

REPORT (Cont.)

per Tribal member to participate in their wrestling, not to exceed 14 students. This money was designated to be taken out of the General Council fund, which \$5,000 was allocated for a year.

Since the establishment of the reservation, the Tribal Council has received numerous requests to fund Tribal member youth in either their traveling of long distances for school activities, or sports activities. This has generated concern among the Tribal Council. The Tribe is in the process of acquiring land for the construction of a new Tribal administrative office and a Community Center. We also want to acquire land to provide housing in Grand Ronde.

If the Council is to honor every request for funding it receives, it is possible that the Tribe may be unable to provide the essential services that the Tribal Council wishes to provide.

On the 6th of December, the Council discussed the funding for Tribal members to participate in athletic activities. The Council elected to honor the General Council's vote to fund the school wrestlers, with the condition that Darlene Aaron handle the funding. The Tribal Council also expressed concern of General Council voting to fund further activities at future meetings. As voting powers of the General Council. Under the Tribal Constitution, the General Council is empowered to move and vote on advisory motions. Also, the Council will reserve its authority to review votes taken on funding requests, at future General Council meetings.

We regret that it has come to this, but the Tribal Council feels this could be setting a major precedent.

The Tribal Council is willing to assist Tribal member youth in future fund raising for school related activities (travel, sports, ect.,).

Enclosed is a copy of the General Council powers as set forth in the Grand Ronde Tribal Constitution.

CONSTITUTION OF THE CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON

PREAMBLE

We, the Indians of the Confederated Tribes of the Grand Ronde Community of Oregon, being a federally recognized Indian tribe pursuant to the Grand Ronde Restoration Act of November 22, 1983 (97 Stat. 1064) hereby adopt this Constitution in accordance with the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended, and establish our tribal government in order to form a better tribal organization, secure the rights and powers inherent in our sovereign status and guaranteed to us by Federal Law preserve our culture and tribal identity, promote the social and economic welfare of our people, protect and develop our common resources, maintain peace and order, and safeguard individual rights.

ARTICLE 1 - AUTHORITY OF GOVERNMENT

Section 1. Jurisdiction and Territory

The authority of the government established by this Constitution shall extend over all persons, property, and activities within the jurisdiction of the Confederated Tribes of the Grand Ronde Community of Oregon, except as limited by this Constitution and by Federal Law.

The jurisdiction of the Confederated Tribes of the

Grand Ronde Community of Oregon shall extend, to the fullest extent possible under Federal Law, over all lands, waters, property, airspace, minerals and other natural resources, and any interest therein, either now or in the future, owned by the Tribe or individual members held in trust status or located within the boundaries of the tribal reservation which will be established pursuant to the Grand Ronde Restoration Act, notwithstanding the issuance of any existing or future patent or right-of-way.

Sec. 2. Hunting, Fishing and Gathering Rights. Nothing in this Article shall be construed as restricting the exercise of hunting, fishing or gathering rights of members, if any, consistent with Federal Law.

ARTICLE II - GENERAL COUNCIL

Section 1. Powers. There shall be a General Council, comprised of all duly enrolled members of the Confederated Tribes of Grand Ronde Community of Oregon who are eighteen (18) years of age or older, which shall have the power to:

