

Election Committee of the Karuk Tribe

Karuk Voters Registration Office
P.O. Box 815
Happy Camp, CA 96039

May 23, 2012 Special Election Candidate Petition Packet Due by 5pm, Thursday, March 22, 2012

Mail or deliver in person your completed petition packet along with all required documents as included on the checklist below to the Election Committee no later than **5pm, Thursday, March 22, 2012** to the address below.

Karuk Tribe, Election Committee
PO Box 815, 64236 Second Avenue
Happy Camp, CA 96039

In order to be considered complete, a petition packet must include the following items:

- \$50.00 Non-refundable Filing Fee
May be paid to the Karuk Tribe at the time your packet is submitted.
- Nomination Petition for Candidacy with 20 valid signatures
Included in this packet.
- Authorization and Release
Included in this packet.
- Letter of Intent/Candidate Statement/Photograph
*Your letter of intent/candidate statement can be hand-written or typed. It will be posted as submitted and cannot be changed after it has been submitted. You have the **OPTION** of including a **photograph that you would like to be used on the Notice of Eligible Candidates. If you do not include one, your enrollment photo may be used.***
- Proof of Physical Residency
Must include three proofs as outlined in Section 11.C of the Election Ordinance which is included in this packet.
- Finger Prints and Urine Drug Screen Test
Contact Sara Spence at (530) 493-1600, extension 2010 to arrange for these to be completed no later than 5pm, Thursday, March 22, 2012.

A complete copy of the Election Ordinance is included for review. Candidates must meet all requirements in Section 11 to be deemed an eligible candidate. If you have any questions, call (800) 505-2785, Monday through Friday, between the hours of 8am and 5pm.

Packets are due by 5pm, Thursday, March 22, 2012.

Karuk Tribe

Nomination Petition for Candidacy

May 23, 2012 Special Election

I, _____, Date of Birth _____, Tribal # _____, am hereby Petitioning to be nominated for the Karuk Tribal Council position of:

MEMBER AT LARGE (Orleans District): PARTIAL TERM through November 3, 2015

My Address is: _____

To be considered a valid signature, the signer must be an enrolled member of the Karuk Tribe, who is eighteen years of age or older at the time of signing. An applicant must obtain at least twenty (20) **valid** signatures.

<u>Signatures</u>	<u>Name (Print)</u>	<u>Date of Birth</u>	<u>Tribal #</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____

Signatures

Name (Print)

Date of Birth

Tribal #

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

KARUK TRIBE

AUTHORIZATION AND RELEASE

I, _____, am currently a candidate for the position of Karuk Tribal Council Member. I hereby give full consent and authorization to the Karuk Tribe, by and through its agents, the unconditional permission to use, disseminate and/or publish any matter associated with my name, any written or oral campaign statements or quotes, or the use of photographs associated with and pertaining to this election. I further agree to release and hold the Karuk Tribe harmless from any and all liability associated with the use of personal information or photographs in conjunction with the election process of any related media coverage.

I acknowledge that I must submit and pass a pre-employment controlled substance screening as outlined in the Karuk Tribe's Substance Abuse Control Policy and Procedure.

Signature: _____

Date: _____

2012 Council Meeting Schedule and Information

The following meeting schedule is intended to give an overview of the regularly scheduled meetings. It does not include all meetings that would be necessary in order to be fully involved in the Tribe's operations but gives a good estimate of the time commitment.

Health Board: Health Board Meetings are held the 2nd Thursday of each month and begin at 3pm at the Headway building in Happy Camp (across the street from the Frontier Café). This is the meeting where the Health Directors report which includes Medical, Dental, Child and Family Services (AKA: Behavioral Health), Quality Management, Resource Patient Management (RPMS), and Temporary Aid to Needy Families (TANF). These meetings usually adjourn between 7 and 8pm. ***Council Members are compensated with \$150 stipends for Health Board Meetings.***

January 12
February 9
March 8
April 12
May 10
June 14

July 12
August 9
September 13
October 11
November 8
December 13

Council: Council Meetings are held the 4th Thursday of each month and begin at 3pm and the location rotates. Happy Camp is at the Headway Building, Orleans at the Panamnik Community Center, and Yreka at the Community Center. This is the meeting where all of the non-Health Directors report which includes Natural Resources, Land, Transportation, Education, Language, Low Income Assistant (LIAP), Tribal Employment Rights (TERO), Grant Writers, Self Governance, Finance, Administrative Programs & Compliance, Housing (KTHA), People's Center, Tribal Court, Community Development (KCDC), Maintenance/Construction, Maintenance, and Human Resources. These usually adjourn between 9 and 10pm. ***Council Members are compensated with \$200 stipends for Council Meetings.***

January 26 – Yreka
February 23 – Happy Camp
March 22 – Orleans
April 26 – Yreka
May 24 – Happy Camp
June 28 – Orleans

July 26 – Yreka
August 23 – Happy Camp
September 27 – Orleans
October 25 – Yreka
November 29 – Happy Camp (5th Thursday)
December 27 – Orleans

Planning Meetings: Planning Meetings are held the Thursdays following both the Health Board and Council Meetings and begin at 10am at the Fish Bowl in Happy Camp. They are working sessions with Council and Staff to follow up on tabled items from the previous meeting that required more information, consultation with other staff, more information from the requestor, or that Council just wants to think about before making a decision. They usually adjourn around 2pm. ***Council Members are compensated with \$100 stipends for Planning Meetings.***

January 19
February 2, 16
March 1, 15, 29
April 19
May 3, 17, 31
June 21

July 5, 19
August 2, 16, 30
September 20
October 4, 18
November 1, 29
December 20

