

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS



CONSTITUTION AND BYLAWS
OF THE
COEUR D'ALENE TRIBE.
IDAHO



APPROVED AUGUST 8, 1947



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CONSTITUTION AND BY-LAWS
OF THE
COEUR D'ALENE TRIBE, IDAHO

PREAMBLE

We, the Indians of the Coeur d'Alene Reservation in Idaho, in order to build an independent and honorable life, and to promote the common welfare of the Tribe, do hereby ordain and establish this Constitution and By-Laws.

ARTICLE I—TERRITORY

This tribal organization, to be known as the Coeur d'Alene Tribe, shall include all the trust and tribal lands within the original confines of the Coeur d'Alene Reservation as established by Executive Orders of June 14, 1867, and November 8, 1873, and shall extend to such other lands as may be hereafter added thereto.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Coeur d'Alene Tribe shall consist as follows of:

(a) All Indians whose names appear on the official census roll of the Coeur d'Alene Tribe as of July 1, 1940: Provided that corrections may be made in the said roll by the Tribal Council within five years from the adoption and approval of this constitution, subject to the approval of the Secretary of the Interior or his authorized representative.

(b) All children of one-fourth or more Indian blood born subsequent to July 1, 1940, to any member of the Tribe maintaining tribal affiliations at the time of the birth of such children.

SEC. 2. The Tribal Council shall have power to promulgate ordinances, subject to the approval of the Secretary of the Interior or his authorized representative, governing future membership, provided that no individual of less than one-fourth Indian blood shall be admitted to membership hereafter.

ARTICLE III—GOVERNING BODY

SECTION 1. The governing body of the Coeur d'Alene Tribe shall be a Tribal Council consisting of seven members duly elected to serve three years.

SEC. 2. The Tribal Council shall elect from its membership (1) a chairman, (2) a vice-chairman, (3) a secretary-treasurer, and may appoint or employ such other officers and committees as may be deemed necessary.

SEC. 3. No person shall be eligible for election to the Tribal Council unless he shall be a member of the Coeur d'Alene Tribe and shall have resided within the boundaries of the reservation for a period of one year next preceding his election and be at least 21 years of age.

SEC. 4. The Tribal Council shall be the sole judge of the qualifications of its members.

ARTICLE IV—NOMINATIONS AND ELECTIONS

SECTION 1. The candidates for membership in the Tribal Council shall be elected by popular vote at a meeting of the tribe on the first Saturday in May of each year.

SEC. 2. The first election of the Tribal Council hereunder shall be called and supervised by the Superintendent of the Northern Idaho Agency and the present Council within sixty days after approval of this Constitution by the Commissioner of Indian Affairs.

SEC. 3. At the first election, the three candidates receiving the highest number of votes shall hold office for three years. The two candidates receiving the next highest number of votes shall hold office for two years. The two candidates receiving the next highest number of votes shall hold office for one year. Thereafter, elections for the Tribal Council shall be held each year for two members of the Tribal Council except every third year when three shall be elected. After the first election, members of the Tribal Council shall be elected to serve for a term of three years, or until their successors are duly elected and qualified.

SEC. 4. All elections except the first shall be held in accordance with rules laid down by the Tribal Council.

SEC. 5. The time and place of voting shall be designated by the Tribal Council, and they shall certify to the election of the members of the Council within five days after said election.

SEC. 6. Any enrolled member of the Coeur d'Alene Tribe who is twenty-one (21) years of age or over shall be entitled to vote.

ARTICLE V—INSTALLATION OF COUNCILMEN

SECTION 1. Each member of the Tribal Council and each officer elected or appointed hereunder shall take an oath of office prior to assuming the duties thereof.

ARTICLE VI—VACANCIES AND REMOVAL FROM OFFICE

SECTION. 1. If a councilman should die, resign, be removed from office, permanently leave the reservation, or be convicted of a felony, the Tribal Council shall declare the position vacant and appoint a successor to serve until the next general election.

SEC. 2. The Tribal Council may, by a majority vote of the total membership of the Council, expel or suspend any of its members for neglect of duty or gross misconduct. Before any vote for expulsion is taken, such member or officer shall be given a written statement of the charges against him at least five days before the meeting of the Council before which he is to appear, and he shall be given an opportunity to answer any and all charges at a designated Council meeting. The decision of the Council shall be final.

