our Tribe, to preserve and restore our common bonds, tribal traditions and ancestral rights, and to secure for ourselves and our descendants the power to exercise the inherent rights of self-government, do hereby establish and adopt this Constitution. ~~of the Karuk Tribe.~~

A NO VOTE means the Preamble would stay as it is.

For the Amendment:

This is another technical amendment. Adding the word "Preamble" at the beginning would make it clear that this is the beginning of the Constitution and would make it look similar to most other Tribal Constitutions and the U.S. Constitution. The other minor changes make the paragraph easier to read, and some prefer "indigenous" to "native."

Against the Amendment:

No comments were received opposing this amendment.

Proposed Constitutional Amendment 4:

Shall Sections 1 and 2 of Article I be added to define the Tribe's Aboriginal Territory and Tribal Lands?

A YES VOTE would add the following two new sections:



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ARTICLE I – ABORIGINAL TERRITORY, TRIBAL LANDS AND COUNCIL DISTRICTS

Section 1. Aboriginal Territory. The Aboriginal Territory of the Karuk Tribe is depicted in the map of the Karuk Aboriginal Territory on file in the Karuk Tribal Offices as described in Resolution 85-R-13, and includes all submerged lands, and the beds, banks, and waters of all the waterways within the territory and the Tribe’s usual and customary ceremonial, hunting, fishing, and gathering sites.

Section 2. Tribal Lands. Karuk Tribal Lands consist of its Aboriginal Territory, service areas, and all lands subsequently and hereafter acquired by and for the Tribe, whether within or outside of the Tribe’s Aboriginal Territory.

A NO VOTE would not have these new sections.

For the Amendment:

The current Jurisdiction section in the Constitution (“*The laws of the Karuk Tribe shall extend to all persons and property located within the Tribes aboriginal territory subject to its jurisdiction*”) is unclear and vague; the Tribe should clearly define all the areas where Tribe intends to claim territorial jurisdiction.

Against the Amendment:

No comments were received opposing this amendment.



Proposed Constitutional Amendment 5:

Shall Council Districts be added as proposed in new Article I, Section 3 and Article VII, Section 2?

A YES VOTE would change the Constitution as follows:

The new Article I, Section 3, would read as follows:

ARTICLE I – ABORIGINAL TERRITORY, TRIBAL LANDS AND COUNCIL DISTRICTS

Section 3. Council Districts. In order to have a representative government, representatives shall be elected from geographic districts within the Tribe’s territory, as more fully set forth in the Tribe’s Election Ordinance and the Karuk Voting District Map. These Council districts are as follows:

1. The Orleans (Panámniik) District, which shall draw its membership from the towns and surrounding areas of Orleans, Weitchpec/Hoopa, Somes Bar, Forks of Salmon/Sawyers Bar, Weaverville, Crescent City, Klamath, McKinleyville, Arcata, Eureka, Fortuna, and Rio Dell.
2. The Happy Camp (Athithúfvuunupma) District, which shall draw its membership from the towns and surrounding areas of Happy Camp, Seiad Valley, Klamath River, Scott Bar, O Brien, Cave Junction, Brookings and Grants Pass.
3. The Yreka (Kahtishraam) District, which shall draw its membership from the towns and surrounding areas of Yreka, Montague, Fort Jones, Etna, Hornbrook, Ashland, Talent, Phoenix, Medford, and Central Point.

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Also, the new Article VII, Section 2, would read as follows:

ARTICLE VII – ELECTIONS AND NOMINATIONS

Section 2. All eligible voters must register to vote pursuant to the Tribe's Election Ordinance in order to vote. All registered voters are eligible to vote for all Council Member positions. Of the six (6) at large Council Member positions, two (2) shall be elected by candidates running from each of the three (3) Council Districts, described in Article I, Section 3 of this Constitution. Any eligible Tribal member may run for any of the three (3) Officer positions provided that he or she resides within 100 road miles of the Tribe's Aboriginal Territory and otherwise meets the Tribe's candidate eligibility criteria. Should there be no eligible candidate running in any given District for any given election where a District seat is open, another candidate from outside that District may be elected to fill the vacancies, pursuant to the Election Ordinance.

A NO VOTE would keep elections the same, without Council District representation.

For the Amendment:

Before the BIA introduced the current Constitution, the Tribe was organized into three Council districts, to make sure that the three main communities were represented. The Tribal Council proposes to return the Tribe's government system back to how it used to be before the BIA stepped in.

