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Karuk Tribe



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September 6, 2012

The Tribal Council is proposing the following two (2) amendments to the Karuk Tribe Constitution to be voted on by the general membership on November 6, 2012.

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 1:

Shall the Article VII, Section 3 be changed as proposed?

A YES VOTE would change Article VII, Section 3 to clarify that candidates must provide a complete petition to the Election Committee before any election he or she wishes to run in (general, special, primary, etc.), not just the general election, as follows:

Section 3. Any member of the Tribe who has, at least sixty days before ~~the~~ any election in which he or she seeks to be a candidate, presented to the Election Committee a petition signed by at least twenty 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 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 Election Committee to post the names of all qualified candidates in a public place at least ten days prior to the election."

A NO VOTE means this Section would stay as it is.

Explanation:

This amendment is proposed because the timelines are not clear as the sixty days currently refers to "the" election, although the Karuk Tribe's laws provide for more than one type of election.

Proposed Constitutional Amendment 2:

Shall Article VII, Section 4 be changed as proposed?

A YES VOTE would change this Section to read 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,~~ any felony during his or her term of office or ~~within ten (10) years~~ at any time 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 any crime requiring registration as a sex offender, shall be ineligible to run for office or serve on the Tribal Council.

A NO VOTE would keep this Section as currently written.

Explanation:

The Tribal Council proposes that any felony committed during a Council member's term of office or at any time before then should prevent someone from running for Council, and that it is too confusing to just list a few different felonies instead of including them all.