



California Valley Miwok Tribe, California
(a.k.a. Sheep Ranch Rancheria of Me-Wuk Indians of California)

RESOLUTION 2011-07-16(a)
(Election By-laws)

WHEREAS, the California Valley Miwok Tribe ("Tribe") adopted a Tribal Constitution in 2006 (the "2006 Constitution") by a two-thirds vote of the adult members who were enrolled at that time; and

WHEREAS, Part 8 of the 2006 Constitution established the identification of the broader, membership community and the enrollment of qualified individuals as a top priority of the Tribe; and

WHEREAS, the Tribe has conducted outreach activities to identify the Tribal community and, as of April 30, 2011, had enrolled 242 adult members and since 2004 has held regular Tribal meetings to involve the community in the affairs of the Tribe; and

WHEREAS, the Tribe has made great strides in rebuilding a functioning Tribe, and the Tribe and its members engage in a variety of cultural, religious, economic, and social activities, including:

- A. Representing children of Tribe members under the Indian Child Welfare Act;
- B. Performing cultural resources consultations at construction sites that may affect Native American cultural and religious artifacts;
- C. Participating in ceremonial Indian dance for the Tribe and other communities and cultural preservation activities throughout California;
- D. Participating with other Miwok tribes, in an inter-tribal Miwok Language Restoration Group that teaches the Miwok language to younger Tribal members so that the language and the tribal traditions are not lost;
- E. Gathering materials, such as raptor feathers, that are needed for cultural and religious ceremonies, participating in the annual Salmon Distribution Project in which it obtains several tons of fresh salmon from the Oroville Dam hatchery and distributes it to Tribe members;
- F. Planning for the construction of a traditional Indian "bush house" on USFS land near the Tribe's ancestral village;

56 **G.** Participating in the Calaveras Healthy Impact Products Solutions project ("CHIPS"), a
58 community supported project that seeks to reduce wildfire hazards to local communities
60 while providing economic opportunity for local workers and the Collaborative Forest
Landscape Restoration Program ("CFLRP") on landscape restoration and forest stewardship
projects; and

62 **WHEREAS**, Part 10 of the 2006 Constitution calls for the Tribe to review the Constitu-
64 tion and amend it as needed; and

66 **WHEREAS**, the Tribe desires to complete the process of reorganization as provided for
68 under the Indian Reorganization Act of 1934, 25 U.S.C. § 461 *et seq.* ("IRA"), and to reestab-
lish government-to-government relations with the United States; and

70 **WHEREAS**, the Tribe has drafted a new Tribal Constitution with the participation of the
72 entire Tribal community, and intends to complete the Tribe's review of the new Tribal Consti-
74 tution and to hold a Tribal election to adopt and ratify said Constitution in order to complete
the process of reorganization; and

76 **WHEREAS**, the Tribe desires to establish policies and procedures for the conduct of
78 Tribal elections, including the ratification of a new Constitution, that are consistent with the
2006 Constitution and with the substantive requirements of the IRA; and

80 **WHEREAS**, these election by-law shall remain in force until superceded by procedures
82 in a revised Constitution;

84 **THEREFORE**, the Tribal Council ("Council") of the California Valley Miwok Tribe
86 (a.k.a. Sheep Ranch Rancheria of Me-Wuk Indians of California) hereby adopts the following
88 by-laws to govern all elections of the Tribe, including ratification of a new Tribal Constitution.

90 **AUTHORIZATION TO HOLD TRIBAL ELECTIONS**

92 **§ 1.** The Council may, by resolution of a majority of the council, call elections to amend the
94 Constitution, to elect members of the Council or for such other purpose as the Council deter-
mines an election is necessary.

96 **§ 2.** Elections must be held within 90 days of the date upon which the Council determines the
98 need for an election.

100 **ELECTION COMMITTEE**

102 **§ 3.** The Council shall appoint an Election Committee of at least three persons who are
104 members of the Council, to supervise and conduct elections. In accordance with these Bylaws,
106 the Election Committee will review and certify the list of eligible voters, hear and resolve
108 disputes concerning voter eligibility, conduct elections and certify the results of elections. All
actions of the Election Committee shall be by majority vote and shall be subject to review by

110 the full Council. Election Committee members shall serve for five (5) years or such shorter
111 term as the Council may appoint them for.

112 **VOTER REGISTRATION**

114 § 4. All adult members of the Tribe are eligible to vote in Tribal elections, but only those
116 members who have registered to vote at least 30 days before an election may vote in that
118 election. Once a member is registered to vote, the member shall remain entitled to vote unless
120 removed from the list of registered voters by the Election Committee; provided, that the
122 Election Committee shall remove from the list of registered voters any member who does not
123 vote in three consecutive elections, and that member must register again in order to be entitled
124 to vote.

126 § 5. For purposes of these Election Bylaws, an adult member is a member who is or will be 18
128 years old on or before the date of an election. A member who is not yet 18 years old but will
129 be 18 years old within 150 days may register to vote, but they may not vote in any election that
130 occurs before their 18th birthday.

132 § 6. Any adult Tribe member who wishes to register to vote may do so at any time by filling
134 out a voter registration form and filing it with the Election Committee. The registration form
135 shall be available at the Tribe's headquarters and on the Tribe's Website.