Having balanced representation (Council members from each district) on the Tribal Council may help to make sure that the unique concerns of each district are understood and represented on the Council.

If the membership votes to put back the Council District system, Article V, Section 2, spells out how each district has two (2) seats on the Council (but any eligible Tribal member may run for a District seat if no eligible District candidate runs).

Against the Amendment:

It will take some time and coordination to phase in the Council Districts (amending the Election Ordinance, having members register to vote in their district, etc.)

Some Tribal members thought the Districts would be dividing the Tribe.

There was also some concern that members not living in any of the Council Districts would not be represented. However: 1) all members, *wherever* they are located would still get to vote for *all* Council seats, and can vote by absentee ballot if they do not live nearby; and 2) members not in any of the Districts may still run for one of the officer positions as long as they live within 100 road miles of the ancestral lands.



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Proposed Constitutional Amendment 6:**Shall a new Article II be added regarding the Tribe's Jurisdiction?**

A YES VOTE would expand the current Jurisdiction section as follows:

The laws of the Karuk Tribe shall extend to: ~~all persons and property located within the Tribes aboriginal territory subject to its jurisdiction.~~

1. All Tribal members;
2. All persons who are eligible to be enrolled as Tribal members or descendent Tribal members with the Tribe, for the purposes of certain Tribal programs and Indian Child Welfare matters, wherever located;
3. All persons throughout and within Karuk Tribal Lands who consent to the Tribe's jurisdiction;
4. All activities throughout and within Karuk Tribal Lands, or outside of Karuk Tribal Lands if the activities have caused an adverse impact to the political integrity, economic security, resources or health and welfare of the Tribe and its members; and
5. All lands, waters, natural resources, cultural resources, air space, minerals, fish, forests and other flora, wildlife, and other resources, and any interest therein, now or in the future, throughout and within the Tribe's territory.

A NO VOTE would keep the Jurisdiction section as currently written.

For the Amendment:

The current Jurisdiction section in the Constitution (*"The laws of the Karuk Tribe shall extend to all persons and property located within the Tribes aboriginal territory subject to its jurisdiction"*) is unclear and vague.

Spelling out all the areas where the Tribe may claim jurisdiction does not legally expand the Tribe's jurisdiction. However, it would help non-Tribal people to see that the Tribe is interested in and has the ability sometimes to participate in the activities that are happening within its ancestral territories.

Examples: having a say in protecting cultural or natural resources that are impacted by other peoples' activities within the Tribe's ancestral territories (dams, construction, pollution, etc.)

Also, spelling out that the Tribe has jurisdiction over children who are eligible for membership or registered descendency helps the Tribe protect its children.

Against the Amendment:

Some people (especially non-Tribal people) see this as the Tribe trying to "take over" in areas where it doesn't have jurisdiction.

Some members do not want to offend the counties, state, private entities and other Indian Tribes who might think the Tribe is trying to be involved in areas that the Tribe does not belong.



Proposed Constitutional Amendment 7:

Shall Article III on Membership be changed as proposed?

A YES VOTE would change this Article to read as follows:

Section 1. The membership of the Karuk Tribe of California shall consist of the following persons who are not enrolled as a member of any other Tribe:

- (a) Any person of one-eighth (1/8) degree or more of Karuk Indian blood whose name appears on the roll prepared pursuant to the Act of May 18, 1928, as amended by the Act of May 24, 1958, and the Act of September 21, 1968, for the distribution of judgement funds to Indians of California.
- (b) Any person of one-eighth (1/8) degree or more Karuk Indian blood ~~born to members after the date of the rolls specified in Subsection (a) above who meets~~ the membership criteria set forth in the Karuk Tribe's Enrollment Ordinance.

Section 2. Nothing in this Article shall prevent a person who has inherited an allotment or land use assignment on another Indian reservation and who is otherwise eligible for enrollment under this Article from being enrolled as a member of the Karuk Tribe.

Section 3. The Tribal Executive Council shall ~~adopt an~~ maintain a Tribal membership roll, along with an enrollment ordinance governing Karuk Tribal enrollment criteria, including membership and descendancy criteria, future membership, and loss of membership. ~~and the adoption of members into the Tribe.~~

Section 4. ~~The Tribal Executive Council shall prescribe regulations governing the compilation and maintenance of a Tribal membership roll and the making of corrections to such membership roll.~~

A NO VOTE would keep this Article as currently written.

For the Amendment:

This is a technical amendment. The way this section is currently written, people may not be members of the Tribe even if they are 1/8 Karuk blood if their parents are not enrolled Karuk members.

