

CONSTITUTION AND BYLAWS OF THE  
PUYALLUP TRIBE OF THE  
STATE OF WASHINGTON

PREAMBLE

We, the Indians of the. Puyallup Tribe of the Puyallup Reservation . of the State .of Washington, in order to establish a legal tribal organization and secure certain privileges and powers offered to us by the Indian Reorganization Act of June 18, 1934, do hereby form an authorized tribal council, and ordain and establish this constitution and bylaws as a guide to its deliberations.

ARTICLE I - JURISDICTION AND TERRITORY

Amend. Except as limited by applicable law, the authority 'of the VI "• Puyallup' Tribe' of Indians shall extend to all people, lands, waters, air space and natural resources within the Puyallup Indian Reservation- and to all activities, events or circumstances which may affect the health, safety, welfare or environment of the Reservation, the Tribe or its members, or the aboriginal and treaty reserved rights of the Tribe or its members.

ARTICLE II - MEMBERSHIP

Amend. Section 1. The membership of the Puyallup Tribe shall  
I consist of:

- A. All persons of Indian blood whose name appears on the roll of the Puyallup Tribe approved in 1929.
- B. All children born to any member of the Puyallup Tribe.

Amend. VIII Section 2. Upon ratification of this amendment, no person shall be a member of the- Puyallup Tribe if he or she is enrolled as a; member in any other Indian Nation, tribe, band, pueblo, village, corporation or rancheria. Any person who is enrolled in any other Indian Nation, tribe, band, pueblo, village, corporation or rancheria and is also enrolled in the Puyallup Tribe as of the date of ratification, of this amendment, shall have six (6) months immediately following said date to relinquish membership in such other Indian Nation, tribe, band, pueblo, village, corporation or rancheria.

Amend. VIII Section 3. Failure to relinquish such other membership within the time set forth in Section 2 shall result in forfeiture of membership in the Puyallup Tribe.

Amend. VIII Section 4. A parent or guardian of a child or children under the age of eighteen (18) who are Puyallup Tribal members and who are also enrolled in any other Indian Nation, tribe, band, pueblo, village, corporation or rancheria shall relinquish the child or children's membership in either the Puyallup Tribe or in the other Indian Nation/ tribe, band, pueblo, village, corporation or rancheria within six (6) months immediately following ratification of this amendment or within six (6) months of birth, whichever occurs later.

Amend. VIII Section 5. Failure of the parent or guardian to relinquish such tribal membership of a child described in Section 4 within the time allowed shall result in forfeiture of the child's membership in the Puyallup Tribe.

Amend. VIII Section 6. Once an adult, member of the Puyallup Tribe relinquishes membership in the Tribe, he or she shall not be eligible to reacquire status as a member of the Tribe. A child whose parent or guardian relinquished the child's membership in the Puyallup Tribe shall have the right to regain Puyallup Tribal membership upon attaining the age of eighteen, if he or she is otherwise eligible. Regaining membership in the Puyallup Tribe of Indians shall entitle such person to all rights of membership commencing prospectively with the date of his or her reinstatement.

Section 7. The Tribal Council shall have the power to promulgate ordinances, subject to review by the Secretary of the Interior, covering future membership and the adoption of new members, making any necessary adjustment of property rights.

#### ARTICLE III -GOVERNING BODY

Section 1. The governing body of the Puyallup Tribe shall be the Puyallup Tribal Council.

Amend. IX Section 2. The Council shall consist of seven (7) members each duly elected to serve three (3) years, two (2) members being elected- each year except that every third year three (3) members shall be elected.-

Section 3. The Council so organized shall elect from within its own number (1) a Chairman; (2) a Vice-chairman; and from within or without, (3) a Secretary, and (4) a Treasurer; and may appoint or employ such other officers or committees, as may be deemed necessary.

Amend. IX Section 4. The election of the two (2) additional Council members after the ratification and approval of the amendment to Section 2 increasing the Council to seven (7) members shall be called, held, and supervised by the existing Tribal Council at the next general election, PROVIDED such general election is not more than ninety (90) days after the date of ratification and approval of the Amendment to Section 2 of the article.

In the event ratification and approval of the Amendment to Section 2 of this Article does not occur within ninety (90) days of the next general election, the present Tribal Council shall call, hold, and supervise an election within sixty (60) days of the ratification and approval of the Amendment to Section 2 of this Article.

