

Georgetown Tribal Constitution Table of Contents

Article I – Georgetown Tribal Council

- Section 1 – Name
- Section 2 – Number on Council
- Section 3 – Officers
- Section 4 – Terms
- Section 5 – Procedures
- Section 6 – Tribal Council Ordinance

Article II – Territory and Jurisdiction

- Section 1 – Territory
- Section 2 – Jurisdiction
- Section 3 – Sovereign Tribal Rights

Article III – Rights of Members

Article IV – Powers

- Section 1 – Inherent Powers
- Section 2 – Inherent Control Powers
- Section 3 – Other Powers
- Section 4 – Retained Powers

Article V – General Council

- Section 1 – Requirements
- Section 2 – General Council Procedures
- Section 3 – General Council Ordinance

Article VI – Membership Participation

- Section 1 – Initiatives
- Section 2 – Referendums
- Section 3 – Recall
- Section 4 – Decisions
- Section 5 – Expulsion
- Section 6 – Ordinance

Article VII – Amendments

Article VIII – Adoptions

Article IX – Elections

Section 1 – Voter Qualifications

Section 2 – Qualifications of Candidates

Section 3 – First Election

Section 4 – Regular Election

Section 5 – Election Board

Section 6 – Election Ordinance

Section 7 – Vacancies

Article X – Honorary Chief

Certification

Article I – Georgetown Tribal Council

Section 1 – Name: The Tribal Governing Body of the Native Village of Georgetown shall be the Georgetown Tribal Council (GTC), hereinafter referred to as the Council.

- A) **Principal Address:** This Council maintains a principal office at 1400 Virginia Court, Anchorage, Alaska 99501.

Section 2 - Number on Council: The Council shall consist of five (5) members, whom shall be elected by a majority vote of the qualified members of the village.

Section 3 – Officers: The Council shall include a Chairperson, Vice Chairperson, Secretary/Treasurer, and two (2) members.

- A) **Chairperson:** The Chairperson shall preside at all meetings and exercise general supervision over the affairs and activities of the Council.
- B) **Vice Chairperson:** The Vice Chairperson shall, in the absence of the Chairperson, assume the duties and exercise the authority of the Chairperson's office.
- C) **Secretary/Treasurer:** The Secretary/Treasurer shall:
- a. In the absence of the Chairperson and Vice Chairperson, preside at all meetings;
 - b. Attest all required documents passed by the Council;
 - c. In the absence of the Administrator, he/she shall record the minutes of the meetings.

Section 4 – Terms: Council member terms shall be staggered. At the first meeting of the duly elected council, the members shall provide for the staggered terms by drawing lots so that two (2) council members serve a three (3) year term; two (2) council members serve a two (2) year term, and one (1) council member serves a one (1) year term.

After the first term, each seat will expire every three (3) years thereafter. For example, the member drawing the one (1) year seat will stand for election the following year for a three (3) year term; the members drawing two (2) year seats will stand for election two years later for three (3) year terms. Subsequently, all terms shall be for three (3) years.

No Tribal Member, Council Member or Officer of the Georgetown Tribe shall be denied any staff or paid position with the Tribal Council by virtue of their service as a Council Member or Officer.

Section 5 – Procedures: The Georgetown Tribal Council shall hold meetings and take action in accordance with the following procedures, which it may augment by its own rules of procedure so long as they do not conflict with any provisions of the Constitution:

- A) Regular meetings of the Council shall be held one (1) per quarter at a time and place set forth by the Administrative Office.
- B) Special meetings of the Council may be called by at least three (3) council members with at least seven (7) days notice provided to all members of the Council.
- C) The agenda shall be set by the Chairperson which shall be provided to the Council members seven (7) days prior to any regularly scheduled meeting. Items to be included on the agenda shall be submitted to the Council by written notice within fourteen (14) days of the meeting date; however a member may submit an item to the agenda during said meeting.

The order of the agenda shall be as follows:

- Order of Business
- Call to Order
- Roll Call
- Invocation
- Reading of the Agenda
- Approval of Minutes
- Administration Reports
- Committee Reports
- Old Business
- New Business
- Council Comments
- Audience Participation
- Other
- Adjournment

- D) Three (3) members of the Council shall constitute a quorum. Business matters shall be acted upon by a majority vote of the Council, except where otherwise required by this Constitution and the Council's own rules set forth by ordinance.
- E) All meetings of the Council shall be open to the membership of the Georgetown Tribe. The Council may recess for a closed or an executive session and discuss any matter of importance, provided that the subject matter discussed is expressed in the motion called for such session and no action taken is thereon in the closed or executive session.
- F) All final decisions of the Council on matters of general and permanent interest of the members of the tribe shall be embodied in ordinances. The ordinances shall be collected and made

available to the Tribal Members and others affected upon reasonable request.