Other: There are also Special Meetings that come up in between the regular meetings for special issues, site visits from outside agencies, to work with other departments of the Tribe, etc. as well as interviews for vacant positions. There will be phone votes where each Council member is called individually to poll them about a request that is time sensitive and cannot wait for the next meeting, these are avoided if possible – but availability by phone at all times during business hours is a must. There is also travel all over the country for many different conferences, meetings, and training. ***Council Members are compensated with \$50 stipends for Special Meetings and Interview panel participation.***

Karuk Community Health Clinic
64236 Second Avenue
Post Office Box 316
Happy Camp, CA 96039
Phone: (530) 493-5257
Fax: (530) 493-5270

Karuk Tribe



Administrative Office
Phone: (530) 493-1600 • Fax: (530) 493-5322
64236 Second Avenue • Post Office Box 1016 • Happy Camp, CA 96039

Karuk Dental Clinic
64236 Second Avenue
Post Office Box 1016
Happy Camp, CA 96039
Phone: (530) 493-2201
Fax: (530) 493-5364

RESOLUTION OF THE KARUK TRIBE

Resolution No: 11-R-016
Date Approved: March 24, 2011

RESOLUTION ADOPTING REVISIONS TO THE ELECTION ORDINANCE OF THE KARUK TRIBE

WHEREAS; the Karuk Tribe is a Sovereign Aboriginal People, that have lived on their own land since long before the European influx of white men came to this continent; and

WHEREAS; the members of the Karuk Tribe have approved Article VI of the Constitution delegating to the Tribal 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, including negotiating and contracting with federal, state, Tribal and local governments, private agencies and consultants; and

WHEREAS; the members of the Karuk Tribe have approved Article VIII of the Constitution assigning duties to the Chair, Vice Chair, and Secretary/Treasurer including signing and executing all contracts and official documents pertaining to the Karuk Tribe; and

WHEREAS; the Karuk Tribe is a federally recognized Tribe and its Tribal Council is eligible to and is designated as an organization authorized to Contract pursuant to P.L. 93-638 on behalf of the Karuk Tribe; and

WHEREAS; the Karuk Tribe currently has an approved Election Ordinance and Election Committee in place in order to conduct and oversee elections; and

WHEREAS; the Ordinance shall be revised as necessary to ensure procedures for fair and orderly elections; and

WHEREAS; all revisions to the Ordinance shall be reviewed and adopted at least ninety (90) days prior to a scheduled election; and

WHEREAS; the Tribal Council has directed the Election Committee to implement Primary Election procedures for the officer positions of Chairperson, Vice Chairperson, and Secretary/Treasurer; and

WHEREAS; the Tribal Council bears the ultimate responsibility for assuring compliance with the Tribe's Constitution and this Election Ordinance; now

THEREFORE BE IT FINALLY RESOLVED; that the Karuk Tribal Council authorizes the adoption of revisions to the Election Ordinance of the Karuk Tribe.

CERTIFICATION

I, the Chairman, hereby certify the foregoing resolution 11-R-016 which was approved at a Planning Meeting on March 24, 2011, was duly adopted by a vote of 8 AYES, 0 NOES, 0 ABSTAIN, and said resolution has not been rescinded or amended in any way. The Tribal Council is comprised of 9 members of which 8 voted.



Arch Super, Chairman

03/24/11

Date

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KARUK TRIBE

ELECTION ORDINANCE

AS AMENDED April 20, 2005

AS AMENDED April 13, 2006

AS AMENDED September 25, 2008

MOST RECENTLY AMENDED March 24, 2011

**** This Amended Ordinance Supersedes ALL Other Versions ****

Table of Contents

SECTION 1. AUTHORITY	3
SECTION 2. PURPOSE.....	3
SECTION 3. ESTABLISHMENT OF THE ELECTION COMMITTEE	3
SECTION 4. APPOINTMENT AND COMPOSITION OF ELECTION COMMITTEE MEMBERS .	3
SECTION 5. QUALIFICATIONS OF ELECTION COMMITTEE MEMBERS	4
SECTION 6. TERM OF OFFICE	4
SECTION 7. RULEMAKING	4
SECTION 8. DUTIES OF THE ELECTION COMMITTEE.....	4
SECTION 9. REMOVAL OF ELECTION COMMITTEE MEMBERS.....	5
SECTION 10. VOTER ELIGIBILITY; REGISTRAR	5
SECTION 11. TRIBAL COUNCIL CANDIDACY ELIGIBILITY	6
SECTION 12. REGISTRAR; NOTICES	8
SECTION 13. VOTING METHOD; PROXIES PROHIBITED	9
SECTION 14. BALLOTS	9
SECTION 15. HANDLING OF SPECIAL CIRCUMSTANCES	9
SECTION 16. ABSENTEE VOTING.....	9
SECTION 17. ELECTION DATES.....	10
SECTION 18. POLLING PLACES AND VOTING HOURS	10
SECTION 19. POLL WATCHERS	11
SECTION 20. ELECTION DAY PROCEDURES; BALLOT COUNT.....	11
SECTION 21. RECOUNT OF VOTES	12
SECTION 22. TIES.....	12
SECTION 23. ELECTION CONTESTS AND DISPUTES	12
SECTION 24. CERTIFICATION OF ELECTION RESULTS	13
SECTION 25. SWEARING IN PROCESS.....	13
SECTION 26. FILLING COUNCIL MID-TERM VACANCIES	13
SECTION 27. SPECIAL ELECTIONS	14
SECTION 28. PRIMARY ELECTIONS	15
SECTION 29. PHASING IN NEW DISTRICT ELECTION PROCEDURES	15
CERTIFICATION.....	16

SECTION 1. AUTHORITY

This Election Ordinance is amended pursuant to Article VII, Section 6 of the Constitution of the Karuk Tribe.

SECTION 2. PURPOSE

The purpose of this Ordinance is to establish procedures for fair and orderly elections and to ensure the secrecy and sanctity of the ballot. The procedures contained in this Ordinance shall be administered in such a way as to accomplish this purpose. In cases of disputes as to compliance with these procedures, substantial, rather than complete compliance with these procedures shall be deemed adequate.