The candidate receiving the highest, vote total shall hold office until the general election .of June, 1994. The candidate receiving the next highest vote total shall hold office until the general election of June 1993.

Election for the Tribal Council shall be called at least sixty (60) days prior to the expiration of terms of office of the members of the Tribal Council.

#### ARTICLE IV - ELECTION AND NOMINATIONS FOR THE TRIBAL COUNCIL

Amend. I Section 1. Any qualified voter who has not been recalled from membership in the Tribal Council within five, (5) years  
Amend. X from the date of the next election may become a candidate for membership in the Tribal Council. He or she shall file a notice of candidacy with the Secretary of the Tribal Council at least fifteen .(15) days before the election. The list of the candidates shall be posted by the Secretary of the Tribal- Council in at least three (3) places within the reservation for not less than ten (10) days before the election.

Section 2. The time and places of voting shall be designated by the Tribal Council.

Section 3. All elections shall be by secret ballot,

Section 4. 'All elections .shall be held according to the rules and regulations laid down by the- Council.

#### ARTICLE.V - VACANCIES AND REMOVAL FROM OFFICE

Amend. Section 1. If a Councilman or officer shall die, resign,  
III or shall be found guilty of a felony, or misdemeanor involving dishonesty in any Indian, State, or Federal Court, the Council shall declare the position vacant and appoint to fill the unexpired term

Section 2. The Tribal Council may by a two-thirds vote expel any member for neglect of duty or gross misconduct after due notice and an opportunity to be heard.

Section 3. Upon a petition of at least one-third of the eligible voters of the Puyallup Tribe, it shall be the duty of the Tribal Council to call a special election to consider the recall of the member or members of the Council named in such petition. . In the event that a majority of those voting in such election favor such recall from office, the office shall be declared vacant and the Tribal Council shall proceed in the usual manner to hold an election to fill the said office.

#### ARTICLE VI - POWERS OF THE TRIBAL COUNCIL

Section 1. Enumerated Powers. The Puyallup Tribal Council shall exercise the following powers, subject to any limitation imposed by the statutes or the Constitution of the United States, and subject further to all express restrictions upon such powers contained in this constitution and bylaws:

- a. To negotiate with the Federal, State, and local Governments on behalf of the Tribe, and to advise and consult with, the representatives of the Department of the Interior on all activities of the Department that may affect the Puyallup Tribe.
- b. To employ- legal counsel for the protection and advancement of the rights of the Puyallup Tribe or its members,' the choice of counsel and fixing of fees to be subject to the approval of the Tribe and of the Secretary, of the Interior.
- c. To approve or veto any sale, disposition, lease, or encumbrance of. Tribal lands, interests in lands, or other Tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other official or agency of Government; Provided, That no Tribal lands shall ever be sold, encumbered, or leased for • a period exceeding 5 years, except for governmental purposes.
- d. To advise the Secretary of the Interior with regard, to all appropriation estimates or Federal projects for the benefit of the Puyallup Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- e. To make assignments of Tribal land to members of the Puyallup Tribe in conformity with article VIII 6f this constitution .

- Amend- XI f. To manage all economic affairs and enterprises of the Puyallup Tribe.
- Amend. XI g. To appropriate for public purposes of the Tribe any available Tribal funds.
- Amend. XI h. To levy .taxes upon members of the Puyallup Tribe and to require the - performance of community labor in ) lieu thereof, and to levy taxes, or license fees upon non-members doing business within the reservation.
- Amend. XI i. To exclude from the territory of the Puyallup Reservation persons not legally entitled to reside therein.
- j. To enact resolutions or ordinances not inconsistent with article II of this constitution governing the adoption and abandonment of membership, and to keep at all times a correct roll of the members of the Puyallup Tribe.
- Amend. XI k. To' promulgate and enforce ordinances governing the conduct of members, of the Puyallup Tribe, and providing for the maintenance of law and order and the administration of justice by establishing a reservation court and defining its duties and powers.
- Amend. XI l . To safeguard and promote the peace, safety, morals, and general welfare of the Puyallup Reservation by regulating the conduct of trade and the use and disposition of property upon the reservation.
- Amend, xi m. To charter subordinate organizations for economic purposes and to regulate the activities of all cooperative associations of members of the Puyallup Tribe by ordinance.
- Amend. XI n. To regulate the inheritance of property, real and personal, within the territory of the Puyallup Tribe.
- o. To regulate the domestic relations of members of the Tribe.
- Amend. XI p. <sup>To</sup> provide for the. appointment of guardians for minors and mental incompetents by ordinance or resolution.
- q. To adopt resolutions regulating the procedure of the Council itself and of other Tribal agencies and Tribal officials of the reservation.

