

July 2017

Dear Tribal Member,

The Healy Lake Tribal Council has been very engaged in reactivating and reorganizing the Healy Lake Tribe. One of our primary projects is to update our Constitution which is out of date in several respects. The Healy Lake Council is currently gathering tribal member comments and concerns on the proposed Constitution. Tribal members may contact any tribal council member to discuss the proposed Constitution or may email or call the Healy Lake tribal office. Tribal members' comments and concerns will be taken into consideration by the Council prior to submitting the final updated Constitution to a vote. The proposed updated Constitution is to be put to a vote of the tribal voters in the winter of 2017.

The Healy Lake Tribe adopted its first written constitution in 1977, "Constitution and Bylaws of the Village of Healy Lake." That Constitution was replaced in 1997 with the "Traditional Constitution of the Mendas Cha-Ag Tribe." An earlier attempt to vote on the proposed Constitution failed due to an insufficient number of tribal voters casting ballots. In order to adopt this updated Constitution, 50% of the eligible Healy Lake tribal voters must cast ballots. If the majority of those votes are in favor of the updates to the Constitution, it shall replace the Constitution of 1997.

Healy Lake Tribal Council

Primary Updates from the 1997 Constitution:

Preamble: New language regarding the history of the Healy Lake people and our Constitutions is added.

Article 1 – Name: The name of our Tribe is clarified, and its meaning is included.

Article 2 – Jurisdiction: New, general claim of jurisdiction replaces a territorial claim of jurisdiction.

Article 3 – Membership: The Base Membership Roll is clarified. Dual enrollment for members 18 and over is prohibited.

Article 4 - Governing Body: The titles of the officers of the Council are changed from Chief and Second Chief to President and Vice President. Two (instead of 4) of the 5 Council members are required to live at Healy Lake full time, including the President. The qualifications for serving on the Council are changed in respect to barrier crimes.

Article 5 – Duties of Officers of the Council: A new section ensures that major commitments of tribal resources may not be made without an affirmative vote of at least 3 Council members. A greater number of affirmative may be required by this Constitution or tribal codes in specific circumstances.

Article 6 – Removal, Recall, Forfeiture, and Vacancies: Quorum requirements are lowered from 50% to 40% of adult the members of the Tribe. Notification now includes posting on the Tribe's website and on the Tribe's social media, and emailing or mailing to the adult members of the Tribe. Potential drug testing of Council members for methamphetamines and narcotics is added.

Article 7 – Meetings: Section 1 on general meeting rules is new. Procedures for tribal membership meetings are expanded. Quorum requirements for conducting business at a tribal membership meeting are lowered from 50% to 40% of the adult members of the Tribe.

Article 8 – Elections: Tribal elections are changed from March to July. New provisions for tribal members to act in the event that the Council fails to conduct annual elections. Notification now includes posting on the Tribe's website and on the Tribe's social media, and emailing or mailing to the adult members of the Tribe.

Article 9 – Powers of the Council: This Article was modernized from the 1997 Constitution. Powers were withheld from the Council and reserved to the tribal membership for obtaining bank loans over \$50,000 and for selling land owned by the Tribe. Conducting each of those activities requires a vote of the tribal members.

Article 10 – Powers Reserved to Membership: Selling tribal land would require a majority vote in an election where at least 75% of the voters have voted, compared to a requirement in the 1997 Constitution of an affirmative vote of 80% of the voters. Also new is the requirement that a majority vote in an election where at least 75% of the voters have voted is necessary to waive sovereign immunity in the form of an execution against tribal lands or claims by a bank over \$50,000.

Article 11 – Popular Participation in Government: The initiative process is clarified.

Article 12 – Rights of Members: This Article is essentially the same as the 1997 Constitution.

Article 13 – Sovereign Immunity of the Healy Lake Tribe: This Article is modernized and clarified. Language is added reserving the right for the tribal membership to vote on a waiver of sovereign immunity in the form of an execution against tribal lands or claims by a bank of \$50,000.

Article 14 – Severability: This Article is essentially the same as the 1997 Constitution.

Article 15 – Savings: This Article is essentially the same as the 1997 Constitution.

Article 16 – Amendments or Repeal: Notification of a vote for amending or repealing this proposed Constitution is expanded from only posting notice in two public places in Healy Lake to include posting on the Tribe's website and on the Tribe's social media, and emailing or mailing to the adult members of the Tribe. At least 40% of the eligible voters must vote to amend or repeal the constitution, which requirement has been lowered from a minimum of 50% in the 1997

Constitution.