

CONSTITUTION AND BYLAWS OF THE KOOTENAI TRIBE OF IDAHO

Preamble

We, the Kootenai Indians of Idaho, in order to establish a tribal organization and promote our common welfare, do establish this Constitution and Bylaws.

Article I - Territory

This tribal organization, to be known as "The Kootenai Tribe of Idaho," shall extend its jurisdiction over the area of Indian trust lands acquired under the Act of February 8, 1887 (24 Stat. 388), and other trust lands acquired pursuant to the Act of May 10, 1926 (44 Stat. 202), and over any lands which may hereafter be acquired by or for the Kootenai Tribe of Idaho.

Article II - Membership

Section 1. The membership of the Kootenai Tribe of Idaho shall consist as follows of:

- (a) All Indians whose names appear on the official census roll of the Kootenai Tribe as of the date of approval of this amendment.
- (b) All children, born to members of the Tribe, who are at least one-fourth degree Indian blood and a descendent of the official census roll referred to in (a) above.

Section 2. The governing body of the Tribe shall have power to make rules governing the adoption of new members or the termination of membership in the Tribe.

Article III - Governing Body

Section 1. The governing body of the Tribe shall be a tribal council consisting of six members and the Chairperson.

Section 2. Two Council Members and one alternate shall be selected from each of the following three districts: District 1 (Aitken); District 2 (David); and District 3 (Abraham). Council members and alternates shall be elected by popular vote of the adult members of each district, at an election to be held on or before September 30th of each election year in accordance with an election ordinance adopted by the Council. Council members shall serve a term of four years starting on October 1st of each election year.

Section 3. On or before October 1st of each election year, or at the first meeting of the Council thereafter, the duly elected members of the Council shall elect from their membership a Chairperson, Vice-Chairperson, Secretary and Treasurer.

Section 4. The Chairperson shall not have a vote on Council business except in the case of a tie. The Alternate from the district from which the Chairperson is selected shall serve the term vacated by the Chairperson.

Section 5. Any other vacancies occurring in the Council shall be filled for the unexpired period by the Alternate from the district with the vacancy. If no alternate is available to be seated, the vacancy shall be filled by special election at a meeting of the membership of the district in which the vacancy occurred on a date set by the Council, but no later than 60 days after the vacancy occurs.

Section 6. Members of the Council shall be removed from office only upon the conviction of a felony or other crime of fraud, embezzlement or theft. Council members who resign shall not be readmitted to the Council without the District's consent.

Article IV - Powers of the Council

Section 1. The tribal council shall have the following powers, subject to any limitations imposed by the Statutes or the Constitution of the United States:

- (a) To represent the Tribe and to negotiate with Federal, State, and local governments;
- (b) To manage the business affairs of the Tribe;
- (c) To borrow money from the Indian credit fund or from any other governmental agency and to pledge or assign future tribal income as security for such loans;
- (d) To establish a tribal court and adopt a code of law;
- (e) To exercise any rights and powers heretofore or hereafter vested in the Tribe but not referred to in this Constitution.

Article V - Amendments

This Constitution and Bylaws may be amended by a vote of 70% of the adult members of the Tribe who vote at an election called for that purpose by resolution of the Council, or upon petition signed by 30% of the adult members of the Tribe.

BYLAWS OF THE KOOTENAI TRIBE OF IDAHO

Article I - Duties of Officers

Section 1. The Chairman shall preside over meetings of tribal council, affix his signature to official documents and shall vote only in case of a tie.

Section 2. The Vice-Chairman shall act in the capacity of Chairman in the absence of the Chairman.

Section 3. The Secretary shall conduct correspondence, issue notices, take minutes, and affix his signature to official documents.

Section 4. The Treasurer shall keep a record of financial transactions. Should any funds accrue to the Tribe, the Northern Idaho Agency shall serve as a depository therefor, and the Treasurer shall give an accurate surety bond before handling any funds.

Article II - Meetings

Section 1. The tribal council shall hold meetings as called by the Chairman or upon written request of at least four (4) members of the council.

Section 2. Four (4) members shall constitute a quorum of the council.

Article III - Ratification

This Constitution and Bylaws shall become effective upon ratification by a majority vote of the adult members of the Kootenai Tribe of Idaho voting at an election called for that purpose.

Certification of Adoption

Pursuant to the Constitutional election held on April 10, 1947, this Constitution and Bylaws of the Kootenai Tribe of Idaho was duly adopted by a vote of 24, for, and 2, against.

(Sgd.) Pierre Andrew
Judge, Election Board

(Sgd.) Simon Francis
Clerk, Election Board

(Sgd.) Archie Phinney
Superintendent, Northern Idaho Agency

APPROVAL

This Constitution and Bylaws, having been proposed and duly ratified by the members of the Kootenai Tribe of Idaho on April 10, 1947, at a referendum called by me, is herewith approved.

(Sgd.) William Zimmerman, Jr.
Acting Commissioner of Indian Affairs

Chicago, Illinois, June 16, 1947