SECTION 3. ESTABLISHMENT OF THE ELECTION COMMITTEE

The Karuk Tribal Election Committee (hereafter referred to as the Election Committee) is hereby established for the purposes of: 1) conducting and supervising all Tribal elections, general, primary, or special, in accordance with this Ordinance; 2) deciding election disputes; 3) enforcing this Ordinance; and 4) recommending to the Tribal Council such additional rules for the conduct of elections as may be necessary from time to time.

SECTION 4. APPOINTMENT AND COMPOSITION OF ELECTION COMMITTEE MEMBERS

- A. The Election Committee shall consist of seven (7) members who shall be appointed by majority vote of the Tribal Council. The Tribal Council shall attempt to appoint at least one representative from each of the Yreka, Happy Camp, and Orleans areas.
- B. The Tribal Council shall designate one of the appointees to act as Chairperson of the Election Committee. The Chairperson shall be the only person who possesses a key, which will open the ballot boxes, and the Chairperson shall be responsible for ensuring that the ballot boxes are opened only in conformity with this Ordinance.
- C. The Secretary/Treasurer of the Tribal Council shall serve as the Registrar of Voters for the Karuk Tribe.
- D. Any person appointed to the Election Committee may decline the appointment, in which case, another appointment shall be made.
- E. Upon accepting the appointment, each member of the Election Committee shall sign an oath which shall become part of the committee's records stating that he or she will serve to the best of his or her ability and shall make every effort to prevent fraud or abuse in the election process. The following form of oath of office shall be administered by the Chairperson of the Election Committee: *"I, [Name], do solemnly swear or affirm that I am duly qualified to exercise the duties of Election Committee Member for the Karuk Tribe to which I have been selected and that I will carry out faithfully, impartially and confidentially the duties of my office to the best of my ability, that I will make every effort to ensure a fair election and that I will promote and protect the best interest of my Tribe in accordance with its Constitution."*

SECTION 5. QUALIFICATIONS OF ELECTION COMMITTEE MEMBERS

- A. The members of the Election Committee shall be members of the Tribe, over eighteen (18) years of age and of good moral character.
- B. In the event that any person appointed to the Election Committee is nominated as a candidate for an office to be filled during his or her term of office on the Election Committee, he or she shall withdraw from the Election Committee and the Tribal Council shall temporarily appoint another to serve in his or her place.
- C. Election Committee members shall withdraw from any and all functions of their positions during any election in which a conflict of interest exists. Such members shall resume their duties only when there is no longer a conflict of interest. Nepotism shall be considered a conflict of interest and shall include election matters involving a Spouse or Co-Habitant, Parents, Siblings, Children, Foster Children, Grandparents, Grandchildren, Fathers-in-Law, Mothers-in-Law, Sons-in-Law, Daughters-in-Law, Step-Parents, and Step-Children.

SECTION 6. TERM OF OFFICE

All terms of office shall be for four (4) years.

SECTION 7. RULEMAKING

- A. The Election Committee shall have the authority to recommend, by majority vote, such rules as they may deem necessary to provide for fair and efficient elections under this Ordinance.
- B. No rule recommended under the authority of this section shall be inconsistent with the provisions of this Ordinance or the Constitution of the Karuk Tribe.
- C. All rules recommended are subject to the approval of the Tribal Council. No rules recommended under the authority of this ordinance shall be valid unless approved by the Tribal Council at least ninety (90) days prior to said election.
- D. A minimum of four (4) Election Committee members must be present at any meeting to establish a quorum.

SECTION 8. DUTIES OF THE ELECTION COMMITTEE

In addition to performing any other duties delegated to the Election Committee by this Ordinance, the Election Committee shall:

- A. Determine the date upon which the receipt of nominating petitions will cease, which shall be at least sixty (60) days prior to the election, as provided in Article VII, Section 3 of the Constitution of the Karuk Tribe, as amended.
- B. Direct preparation of the forms for use as nominating petitions, ballots, Election Notices and other forms as may be required, and make them available to Tribal members.
- C. Receive and review all nominating petitions from Tribal members.
- D. Prepare packets for all candidates that include:

- 1) Petition and necessary forms;
 - 2) Instructions, including date time lines; and
 - 3) Eligibility requirements for candidates.
- E. Determine and make rulings on the residence, district and eligibility of all potential candidates, pursuant to this Ordinance and the Constitution of the Karuk Tribe.
- F. Notify in writing all unqualified candidates and state the reason for their ineligibility.
- G. Contact all eligible candidates and document their willingness or unwillingness to be a candidate for office.
- H. Upon the determination of which candidates are properly nominated and are willing to serve, the Election Committee shall direct the preparation of official ballots and provide a list of candidates to the Registrar of Voters in sufficient time to allow the registrar to cause the list to be posted at least ten (10) days before the election.
- I. The Election Committee shall make determinations about the eligibility of voters and is responsible for registering such voters upon a valid request to be registered, pursuant to Section 10.
- J. The Election Committee shall mail absentee ballots as required by this Ordinance.
- K. The Election Committee members shall keep confidential and private information (such as financial or criminal records) that is received in the course of their duties in strict confidence, and they shall not divulge such confidential information to any person not directly involved in the election process.
- L. The Tribal Council shall allocate an amount in each fiscal year's budget under a separate line item, to cover necessary election costs. The funds budgeted shall be utilized in accordance with all Tribal financial plans of operation for conducting Tribal elections in accordance with this Ordinance. Election Committee members shall be given a stipend, or otherwise be reimbursed for their time pursuant to Tribal policies and procedures regarding Tribal committees, for their time spent on elections, Election Committee meetings, trainings, or other necessary Election Committee duties.

