

CONSTITUTION
of the
RESIGHINI RANCHERIA

We, the Indians of the Resighini Rancheria (hereinafter "Tribe"), in order to secure the advantages of local self-government for ourselves and our children, propose this constitution for ratification and approval pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

ARTICLE I - TERRITORY

The jurisdiction of the tribe, through its business council, shall extend over all territory included within the present rancheria and to such lands as may legally be added thereto.

ARTICLE II - MEMBERSHIP

Section 1. The following persons are eligible for enrollment:

(a) Those adults whose names are listed on the document entitled: "Notice of Revocation of Plan for Distribution of Assets and Continuance of Federal Trust Relationship," who have not since the publication of that notice executed statements of withdrawal from membership. The notice on behalf of the Coast Indian Community (Resighini Rancheria) was published in the Federal Register, Vol. 37, No. 97, on May 19, 1972.

(b) Persons of one-eighth (1/8) degree or more of Indian blood who are lineal descendants of those individuals specified in Section 1 (a) of this Article.

Lineal descendants of individuals eligible for membership under Section 1 (a) who have withdrawn their membership may also be eligible for membership upon approval of the general council provided they meet the one-eighth (1/8) degree of Indian blood requirement.

(c) Persons who have been adopted into membership by the general council in accordance with an adoption ordinance which has been approved by the Secretary of the Interior or his authorized representative, provided, only those persons who possess at least one-eighth (1/8) degree Indian blood shall be eligible for adoption.

Section 2. An official membership roll shall be prepared in accordance with an enrollment ordinance which shall be adopted by the general council and submitted to the Secretary of the Interior for his approval. Such ordinance shall provide for an enrollment committee and set forth the procedures to be used in effecting enrollment and keeping the roll current.

Section 3. Withdrawal of Membership: Any person who wishes to withdraw from membership in the tribe must submit his withdrawal in writing to the business council president, who shall direct the enrollment committee to adjust its records accordingly.

ARTICLE III - GOVERNING BODY

Section 1. Business Council: The governing body of the Resighini Rancheria shall be the business council composed of the following five (5) officers of the tribe: president, vice-president, secretary, treasurer and councilman. Each member of the business council shall have equal voting rights. Except for the first election as provided for in Article IV, Section 1, all members of the business council shall be elected for two (2) year terms and until their successors are duly elected and installed. The business council shall determine its own procedures and shall be authorized to act, except as otherwise provided in this constitution.

Section 2. The general council, composed of all members of the tribe who are at least eighteen (18) years of age, shall exercise those powers reserved to it in this constitution.

ARTICLE IV - ELECTIONS

Section 1. The first election of officers under this constitution shall be conducted within sixty (60) days following its effective date. At that election, the president and secretary shall be elected to two (2) year terms while the vice-president, treasurer and councilman shall be elected to one (1) year terms. Thereafter, there shall be annual elections and terms of office shall be on a staggered basis, for two years and until a successor is elected and installed.

Section 2. Election Ordinance. All tribal elections shall be conducted in accordance with an election ordinance which shall be proposed by the business council and ratified by the general council. The election ordinance shall provide for fair elections, secret balloting and a method for settling election disputes shall be included among its provisions.

Section 3. Voter Qualifications. A voter must be an enrolled member of the tribe and at least eighteen (18) years of age on election day.

Section 4. Qualifications of Candidates. To serve as an officer, a person must be an enrolled member of the tribe and be at least twenty-one (21) years of age.

ARTICLE V -POWERS

Except as otherwise provided in this constitution, the powers of the tribe shall be exercised by the business council.

Section 1. The tribe shall have such powers as are authorized by the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) and such powers and responsibilities hereinafter provided subject to any limitations imposed by the statutes or Constitution of the United States. Such other powers as may have been customary and sanctioned before the adoption of this constitution shall continue.

Section 2. Approval. Except when required by law, all decisions of the tribe may become effective without approval by the Secretary of the Interior or his authorized representative. Included among those actions which require Secretarial approval are the following: enrollment procedures, including adoptions and loss of membership, and the leasing of trust lands.