The Tribal Council does not need to “establish” a membership roll or ordinance because it already maintains these items.

Against the Amendment:

No comments were received opposing this amendment.



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Proposed Constitutional Amendment 8:

Shall Article IV on Rights of Members be changed as proposed?



A YES VOTE would change this Article to read as follows:

Section 1. Subject to the limitations imposed by this Constitution and by other duly enacted Tribal laws and policies, all members of the Karuk Tribe shall enjoy equal political rights and opportunities to participate in the tribal government, its economic resources, assets and all the rights that are conferred upon a Karuk citizen. ~~nor shall any members be denied the right to petition the Tribal Executive Council, or the tribal courts for redress of grievances against the tribal government,~~ No member shall be denied the right to petition the Tribal Council as the exclusive and final forum for redress of grievances against the Tribal government. Nothing in this Constitution is intended as, or shall be construed as, a waiver of the Tribe's sovereign immunity from unconsented suit. ~~and~~ No member shall be denied freedom of speech, religion or the right to peaceful assembly assemble, or otherwise be deprived of life, liberty or property without due process, which is notice and an opportunity to be heard.

A NO VOTE would keep this Article as currently written.

For the Amendment:

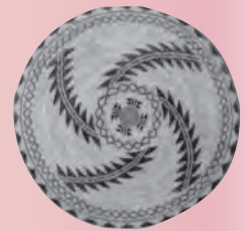
The current Constitution does not clarify that the Tribe is a sovereign government that has sovereign immunity from being sued.

“Sovereign immunity” is the right of all sovereign (self-governing) governments, from the United States, to state entities to Tribal entities. The immunity (protection from being sued) may be only be waived by the Tribal Council, in writing.

This section makes sure that concerns of Tribal members are heard (everyone is entitled to due process, that is also spelled out in the federal law the Indian Civil Rights Act) and also makes sure the Tribe is protected from unnecessary lawsuits that cost the Tribe money it does not have.

Against the Amendment:

No comments were received opposing this amendment.

**Proposed Constitutional Amendment 9:**

Shall Article VI on Delegation of Authority to Tribal Council be changed as proposed?

A YES VOTE would change this Article to read as follows:

**ARTICLE VI - DELEGATION OF AUTHORITY TO THE
TRIBAL EXECUTIVE COUNCIL**

The members of the Karuk Tribe hereby delegate to the Tribal Executive Council the authority and responsibility to exercise by resolution or enactment of Tribal laws all the inherent sovereign powers vested in the Tribe as a Sovereign Aboriginal People. The Tribal Council shall exercise the following powers, subject to any limitations imposed by applicable law, and any express restrictions upon such powers contained in this Constitution.

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1. To negotiate and contract with federal, state, Tribal and local governments, private agencies and consultants.
2. To purchase, lease or otherwise acquire land, and to receive gifts for the benefit of the Tribe.
3. To prevent the sale, disposition, lease, or encumbrance of Tribal lands, interest in lands, or other Tribal assets without the consent of the Tribe.
4. To establish and manage Tribal enterprises and the economic affairs of the Karuk Tribe, including but not limited to: establishing boards, commissions and other tribally chartered entities to regulate housing, employment, gaming and other economic enterprises; approval of planning, programming, and development projects of all Tribal lands and assets; and other necessary financial and business activities.
5. To establish and oversee Tribal committees which have authority delegated by the Tribal Council for specific Tribal functions.
6. To license and regulate, including assessing applicable taxes and fees, the conduct of all business activities within Tribal jurisdiction.
7. To manage, develop, protect and regulate the use of Tribal land, wildlife, fish, plants, air, water, minerals, and all other natural and cultural resources within Tribal jurisdiction.
8. To provide for the preservation and unity of Karuk families, and the protection of Karuk Tribal children, while maintaining each child's cultural identity and relationship to the Tribe.
9. To enact laws and codes governing conduct of individuals and prescribe disciplinary action for offenses against the Tribe; to maintain order; to protect the safety and welfare of all persons within Tribal jurisdiction; and to provide for the enforcement of the laws and codes of the Tribe.
10. To establish Tribal courts and administrative bodies, and to provide for the courts' jurisdiction, procedures, separation of the judicial branch of government, and a method for selecting judges.
11. To take all actions that are necessary and proper for the exercise of the powers delegated to the Tribal Council or to any person or committee under the supervision of the Tribal Council.

A NO VOTE would keep this Article as it is currently written.