SECTION 9. REMOVAL OF ELECTION COMMITTEE MEMBERS

The Tribal Council may remove, with a two-thirds majority vote, any member of the Election Committee from office for cause, after providing timely notice of intent to do so, the reason for such action and an opportunity, for the person to be removed, to answer the charges against him or her. Election Committee members shall be suspended from their duties immediately when suspected of a gross violation of this ordinance.

SECTION 10. VOTER ELIGIBILITY; REGISTRAR

- A. No person may vote in any election of the Karuk Tribe unless that person is an eligible enrolled Karuk Tribe member and is registered to vote.

- B. To be eligible to vote, Tribal members must be eighteen (18) or older on the day of the election, and be listed in the Election Roster with a valid signature or have a valid signature verification form.
- C. The Secretary/Treasurer of the Tribal Council shall serve as the Registrar of Voters for the Karuk Tribe. In the event that the Secretary/Treasurer is unable to perform these duties, the Tribal Council shall designate another Tribal Council member.
- D. Fourteen (14) days before the next scheduled election, the Enrollment Department shall provide a certified copy of the Election Roster to the Election Committee. For the purposes of this subsection, certification shall consist of a statement by the Registrar that the list is a true and correct list of all persons who are enrolled and who meet the qualifications for voters established by the Constitution of the Karuk Tribe and this Ordinance.
- F. It shall be the duty of all voters to provide a current mailing address to the Election Committee. All correspondence regarding Tribal elections will be mailed to the last address supplied by the voter.

SECTION 11. TRIBAL COUNCIL CANDIDACY ELIGIBILITY

As defined by Resolution 03-R-38, in order to be eligible as a Tribal Council Candidate, potential candidates must meet all of the following criteria:

- A. Be enrolled Tribal Members; a candidate may only run for one (1) position in any one (1) election.
- B. Have maintained a legal physical residence, where the member has actually lived, for at least six (6) consecutive months before the election, within a 100 road mile distance from the exterior boundary of the Karuk Tribe's Ancestral Territory, and, if running for a District Seat, within the exterior boundary of District in which he or she seeks to be a candidate. However, non-resident candidates may be determined eligible if there are no eligible candidates running for that District as long as they meet the 100 road mile resident requirement.

The 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 (Athithúvuunupma) 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 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.

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 vacancy. Candidates with the highest number of votes, from voters from unrepresented Districts when applicable, shall be elected in those instances.

- C. Prove legal physical residency by submitting valid copies of three proofs that show name and physical address from the following list:
- 1) Karuk Tribal ID (with physical address);
 - 2) Utility bill;
 - 3) Rent receipt, Lease Agreement, Mortgage Statement, or Deed;
 - 4) Drivers License, or other valid recognized Photo Identification;
 - 5) Passport;
 - 6) Vehicle Registration;
 - 7) Three non-related witnesses with notarized affidavit and common knowledge of residency; or
 - 8) Any other credible evidence of legal physical evidence, as long as a majority vote of the Election Committee accepts such evidence.
- D. Have submitted, at least 60 days before the election, to the Election Committee, a nominating petition signed by at least twenty (20) Tribal members who are all eighteen (18) or older at the date the petition was signed, shall be considered nominated to be a candidate for the office. For the purposes of this Section, evidence of a Post Office box alone is insufficient to prove legal physical residence.
- E. Submit their entire completed candidate packet by the end of business on the date designated by the Election Committee.
- F. Meet all of the requirements of the Constitution of the Karuk Tribe and this Election Ordinance in order to become a candidate for office.
- G. Make arrangements through the Karuk Tribe Human Resources Department to make an appointment to be fingerprinted in accordance with the Tribe's Policy. Potential candidates must submit payment of a \$50.00 processing fee to offset the costs of processing the fingerprints and background checks to ensure that all candidates meet standards as set forth in the Constitution of the Karuk Tribe and the Tribe's Election Ordinance. Human Resources must provide all criminal background check results to the Election Committee upon receipt. Completed candidate application packets, including petitions and proof of completion of fingerprinting must be submitted to any member of the Karuk Tribe's Election Committee prior to the deadline set by the Election Committee. Failure to comply is grounds for disqualification as a candidate.
- H. Make arrangements through the Karuk Tribe Human Resources Department to complete the urine drug screening procedure as is currently conducted for Tribal employees. Failure to comply with this section and pass the drug screening shall be grounds for disqualification as a candidate.
- I. Not have any disqualifying felonies or offenses in their criminal records. 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 12. REGISTRAR; NOTICES

A. The Registrar of Voters shall, at least one hundred twenty (120) days (four months) before the date scheduled for a Tribal election:

1) Cause an Election announcement to be published for no less than five (5) consecutive weekdays, in the following newspapers:

- a. Siskiyou Daily News
- b. Eureka Times Standard
- c. Medford Mail Tribune

2) Cause at least two (2) copies of the Notice of Election to be posted conspicuously in Tribal Offices in each of the following communities:

- a. Orleans, California
- b. Yreka, California
- c. Happy Camp, California

3) Mail a copy of the Notice of Election to every registered voter listed on the Election Roster mailing list; and

4) Cause a copy of the Notice of Election to be advertised in the Karuk Tribal newsmagazine.

B. The Notice of Election shall provide all of the following information:

- 1) The date and time of the election.
- 2) The exact location of each polling place.
- 3) Subject matter of election, including a list of council seats available for candidacy for each District and each Officer position.
- 4) Requirements to be an eligible voter, including information on how to register to vote.
- 5) Information about absentee voting.
- 6) How to obtain and return candidate petitions, including the closing date for the return of the completed candidate packets.

- C. The Registrar shall at least ten (10) days before the election, cause to be posted, a Notice of Candidates which shall list all eligible positions and their candidates.

SECTION 13. VOTING METHOD; PROXIES PROHIBITED

- A. Each registered voter may cast one vote by secret ballot.
- B. No voter may have any other person cast his or her vote "by proxy."
- C. Assisting a voter may be allowed under the direct supervision of an Election Committee Member.
- D. Special circumstances can be allowed for by majority vote of the Election Committee.