Section 3. Specific Powers. In addition to other powers, the business council shall be authorized to exercise the following:

- (a) Establish a housing authority.
- (b) Create subordinate boards or commissions for the purpose of establishing and operating economic enterprises.
- (c) Negotiate and enter into contracts with government or private agencies.
- (d) No community land or interest in land shall ever be sold or mortgaged, except that for the purpose of sharing in the Farmers Home Administration loan program designed to help Indian groups purchase land in trust, those lands being purchased may be mortgaged as required by such Act. (84 Stat. 120)
- (e) To impose taxes, fees and assessments on all persons, property and any business activities located or conducted within Tribal jurisdiction; provided no tax shall be imposed on real property held in trust by the United States of America;
- (f) To license and regulate the conduct of all business activities within Tribal jurisdiction;
- (g) To manage, develop, protect and regulate the use of tribal property, wildlife, water, minerals, and all other natural resources within Tribal jurisdiction;
- (h) To the full extent authorized by applicable federal and tribal law, to enact laws and codes governing conduct of individuals and prescribing disciplinary action for offenses against the Tribe; to maintain order; to protect the safety and welfare of all persons within Tribal jurisdiction; and to provide for the enforcement of the laws and codes of the Tribe;
- (i) To establish Tribal courts and administrative bodies, and to provide for the courts' jurisdiction, procedures, and a method for the selection of judges;
- (j) To take all actions which are necessary and proper for the exercise of the powers delegated to the Business Council or to any person or committee under the supervision of the Business Council.

ARTICLE VI - BILL OF RIGHTS

The protections guaranteed to persons by Title II of the Civil Rights Act of 1968 (82 Stat. 77) against actions of a tribe in exercising its powers of self-government, shall apply to the Resighini Rancheria.

MEETINGS

Section 1. Business Council. Meetings shall be held quarterly on dates to be established by the business council. Special meetings may be called at the discretion of the president and shall be called by him at the request of any three (3) members of the business council.

Section 2. General Council. Meetings shall be held annually during the month when election of officers is scheduled. While the primary purpose of the annual meeting shall be to elect officers, the conduct of tribal business may also take place at such session. Special meetings of the general council may be called at the discretion of the president and shall be called and conducted by him at written request of any six (6) members of the tribe.

Section 3. President's Report. The president shall give a report to the general council at the annual meeting as to the accomplishments and activities of the business council. He shall also keep the tribal members advised of such activities throughout the year through newsletters and other possible means.

ARTICLE VIII - AMENDMENT

Amendments to this constitution may be proposed by a majority vote of the general council or the business committee. They shall be ratified by a majority vote in an election authorized for that purpose by the Secretary of the Interior, provided that at least fifty (50) percent of those entitled to vote shall vote in the election. Amendments shall be effective from the date they are approved by the Secretary of the Interior.

ARTICLE IX - RATIFICATION

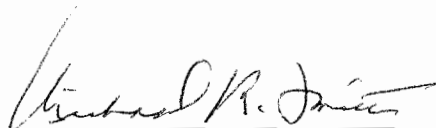
This constitution, when legally ratified by a majority of the adult members of the tribe voting at an election authorized for that purpose by the Secretary of the Interior, wherein at least fifty (50) percent of those entitled to vote shall vote, shall be effective from the date of approval by the Secretary of the Interior.

CERTIFICATE OF APPROVAL

AMENDMENT NO. II

Amendment No. II to the Constitution of the "Coast Indian Community" of the Resighini Rancheria adopted on June 3, 1998, is hereby approved pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and delegated to the Deputy Commissioner of Indian Affairs by 230 D.M. 2.4 and redelegated to me by Memorandum of Agreement dated August 16, 1994.

ACTING


Area Director

JUL 23 1998

Dated:

Proposed Amendment A

CERTIFICATE OF RESULTS OF ELECTION

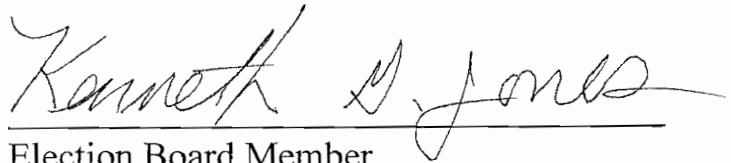
Pursuant to a Secretarial election authorized by the Sacramento Area Director, Bureau of Indian Affairs, delegated to the Area Director by Memorandum of Agreement dated August 16, 1994, on March 10, 1998, the attached proposed Amendment A to the Constitution of the Coast Indian Community of the Resighini Rancheria, Del Norte County, California was submitted to the qualified voters of the tribe and was on June 3, 1998, duly adopted/rejected by a vote of 11 for, and 0 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least fifty percent (50%) of the 14 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).

