

CONSTITUTIONAL AMENDMENTS

Proposed Amendment to ARTICLE IV, Section 2

Sec. 2 Tribal Court

(A) The judicial power of the Siletz Tribe shall be vested in the Siletz Tribal Court, which shall consist of the Tribal Court, the Court of Appeals, and such other courts as the Tribal Council may establish from time to time by ordinance. The Tribal Council may establish divisions of the Tribal Court with different subject matter jurisdiction. (B) The authority of the Tribal Court shall include the power to review and overturn tribal government action, either legislative or executive, for violations of this Constitution or of the Indian Civil Rights Act of 1968, as amended. Other jurisdiction of the Tribal Court shall be established by ordinance. (C) The Tribal Court shall consist of the chief judge and such other judges and staff positions as the Tribal Council may establish from time to time by ordinance. All judges shall be appointed by Tribal Council resolution. The chief judge shall serve for a term of four years; the Tribal Council may establish terms for other judges by ordinance. The Tribal Council shall establish qualifications for the position of chief judge, other judges, and staff positions. Compensation for judges of the Tribal Court shall be set by the Tribal Council, which compensation shall not be diminished during the term of office. (D) The chief judge shall be responsible for administration of the judicial branch of the tribe and for the performance of all other judicial and court functions, *provided* that the chief judge may delegate these duties to other court officers by court rule. The chief judge shall have primary responsibility for promulgation of rules of pleading, practice and procedure applicable to any and all judicial proceedings of the Tribal Court, subject to Tribal Council approval. (E) The chief judge and any other judge of the Tribal Court may be removed or suspended from office by the Tribal Council during the period of his or her term only for cause as established by ordinance, and only upon due notice and the opportunity for a hearing before the Tribal Council.

Proposed Amendment to ARTICLE VI, Section 3

Sec. 3 Tribal Council Election

Elections for Tribal Council shall be held annually on the first Saturday of May, except as provided in Article VI, Section 5. The times and places of voting shall be designated by the Tribal Council. New members shall take office upon certification of election results.

Candidates for Tribal Council must be duly enrolled members of the Confederated Tribes of Siletz Indians of Oregon who will be at least eighteen (18) years of age on the date of election and who have never been expelled in

accordance with Article VII, Section 4. Candidates must file statements of their candidacy with the Election Board on or before March 1 before the annual election. The Election Board shall make public the list of candidates not less than thirty (30) days before the election.

Each voter shall be allowed to cast one vote for each vacancy on the Tribal Council. No more than one (1) vote per candidate shall be cast. The winners shall be chosen by plurality according to the rank order of votes received. In the event of a tie, the winner shall be chosen by flipping a coin under the supervision of the Election Board.

Proposed Amendment to ARTICLE VI, Section 5

Sec. 5 Temporary Extension of Term of Office

The term of office of those members of the Tribal Council holding office at the time the amendment to Article VI, Section 3, changing the date of the annual Tribal Council election from the first Saturday of February of each year to the first Saturday of May of each year, is validly approved and becomes effective, will be extended for a period of approximately three months, such that the term of office for said members will expire upon certification of election results by the Election Board of the annual election on the first Saturday of May of the year in which their three-year term of office will be completed rather than in February of that year.

Proposed Amendment to ARTICLE V, Section 2(B)

(B) Special meetings of the Tribal Council may be called by the chairman at his or her discretion, but the chairman must call a special meeting upon written request of three or more members of the Tribal Council, the special meeting to occur within three (3) days of such written request. No special meetings shall be called without twelve (12) hours notice to each member, unless each member shall waive the notice requirement in writing.

ARTICLE V, Section 2(D) Proposed Amendment

(D) A majority of the seated members of the Tribal Council plus one shall constitute a quorum. Matters of business shall be decided by majority vote, except where otherwise required by this Constitution and the Tribal Council's own rules as set forth by ordinance. Voting shall be by roll call vote and the ayes and nays shall be recorded in the minutes.