SECTION 14. BALLOTS

- A. The Election Committee shall determine the form of the ballots to be used in each election.
- B. All ballots shall be kept under lock and key by the Election Committee until the results of the election have been certified, the time for requesting a recount and/or filing complaints or petitions for Council review has passed, and in any case, until at least sixty (60) days have passed since the election.

SECTION 15. HANDLING OF SPECIAL CIRCUMSTANCES

- A. Spoiled Ballot. Should any voter spoil his ballot in his effort to vote, he or she shall fold and return it in the presence of the election officials and such voter shall then in the presence of said officials, destroy said ballot and the election officials shall then provide the voter with another ballot in the same manner that the first one was provided. The election official shall write on the proper blank line on the stub of the spoiled ballot the word 'spoiled'. He or she shall not write the name of the voter upon the stub of the duplicate ballot, but shall write instead the words, 'Duplicate of Ballot # _____', giving the number of the original or spoiled ballots.
- B. Unreported Spoiled Ballots. Should any voter make any material marks or writings upon his or her ballot that are not responsive to the ballot questions, the ballot shall be considered spoiled and will not be counted.
- C. Write-in Votes. Write-in votes are not allowed and will not be counted.
- D. In the event of uncontested elections, that is that there is only one eligible candidate, no election needs to be held and that person may take office provided he or she meets the Tribe's candidate eligibility criteria.

SECTION 16. ABSENTEE VOTING

- A. Absentee ballots shall be mailed by the Election Committee to enrolled, registered voters when so requested in writing by that voter. The requirements for absentee voters shall be the same requirements of all enrolled, registered voters.
- B. Requests must be received by the Election Committee no less than fourteen (14) days before the election date. Special circumstances can be made by majority vote of the Election Committee; **however, there is no guarantee that absentee ballots mailed out less than 14 days prior to**

the election, or mailed back less than seven (7) days prior to the election will be received in time to be processed.

- C. The signatures of all registered voters requesting absentee ballots must be verified by one of the four following methods:
 - 1) a notary public;
 - 2) comparing the signature to the voter registration form on file with the Election Committee;
 - 3) written verification from two eligible voters of the Karuk Tribe; or
 - 4) providing a copy of a State, Federal, or Tribal signature I.D. card.
- D. All requests for absentee ballots shall be kept on file in the Tribal Office by the Election Committee.
- E. Absentee Ballots, pre-addressed to the Election Committee at the Tribal Headquarters shall be mailed to eligible voters not less than fourteen (14) days before the election date.
- F. Completed and signed absentee ballots must be either hand delivered to a polling location or received via mail by the Election Committee at P.O. Box 815, Happy Camp, California 96039 in the envelope provided with the absentee ballot package prior to the closing of the voting hours on the Election Day.
- G. It shall be the duty of the absentee voter to provide a current mailing address and District affiliation to the Election Committee. All correspondence regarding Tribal elections will be mailed to the last address supplied by the voter.
- H. Registered permanent absentee voters shall receive absentee ballots for all Primary, General, and Special Elections, unless their absentee ballot is not returned for a general election within the Guidelines of the Election.

SECTION 17. ELECTION DATES

Annual General elections shall be held on the first Tuesday in November. Primary elections shall be held on the first Tuesday in August. Special Election dates shall be established by the Election Committee consistent with Article VII of the Constitution of the Karuk Tribe.

SECTION 18. POLLING PLACES AND VOTING HOURS

- A. Polling places for all elections shall be established in each of the following locations:
 - 1) Orleans, California
 - 2) Yreka, California
 - 3) Happy Camp, California
- B. Polling places shall be open between the hours of 7:00 A.M. and 7:00 P.M.

SECTION 19. POLL WATCHERS

- A. Each candidate may have present at each polling place one poll watcher. Any person who has been designated as a poll watcher shall have in his or her possession, at all times he or she is present in the polling place in that capacity, a notarized statement by the candidate certifying that the person is a representative of the candidate. Such statement shall be shown to any Election Committee member upon request.
- B. No poll watcher or any other person may engage in any political activity, campaign, or canvassing at or within 100 yards of a polling place.
- C. One poll watcher for each candidate may witness the counting of the votes at Tribal headquarters, at the discretion of the Election Committee.
- D. The Election Committee may dismiss a poll watcher for misconduct during ballot counting.

SECTION 20. ELECTION DAY PROCEDURES; BALLOT COUNT

- A. On the date of the election, at least one (1) member of the Election Committee shall be present at each polling place at all times during voting hours. The Election Committee may appoint a Sergeant at Arms to assist them at the polling locations.

The Election Committee representative at each poll shall:

- 1) Verify the Karuk voter eligibility of each person requesting a ballot, and ensure that no person who is not enrolled or registered to vote receives a ballot.
 - 2) Witness the signature entries, by voters, in the voting registry, to ensure against any person voting more than once.
 - 3) Make certain that the ballot boxes are empty, then locked, prior to the opening of the polls, and that the boxes remain locked until opened for counting by the Chairperson of the Election Committee.
 - 4) Close the poll at the proper time and ensure that no voting occurs after that time.
 - 5) Upon the closing of the voting hours the Election Committee members at each polling place shall transport the ballot box, unopened, to Tribal headquarters. The Election Committee shall develop a process each Election Day to ensure that no ballot boxes are left alone with or transported by only one (1) Election Committee member, to avoid the appearance of improper conduct.
- B. Once all participating members of the Election Committee have arrived at Tribal headquarters with all of the ballot boxes, the Chairperson of the Election Committee shall start the ballot review process, as follows:
 - 1) No person, other than Election Committee members, the Registrar of Voters, poll watchers as defined herein, and any law enforcement personnel requested to be present by the Election Committee, may be present during the counting of the ballots.