For the Amendment:

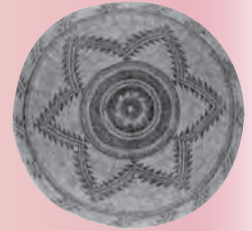
The way it is currently written, (*"The members of the Karuk Tribe hereby delegate to the Tribal Executive Council the authority to exercise by resolution or the enactment of tribal laws all the inherent sovereign powers vested in the tribe as a Sovereign Aboriginal People"*) the Tribal Council's delegated authority is too vague; the Council's powers and responsibilities (what the Council already is elected to do) should be better defined.

Also, it helps the Council, advocates, grant writers, etc. working on behalf of the Tribe to point to the Constitutional authority/interest the Tribe has in certain areas.

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Against the Amendment:

Although most people preferred having the list, some members worried someone could find a “loophole” in one of the powers and use it against the Tribe. Some members wanted certain areas to have to come to the people for a vote.

Proposed Constitutional Amendment 10:**Shall Article VII on Elections and Nominations be changed as proposed?**

A YES VOTE would change Article VII, Sections 1, 3, 5, 6 and 7 as follows:

Section 1. All members of the Tribe who are eighteen years of age and ~~over~~ older who meet the eligibility criteria and have registered to vote with the Tribe pursuant to the provisions set forth in the Tribe's Election Ordinance, shall have the right to vote.

Section 2-3. Any member of the Tribe who has, at least sixty days before the election, presented to the ~~secretary or her designated representative, Election Committee~~ a petition signed by at least twenty ~~voting~~ enrolled members of the Tribe who are eighteen years of age or older, and who has maintained a legal residence for a period of six consecutive months before the election within 100 road miles of the Tribe's Aboriginal Territory ~~the territory of the Tribe as defined in a resolution adopted by the Interim Tribal Executive Council for that purpose~~, shall be declared by the Council to be nominated and to be a candidate for the office indicated in such petition. It shall be the duty of the ~~secretary~~ Election Committee to post the names of all qualified candidates in a public place at least ten days prior to the election.

Section 3. ~~At the first election under this constitution, the chairman and the two (2) members receiving the highest number of votes shall be elected for a term of four (4) years. The vice-chairman and the two (2) members receiving the second highest number of votes shall be elected for a term of three (3) years. The Secretary, the Treasurer and the remaining one (1) member receiving the third highest number of votes shall be elected for a term of two (2) years. Thereafter, the term of office shall be for four (4) years.~~

Section 4. 5. Annual elections shall be held on the first Tuesday in November. All tribal elections shall be by secret ballot. Elected Tribal council members and officers shall be sworn in and take office at the next Tribal Council meeting following certification of the election results, no later than thirty (30) days after the election. ~~within fifteen days after the general election.~~

Section 5. ~~The first election of the Tribal Executive Council under this constitution shall be held within 60 days following ratification of this constitution.~~

Section 6. The Interim Tribal Council shall amend its Election Ordinance enact an election ordinance within 60 ~~30~~ days following ratification of this Constitution to incorporate the changes to this Constitution and to provide further guidelines on procedures governing elections.

A NO VOTE would keep these sections as currently written.

For the Amendment:

These proposed changes to these sections are mostly technical amendments to conform to current Tribal election procedures.

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Against the Amendment:

No comments were received opposing this amendment.



Proposed Constitutional Amendment 11:

Shall Article VII (Criminal background checks) and Article IX (Removal for certain crimes) be changed as proposed?

A YES VOTE would add a new Section 4 to Article VII, and change Section 1 of Article IX as follows:

Section 4. Candidates for Tribal Council must pass a criminal background check. Potential candidates who have been convicted of a felony involving murder, manslaughter, rape, assault with intent to kill, burglary, child or elder abuse, assault resulting in serious bodily injury, theft, fraud or embezzlement, during his or her term of office or within ten (10) years prior to the election, shall be ineligible to run for office or serve on the Tribal Council. However, persons who have completed their sentence for such conviction at least ten (10) years before the date of the election in which they intend to run for office may file as candidates. Potential candidates who have been removed from the Tribal Council office for gross misconduct, terminated from employment with the Tribe for theft, fraud or embezzlement, or who have been convicted of a crime requiring registration as a sex offender, shall be ineligible to run for office or serve on the Tribal Council.