6.3.98

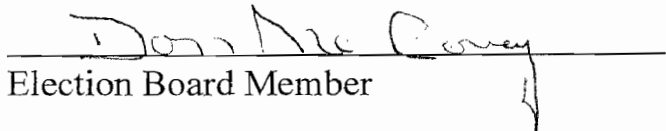
Date



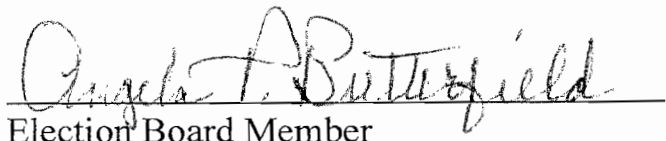
Chairperson, Election Board



Election Board Member



Election Board Member



Election Board Member

**PROPOSED AMENDMENT
CONSTITUTION OF THE
COAST INDIAN COMMUNITY
OF THE
RESIGHINI RANCHERIA**

Proposed Amendment A

Name Change - Change the name of the Tribe from “Coast Indian Community of the Resighini Rancheria” to “Resighini Rancheria,” and delete “community” each time it appears in the Constitution and replace it with “tribe” or “tribal.”

Numerical Designation

Having been duly adopted and approved, Proposed Amendment A is hereby designated as Amendment No. II to the Constitution of the Coast Indian Community of the Resighini Rancheria.

Proposed Amendment A

**Constitution of the
Coast Indian Community
of the Resighini Rancheria**

BALLOT

NAME CHANGE - Shall the name of the tribe be changed from “Coast Indian Community of Resighini Rancheria” to “Resighini Rancheria.” and shall “community” be deleted each time it appears in the Constitution and replace it with “tribe” or “tribal.”

YES	NO
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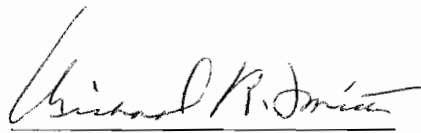
Place an “X” on one of the boxes to indicate your choice.

CERTIFICATE OF APPROVAL

AMENDMENT NO. III

Amendment No. III to the Constitution of the "Coast Indian Community" of the Resighini Rancheria adopted on June 3, 1998, is hereby approved pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and delegated to the Deputy Commissioner of Indian Affairs by 230 D.M. 2.4 and redelegated to me by Memorandum of Agreement dated August 16, 1994.

ACTING



Area Director

JUL 23 1998

Dated: _____

Proposed Amendment B

CERTIFICATE OF RESULTS OF ELECTION

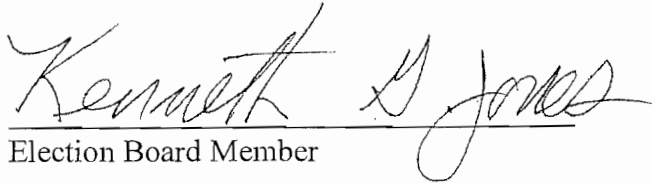
Pursuant to a Secretarial election authorized by the Sacramento Area Director, Bureau of Indian Affairs, delegated to the Area Director by Memorandum of Agreement dated August 16, 1994, on March 10, 1998, the attached proposed Amendment B to the Constitution of the Coast Indian Community of the Resighini Rancheria, Del Norte County, California was submitted to the qualified voters of the tribe and was on June 3, 1998, duly adopted/rejected by a vote of 9 for, and 2 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least fifty percent (50%) of the 14 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).