- r. To delegate to subordinate committees or to cooperative associations which are open to all members of the Tribe any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

Section 2. Manner of review.

- a. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior, shall within 10 days of its enactment be presented to the Superintendent or Officer in Charge of the agency exercising jurisdiction, who shall, within 10 days after its receipt, approve or disapprove it.
- b. If the Superintendent or Officer in Charge approves any resolution or ordinance which is subject to review; it shall thereupon become effective, but he shall transmit the enactment bearing his endorsement to the Secretary of the Interior, who may, within 90 days of the date of its receipt by him rescinding the resolution or ordinance for any cause by notifying the Puyallup Tribe of his veto.
- c. If the Superintendent or Officer in Charge disapproves any resolution or ordinance which is subject to review, he shall within 10 days after its receipt, advise the Puyallup Tribal Council of his reasons therefore, and if these reasons appear to the Council insufficient, it may, by vote of the majority of all members of the Tribal Council, refer the resolution or ordinance to the Secretary of the Interior, who shall, within 90 days of its receipt by him inform the Puyallup Tribal Council of his decision on the said resolution or ordinance, and if approved by him in writing it shall become effective.

Section 3. Future powers. The Tribal Council of the Puyallup Reservation may exercise such further powers as may in the future be delegated to the Council by the Secretary of the Interior, or by any other duly authorized official or agency of government.

Section 4. Reserved powers. Any rights and powers heretofore vested in the Tribe of the Puyallup Reservation but not expressly referred to in this constitution shall not be abridged by this article, but may be exercised by the people of the Puyallup Reservation through the adoption of appropriate bylaws and constitutional amendments.

## ARTICLE VII - Bill of Rights

Amend. Section 1. Suffrage. All members of the Puyallup Tribe  
XII eighteen (18) years of age or older shall have the right to  
vote in all Tribal elections.

Section -2. Economic rights. All .members of the Tribe shall be accorded equal opportunities to participate in the economic resources and activities of the Tribe.

Section 3. Civil liberties. All members of the Tribe may enjoy without hindrance freedom of. worship, conscience, speech, press, assembly, and association.

Section 4. Rights of accused. Any members of the Puyallup Tribe accused of any offense' shall have the right to a prompt, open, and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses on his own behalf. Trial by- jury may be demanded by any prisoner accused- of any offense punishable by more than 30 days' imprisonment. Excessive bail shall not be required, and cruel punishment shall not be imposed.

## ARTICLE VIII - REFERENDUM

Section 1. Upon a petition of at least one-third of the eligible voters of the Puyallup Tribe, or upon the request of a majority of the members of the Tribal Council, any enacted or proposed ordinance or resolution of the Tribal Council shall be submitted to popular referendum and the vote of a majority of the qualified voters in such referendum shall be conclusive-and binding on the Council, provided that at least 30 percent of the eligible voters shall vote in such election. ..

## ARTICLE IX:- LAND

Section 1. Allotted lands. Allotted lands, including heirship lands, within the Puyallup Reservation shall continue to be held as heretofore by their present owners. It is recognized that under existing law, such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of Washington or of the Federal Government, or by the Tribe itself. It is further recognized that under existing law such' lands may be inherited by the heirs of the present owner, whether or- not they are members of the Puyallup Tribe. Likewise, it is recognized that under existing law

the Secretary of the Interior, may in his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to State taxes and may then be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in the Constitution,' but the owner of restricted land may, with the approval of the Secretary of the Interior,' voluntarily convey his land to the Puyallup Tribe either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

Section 2. Tribal lands. The unallotted lands of the Puyallup Reservation, and all lands which may hereafter be acquired by the Puyallup Tribe or by the United States in trust for the Puyallup Indians, shall be held as Tribal lands, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individuals but may be assigned to members of the Puyallup Tribe, or leased, or otherwise used by the Tribe, as hereinafter provided:

Section 3. Leasing of tribal lands. Tribal lands may be leased by the Tribal Council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In the leasing of Tribal lands', preference shall be given, first, to cooperative associations of members of the Tribe; and, second, to individual Indians who are members of the Puyallup Tribe.