ARTICLE ~~IX~~VIII - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the Tribal Council ~~or any official~~ shall dies, resigns, fails to maintain a residency within 100 road miles of the Tribe's Aboriginal Territory, permanently leaves the Tribe's territory or is convicted of a felony involving murder, manslaughter, rape, assault with intent to kill, burglary, child or elder abuse, assault resulting in serious bodily injury, theft, fraud or embezzlement, or is convicted of a crime requiring registration as a sex offender, a felony or of a misdemeanor involving dishonesty in any Indian, State or Federal court, the Council shall declare the position vacant and elect to fill the unexpired term pursuant to the Tribe's Election Ordinance.

A NO VOTE would keep these Articles as currently written, including having no Constitutional requirement for criminal background checks for candidates.

For the Amendment:

The current Constitution does not address criminal background checks for potential candidates.

Article IX, Section 1, is about a crime committed while the Council Member is serving his or her term. If you think the current "felony or of a misdemeanor involving dishonesty" is too vague, as it could include any misdemeanor, including fish and game violations, you would vote "Yes."

Against the Amendment:

If you want the Constitution to continue to not address criminal background checks for potential candidates running for office, you would vote "No."

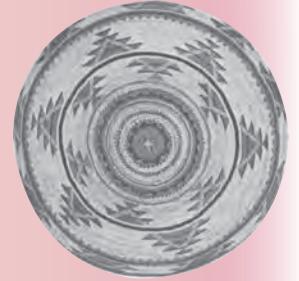
During community meetings, the feedback was unanimous (everyone agreed) that Article IX Section 1 was too vague and needed to be changed. Everyone wanted to better define what crimes would make a

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Council Member have to leave and a new election called. However, consensus was not reached as to the disqualifying crimes and time limits. The proposed language reflects what seemed to be the will of the majority of those who provided feedback.

Proposed Constitutional Amendment 12:

Shall Article VIII on Duties of Officers and Article V on Tribal Council be changed as proposed (combining Secretary/Treasurer)?



A YES VOTE would change this Article to read as follows:

ARTICLE VIII - DUTIES OF OFFICERS

Section 1. Duties of Tribal Executive Council Officers. Newly elected officers shall assume their respective offices and duties at the first meeting following their swearing-in. Council Members appointed to serve on a committee or board shall keep the Council informed of their activities.

Section 2. Chairpersonman. The Chairpersonman shall preside at all meetings of the Tribal Executive Council. The Chairpersonman shall assume general supervision of all officers and employees and committees of the Tribal Executive Council as directed by the Council.

~~The Chairpersonman, together with the Secretary of the Tribal Executive Council, shall sign on behalf of the Tribe all official papers resolutions and other formal Tribal enactments and documents on behalf of the Tribe, as required.~~ **Section 3. Vice-Chairpersonman.** In the absence of the Chairpersonman, the Vice-Chairpersonman shall act as Chairpersonman and when so presiding shall have all rights, privileges and responsibilities of the Chairpersonman.

~~The Vice-Chairpersonman shall be the ex-officio member on committees appointed by the Tribal Executive Council and shall keep the Council informed of their activities.~~

~~The Vice-Chairpersonman shall perform such other duties as the Chairpersonman, with the consent of the Tribal Executive Council, may direct.~~

Section 4. Secretary/Treasurer. The Secretary/Treasurer shall act as Chairpersonman pro-tempore in the absence or incapacity of the Chairpersonman and Vice-Chairpersonman ~~in order to elect an acting Chairpersonman for the meeting at which the Chairpersonman and Vice-Chairpersonman are absent.~~

At the direction of the Tribal Council, the Secretary/Treasurer shall be responsible for assuring that all Council correspondence is properly written and mailed, all public notices are issued, the minutes of the Tribal Council meetings are properly recorded, published and distributed, and that all petitions, ordinances, applications and other papers are received and prepared for the Council's action. The Secretary/Treasurer shall affix his or her signature to official documents as required and shall certify the enactment of resolutions and ordinances. The Secretary/Treasurer shall maintain a roster of Council members and serve as the Registrar for registered voters.

~~The Secretary of the Tribal Executive Council shall be responsible for all correspondence, issuing public notices, the recording, publication and distribution of the minutes of the Tribal Executive meetings, receiving all petitions, ordinances, applications and other papers and prepare them for the action of the Council.~~

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The Secretary shall maintain a roster of Council members, eligible voters and perform such other duties as may be assigned by the Tribal Executive Council.