6.3-98


Date



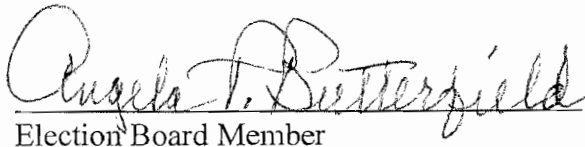
Chairperson, Election Board



Election Board Member



Election Board Member



Election Board Member

**PROPOSED AMENDMENT
CONSTITUTION OF THE
COAST INDIAN COMMUNITY
OF THE
RESIGHINI RANCHERIA**

Proposed Amendment B

BLOOD QUANTUM CHANGE - Change the blood quantum required for membership and adoption from 1/4 degree Indian blood to 1/8 degree Indian blood.

Numerical Designation

Having been duly adopted and approved, Proposed Amendment B is hereby designated as Amendment No. III to the Constitution of the Coast Indian Community of the Resighini Rancheria.

Proposed Amendment B

**Constitution of the
Coast Indian Community
of the Resighini Rancheria**

BALLOT

BLOOD QUANTUM CHANGE - Shall Article II, Section 1 (b), and (c) be amended to change the blood quantum standard required for membership and adoption from 1/4 degree Indian blood to 1/8 degree Indian blood.

YES	NO
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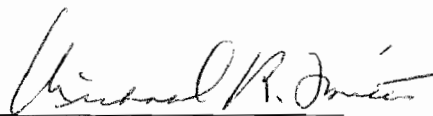
Place an "X" on one of the boxes to indicate your choice.

CERTIFICATE OF APPROVAL

AMENDMENT NO. IV

Amendment No. IV to the Constitution of the Coast Indian Community of the Resighini Rancheria adopted on June 3, 1998, is hereby approved pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and delegated to the Deputy Commissioner of Indian Affairs by 230 D.M. 2.4 and redelegated to me by Memorandum of Agreement dated August 16, 1994.

ACTING


Area Director

JUL 23 1998

Dated: _____

Proposed Amendment C

CERTIFICATE OF RESULTS OF ELECTION

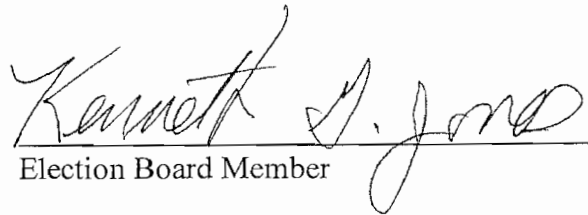
Pursuant to a Secretarial election authorized by the Sacramento Area Director, Bureau of Indian Affairs, delegated to the Area Director by Memorandum of Agreement dated August 16, 1994, on March 10, 1998, the attached proposed Amendment C to the Constitution of the Coast Indian Community of the Resighini Rancheria, Del Norte County, California was submitted to the qualified voters of the tribe and was on June 3, 1998, duly adopted/rejected by a vote of 9 for, and 2 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least fifty percent (50%) of the 14 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).

6.3-98

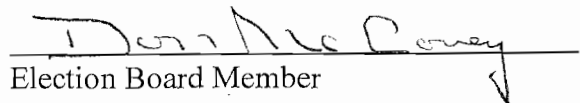
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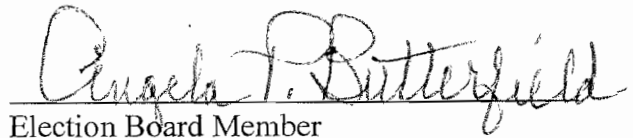
Chairperson, Election Board



Election Board Member



Election Board Member



Election Board Member

**PROPOSED AMENDMENT
CONSTITUTION OF THE
COAST INDIAN COMMUNITY
OF THE
RESIGHINI RANCHERIA**

Proposed Amendment No. C

ENUMERATION OF POWERS - Update specified powers by adding six (6) additional powers commonly enumerated in constitutions of similarly situated tribes.

ARTICLE V, Section 3, Specified Powers.