Section ; 4. Grant of standard assignments. In any assignment of Tribal lands, which now are owned by the Tribe or which hereafter may be acquired, for the Tribe by the United States or purchased by the Tribe out of Tribal funds, preference shall be given, first, to heads of families which have no allotted lands or interests in' al l otted (lands .

No allotted member of the Puyallup Tribe who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated, except to the Tribe, shall be entitled to receive an assignment of land as landless Indian.

The Tribal Council may, if it sees fit, charge a fee of not to exceed \$5 on approval of an assignment made under this section.

Assignments made- under this section shall be for the primary purpose of establishing homes for landless members, and shall be known as "standard assignments."

Section 5. Tenure of standard assignments. If any member of the Tribe holding a standard assignment of land shall, for a period of 2 years, fail to use the land so assigned or use such land for any unlawful purposes, his assignment may be canceled by the Tribal Council after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any member holding a standard assignment his heirs or other individuals designated by him, by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Puyallup Tribe who would be eligible to receive a standard assignment.

Section 6. Grant of exchange assignments. Any member of the Tribe who owns an allotment or any share of heirship land may voluntarily transfer his interest in such land to the Tribe in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger unit of Tribal land.

Assignments made under this section shall be known as "exchange assignments."

Section 7. Leasing of exchange assignments. Exchange assignments may be used by the assignee or leased by him to cooperative associations of members of the Tribe, to individual members of the Tribe, or, if no individual member or cooperative association of members is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-members in the same manner as allotted lands.

Section 8. Inheritance of exchange assignments. Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Tribal Council to his heirs or devisees,, subject' to the following conditions:'

- : a. Such lands may not be reassigned to any heir or devisee who is not a member of the Puyallup Tribe, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.
- b. Such lands may not be reassigned to any heir or devisee who already holds more than 40 acres of uncleared land, or other land or interest in land of equal value, either under allotment or under assignment.

- c. Such lands may not be subdivided among heirs or be subdivided among heirs or devisees into units too small for convenient management. No area of uncleared land shall be subdivided into units smaller than 20 acres, and no area of agricultural land shall be subdivided into units smaller than 2 1/2 acres, except that land used for land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Council shall issue to such heirs or devisee, interests in Tribal land or property of the same value as the assignment of the decedent.
- d. If- there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of section 4 of this article.

Section 9. Inheritance of improvements. Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Puyallup Tribe or otherwise disposed of under such regulations as the Tribal Council shall provide. No permanent improvements shall be removed from the land without the consent of the Tribal Council.

Section 10. Exchange of assignments. Assignments may be exchanged between members of the Puyallup Tribe by common consent in such manner as the Tribal Council shall designate.

Section 11. Use of unassigned Tribal land. Tribal land which is not assigned, including Tribal timber reserves, shall be managed by the Tribal Council for the benefit of the members of the entire Tribe and any cash income derived from such land shall accrue to the benefit of the Tribe as a whole. All action of the Tribal Council with respect to such land shall be in conformity with departmental regulations for protection of Indian range and timber resources authorized by section 6 of the Act of June 18, 1934.

Section 12. Purchase of land by Tribe. Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land, under the following conditions:

- a. Land within the Puyallup Reservation, or adjacent to the boundaries thereof, which is not now in Indian ownership may be purchased by or for the Puyallup Tribe.

- b. Restricted land, which is in heirship status at the time of the adoption and approval of this constitution, may be purchased by or for the Tribe, with the consent of all the adult heirs, and the legal guardians of minor heirs, payment therefore to be made as may be agreed upon.
- c. Land owned by any member of the Tribe who is over the age of 60 years, or who is physically incapacitated, may be transferred by its owner to the Tribe in exchange for a pension of not more than twice the annual rental value of the land for the life of the pensioner, to be paid out of available Tribal funds.
- d. Land owned by any member of the tribe in excess of his needs for domestic purposes may be purchased by the Tribe, with the consent of the owner, payments to be made under such terms as may be agreed upon.
- e. Any property rights owned by any member of the Tribe who desires to leave the reservation permanently may be purchased by the Tribe, under such terms as may be agreed upon.

Section 13. Method of making assignments. Applications for assignment shall be filed with the Secretary of the Tribal Council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the Agency Office and in at least three other conspicuous places on the reservation for not less than 20 days before action is taken by the Council. Any member of the Tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Council, and may if he so desires appear before the Council to present evidence. The Secretary of the Council shall furnish the Superintendent or other officer in charge of the Agency a complete record of all action taken by the Council on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the tribe..