At the direction of the Tribal Council, the Secretary/Treasurer shall be responsible for safeguarding tribal assets, which includes ensuring adequate internal controls are in place, communicating with Fiscal staff to ensure that audits are completed annually, corrective action is taken on any audit findings, fiscal and personnel policies are maintained and kept current and financial reports are presented as needed and performing such other duties as may be assigned by the Tribal Council.

Section 5. Treasurer. In the event the Chairman, Vice-Chairman and Secretary shall be absent or incapacitated, the Treasurer of the Tribal Executive Council shall act as Chairman, pro-tempore in order to elect a Chairman for the meeting at which the Chairman, Vice-Chairman and Secretary are absent.

The Treasurer of the Tribal Executive Council shall be responsible for accepting, receiving, receipting for and preserving and safeguarding all funds in the custody of the Tribal Executive Council, whether same be tribal funds or special funds for which the Council is acting as trustee or custodian. The Treasurer shall be responsible for seeing that all funds are deposited in such bank or elsewhere as directed by the Tribal Executive Council and shall preserve a faithful record of such funds and shall report in writing to the Council annually and at such other times as requested by the Council.

The Treasurer shall not pay out or otherwise disburse any funds in his/her possession or custody of the Tribal Executive Council except when properly authorized to do so by the Council.

Section 5. In the absence of an Officer, Council business may be conducted when a quorum is present, provided that a reasonable attempt has been made to notify all Council members of the meeting time and the business to be conducted. The Council member who has served the longest (has seniority) on the Council shall preside over such meetings.

Section 6. The Tribal Council shall maintain and adhere to a Code of Conduct governing internal protocols relevant to service on the Tribal Council.

A YES VOTE would also change Article V as follows:

ARTICLE IV - TRIBAL EXECUTIVE COUNCIL

Section 1. The governing body of the Karuk Tribe shall be the Tribal Executive Council, which shall consist of nine (9) members elected at large from the Tribe: six (6) Council Members, [“consisting of two (2) representatives elected from each of the three (3) Council Districts,” if the Council Districts option is voted for] and three (3) officers (the Chairperson, Vice-Chairperson and Secretary/Treasurer), elected from anywhere within 100 road miles of the Tribe’s Aboriginal Territory. All terms of office shall be for four (4) years.

A NO VOTE would make no changes to these sections.

For the Amendment:



These changes are proposed because the staff and Council duties have changed a lot since the late 1970’s when the current Constitution was adopted. The Tribe has fiscal and administrative employees who have the training and experience to handle many of the duties that used to be handled by the

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Tribal Council officers. This change combines the Secretary and the Treasurer into one position, given that the Tribe now has administrative and fiscal staff to handle the traditional jobs that the Treasurer and Secretary once performed.

These changes also clarify that even if an officer is absent, Tribal Council business may be conducted as long as a quorum is present, and introduce the need for the Council to develop and adhere to a Code of Conduct for meetings, ethics, etc.

Against the Amendment:

Some mild concern was expressed that it might be a lot of duties for these officer positions to be combined.

Proposed Constitutional Amendment 13:

Shall Article IX, Section 2 (Removal - past crimes) be added as proposed?

A YES VOTE would add a new section to Article IX as follows:

Section 2. If it is discovered that a member elected to the Tribal Council was convicted of one of the crimes set forth in Section 1 that was not discovered during the candidate screening process, the Council shall declare the position vacant and fill the unexpired term pursuant to the Tribe's Election Ordinance.

A NO VOTE would keep Article IX as it is currently written.

For the Amendment:

This is a "gap-filler," technical amendment. This section has to do with a previous (pre-election) crime that is only *discovered* while the Council Member is serving his or her term. This is a new section, breaking the current Section 1 into two separate sections.

Against the Amendment:

No comments were received opposing this amendment.



Proposed Constitutional Amendment 14:

Shall Section 3 of Article IX (Removal for gross misconduct) be changed as proposed?

A YES VOTE would change this section to read as follows:

Section 23. The Council may by an affirmative vote of two-thirds (at least six Council members) expel, or suspend pending investigation, any member for neglect of duty or gross misconduct, provided that the accused member shall be given full and fair opportunity to reply to any and all charges at a designated Council meeting, and provided further, that the accused member shall have been given a written notice of the charges against him/her at least five days before the meeting at which he or she is to appear. The Tribal Council shall enact and maintain fair hearing procedures to ensure that the accused has a full and fair opportunity to respond, including bringing witnesses and evidence on his or her behalf.

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A NO VOTE would keep this section as it is currently written.

For the Amendment:

The Tribal Council should have the option of suspending (pending investigation) another member for serious, gross misconduct of duty, in addition to being able to expel that member.

