

CONSTITUTION AND BYLAWS OF THE LAS VEGAS TRIBE OF PAIUTE INDIANS

PREAMBLE

We Paiutes of the Las Vegas Indian Colony do adopt this constitution under the provisions of the Indian Reorganization Act in order to organize and establish ourselves as a legal Indian tribe under the laws of and in the eyes of the United States Government and to provide our members and our Tribal Council with an orderly and effective government through which we can better manage our affairs.

ARTICLE I - BILL OF RIGHTS

All members of the Las Vegas Tribe of Paiute Indians shall have equal rights, equal protection, and equal opportunity to participate in the economic resources, tribal assets, and activities of the Tribe. No member shall be denied any rights or privileges enjoyed by other citizens of the United States, including but not limited to freedom of religion, speech, and conscience, due process of law, and all other rights reserved to Individuals under Section 202, Title II of the Act of April 11, 1968 (82 Stat. 77).

ARTICLE II - TRIBAL TERRITORY

The territory over which the Las Vegas Tribe of Paiute Indians, hereinafter referred to as the "Las Vegas Paiute Tribe," shall have jurisdiction consisting of that approximately ten (10) acres lying within the Las Vegas city limits, Clark County, Nevada, which was purchased on December 30, 1911, and recorded In Book 2 of Deeds on March 15, 1912, such jurisdiction shall not be Inconsistent with applicable State and Federal laws. The territory of the Tribe shall also Include any lands hereafter acquired by or for the Las Vegas Paiute Tribe.

ARTICLE III – MEMBERSHIP

Section 1. The membership of the Las Vegas Paiute Tribe shall include all persons with at least 1/4 degree Paiute Indian blood whose names appear on the official census of the Las Vegas Indian Colony dated January 1, 1940, and the descendants of these persons who possess at least 1/4 degree Paiute Indian blood;

provided, that they are not enrolled or affiliated with another Indian tribe or group; and, provided further that subject to the approval of the Secretary of the Interior or his authorized representative, corrections may be made in said census within one year following approval of this constitution and bylaws.

Sec. 2. The tribal council shall have the power to enact ordinances subject to the approval of the Secretary of the Interior, providing for future membership, loss of membership, and the adoption of new members.

Sec. 3. Any person who is the legal spouse or surviving spouse of a member of the Las Vegas Paiute Tribe, or who is a minor child of a member or deceased member but having less than ¼ degree Las Vegas Paiute blood, shall be permitted to continue to reside on these lands, but shall have no rights or status as members of the Las Vegas Paiute Tribe because of such residence.

ARTICLE IV – GOVERNING BODY

Section 1. The governing body of the Las Vegas Paiute Tribe shall be the Las Vegas Tribal Council, hereinafter referred to as the tribal council.

Sec. 2. The tribal council shall be composed of seven (7) members. The terms of office of the tribal council shall be for two years or until their successors are elected and seated.

Sec. 3. All members of the Las Vegas Paiute Tribe, 21 years of age or older, shall be eligible to serve as council members.

Sec. 4. The tribal council so organized shall elect from its own members (a) a chairman and (b) a vice-chairman; and from within or without its own members (c) a secretary-treasurer, and such other officers and committee members as may be deemed necessary. If the secretary-treasurer is elected from without the council membership, he shall have no vote in the council or shall his presence contribute to the existence of a quorum.

Sec. 5. A quorum of the tribal council shall consist of five (5) of its members. No business shall be transacted unless a quorum is present. Questions upon which there is no unanimous agreement shall be decided by a majority vote of those council members present.

Sec. 6. The chairman shall vote only in case of a tie.

ARTICLE V – NOMINATIONS AND ELECTIONS

Section. 1. The nomination and election of all tribal council members shall be conducted in accordance with rules and regulations set forth by the tribal council or by a committee appointed by the tribal council. The first election of council members shall be held within 60 days from the date of approval of this constitution.