2) The Election Committee will review the voter registration list of each polling area and a list of the absentee voters, as a reference to see if there were any individuals who had voted more than one time.

3) The Chairperson shall open each polling area box and absentee ballot box in turn and the Committee shall examine, tally (at least twice) and record all ballots cast.

4) The Election Committee shall issue and post an uncertified statement to announce the election results within three (3) days following completion of the election vote counting. However, such results shall be posted no later than 5:00 p.m., three (3) days immediately following the election.

SECTION 21. RECOUNT OF VOTES

- A. In the event that the person receiving the highest number of votes for an office has fewer than eleven (11) votes more than the person receiving the next highest number of votes, the latter may, upon written request to the Election Committee, have the votes for that particular office recounted by the Election Committee.
- B. Any request for a recount shall be in writing and be delivered to the Chairperson of the Election Committee no later than forty-eight (48) hours after the results of the election have been announced and posted by the Committee.

SECTION 22. TIES

- A. In the event that two (2) or more candidates for the same office receive an equal number of votes, and it is not possible for both candidates to take office due to the filling of all available positions, then a run-off election shall be held.
- B. A run-off election shall be held in the same manner as a general election as provided by this Ordinance, except that only the candidates who received equal numbers of votes shall be candidates in the run-off. The candidate receiving the highest number of votes in the run-off election shall be elected to the position.
- C. Any successful candidate who is not involved in a run-off election or election contest may be sworn in and assume office, pursuant to the provisions of this Ordinance.

SECTION 23. ELECTION CONTESTS AND DISPUTES

- A. Any candidate, within five (5) days of an election, may file a notarized complaint, under penalty of perjury, with the Election Committee alleging any election irregularity and demanding relief. The candidate must deliver a fee of \$70.00 paid to the Karuk Tribe. This fee will be refunded if the complaint is determined to be valid by the Election Committee. This procedure shall be the only method of presenting an election dispute to the Election Committee.
- B. The Election Committee shall decide all disputes concerning the election process within five (5) days of receipt of a written complaint, and their decision shall be final; provided, however, that any candidate dissatisfied with a decision of the Election Committee may, within five (5) days of that decision, petition the Tribal Council for review of the Election Committee's decision. The Tribal Council may, by a vote of two-thirds of the Council, reverse the decision of the Election Committee; provided that the Election Committee has had the opportunity to solicit legal counsel. The decision of the Tribal Council shall be final.

- C. In deciding any dispute the Election Committee shall gather such facts as are available and necessary for a fair resolution of the dispute. Any decision of the Election Committee shall be by a majority vote thereof.

SECTION 24. CERTIFICATION OF ELECTION RESULTS

- A. Once the time for filing an election contest has passed the Election Committee shall thereafter prepare a certification of the results of the election which shall be signed by each participating member of the Election Committee and which will contain the following information for each District:
 - 1) The number of ballots cast.
 - 2) The number of invalid ballots.
 - 3) The number of absentee ballots.
 - 4) The total number of valid ballots.
 - 5) The number of valid votes cast for each candidate and for each issue on the ballot.
 - 6) The outcome of each election issue on the ballot.
 - 7) Date and time of certification.

SECTION 25. SWEARING IN PROCESS

- A. Newly elected Tribal Council members who are deemed eligible shall be sworn in at the next regularly scheduled Tribal Council meeting following certification of the election results, as long as it is within fifteen days of the election date as stated in Article VII, Section 5, of the Constitution of the Karuk Tribe.
- B. Each successful candidate elected to the Tribal Council shall take an oath of office prior to assuming the duties of such position, by which oath he or she shall pledge him or herself to support and defend the Tribe's Constitution. The following form of oath of office shall be administered: *"I, [Name], do solemnly swear or affirm that I am duly qualified to exercise the duties of [Council Position] for the Karuk Tribe to which I have been selected and that I will carry out faithfully and impartially the duties of my office to the best of my ability, that I will promote and protect the best interest of my Tribe in accordance with its Constitution"*.
- C. The Registrar of Voters shall notify the current Tribal Chairperson, who will be responsible for setting the date for swearing in ceremonies.

SECTION 26. FILLING COUNCIL MID-TERM VACANCIES

- A. The Tribal Council shall declare a Council position vacant when any member of the Tribal Council or other elected official: (1) dies, resigns, or is removed or recalled from office; (2) is found guilty while in office of a felony or misdemeanor involving dishonesty, as defined in the Constitution, in any court of competent jurisdiction; (3) misses three consecutive regularly scheduled meetings of the Council without being excused by that body. Under no circumstances shall the Tribal Council appoint an individual to the position of Chairperson or Vice Chairperson.

- B. If more than six (6) months remains in the term of the vacant position, the Election Committee shall conduct a Special election of the voting membership for the purpose of filling the vacancy. Council shall notify the Election Committee, in writing, of mid-term vacancies within ten (10) working days of creation of the vacancy, and an election shall proceed pursuant to this Ordinance. The Tribal Council may fill a position temporarily in cases where tribal business can not be conducted effectively; the temporary position will be filled upon completion of the special election.
- 1) Potential appointees must meet all requirements as stated under the Constitution of the Karuk Tribe, Article VII, and the Election Ordinance of the Karuk Tribe, with the exception of time frames relating to Tribal elections.
- C. If less than six (6) months remains in the unexpired term, the Offices other than Chairperson and Vice Chairperson, the Council shall select a candidate from the appropriate District to serve the remainder of the unexpired term from a list of candidates generated by the following process:
- 1) Council shall advertise or cause to be advertised, all vacant positions. The advertisement must include the number of vacant positions, length of term remaining for each position, from which District the vacant positions must be filled, and a request for petitions to be submitted by a closing date.
 - 2) Potential candidates must meet all requirements as stated under the Constitution of the Karuk Tribe, Article VII, and the Election Ordinance of the Karuk Tribe, with the exception of time frames relating to Tribal elections. Potential candidates must submit petitions and proof of residency.
 - 3) The Election Committee will determine the eligibility of all potential candidates.
 - 4) From the list of eligible candidates the Council shall choose one candidate for each position to be filled. The appointees will fill the vacancy for the remainder of the term respective to the position appointed.
 - 5) Council shall fill all vacancies within sixty (60) days from the day the position becomes vacant. In case of extraordinary circumstances, this time frame may be extended at Council's discretion.