The Tribal Council must adopt and follow fair hearing practices for such circumstances.

Against the Amendment:

No comments were received opposing this amendment.



Proposed Constitutional Amendment 15:

Shall Section 4 of Article IX (Recall) be changed as proposed?

A YES VOTE would change this section as follows:

Section 34. Upon a petition of at least two thirds (2/3) of the registered ~~one-third (1/3) of the eligible~~ voters of the Tribe, it shall be the duty of the Tribal Executive Council to call a special election for the recall of any member or members of the Council named in such petition. In the event that a majority of those voting in such election approve a council member's recall from office, the office shall be declared vacant and the Tribal Executive Council shall proceed in the usual manner to hold an election to fill said office ~~direct the Election Committee to hold a special election to fill said office,~~ pursuant to the provisions of the Tribe's Election Ordinance.

A NO VOTE would keep this section as currently written.

For the Amendment:

Changing the numbers would make it easier for the membership to recall a Tribal Council member (see below chart).

Against the Amendment:

No comments were received opposing this amendment.

As of last count, there are approximately 3,014 eligible voters, and 550 registered voters.

	Current Constitution	Proposed Change
Recall	Petition from 1/3 of eligible voters (approx. 1005 signaturs needed.)	Petition from 2/3 of registered voters (approx. 367 signatures needed.)

Proposed Constitutional Amendment 16:

Shall Article XII on Amendments to the Constitution be changed as proposed?

A YES VOTE would change this Article as follows:

ARTICLE XII - AMENDMENTS

This Constitution may only be amended if proposed amendments are approved by a vote of the Tribal membership. Amendments to this Constitution may be ratified and approved in the same manner as this Constitution. proposed by submitting either of the following documents to the Tribal Election Committee along with the proposed amendments:

1. A resolution in which a quorum of the Tribal Council members have voted in favor of the proposed Constitutional Amendment; or
2. A petition signed by at least one third (1/3) of the Tribe's eligible voters.

Upon receipt of either of these two documents, the Election Committee shall call and conduct a special election pursuant to the provisions set forth in the Election Ordinance. The specific language proposed as an amendment to the Constitution, along with language changes of any other parts of the Constitution that will be affected by the proposed modification and a brief explanation of the reason for the proposed changes, shall appear on the ballot materials sent to all eligible voters.

The amendment(s) shall take effect if adopted by the majority of those voting in the election held for that purpose, provided that at least fifty percent (50%) of the registered voters voted in the election.

A NO VOTE would keep this Article as currently written.

For the Amendment:

The way it is currently written, it is vague as to how the Constitution may be amended. (“in the same manner as this Constitution”)

The process spells out that any amendment to the Constitution must be put to a vote by the Tribal membership.

The Election Committee would have to call a special election to amend the Constitution if it receives a Tribal Council resolution or membership petition.

Against the Amendment:

No comments were received opposing this amendment.

As of last count, there are approximately 3,014 eligible voters, and 550 registered voters.

	Current Constitution	Proposed Change
Constitutional Amendment	Simple majority	Petition from 2/3 of registered voters (approx. 367 signatures needed.)



12th Annual Karuk Tribal Reunion

Saturday, July 19, 2008
Happy Camp, California

Return to the River!

koovúra ishkéesh áraaras kumpávyiiheesh
(English translation—All the River Indians/People will be coming back!)

Full Schedule of Events coming to www.karuk.us soon!



- Poker Tournament
- Demonstration Dance
- 5k Fun Run—3k Fun Walk
- Bike Rodeo
- Acorn Soup Competition
(Contact Jennifer Goodwin)
- Horseshoe Tournament
- Volleyball Tournament
(Contact Arch Super)
- Food and Craft Vendors
- Traditional Card Games
- Health Fair
- Cribbage Tournament

Open To
The Public!

Contact Information
(530) 493-1600
(800) 50-KARUK
64236 Second Avenue
Post Office Box 1016
Happy Camp, Ca 96039

Salmon
Dinner at 3:30



Make your reservations now!

- Klamath Inn Motel (530) 493-2860
- Klamath River RV Park/Campsites (530) 493-5377
- Bigfoot RV Park & Cabins (530) 493-2884 (www.thehappycamp.com)
- Klamath River Resort Inn (530) 493-2735 (www.klamathriverresortinn.com)
- Forest Lodge Motel (530) 493-5296 (www.forestlodgemotel.net)
- Elk Creek Campground & RV Park (530) 493-2208 (www.elkcreekcampground.com)



This is a drug and alcohol free event.
The Karuk Tribe and its insurers are not responsible for theft, accidents, or injuries.