- G) All final decisions of the Council on matters of temporary interest shall be embodied in resolutions. The resolutions shall be collected and made available to the Tribal Members and others affected upon reasonable request.
- H) All questions of procedure shall be decided by motion duly passed, or by the ruling of the Chairperson if no objection is heard.
- I) No Tribal Member shall vote on any matter wherein he/she or his/her immediate family has a direct personal interest. Including, but not limited to employment, contracts, project funding and appointments to Tribal Committees.
- J) A written record shall be kept of the Council's proceedings. The record shall be open for inspection by all members of the Georgetown Tribe.

Section 6 – Georgetown Tribal Council Ordinance: The Council shall enact a Council Ordinance consistent with the provisions of this Constitution. Including, but not limited to the Roberts Rule of Order.

Article II – Territory and Jurisdiction

Section 1 – Territory: The Territory of the Georgetown Tribe shall extend to all traditional boundaries of the Georgetown Tribe, including all lands preciously owned by the village corporation, the Georgetown, Inc., as established under the Alaska Native Claims Settlement Act of 1971.

Section 2 – Jurisdiction: The jurisdiction of the Georgetown Tribe shall extend over all people within its territorial boundaries and over all Tribal property, unless explicitly prohibited by Federal Law.

Section 3 – Sovereign Tribal Rights: The sovereign Tribal Rights of the Georgetown Tribe shall include:

- A) To promote unity and accord amongst all peoples by conflict resolution between individuals within its jurisdiction (e.g. civil and criminal regulation).
- B) To promote unity and accord between and individual of its jurisdiction and any government agency by conflict resolution between individuals and any government authority (e.g. civil and criminal regulation), unless explicitly prohibited by Federal Law.
- C) To negotiate and consult with Federal, State and Local Government.
- D) To employ professional help.
- E) To prevent any sale or lease of land without consent of the Tribe.

- F) To manage social and economic activities that will enhance the well being of the Tribe and the human race as a whole.
- G) To appropriate land.
- H) To levy taxes and license fees.
- I) To exclude unauthorized persons from the Tribal territory.
- J) To encourage and protect Tribal traditions, language and culture.
- K) To determine Tribal membership.
- L) To establish Tribal courts.
- M) To enact laws and ordinances to regulate law and order in Tribal territory.
- N) To condemn lands for public use.
- O) To regulate the use and disposition of property.
- P) To charter and regulate subordinate organizations.
- Q) To regulate the inheritance of property except allotted lands.
- R) To regulate domestic relations, education and child welfare.
- S) To appoint guardians.
- T) To encourage arts and crafts.
- U) To regulate Tribal elections.
- V) To determine the procedures of the Council.
- W) To be incorporated and thus acquire a legally binding guarantee that the Tribal organization and activities will be respected and will have continuous existence.
- X) To adopt and use a corporate seal.
- Y) To buy, receive, own and manage all types of property.
- Z) To issue certificates representing a share in the Tribal property in exchange for restricted Indian Lands.
- AA) To borrow money.
- BB) To engage in business.
- CC) To make contracts.
- DD) To offer property or income of the Tribe as security for loans.
- EE) To deposit funds in any bank or agency.
- FF) To be advised by the Federal Government as to all appropriation estimates and Federal projects designed to benefit the Village prior to the submission of such estimates to the Office of Management and Budget and Congress.
- GG) To exploit all possibilities for self-determination in collaboration with the Federal Government, including Federal grants, contracting or authorized Federal programs, planning for Federal operated programs, and access to Federal personnel.
- HH) To exercise any additional powers necessary to carry out the foregoing powers.
- II) To delegate any of the above powers to subordinate officers of committees or cooperative associations.
- JJ) To enact ordinances and regulations to exercise Sovereign power but not prohibited by law.

Article III – Rights of Members

All members of the Tribe shall enjoy equal rights of life, liberty and the pursuit of happiness consistent with the values, customs and traditions of the Tribe. In exercising its powers of self-government, the village shall not deny to any person within its jurisdiction freedom of speech, press or religion, or the right to assemble peacefully. The Tribe shall provide all people in its jurisdiction the rights required by the Indian Civil Rights Act. No Tribal government shall deny to any person the equal protection within Tribal jurisdiction to be deprived of his/her property or any of his/her fundamental civil liberty rights without due process of law. In such event, the procedures shall be:

- A) The individual shall be told what the government is about to do;
- B) The individual shall be given the right to a hearing so that he/she can present his/her side of the case.
- C) The individual shall be given the right to appeal.