SECTION 27. SPECIAL ELECTIONS

The Election Committee, established for the purposes of conducting and supervising all Tribal elections including general, primary or special will:

- A. Establish a fair and equitable process for conducting and supervising all special elections to meet each situation.
- B. Cause copies of a Notice of Election to be published and distributed to eligible voters. The Notice shall include:
 - 1) The date and time of the election.
 - 2) List of positions/candidates available for each District, and/or subject matter of the election

3) Description of the Special Election Process, outlining any parameters that differ from the general election process, such as:

- a. Polling locations;
- b. Absentee voting; or
- c. Time-line standards.

SECTION 28. PRIMARY ELECTIONS

A Primary election shall be held for the Officer positions of Chairperson, Vice Chairperson, and Secretary/Treasurer. The Primary Election shall be conducted the first Tuesday in August. Voting shall be by secret ballot. Absentee ballots shall be available upon written request by registered voters and mailed in a timely manner to such voters (see section 16A).

The two candidates receiving the most votes in the Primary election shall compete against each other in the General Election which shall be conducted on the first Tuesday of November pursuant to the provisions of this Ordinance.

SECTION 29. PHASING IN NEW DISTRICT ELECTION PROCEDURES

Pursuant to the Constitutional Amendments of July 19, 2008, and consistent with the legislative intent to gradually phase in the new Council District voting system and the new Secretary/Treasurer position, the first few elections shall be staggered as follows:

A. 2008 Election:

Because of the administrative difficulty and associated cost of immediately implementing the District voting system, the 2008 November Election shall proceed as if the Constitutional Amendments pertaining to Voting Districts and the new Secretary/Treasurer position were not yet in effect.

B. 2009 Election:

The Election Ordinance shall be modified in 2009 to provide for the implementation of District voting, and to add District seats to the balloting and nominating process, as applicable.

C. 2010 Election:

The Vice-Chairperson Officer position will be vacant, and there will be an at-large (all-District) election for that seat. The Vice-Chairperson office will be held for a four (4) year term, ending in November, 2014.

The term for the current Treasurer will be completed. However, because the office of Treasurer will be combined with the office of Secretary/Treasurer, the election will be for a Council District seat instead. Therefore, voters in the Yreka District shall vote for one (1) Council Member to represent that District for a four (4) year term, ending in November, 2014.

D. 2011 Election:

The Chairperson Officer position will be open, and there will be an at-large (all-District) election for that seat. The Chairperson office will be held for a four (4) year term, ending in November, 2015.

The new Secretary/Treasurer officer position will be open, and there will be an at-large (all-District) election for that seat. The Secretary/Treasurer Officer position will be held for a four (4) year term, ending in November, 2015.

- E. Thereafter, registered voters shall vote for each District seat as it becomes vacant. All terms of office shall be for four (4) years. All registered voters may vote for all Council seats, regardless of the residency of the voter.

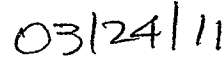
CERTIFICATION

The undersigned Tribal Chairperson of the Karuk Tribe hereby certifies that the foregoing Election Ordinance is a true and correct copy of the Election Ordinance that was approved by a vote conducted on the 24th day of March 2011, was duly adopted by a vote of 8 YAYES, 0 NOES, 0 ABSTAIN.

This Election Ordinance amends the most recently amended Election Ordinance adopted on September 25, 2008. The Tribal Council is comprised of 9 members of which 8 (a quorum) voted.



Arch Super, Tribal Chairperson



Date

CONSTITUTION OF THE KARUK TRIBE

PREAMBLE

We the Karuk Tribe being a sovereign 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.

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, 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.

ARTICLE II – JURISDICTION

The laws of the Karuk Tribe shall extend to:

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 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 judgment funds to Indians of California.
- (b) Any person of one-eighth (1/8) degree or more Karuk Indian blood 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 Council shall 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.

ARTICLE IV – RIGHTS OF MEMBERS

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. 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. No member shall be denied freedom of speech, religion or the right to peaceful assembly, or otherwise be deprived of life, liberty or property without due process, which is notice and an opportunity to be heard.

ARTICLE V – TRIBAL COUNCIL

The governing body of the Karuk Tribe shall be the Tribal 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, 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.

ARTICLE VI – DELEGATION OF AUTHORITY TO THE TRIBAL COUNCIL

The members of the Karuk Tribe hereby delegate to the Tribal 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.
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 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 3. Any member of the Tribe who has, at least sixty days before the election, 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.

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 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 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.

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

ARTICLE VIII – DUTIES OF OFFICERS

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

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

The Chairperson shall sign all official resolutions and other formal Tribal enactments and documents on behalf of the Tribe, as required.

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

The Vice- Chairperson shall perform such other duties as the Tribal Council may direct.

Section 4. Secretary/Treasurer. The Secretary/Treasurer shall act as Chairperson pro-tempore in the absence or incapacity of the Chairperson and Vice- Chairperson for the meeting at which the Chairperson and Vice- Chairperson 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.

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. 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 IX – VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the Tribal Council dies, resigns, fails to maintain residency within 100 road miles of the Tribe's Aboriginal 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, the Council shall declare the position vacant and 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, the Council shall declare the position vacant and fill the unexpired term pursuant to the Tribe's Election Ordinance.

Section 3. 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 or 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 4. Upon a petition of at least two thirds (2/3) of the registered voters of the Tribe, it shall be the duty of the Tribal 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 Council shall direct the Election Committee to hold a special election to fill said office, pursuant to the provisions of the Tribe's Election Ordinance.