Mission Statement

The mission of the Karuk Tribal Council is *to promote the general welfare of all Karuk People, to establish equality and justice for our Tribe, to restore and preserve Tribal traditions, customs, language and ancestral rights, and to secure to ourselves and our descendants the power to exercise the inherent rights of self-governance.*

Karuk Tribal Council

Winter, 2007

Arch Super,
Chairman

Leaf Hillman,
Vice-Chairman

Florrine Super,
Secretary

Leon Hillman,
Treasurer

Roy Arwood,
Member at Large

Florence Conrad,
Member at Large

Robert Goodwin,
Member at Large

Alvis Johnson,
Member at Large

Charron 'Sonny' Davis
Member at Large

Newsletter Production:

Desktop Publishing:
Rosie Bley

Editor:
Sara Spence

Written By:
*Karuk Tribal Members,
Descendents, Families,
& KTOC Staff*

Printed By:
*Mosaic Press LLC,
Happy Camp*

Karuk Tribe of California



Post Office Box 1016

Happy Camp, CA 96039-1016

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Happy Camp, CA
96039

Change of Address

If you are not sure whether your correct address and phone number are on file with the Tribe, please write us or call (800) 505-2785 Ext. 2028 and let us know your current address and phone number for future reference.

APPLICATION FOR AN ABSENTEE BALLOT

Karuk Tribe of California Election

To obtain an absentee ballot, complete the information on this form and forward it to Karuk Tribe of California, Voter Registration Office, PO Box 815, Happy Camp CA 96039 or fax it to: (530) 493-5322

Please Print

Full Name as it appears on your Tribal ID Card

Residence Address (Do NOT use PO Box Number)

Mailing Address for Ballot (if different from residence address)

Telephone Number

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT AND A COPY OF YOUR TRIBAL IDENTIFICATION CARD.

I certify under penalty of perjury that the name and residence address and information I have provided on this application are true and correct.

Signature of Voter

Date

It is your responsibility to keep your address current with the Voter Registration Office.

Date Received

You have the legal right to mail or deliver this application directly to the Voter Registration Office. The address is:

**Attention: Election Committee
Karuk Tribe of California
PO Box 815**

64236 Second Avenue

Happy Camp CA 96039

(530) 493-1600

Toll Free (800) 505-2785 Ext. 2014

Applications must be received in the Voter Registration Office no later than Friday, July 4, 2008 at 5 PM.

SAMPLE BALLOT

KAURK TRIBE OF CALIFORNIA

SPECIAL ELECTION TO AMEND THE CONSTITUTION - JULY 19, 2008

	BALLOT QUESTIONS	YES	NO
1(a).	Shall the Tribe change its name to the Karuk Nation ?	<input type="checkbox"/>	<input type="checkbox"/>
1(b).	Shall the Tribe change its name to the Karuk Tribe ?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Shall the name of the Tribe’s governing body be officially changed to the “Tribal Council” ?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Shall the Preamble be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
4.	Shall Sections 1 and 2 of Article I be added to define the Tribe’s Aboriginal Territory and Tribal Lands ?	<input type="checkbox"/>	<input type="checkbox"/>
5.	Shall Council Districts be added as proposed in new Article I, Section 3 and Article VII, Section 2?	<input type="checkbox"/>	<input type="checkbox"/>
6.	Shall a new Article II be added regarding the Tribe’s Jurisdiction ?	<input type="checkbox"/>	<input type="checkbox"/>
7.	Shall Article III on Membership be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
8.	Shall Article IV on Rights of Members be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
9.	Shall Article VI on Delegation of Authority to Tribal Council be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
10.	Shall Article VII on Elections and Nominations be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
11.	Shall Article VII (Criminal background checks) and Article IX (Removal for certain crimes) be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
12.	Shall Article VIII on Duties of Officers and Article V on Tribal Council be changed as proposed (combining Secretary/Treasurer)?	<input type="checkbox"/>	<input type="checkbox"/>
13.	Shall Article IX, Section 2 (Removal - past crimes) be added as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
14.	Shall Section 3 of Article IX (Removal for gross misconduct) be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
15.	Shall Section 4 of Article IX (Recall) be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>
16.	Shall Article XII on Amendments be changed as proposed?	<input type="checkbox"/>	<input type="checkbox"/>