Sec. 2. All members of the Las Vegas Paiute Tribe, 21 years of age or over, shall be eligible to vote. Voting in the election of tribal council members shall be by secret ballot.

Sec. 3. The election of council members shall be held during even numbered years on a day designated by the council which shall fall within that month during which the initial election pursuant to Section 2 of Article IV of this constitution is held.

Sec. 4. At least 30 days prior to the date of all tribal council elections, the tribal council shall cause a Notice of Election to be posted. All persons seeking office shall file a written Notice of Candidacy with the secretary-treasurer of the tribal council at least 15 days prior to the election. The secretary-treasurer shall post the list of candidates at least ten days prior to the election.

ARTICLE VI - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If any member of the tribal council dies, resigns, is removed from office by the tribal council, or is recalled, the tribal council shall declare that office vacant. Within 30 days after a tribal council seat is vacated, the tribal council shall appoint a successor to fill the unexpired term.

Sec. 2. Any member of the tribal council may be expelled from office by a majority vote of the council members, if, in their opinion, he is guilty of gross misconduct or gross neglect of duty; provided, that the accused shall have been given a written statement of the charges against him at least five days prior to the meeting set for his hearing. The decision of the tribal council shall be final.

ARTICLE VII - POWERS OF THE TRIBAL COUNCIL

Section 1. The tribal council shall exercise all powers of the Las Vegas Paiute Tribe, subject to any limitations imposed by the laws or the Constitution of the United States or by this Constitution. These powers shall include the power:

- (a) To employ legal counsel, the choice of counsel and the fixing of fees to be subject to the approval of the Secretary of the Interior.
- (b) To approve or prevent the sale, disposition, or encumbrance of any assets of the Las Vegas Paiute Tribe.
- (c) To negotiate with Federal, State, and local governments on behalf of the Las Vegas Paiute Tribe.
- (d) To Issue and revoke permits for the use of homesites on tribal lands, and to remove or exclude from tribal lands those persons not legally entitled to reside thereon.
- (e) To manage all economic affairs and enterprises of the Las Vegas Paiute Tribe, including the appropriation and expenditure of tribal funds.
- (f) To regulate the conduct of trade and the use and disposition of tribal property.
- (g) To enact legislation for the purpose of safeguarding and promoting the peace, safety, morals, and general welfare of the members of the Las Vegas Paiute Tribe.
- (h) To establish subordinate organizations and to vest in these organizations all necessary powers, reserving the right to review any action taken by virtue of such delegated power.

Sec 2. Any action of the tribal council requiring Department of the Interior or Bureau of Indian Affairs approval shall be forwarded to the Superintendent of the Nevada Indian Agency at the earliest possible date. If not acted upon within 90 days from date of receipt by the Superintendent, the action shall be considered as approved.

ARTICLE VIII - REFERENDUM, INITIATIVE AND RECALL

Section 1. Referendum. The tribal council shall, upon receipt of a petition signed by not less than 25 percent of the eligible voters of the Las Vegas Paiute Tribe, submit any enacted or proposed ordinance or resolution to a referendum of the eligible voters. The decision of the majority of the voters in the referendum shall be binding on the tribal council, provided that at least 30 percent of those entitled to vote shall vote in the referendum. The tribal council shall call and hold the referendum within 30 days from the date of receipt of a valid petition and shall prescribe the manner in which the referendum is to be conducted.

Sec. 2. Initiative. The members of the Las Vegas Paiute Tribe reserve the right to propose ordinances or resolutions. Any proposed Initiative measures shall be presented to the tribal council, supported by a petition signed by not less than 25 percent of the eligible voters of the Las Vegas Paiute Tribe. Upon receipt of such a petition, the tribal council shall, within 30 days thereafter, call and hold a special election for the purpose of allowing the voters of the Las Vegas Paiute Tribe to vote on the Initiative measure. The decision of a majority of the voters in such election shall be binding on the tribal council; provided, that at least 30 percent of those entitled to vote shall vote in the election.

Sec. 3. Recall. