

*Yavapai - Apache Indian
Community*

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CONSTITUTION AND BY-LAWS OF THE
YAVAPAI-APACHE INDIAN COMMUNITY
ARIZONA

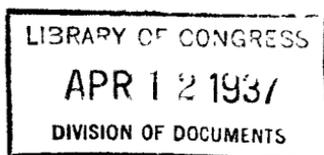
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CONSTITUTION AND BY-LAWS OF THE YAVAPAI- APACHE INDIAN COMMUNITY OF THE CAMP VERDE RESERVATION

PREAMBLE

We, the Yavapai-Apache Band of Indians of the Camp Verde Reservation, in order to establish a legal community organization, promote the common welfare, and secure certain privileges and powers offered to us by the Indian Reorganization Act, do ordain and establish this Constitution and By-laws.

ARTICLE I—TERRITORY

The jurisdiction of the Yavapai-Apache Indian Community shall extend to the territory within the confines of the Camp Verde Reservation and to all lands which may be added thereto under any law of the United States except as otherwise provided by law.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Yavapai-Apache Indian Community shall consist of the following:

(a) All persons of Indian blood whose names appear on the official census roll as of April 1, 1934, with the supplement thereto of January 1, 1936.

(b) And all children, born to any member who are one-half or more Indian blood.

SEC. 2. The General Community Council shall have the power to pass ordinances, subject to the approval of the Secretary of the Interior, covering future membership and the adoption of new members, except that no person shall be adopted into the Community who has not resided upon the Reservation for a probationary period of one (1) year.

ARTICLE III—GOVERNING BODY

SECTION 1. The governing body of the Yavapai-Apache Indian Community shall be the General Community Council which shall be composed of all the qualified voters of the Yavapai-Apache Indian Community.

SEC. 2. All enrolled members of the Yavapai-Apache Indian Community who are twenty-one (21) years of age or over shall be qualified voters at each election.

SEC. 3. The General Community Council shall elect from its own members by secret ballot a Chairman, a Vice-chairman, a Secretary, a Treasurer, and such other officers and committees as may be deemed necessary.

SEC. 4. The General Community Council shall meet on the second Saturday of December and July.

SEC. 5. Within thirty days after the ratification and approval of this Constitution and By-laws, a General Community Council shall be called by the present Constitutional Committee in co-operation with the Superintendent of the Reservation, for the purpose of electing the officers named herein, and it shall transact such other business as may be necessary. The officers elected at this meeting shall serve until the July meeting in 1937, at which time their successors shall be chosen. Thereafter, officials shall be chosen annually at the July meeting.

SEC. 6. The Chairman, or 25 per cent of the qualified voters may, by written notice, call special meetings of the General Community Council. One-third of the qualified voters of the Reservation shall constitute a quorum at any special or regular meeting.

SEC. 7. There shall be a Business Committee, consisting of the Chairman, Secretary, and Treasurer of the General Community Council, which shall perform such duties as may be authorized by that Council.

ARTICLE IV—POWERS OF THE GENERAL COMMUNITY COUNCIL

SECTION 1. *Enumerated Powers.*—The General Community Council of the Yavapai-Apache Indian Community shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States:

- (a) To negotiate with Federal, State and local governments.
- (b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.
- (c) To veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the Indians.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Camp Verde Reservation prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (e) To manage all tribal economic affairs and enterprises of the Camp Verde Reservation in accordance with the terms of a Charter that may be issued to the Yavapai-Apache Indian Community by the Secretary of the Interior.
- (f) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Yavapai-Apache Indian Community; providing for the manner of making, holding, and revoking assignments of tribal lands or interests therein; providing for the levying of taxes and the appropriation of available tribal funds for public purposes; providing for the licensing of non-members coming upon the Reservation for the purpose of hunting, fishing, trading, or other business, and for the exclusion from the territory of the Camp Verde Reservation of persons not so licensed; providing for the establishment of proper agencies for law enforcement upon the Camp Verde Reservation; providing codes for the regulation of domestic relations of members, governing marriage, divorce, legitimacy, and adoption; providing

for the issuance of marriage licenses and decrees of divorce under the supervision of the Superintendent in charge of the Reservation; and providing for the removal or exclusion from the Reservation of any non-members whose presence may be injurious to the people.