The Council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

## ARTICLE X - AMENDMENTS

Amendments to the constitution and bylaws may be ratified and approved in the same manner as this constitution and bylaws.

It shall be the duty of the Secretary of the Interior, upon presentation of a resolution approved by the Council, or upon presentation of a petition signed by at least one-third of the legal voters of the Tribe, to call an election upon the amendment so proposed. If at least 30 percent of those entitled to vote shall vote in such election and if a majority of those voting shall approve the amendment submitted, it shall be referred to the Secretary of the Interior, and if approved shall become effective.

## BYLAWS FOR THE PUYALLUP TRIBE OF THE PUYALLUP RESERVATION

### ARTICLE I - DUTIES OF OFFICERS

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

Section 2. Vice-chairman of the Council. The Vice-chairman of the Council, 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, duties, and responsibilities of the Chairman.

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

Section 4. Treasurer of the Council. The Treasurer of the Council shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the Council, whether same, be Tribal, funds or special' funds for which the Council is acting as trustee or custodian. He shall deposit all such funds in such bank or elsewhere as directed by the Council 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 or custody, such report being made in writing to the Council at regular meetings and at such other times as requested by the Council.

He shall not pay out or otherwise disburse any funds in his possession or custody, or in the possession or custody of the Tribal Council, except when properly authorized to do so by resolution duly passed by the Council.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Council and at such other' times as the Council or the Commissioner of Indian Affairs may direct.

The Treasurer shall be required to give a bond satisfactory to the Council and to the Commissioner of Indian Affairs.

The Treasurer shall be present at all special or regular meetings of the Council.

Section 5. Appointive officers. The duties of all appointive committees or officers of the Puyallup Tribe shall be clearly defined by resolution of the Council at the time of their creation or appointment. Such committees and officer shall report, from time to time as required, to the Council, and their activities and decisions shall be subject to review by the Council upon the petition of any person aggrieved.

#### ARTICLE II - QUALIFICATIONS OF COUNCILMEN

Amend. Any member of the Puyallup Tribe, 21 years or over, may be  
V a candidate for the Tribal Council.

#### ARTICLE III - CERTIFICATION OF ELECTION

It shall be the duty of the members of the Tribal Council to certify to the election of the duly elected Council members. This shall be done within 5 days after the election, and the certificate- filed with the Secretary.

#### ARTICLE IV - INSTALLATION OF COUNCILMEN

Newly elected members who have been duly certified shall be installed at the first regular meeting of the Tribal Council ,following the election upon subscribing to the following oath, which shall be administered by any authorized 'person and filed with the Secretary of the Council :

"I, \_\_\_\_\_ do hereby solemnly swear (or affirm) that I shall preserve, support, and protect the Constitution of the United States and the constitution and bylaws of the Puyallup Tribe to the best of my ability, so help me God."

## ARTICLE V - SALARIES

The Tribal Council may prescribe such salaries of officers of members of the Council as it deems advisable from such funds as may be available.

## ARTICLE VI - TIME AND PLACE OF REGULAR MEETINGS AND PROCEDURE

Amend. VI Section 1. Meetings. Regular meetings of the Tribal Council shall be held on the third Tuesday of each month, and at such other times as the Council, by resolution, may provide. Special meetings 'may be called by a written notice signed by the Chairman or by ' a majority of the Tribal Council, and when so called the Tribal Council shall have power to transact business as in regular meetings.

Section 2. Quorum. No business shall be transacted unless a quorum is present. A quorum shall consist of a majority of the members of the Council.

Section 3. Order of business. The following order of business is established for all meetings:

- a. Call to order by the Chairman.
- b. Roll call .
- c. Ascertainment of a quorum.
- d. Reading of the minutes of the last meeting.
- e. Adoption of the minutes by vote or common consent.
- f. Unfinished business..
- g. New business,
- h. Adjournment.

Section 4. Ordinances and resolutions. All final decisions of the Council on matters of general and permanent interest to the members of the Tribe shall be embodied; in ordinances. Such ordinances shall be collected and published .from time to time for the information and education of the members of the Tribe.