ARTICLE X – 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 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 (30%) of the eligible voters shall vote in such election.

ARTICLE XI – PRIOR ENACTMENTS

Upon approval of this Constitution, all prior actions of the Tribal 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 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.

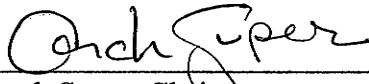
Upon receipt of either of these two documents, the Election Committee shall call and conduct a special election pursuant to the provisions set forth in the Election Ordinance. The specific language proposed as an amendment to the Constitution, along with language changes of any other parts of the Constitution 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.

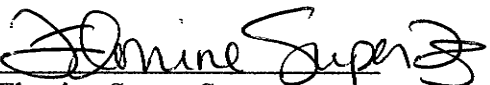
The amendment(s) shall take effect if adopted by the majority of those voting in the election held for that purpose, provided that at least fifty percent (50%) of the registered voters voted in the election.

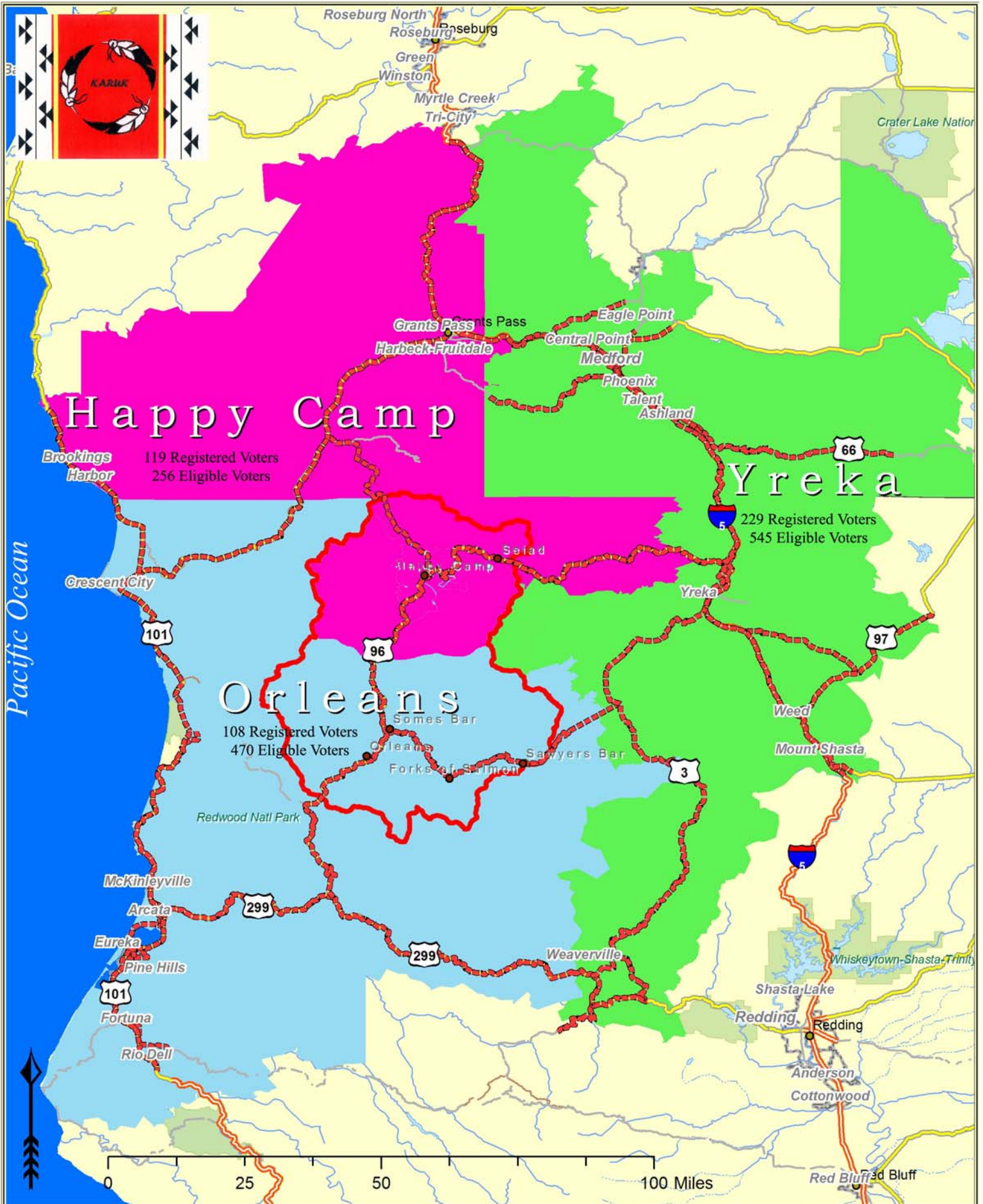
CERTIFICATION

I, the undersigned, as Chairperson of the Tribal Council of the Karuk Tribe, (formerly known as the "Karuk Tribe of California") do hereby certify that the Karuk Tribal Council is composed of nine (9) members of which eight (8) were present constituting a quorum at a meeting duly noticed and convened on the 30th day of July, 2008, to certify the election results; and that the Karuk Tribe held an election on the 19th day of July, 2008; and that the Constitutional Amendments reflected in the foregoing document (Ballot Questions 1b, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16) were all adopted by a majority vote of those voting in the election.

Dated on this 30th day of July, 2008


Arch Super, Chairperson
Karuk Tribal Council

Attest: 
Florraine Super, Secretary
Karuk Tribal Council



Karuk Voting Districts - - - Roads (100 miles)
 DISTRICT Karuk Aboriginal Territory
 Happy Camp
 Orleans
 Yreka

Karuk Voting Districts and Roads Within 100 Miles of the Ancestral Territory

Karuk Tribe of California

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.