(g) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the Camp Verde Reservation, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

(h) To adopt resolutions not inconsistent with this Constitution and the attached By-laws, regulating the procedure of the Council itself and of other tribal agencies, tribal officials, or tribal organizations of the Camp Verde Reservation.

SEC. 2. Future Powers.—The General Community Council may exercise such further powers as may in the future be delegated to the Council by any member of the Community or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

SEC. 3. Reserved Powers.—Any rights and powers heretofore vested in the Yavapai-Apache Band of Indians of the Camp Verde Reservation, but not expressly referred to in this Constitution, shall not be abridged by this article, but may be exercised by the Yavapai-Apache Indian Community through the adoption of appropriate By-laws and constitutional amendments.

SEC. 4. Manner of Review.—Any resolution or ordinance which by the terms of this Constitution, is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the Reservation who shall, within ten days thereafter, approve or disapprove the same.

If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement to the Secretary of the Interior, who may, within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause by notifying the Council of such decision.

If the Superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten days after its enactment, he shall advise the Council of his reasons therefor. If these reasons appear to the Council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE V—AMENDMENTS

SEC. 1. This Constitution and By-laws may be amended by a majority vote of the qualified voters of the Community voting at an election called for that purpose by the Secretary of the Interior, provided that at least 30 per cent of those entitled to vote shall vote in such election, but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a petition signed by one-third of the qualified voters, members of the Community.

**BY-LAWS OF THE YAVAPAI-APACHE INDIAN COMMUNITY OF THE
CAMP VERDE RESERVATION**

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. The Chairman of the General Community Council shall preside over all meetings of the Council, shall perform the usual duties of a Chairman, and exercise any authority delegated to him by the Council. He shall vote only in case of a tie.

SEC. 2. The Vice-Chairman shall assist the Chairman when called upon to do so and in the absence of the Chairman he shall preside. When so presiding, he shall have all the rights, privileges and duties as well as the responsibilities of the Chairman.

SEC. 3. The Secretary of the Council shall conduct all Community correspondence and shall keep an accurate record of all matters transacted at the Council meetings. It shall be his duty to submit promptly to the Superintendent of the jurisdiction, and the Commissioner of Indian Affairs, copies of all minutes of regular and special meetings of the General Community Council.

SEC. 4. The Treasurer of the General Community Council shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Council, whether they be Community funds or special funds for which the Council is acting as trustee or custodian. He shall deposit all funds in such depository as the Council shall direct and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession and custody, at each regular meeting of the General Community Council, and at such other times as requested by the Council or Business Committee.

He shall not pay out or otherwise disburse any funds in his possession or custody, except in accordance with a resolution duly passed by the Council. The Treasurer shall be required to give bond satisfactory to the Council and to the Commissioner of Indian Affairs. Until the Treasurer is bonded, the Business Committee may make such provision for the custody and disbursements of funds as shall guarantee their safety and proper disbursement and use.

SEC. 5. The subordinate officers or members of committees shall perform such duties as the General Community Council by resolution shall from time to time provide.

SEC. 6. The officers of the Yavapai-Apache Indian Community may receive such compensation as may be determined by the General Community Council, from such funds as may be available.

ARTICLE II—RATIFICATION OF CONSTITUTION AND BY-LAWS

This Constitution and By-laws, when adopted by a majority vote of the qualified voters of the Yavapai-Apache Band of Indians of the Camp Verde Reservation voting at a special election called by the Secretary of the Interior, in which at least thirty per cent of those entitled to shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved September 16, 1936, by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Yavapai-Apache Band of Indians of the Camp Verde Reservation and was on October 24, 1936, duly ratified by a vote of 86 for and none against in an election in which over 30 per cent of those entitled to vote cast their ballots in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

JOHN KINSEY,
Chairman of Election Board.

TOM SMITH,
Secretary of the Election Board.

CARL H. SKINNER, *Superintendent.*

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and By-laws of the Yavapai-Apache Indian Community.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws, are hereby declared inapplicable to the Yavapai-Apache Indian Community.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.
Approval recommended February 10, 1937.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *February 12, 1937.*