- (a) Elect tribal council members in accordance with Article VI.
- (b) Exercise the power of initiative by submitting to the Election Board a petition of at least one-third (1/3) of the members of the General Council, setting forth a proposed ordinance or resolution. Upon verification of the petition by the Election Board, the proposed ordinance or resolution shall be submitted by the Election Board to a vote of a two-thirds (2/3) majority of those actually voting shall be conclusive and binding on the Tribal Council, at an election in which at least thirty percent (30%) of those qualified to vote shall have voted.
- (c) Exercise the power of referendum by submitting to the Election Board a petition of at least one-third (1/3) of the members of the General Council, setting forth any proposed or previously enacted ordinance or resolution of the Tribal Council for reconsideration by the General Council. Upon verification of the petition by the Election Board, the proposed or previously enacted ordinance or resolution shall be submitted by the Election Board to a vote of the General Council at a regular or special election to be held within sixty (60) days of said verification. The vote of a two-thirds (2/3) majority of those actually voting shall be conclusive and binding on the Tribal Council, in an election at which at least thirty percent (30%) of those qualified to vote shall have voted.
- (d) Exercise the power of recall of elected tribal officials who are guilty of improper conduct or gross neglect of duty, which terms shall be defined in the election ordinance, by submitting to the Election Board a petition of at least one-third (1/3) of the General Council, setting forth the basis for recall. Upon verification of the petition by the Election Board, the Election Board shall call a special election to consider the recall of the elected tribal official named in the petition. The election shall be held within 30 (30) days of verification of the petition by the Election Board; provided, that if the petition is submitted within six (6) months of the next annual election, the Election Board may direct that the matter be placed on the ballot for that election. The accused tribal officials shall be given full opportunity to reply to any and all charges at a General Council meeting called at least five (5) days in advance of the election. If a two-thirds (2/3) majority of those actually voting at the recall election favor the recall of the elected official, the office shall be declared vacant and filled in accordance with Article VI, Section 6, so long as

at least thirty percent (30%) of those qualified to vote shall have voted.

(e) Amend this Constitution by submitting to the Secretary of the Interior pursuant to his regulations a petition of at least one-third (1/3) of the members of the General Council, setting forth the section(s) of this Constitution to be amend and the proposed amendments(s). Upon verification of the petition by the Secretary of the Interior, it shall be the duty of the Secretary of the Interior to authorize the calling of an election to consider amendments to the Constitution, in accordance with regulations as set forth by the Secretary of the Interior. The affirmative vote of a two-thirds (2/3) majority of those actually voting shall be conclusive, so long as at least thirty percent (30%) of those qualified to vote shall have voted; provided, that nothing in this section shall prevent the Tribal Council from submitting proposed amendments to the Secretary of the Interior pursuant to Article III, Section I of this Constitution. Provided further, that amendments to this Constitution shall not become effective until approved by the Secretary of the Interior.

- (f) Make advisory recommendations to the Tribal Council upon a majority vote of those actually voting.
- (g) Exercise those powers over fundamental changes in the Tribe's jurisdiction, reservation or rights, set forth in Section 2 of Article III.
- (h) Exercise the power over adoption procedures set forth in Article V, Section 4 of this Constitution.

Sec. 2. Procedures. The General Council shall hold meetings in accordance with the following procedures:

- (a) Regular meetings of the General Council shall be held during the months of September, October, November, December, January, February, March, April and May, at a time and place to be set by the Tribal Council. The September as provided in Article VI, Section 5.
- (b) Special meetings of the General Council may be called by the Tribal Council upon one (1) week's notice of the membership of the General Council. The Tribal Council may call such meetings upon its own motion, but it must call such a meeting upon presentation of a properly verified petition signed by one-third (1/3) or more of the General Council of the Confederated Tribes of the Grand Ronde Community of Oregon.
- (c) The agenda for General Council meetings shall be set by the Tribal Council; provided, that any member may submit in writing items to the Tribal Council for consideration for the agenda, and; provided further, that each agenda shall include time for discussion of items from the floor regardless of whether said items appear on the agenda.
- (d) The Tribal Council Chairperson shall clear General Council meetings.
- (e) A quorum of the General Council shall consist of thirty (30) members of the General Council. Matters of business be decided by a majority vote, except as otherwise required by this Constitution.
- (f) Procedures for exercising the General Council powers in Article II, Sections 1(b), 1(c), 1(d) and 1(e) shall be set forth by tribal ordinance duly enacted by the Tribal Council; provided, that said procedures shall not be in conflict with any provisions of this Constitution or regulations of the Secretary of the Interior.