All final decisions of the Council on matters of temporary interest (such as action on the reservation budget for a single' year, or petitions to Congress or to the Secretary of the -Interior) or relating especially to particular individuals, or officials (such as adoptions of members, instructions for Tribal 'employees or rules of order for the Council) .shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open to public inspection.'

All questions of procedure (such as acceptance of committee reports or invitations to outsiders to speak) shall be decided by motion duly passed or by the ruling of the Chairman if no objection is heard.

in all ordinances, resolutions, or motions, the Council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement, and parliamentary procedure shall otherwise be governed by Robert's Rules of Order.

Section 5. Legislative forms. Every ordinance shall begin with the words: "Be it enacted by the Tribal Council of the Puyallup Tribe ..."

Every resolution shall begin with the words: "Be it resolved by the Tribal Council of the Puyallup Tribe ..."

#### ARTICLE VII - CENTRAL GENERAL COUNCIL

Section 1. The Tribal Council shall have the power to select delegates to sit in a central general council of Northwest Indians.

#### ARTICLE.VIII - RATIFICATION OF CONSTITUTION AND BYLAWS

This constitution and bylaws attached hereto shall be in full force and effect when a majority of the adult members of the Puyallup Tribe voting at an election called by the Secretary of the Interior in which at least 30 percent of those entitled to vote shall vote, shall have ratified such constitution and bylaws, and such constitution and bylaws shall have been thereafter finally approved by the Secretary of the Interior.

#### CERTIFICATION OF RATIFICATION

Pursuant- to an order, approved March 11, 1936, by the Secretary of the Interior, the attached constitution and bylaws were submitted for ratification to the adult members of the Puyallup Tribe of the Puyallup Reservation and were on April 11, 1936, duly ratified by a vote of 55 for and 15 against, in an election in, which over 30 percent 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 13, 1935 (49. Stat, . 378) .

(Sgd.) George Young  
Chairman of Election Board

(Sgd.) Silas Cross  
Chairman of the Tribal Council

(Sgd.) Silas J. Meeker  
Secretary

(Sgd.) O.C. Upchurch  
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 bylaws of the Puyallup Tribe of the Puyallup Reservation.

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 bylaws are hereby declared inapplicable to the members of the Puyallup Tribe of the Puyallup Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and bylaws.

Approval recommended May 1, 1936.

(Sgd.) John Collier  
Commissioner of Indian Affairs

(Sgd.) Harold L. Ickes  
Secretary of the Interior

Washington D.C., May 13, 1936.

\* Amendments I through VI  
approved-6/1/70 by Assistant Secretary of the Interior

Amendments VII through XII  
approved 6-5-91 by the Portland Area Director.



# Puyallup Tribe of Indians



## PUYALLUP TRIBAL COUNCIL RESOLUTION NC

**WHEREAS**, the Puyallup Tribe has existed since creation as the aboriginal people, who are the owners and guardians of their land and waters; and

**WHEREAS**, the Puyallup Tribe is an independent sovereign nation having historically negotiated with several foreign nations including the United States in the *Medicine Creek Treaty*, and

**WHEREAS**, the Puyallup Tribal Council is the governing body of the Puyallup Tribe of the Puyallup Reservation in accordance with the authority of the sovereign rights as the aboriginal owners and guardians of their land and waters as reaffirmed in the *Medicine Creek Treaty*, and the Constitution and By-Laws as amended and approved by the Tribe and Assistant Secretary of the Interior; and

**WHEREAS**, Article X of the Constitution and Article VIII of the Bylaws of the Puyallup Tribe establish a procedure for initiating an election called by the Secretary of the Interior for consideration of amendments to the Tribe's Constitution and Bylaws ("Secretarial Election") as follows:

### ARTICLE X [of the Constitution]-AMENDMENTS

Amendments to the constitution and bylaws may be ratified and approved in the same manner as this constitution and bylaws.

It shall be the duty of the Secretary of the Interior, upon presentation of a resolution approved by the Council, or upon presentation of a petition signed by at least one-third of the legal voters of the Tribe, to call an election upon the amendment so proposed. If at least 30 percent of those entitled to vote shall vote in such election and if a majority of those voting shall approve the amendment submitted, it shall be referred to the Secretary of the Interior, and if approved shall become effective.