136 § 7. The Election Committee shall conduct an initial voter registration. Within seven (7) days
138 after the effective date of this Resolution, the Council will post a list of adult Tribal members
140 at the Tribe's headquarters and on the Tribe's Website. Within fifteen (15) days after the effec-
142 tive date of this resolution, the Election Committee shall send a notice of voter registration and
144 voter registration form by First Class mail to each adult Tribal member at the address shown in
145 Tribal records. Only those members with an address of record are entitled to receive this
146 notification by mail. Other members shall receive notice through the Tribe's Headquarters and
147 Website postings and such other public notice as determined appropriate by the Election
148 Committee.

150 § 8. The notice of voter registration shall state that only those members who register to vote at
152 least thirty (30) days prior to an election are eligible to vote in that election. The notice of
153 voter registration shall also state that notice of an election will be sent separately from the
154 voter registration request and that a copy of the Tribe's election procedures can be reviewed at
155 the Tribe's Headquarters or its Website.

156 § 9. Any member who wishes to register to vote must complete and sign the voter registration
158 form and return it to the Election Committee. The completed voter registration form shall state
160 the name and address of the person desiring to register; shall include a statement certifying that
161 the individual is a Tribe member and is at least 18 years old (or will be 18 within 150 days);
162 and shall include a statement certifying that the individual is not a member of any other Indian
163 tribe.

Federally Recognize

164 § 10. At least twenty-one (21) days prior to a scheduled election, the Election Committee shall
166 certify a list of eligible voters and shall post the list on the Tribe's Website and at the Tribe's
168 headquarters. Any member who has not been included on the list of eligible voters shall have
170 seven (7) days after posting in which to file an appeal with the Election Committee.

172 An appeal must be filed in writing and sent to the location specified in the certification of
174 eligible voters. The Election Committee shall decide all appeals at least ten (10) days before
176 the election and post the list of eligible voters on the Tribe's Website and at the Tribe's
178 headquarters no later than seven (7) days before the election.

174 CONDUCT OF ELECTIONS

176 § 11. The conduct of elections shall be performed in substantive accord with the procedures as
178 defined in Code of Federal Regulations "PART 81— REORGANIZATION UNDER A FEDERAL
180 STATUTE".

182 § 12. Amendments to the Tribe's Constitution or a revised Constitution shall be by a
184 two-thirds vote (66%) of the Registered Voters who are qualified to vote in the election;
186 provided, that at least thirty (30) percent of all Registered Voters must vote in the election. All
188 other elections shall be by a majority vote (51%) of the Registered Voters who are qualified to
190 vote in the election.

192 § 13. The Election Committee shall establish the date of an election by 2/3 vote and publish a
194 notice of such election at least 30 days, and not more than 60 days, in advance of the election
196 by posting the election notice on the Tribe's Website, at the Tribe's Headquarters and in such
198 other places as the Election Committee finds appropriate, and by sending the election notice by
200 First Class U.S. Mail to each Tribe member. The election notice shall state the time and place
202 of the voting, the location where the election results will be posted, and the method of voting.
204 The election notice shall advise that members must register in order to vote and shall include a
206 copy of the actual ballot. In the case of a proposed Constitution or Constitutional amendment,
208 the election notice shall include the actual text of the proposed Constitution or amendment.
210 For elections involving a proposed
212 Constitution or Constitutional amendment, the Council will hold at least two meetings to allow
214 Tribal members to review and consider the proposed changes. The Council will send a
216 courtesy copy of the election notice to the BIA.

204 a. Polls are to be open 8 a.m. to 7 p.m., unless the Election Committee sets different hours
206 and includes the hours in the election notice. Voting may also be done by mail or other
208 methods as the Election Committee determines and the Council approves.

210 b. The Election Committee must certify the election results. Election results will be posted
212 at the Tribe's Headquarters and the Tribe's Website and other appropriate places as deter-
214 mined by the Election Committee.

c. Any registered voter may challenge election results within three days of the posting of the results, by filing with the Election Committee the grounds for the challenge together with substantiating evidence.

d. The Election Committee, with Council approval, may order a recount or a new election if warranted.

e. The Council shall send a copy of the certified election results to the local office of the BIA.

VERIFICATION

We, the undersigned, as a majority of the Tribal Counsel of the California Valley Miwok Tribe, California (also known as the Sheep Ranch Rancheria of Me-Wuk Indians of California) do, hereby, certify that the foregoing Resolution was adopted at a duly convened meeting on April 30, 2011 or otherwise on the designated date of signing.

Approved: () yes () no () Abstained ()

Yakima K. Dixie
Yakima K. Dixie, Chief

Date: 7-16-2011

Approved: () yes () no () Abstained ()

Velma WhiteBear
Velma WhiteBear, Executive Director

Date: July 21, 2011

Approved: () yes () no () Abstained ()

Antonia Lopez, Secretary

Date: 7-16-2011

Antonia Lopez
Approved: () yes () no () Abstained ()

Approved: () yes () no () Abstained ()

Michael Mendibles

Date: 7-16-2011

Approved: () yes () no () Abstained ()

Shirley M. Wilson
Shirley M. Wilson

Evelyn Wilson

Date: Evelyn F. Wilson Sr.

Date: 7-21-11

7/16/11

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Approved: () yes () no () Abstained ()

Iva Carsoner

Iva Carsoner

Date: *7 - 21 - 11*

Approved: () yes () no () Abstained ()

Antone Azevedo

Antone Azevedo *7-21-11*

Date: