

**KARUK TRIBE OF CALIFORNIA
CONSTITUTION OF THE KARUK TRIBE**

We the Karuk Tribe being a sovereign native 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 conserve and restore our common bonds and preserve our tribal traditions and ancestral rights, to secure to 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 - JURISDICTION

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

ARTICLE II - MEMBERSHIP

Section 1. The membership of the Karuk Tribe 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.

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 enrollment ordinance governing future membership, 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.

ARTICLE III - RIGHTS OF MEMBERS

Section 1. Subject to the limitations imposed by this Constitution, all members of the 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 tribal citizen, and no member shall be denied freedom of speech, religion or the right to peaceful assemble, 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, or otherwise be deprived of life, liberty or property

without 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.

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 V - DELEGATION OF AUTHORITY TO THE TRIBAL EXECUTIVE COUNCIL

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.

ARTICLE VI - ELECTIONS AND NOMINATIONS

Section 1. All members of the Tribe who are eighteen years of age and over and who have registered with the Tribe shall have the right to vote.

Section 2. Any member of the Tribe who has, at least sixty days before the election, presented to the secretary or her designated representative, a petition signed by a least twenty voting members of the Tribe and who has maintained a legal residence for a period of six months within 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 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. 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 take office 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 enact an election ordinance within 30 days following ratification of this Constitution governing elections.

ARTICLE VII - 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 election.

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

The Chairman, together with the Secretary of the Tribal Executive Council, shall sign on behalf of the Tribe all official papers.

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

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

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

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 affix his/her signature to official documents and shall certify the enactment of resolutions and ordinances.

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.

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.

ARTICLE VIII - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the Council or any official shall die, resign, permanently leave the tribe's territory or shall be found guilty of 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.

Section 2. The Council may by an affirmative vote of two-thirds of its numbers expel 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/she is to appear.

Section 3. Upon a petition of a least 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 shall proceed in the usual manner to hold an election to fill said office.

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 per cent of the eligible voters shall vote in such election.

ARTICLE X - 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 Tribes inherent Sovereign powers.

ARTICLE XI - AMENDMENTS

Amendments to the Constitution may be ratified and approved in the same manner as this Constitution.