- (e) To impose taxes, fees, and assessments on all persons, property and any business activities located or conducted within Tribal jurisdiction; provided no tax shall be imposed on real property held in trust by the United States of America;
- (f) To license and regulate the conduct of all business activities within Tribal jurisdiction;
- (g) To manage, develop, protect and regulate the use of tribal property, wildlife, water, minerals, and all other natural resources within Tribal jurisdiction;
- (h) To the full extent authorized by applicable federal and tribal law, to enact laws and codes governing conduct of individuals and prescribing disciplinary action for offenses against the Tribe; to maintain order; to protect the safety and welfare of all persons within Tribal jurisdiction; and to provide for the enforcement of the laws and codes Tribe;
- (i) To establish Tribal courts and administrative bodies, and to provide for the courts' jurisdiction, procedures, and a method for selection of judges;
- (j) To take all actions which are necessary and proper for the exercise of the powers delegated to the Business Council or to any person or committee under the supervision of the Business Council.

Numerical Designation

Having been duly adopted and approved, Proposed Amendment C is hereby designated as Amendment No. IV to the Constitution of the Coast Indian Community of the Resighini Rancheria.

Proposed Amendment C

**Constitution of the
Coast Indian Community
of the Resighini Rancheria**

BALLOT

ENUMERATION OF POWERS - Shall Article V, Section 3, Specific Powers, be amended to add the six (6) additional powers listed as follows:

- (e) To impose taxes, fees, and assessments on all persons, property and any business activities located or conducted within Tribal jurisdiction; provided no tax shall be imposed on real property held in trust by the United States of America;
- (f) To license and regulate the conduct of all business activities within Tribal jurisdiction;
- (g) To manage, develop, protect and regulate the use of tribal property, wildlife, water, minerals, and all other natural resources within Tribal jurisdiction;
- (h) To the full extent authorized by applicable federal and tribal law, to enact laws and codes governing conduct of individuals and prescribing disciplinary action for offenses against the Tribe; to maintain order; to protect the safety and welfare of all persons within Tribal jurisdiction; and to provide for the enforcement of the laws and codes Tribe;
- (I) To establish Tribal courts and administrative bodies, and to provide for the courts' jurisdiction, procedures, and a method for selection of judges;
- (j) To take all actions which are necessary and proper for the exercise of the powers delegated to the Business Council or to any person or committee under the supervision of the Business Council.

YES	NO
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IN REPLY REFER TO:

United States Department of the Interior



BUREAU OF INDIAN AFFAIRS

Sacramento Area Office
2800 Cottage Way
Sacramento, California 95825

Dr. Virgil Akins, Superintendent
Bureau of Indian Affairs
Northern California Agency
1900 Churn Creek, Suite 300
Redding, CA 96002

RECEIVED

JUL 24 1998

NORTHERN CALIF. AGENCY

JUL 23 1998

MR 7-24-98

JUL 24

TO/SEC

8-7-98

Dear Dr. Akins:

We have received your June 10 memorandum which transmitted the formal results of the Secretarial election held on June 3, 1998 involving the Resighini Rancheria. The election was called in accordance with our authorization issued on March 10, 1998, for Proposed Amendments A, B and C.

The completed Certificates of Results of Election verify that the three proposed amendments were duly adopted by the qualified voters of the Tribe.

You will note that there has been one previous amendment to the Resighini Rancheria Constitution. Therefore, we have assigned numbers II, III and IV to Proposed Amendments A, B and C, respectively. This is shown by the completed Statements of Numerical Designation on the enclosed originals of the amendments as required by 25 CFR 81.20 (b)(3).

Therefore, as evidenced by my signature on the attached Certificates of Approval, the three amendments to the Constitution are now approved pursuant to the authority of the Secretary re-delegated to me by Memorandum of Agreement dated August 16, 1994. By separate cover letter, please notify the Tribe and return the following to the Tribe:

1. The original of the March 10, 1998 authorization letter.
2. The original of this approval letter.
3. The original of the three amendments and completed Certificates of Results of Election.
4. The original of the Certificates of Approval for Amendments II, III and IV.
5. Copies of any other materials that would be appropriate for retaining in the tribal archives related to the now completed amendment process - including the list of qualified voters.

Should you have any questions regarding this, please call Dorson Zunie, Sacramento Area, Tribal Operations Officer, at (916) 979-2600, Ext. 250.

Sincerely,

ACTING 
Area Director

Enclosures

cc: Superintendent, Northern California Agency
Assistant Secretary Indian Affairs
Regional Solicitor, Pacific Southwest Region, Sacramento, California