Article IV – Powers

Section 1 – Inherent Powers: The Council shall secure, preserve, and exercise inherent Tribal Government powers to do all things for the common good which it has done in the past or has had the right to do in the past and which are not against Federal and State Laws as may apply. Unless exercised by the members, all powers shall be exercised by the Council. The Council may authorize an officer to act in specific circumstances set by the Council from time to time.

Section 2 – Internal Control Procedures: The Council may enact rules of procedure by ordinance or resolution. These may include, but are not limited to:

- A) Tribal enrollment
- B) Election procedure
- C) Administrative policy
- D) Council rules of order
- E) Meeting notices – special or regular
- F) Traditional customs, values and spiritual beliefs
- G) Traditional boundaries of jurisdiction
- H) Committee establishment and procedure
- I) Executive Board
- J) Subsistence use sites of ancestors to present
- K) Trapping and hunting
- L) Spring camp use
- M) Hunters from other areas
- N) Indian child welfare
- O) Native arts and crafts
- P) Tribal courts

Section 3 – Other Powers:

- A) To administer justice and establish Tribal Courts
- B) To promote the health and safety of Tribal Membership
- C) To enact ordinances and regulations to exercise Sovereign Power not prohibited by Federal and State Laws.
- D) To employ legal counsel
- E) To encourage and protect Tribal traditions, language and culture
- F) To charter enterprises, corporations, and associations provided that the charter clearly distinguishes between the government and business functions
- G) To join and/or charter housing authorities
- H) To levy dues, fees and assessments
- I) To negotiate and/or contract with the State, Federal and Local Governments, private agencies and persons on behalf of the Georgetown Tribe
- J) To acquire property, accept gifts, and prevent the sale, lease, disposition or encumbrance of Tribal property without the consent of the Tribal membership
- K) To protect the members rights in property, including Tribal property
- L) To administer Tribal assets
- M) To exercise the powers of consent under 14(F) or Alaska Native Claims Settlement Act of 1971 to the extent permitted by applicable law

Section 4 – Retained Powers: The retained powers of the Georgetown Tribe not stated in the Constitution shall not be lost by omission, but may be exercised by vote of membership initiative or referendum.

Article V – General Council

Section 1 – Requirements: All duly enrolled members of the Georgetown Tribe of Georgetown, Alaska who are eighteen (18) years of age or older shall constitute the General Council. In accordance with this Constitution, the General Council shall have the power to:

- A) Elect Georgetown Tribal Council Members
- B) Exercise the powers of initiative and referendum
- C) Amend this Constitution
- D) Make advisory recommendations to the Council
- E) Recall elected Tribal Officials
- F) Petition

Section 2 – General Council Procedures: The General Council shall hold meetings in accordance with the following procedures, and shall exercise its electoral powers in accordance with the provisions of the Elections Article of this Constitution;

- A) Regular meetings of the General Council shall be held annually at a time and place established by the Council. Annual meetings shall include the annual election of the Traditional Council.
- B) Special meetings of the General Council may be called by the Georgetown Tribal Council upon one month's notice to the membership of the General Council. The Georgetown 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 or more of the General Council of the Georgetown Tribe.
- C) The agenda for the General Council meetings shall be set forth by the Georgetown Tribal Council, provided that any member may submit an item to be added or considered to the agenda in writing to the Georgetown Tribal Council. Each agenda shall include a time for discussion of items from the floor regardless of whether said items appear on the agenda. Agendas shall be sent to the Tribal members two (2) weeks in advance of the General Council Meetings.
- D) The Honorary Chief shall call the meeting to order, and the Georgetown Tribal Council Chairperson shall chair the General Council Meetings.

Section 3 – General Council Ordinances: An ordinance pertaining to the General Council shall be set forth in an ordinance.

Article VI – Membership Participation

Section 1 – Initiatives: The eligible voters of the tribe shall have the right to propose legislation and vote by a secret ballot to determine whether it will be adopted or rejected. Upon receipt of a valid petition signed by at least thirty-three percent (33%) of the eligible voters, the Council shall call an election to be conducted by the election board no later than thirty (30) days after receipt of the petition. An affirmative vote by at least a majority of the eligible voters shall be required to determine the issues of questions submitted to the voters.

Section 2 – Referendum: The Council, by an affirmation vote of at least four (4) of its members, shall call an election to be conducted by the election board within thirty (30) days of such Council decision for the purpose of deciding by secret ballot issues, questions, or petitions that are within the authority of the Council. Affirmative vote by at least a majority of the eligible voters shall be required to determine the issues, questions, or petitions submitted to the voters.

Section 3 – Recall: Members shall have the power to recall any member of the Council. The recall process shall be initiated by filing a valid petition for such recall.

Section 4 – Decisions: The decisions of the voters on initiatives, referendums, or recall elections shall be binding on the Council and the Georgetown Tribe and shall remain in full force until amended or rescinded by subsequent action of the voters or expiration by its own terms.