ARTICLE VII—POWERS AND DUTIES OF THE TRIBAL 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 negotiate with outside agencies and persons;

(b) To administer all tribal property by ordinances subject to the approval of the Commissioner of Indian Affairs;

(c) To borrow money, subject to the approval of the Commissioner of Indian Affairs, 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 promulgate and enforce ordinances which shall be subject to the approval of the Secretary of the Interior or his duly authorized representative governing the conduct of the members of the Tribe; to establish a reservation court and to adopt a suitable code for the maintenance of law and order which shall be subject to the approval of the Secretary of the Interior or his duly authorized representative;

(e) To levy license fees and taxes upon members through the adoption of ordinances that shall be subject to the approval of the Commis-

sioner of Indian Affairs provided that any such ordinances shall not apply to members of the Tribe until approved by popular referendum;

(f) To exclude from the restricted lands of the reservation persons not legally entitled to reside thereon under ordinances which shall be subject to the approval of the Secretary of the Interior or his duly authorized representative;

(g) To employ legal counsel, the choice of attorney and the fixing of attorney fees to be approved by the Secretary of the Interior or his duly authorized representative.

ARTICLE VIII—AMENDMENTS

This Constitution and By-laws may be amended by a majority vote of the qualified members of the Tribe who vote at an election called for that purpose by the Commissioner of Indian Affairs.

It shall be the duty of the Commissioner of Indian Affairs to call an election of any proposed amendment at the request of the majority of the Council, or upon presentation of a petition signed by at least thirty percent of the qualified voters of the Tribe, but no amendment shall become effective until it shall have been approved by the Commissioner of Indian Affairs.

BY-LAWS OF THE COEUR D'ALENE TRIBE

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. *Chairman.* The Chairman of the Tribal Council shall preside over all meetings of the Council and of the Tribe. He shall perform all duties of a chairman. He shall vote only in the case of a tie.

SEC. 2. *Vice-Chairman.* The Vice-Chairman of the Tribal Council shall perform the duties of the Chairman in the absence of the Chairman.

SEC. 3. *Secretary-Treasurer.* The Secretary-Treasurer of the Tribal Council shall conduct all correspondence and keep a complete record of all matters transacted at council and tribal meetings. He shall account for all Council and tribal funds coming into his custody and shall furnish a bond acceptable to the Tribal Council and the Commissioner of Indian Affairs. Disbursements of such funds shall be covered by warrants approved by the Tribal Council.

ARTICLE II—MEETINGS AND PROCEDURE

SECTION 1. *Regular Meetings.* Regular meetings of the Tribal Council shall be held quarterly in the months of January, April, July, and October on a day designated by the Chairman.

SEC. 2. *Special Meetings.* Special meetings of the Tribal Council may be called by the Chairman or by petition signed by a majority of the Council members.

SEC. 3. *Quorum.* No business shall be transacted unless a quorum is present. A quorum shall consist of five (5) Council members.

SEC. 4. *Compensation.* The Tribal Council may prescribe such compensation for officers, members and committees of the Council as it deems advisable from such funds as may be available.

ARTICLE III—RATIFICATION

This Constitution and By-laws shall become effective upon ratification, by a majority of the adult members of the Coeur d'Alene Tribe of Indians voting, at an election authorized for that purpose by the Commissioner of Indian Affairs.

CERTIFICATION OF ADOPTION

Pursuant to an order approved on May 6, 1947, by the Acting Commissioner of Indian Affairs, the attached Constitution and By-laws was duly submitted to the adult voters of the Coeur d'Alene Tribe, Idaho, for ratification, and was on June 5, 1947, duly ratified by a vote of 60 for, and 4 against.

PASCHAL J. GEORGE

Chairman, Tribal Council

LENA LOUIE

Secretary, Tribal Council

ARCHIE PHINNEY

Superintendent, Northern Idaho Agency

APPROVAL

This Constitution and By-laws, having been proposed and duly ratified by the members of the Coeur d'Alene Tribe of Idaho on June 5, 1947, at a referendum called by the Acting Commissioner of Indian Affairs, is herewith approved.

WILLIAM ZIMMERMAN, JR.

Acting Commissioner of Indian Affairs.

Chicago, Illinois, August 8, 1947