

ARTICLES OF ASSOCIATION OF THE LAYTONVILLE RANCHERIA

PREAMBLE

We, the Indians of the Laytonville Rancheria, in order to establish a formal organization and to promote our common welfare, do hereby adopt the following Articles of Association.

ARTICLE I – NAME

The name of this organization shall be the Cahto Tribe of Laytonville Rancheria, hereinafter referred to as “the Tribe”.

ARTICLE II – TERRITORY

The jurisdiction of the Tribe shall extend to the land now and hereafter comprised within the Laytonville Rancheria.

ARTICLE III – MEMBERSHIP

A. Membership of the Tribe shall consist of persons in the following categories whose eligibility for membership has been established in accordance with procedures set forth in an enrollment ordinance approved by the Commissioner of Indian Affairs:

1. All living persons listed on the official census of the Laytonville Rancheria as of October 31, 1944.
2. All living descendants of persons listed on the official census of the Laytonville Rancheria as of October 31, 1944, provided such descendants possess at least one-fourth (1/4) degree California Indian blood.
3. Persons who meet the requirements of Article III A. 1. and Article III A. 2., shall be ineligible for membership if they have been affiliated with any other tribe, group or band to the extent of:
 - (a) being included on a formal membership roll,
 - (b) having received an allotment or formal assignment of land,
 - (c) having been named as a distributee or dependent of a distributee in a reservation distribution plan.

B. The membership roll shall be brought up to date annually in accordance with procedures established by an enrollment ordinance approved by the Commissioner of Indian Affairs.

ARTICLE IV – GOVERNING BODY

The governing body of the Tribe shall be the General Council which shall consist of all adult members twenty one years of age or over. In addition, there shall be elected an Executive Committee consisting of a Chairman, Vice-Chairman and Secretary-Treasurer, who shall hold office for one year, or until their successors are duly elected and installed, and such other temporary or permanent committees as are deemed necessary by the General Council.

ARTICLE V – VOTING RIGHTS AND ELECTIONS

Any member of the General Council shall have the right to vote, and, if duly nominated and elected, may hold office. All elections of officers and referendum elections shall be by secret ballot. Nominations for Chairman, Vice-Chairman and Secretary-Treasurer shall be made at a General Council meeting called for that purpose, and all nominees certified as voters by the Executive Committee shall have their names placed on the ballot. Following the initial election of an Executive Committee as provided in Article X, all subsequent elections shall be conducted in accordance with resolutions or ordinances adopted by the General Council, which shall provide for the dates thereof, polling places, election committees and their

duties, absentee balloting, and any other necessary requirements. To be officially recognized, all elections must be participated in by a majority of the eligible voters of the Tribe.

ARTICLE VII – VACANCIES AND RECALL

If an officer be found guilty of a felony in any State or Federal Court, a vacancy in the office shall be automatically created. If an officer shall die, resign, be found guilty of a felony or be recalled from office, the vacancy so created shall be filled by the General Council at its next meeting, and the replacement shall serve out the unexpired term of office of his predecessor. Upon receipt of a petition signed by at least thirty percent (30%) of the eligible voters calling for the recall of an officer for unsatisfactory performance of duties, or for unsatisfactory representation of the Tribe, the Executive Committee shall examine the petition, and if it is signed by the required number of eligible voters, the Committee shall call and convene a general meeting within thirty (30) days after the receipt of the petition. The accused official shall be given a written statement of all charges filed against him at least ten (10) days before such meeting at which he is to appear and shall be given a fair opportunity to answer any and all written charges. Thereafter, at the same meeting, a recall election shall be held. A majority of those voting in such recall election shall govern, provided a majority of the eligible voters of the Tribe participate in such recall election.

ARTICLE VII – POWERS OF THE GENERAL COUNCIL AND EXECUTIVE COMMITTEE

A. General Council Subject to any limitations imposed by the statutes of the United States or the State of California, the general Council shall have the following powers, but their enumerations shall not be considered as depriving the Tribe of any heretofore vested rights or powers, which may be exercised through appropriate amendments, ordinances or resolutions:

1. To manage, lease, contract, or otherwise deal with tribally-owned assets.
2. To negotiate and execute attorney contracts, subject to approval of the Secretary of the Interior, or his authorized representative.
3. To establish fees, receive funds, and expand any funds which may come into the exclusive control of the Tribe for the payment of expenses of the Tribe or to finance any project which, in its opinion, is for the benefit of the Tribe as a whole.
4. To enact ordinances, consistent with these Articles of Association and Federal Law governing future membership, loss of membership, adoption of members by the Tribe, use of Rancheria land, conduct of election, and other necessary ordinances.
5. To establish its own rules of procedure for the conduct of its affairs, and by ordinance or resolution delegate to the Executive Committee, or other representatives, any of the following powers.
6. To take such actions as are necessary to carry into effect any of the foregoing powers.