Section 5 – Expulsion: The Georgetown Tribal Council may expel any Georgetown Tribal Council Member by a one-third vote (33%) of the General Council for neglect of duty or gross misconduct, after due notice and an opportunity to be heard. Any member so expelled shall have the right to appeal the expulsion to the Georgetown Tribal Council with complete review of all matters at issue.

Section 6 – Ordinance: Initiative, referendum, recall and expulsion procedures shall be set by ordinance by the Georgetown Tribal Council, provided that the procedures are in accord with the elections articles of this Constitution where appropriate.

Article VII – Amendments

This Constitution may be amended in an election wherein at least thirty three percent (33%) of eligible voters participate. Articles may be added to or deleted from this Constitution. The election shall be conducted in accordance with the rules and regulations set forth by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to authorize an election on any proposed amendments at the request of a majority of the Georgetown Tribe, or upon the presentation of a petition signed by at least one-third (33%) of the General Council. The Secretary of the Interior may not authorize elections to amend this Constitution without the consent of the Georgetown Tribal Council.

Articles to be added to the Constitution may be as follows:

- A) Tribal Court
- B) Health
- C) Education
- D) Welfare
- E) Regional non-profit duties and authorities for contracting services
- F) Savings Clause
- G) Severability

Article VIII – Adoption

This Constitution may be adopted by a majority vote/ratification of the qualified voters of the Georgetown Tribe voting at an election called for that specific purpose and shall be effective from the date of approval.

Article IX – Elections

Section 1 – Voter Qualifications: Any duly enrolled member of the Georgetown Tribe eighteen (18) years or older shall be entitled to vote.

Section 2 – Qualifications of Candidates: Any duly enrolled member of the Georgetown Tribe, who is at least eighteen (18) years of age or older, at the date of the election and resides within the State of Alaska or Continental United States shall be eligible to become a candidate for election to membership on the Council provided that no person shall be a candidate for more than one (1) position in any election.

Section 3 – First Election: Notwithstanding the above provisions, the election of the first Georgetown Tribal Council under this Constitution shall be in accordance with an election ordinance enacted by the Georgetown Tribal Council which accords as much as is feasible with the above provisions and which is made available to the Tribal Membership no more than thirty (30) days after certification of the adoption of this Constitution.

Section 4 – Regular Elections: Elected officials will be elected by a majority vote in an annual election wherein at least thirty three percent (33%) of eligible voters participate. Council members presently serve staggered terms, as set forth in Article I, Section 4, and this Constitution will maintain that system.

Section 5 – Election Board: There shall be an election board appointed by the Council whose duties shall be to supervise, administer and conduct all Tribal elections. The Election Board shall certify the election of Tribal officials immediately after the election. No member of the Election Board shall, at the same time, be a member of the Council or a candidate for a position on the Council.

Section 6 – Election Ordinances: The Georgetown Tribal Council shall enact an election ordinance consistent with the provisions of this Constitution.

Section 7 – Vacancies: In the event that any elective office becomes vacant between elections, the Chairperson shall recommend a person who meets the requirements for a candidate for that position to fill the vacancy. Such person shall assume office to serve the remainder of the term upon approval of the appointment by the Council.

Article X – Honorary Chief

Section 1 – Election: There shall be one Honorary Chief who shall be elected by the majority vote of the qualified members of the village. He/She shall be a lifetime Chief, be one-fourth (1/4) or more Alaskan Native and be a member of the Georgetown Tribe. He/She must have a sincere belief and knowledge of the

traditional values and he/she must have practiced those values throughout his/her life.

Section 2 – Duties: He/She shall act as an advisor to the Council. He/She shall call the meeting to order. He/She shall attend, when available and able, any potlatches, social functions and meetings as an Honorary Chief of the Georgetown Tribe.

Section 3 – Replacement: In the even of death, incapacitation or disqualification, the membership shall elect a new Honorary Chief. He/She can be disqualified for failing to maintain a strong example of righteousness.

Certification

At ratification/election held on _____ day of _____ 1999, by the Georgetown Tribe. The Constitution was presented to the General Council for their approval by the Georgetown Tribal Council and was adopted by _____ votes for and _____ votes against, in a ratification/election in which at least thirty percent (30%) of the members voted.

Georgetown Tribal Council's Certification

Honorary Chief: _____ Date: _____

Chairperson: _____ Date: _____

Vice Chairperson: _____ Date: _____

Secretary/Treasurer: _____ Date: _____

Member: _____ Date: _____

Member: _____ Date: _____

Member: _____ Date: _____

Member: _____ Date: _____

Attest: _____ Date: _____

See minutes of February 13, 1999