### ARTICLE VIII [of the Bylaws] - RATIFICATION OF CONSTITUTION AND BYLAWS

This constitution and bylaws attached hereto shall be in full force and effect when a majority of the adult members of the Puyallup Tribe voting at an election called by the Secretary of the Interior in which at least 30 percent of those entitled to vote shall vote, shall have ratified such constitution and bylaws, and such

constitution and bylaws shall have been thereafter finally approved by the Secretary of the Interior.

And,

**WHEREAS**, it is in the best interests of the Tribe for its Constitution to contain more precise eligibility standards for membership in the Tribe;

**NOW THEREFORE BE IT RESOLVED** by the Puyallup Tribal Council that the Council requests, pursuant to 25 C.F.R. Section 81.5(d), that the Secretary of the Interior or her authorized representative authorize the calling of an election on the adoption of amendments to Article II of the Constitution of the Puyallup Tribe of the State of Washington as follows:

Should Article II of the Puyallup Tribal Constitution concerning membership in the Tribe be amended to read as follows?

## ARTICLE II - MEMBERSHIP

Section 1. The membership of the Puyallup Tribe shall consist of each individual who is not enrolled as a member in any other Indian nation, tribe, band, pueblo, village, corporation or rancheria and who satisfies either of the following requirements:

- a. Each person whose name appears on the roll of the Puyallup Tribe approved in 1929; and
- b. Each person at least one of whose parents, at the time of the person's birth, was an enrolled member of the Puyallup Tribe;
  - i. Provided, however, that after the effective date of Amendment Number XIII to this Constitution (amending this Article II), a person who otherwise qualifies under this subsection shall be eligible only if application for enrollment is made within one calendar year after his or her birth; and
  - ii. Provided, further, that in the case of a person actually unaware of his/her Puyallup ancestry by reason of adoption or other circumstances, the time deadline contained in proviso number (i), above, shall be deemed satisfied if that individual makes application for membership within ninety (90) days after becoming aware of his/her Puyallup ancestry.

Membership under this Article shall not be deemed automatic but shall be effective only upon compliance with enrollment procedures then in effect including action by the Tribal Council confirming an individual's eligibility and enrollment.

Section 2. When it comes to the attention of the Tribe that a person enrolled as a member of the Puyallup Tribe is also, or may also be, enrolled as a member in any other Indian nation, tribe, band, pueblo, village, corporation or rancheria, the Tribe shall disenroll that person as a member of the Puyallup Tribe unless, within a reasonable time under procedures enacted by the Tribal Council, that person either (a.) relinquishes membership in the other Indian nation, tribe, band, pueblo, village, corporation or rancheria, or (b.) demonstrates to the Puyallup Tribe's satisfaction that he or she is not so enrolled.

Section 3. Any minor whose membership in the Puyallup Tribe has been relinquished or forfeited by virtue of the prohibition on dual enrollment shall have the right to regain membership in the Puyallup Tribe upon attaining the age of eighteen, so long as he/she makes application to regain Puyallup membership within one year after reaching the age of eighteen, under procedures enacted by the Tribal Council, if she or he is otherwise eligible. Regaining membership in the Tribe under this Section shall entitle such person to all rights of membership commencing prospectively with the date of his or her reinstatement. Any individual who relinquishes or forfeits membership in the Tribe while an adult shall not be eligible to regain membership in the Tribe.

Section 4. The Tribal Council shall have the power to promulgate ordinances establishing procedures that are not inconsistent with this Constitution governing enrollment in and disenrollment from the Tribe, forfeiture and relinquishment of membership, and where explicitly permitted by this Article II, the process for regaining membership.

[Sections 5, 6, and 7 of Article II are repealed.]

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**AND BE IT FURTHER RESOLVED** that the Council hereby authorizes the Tribal Council Chairman (Herman Dillon, Sr.), and in his absence, the Vice Chairman (Lawrence W. LaPointe), to execute this Resolution and other such required implementing documents as are required to carry out the intent of this Resolution.

CERTIFICATION

I, Katie Estacio, Secretary of the Puyallup Tribal Council of the Puyallup Reservation do hereby certify that the above Resolution was duly adopted at a Regular Meeting of the Puyallup Tribal Council held within the Puyallup Reservation on the 8 day of September, 2004; a quorum being present with a vote of 4 For, 0 Against, 0 Abstaining, 1 Not Voting its adoption.

Katie Estacio

Secretary, Puyallup Tribal Council

ATTEST:

Herman Dillon, Sr.  
Herman Dillon, Sr., Chairman  
Puyallup Tribe of Indians