B. Executive Committee The Executive Committee shall have the following powers, but shall not commit the Tribe to any contract, lease, or other arrangement unless it is so authorized in advance by a duly enacted ordinance or resolution of the General Council:

1. Cause the effectuation of all ordinances, resolutions, or other reenactments of the General Council.
2. Represent the Tribe in all negotiations with local, State, and Federal governments, their agencies and officers, and faithfully advise the General Council of all such aforementioned negotiations.

ARTICLE VIII – DUTIES OF OFFICERS

A. Chairman He shall preside at all meetings of the General Council and Executive Committee, execute on behalf of the Tribe all contracts, leases, or other documents when authorized to do so by the General Council, and certify to the enactment of all written resolutions and ordinances. He shall have the general supervision of all other officers, committees, and employees, and shall see that their duties are properly performed. When neither the General Council nor the Executive Committee are in session, he shall be the official representative of the Tribe. The Chairman may vote in elections of the officers and referendum elections, but he shall not vote when presiding at meetings, except to break a tie vote.

B. Vice-Chairman In the absence of the Chairman he shall have the duties of the Chairman, and, when requested, shall assist the Chairman in the performance of his duties.

C. Secretary-Treasurer He shall keep the minutes of the General Council Meetings, and a record of the Executive Committee meetings. He shall attest to the enactment of all written resolutions and ordinances, attend to the giving of all notices required by these Articles, and receive on behalf of the Executive Committee all petitions provided for in these Articles. He shall have the care and custody of all valuables of the Tribe, and deposit all funds as authorized by resolution of the General Council by checks which are cosigned by the Chairman, and shall maintain financial accounts, receipts and records which shall be made available for inspection by members of the General Council and representatives of the Commissioner of Indian Affairs at such time and places arranged by the Executive Committee. The financial record of the Tribe shall be audited at least once during each year in which sufficient funds are on deposit in the approved depository to warrant the expense of an audit, as decided by the General Council. Each year, prior to expiration of his term in office, he shall prepare a written report of receipts and expenditures and fund balance, and present same to the General Council, which shall appoint a committee to review the report and verify the figures from the financial records, and to report their findings to the General Council. The procedure of appointing an inspection committee need not be followed in the years when a regular audit is obtained. Whenever the General Council deems it necessary, the Secretary-Treasurer shall be bonded to the Tribe, with bond premiums payable from tribal funds. Copies of all minutes, ordinances, and written resolutions of the General Council shall be sent to the Area Director as soon as possible after their approval.

ARTICLE IX – MEETINGS

A. The General Council shall regularly convene three times annually during the months of March, August, and November at times and places to be prescribed by the Executive Committee. The Executive Committee may call special meetings of the General Council as it sees fit, but is required to call special meetings promptly upon receipt of petitions signed by at least thirty percent (30%) of the eligible voters requesting a meeting. A General Council meeting shall not be valid unless there is a majority of eligible voters present, and no business shall be conducted in the absence of such quorum. Notice of all General Council meetings shall be given in writing to the eligible voters at least ten (10) days in advance of the meetings.

B. One regular meeting of the Executive Committee shall be held prior to each of the regular meetings of the general Council to set the date and to prepare the agenda for the General Council meeting. Special meetings of the Executive Committee may be called by the Chairman or the Secretary-Treasurer when deemed necessary. Two members of the Executive Committee shall constitute a quorum for the conduct of business.

ARTICLE X – APPROVAL

These articles of Association shall be effective upon approval of the Commissioner of Indian Affairs. Within thirty (30) days after the document has been approved, the incumbent officers of the Tribe shall cause the election of an Executive Committee pursuant to Article IV and V of these Articles of Association.

ARTICLE X – AMENDMENTS

These Articles of Association may be amended by a majority vote of the eligible voters of the Tribe, provided at least fifty-one percent (51%) of eligible voters participate in a referendum election called for that purpose and such amendments shall be in effect upon the approval of the Commissioner of Indian Affairs. Amendments may be initiated by the Executive Committee, or a petition signed by at least thirty percent (30%) of the eligible voters of the Tribe. A referendum election to amend the Articles of Association shall not be held unless the proposed amendment first has been explained at a duly-called and convened General Council meeting.

CERTIFICATION

The undersigned certifies that the foregoing Articles of Association were adopted at a referendum election held February 12, 1967, which election was participated in by a majority of the adult Indians of the Laytonville Rancheria, resulting in a vote of 11 for, and 0 against.

Signed by Christine Smith
Chairman, Laytonville Indian Rancheria

Attest: signed by Richard L. Smith
Secretary, Laytonville Indian Rancheria

RECOMMENDED FOR APPROVAL

Signed by Lennard M. Hill
Arca Director

Date: March 6, 1967

Approved:

Official Signature Stamp of ROBERT L. BENNETT
Commissioner of Indian Affairs

Date: July 21, 1967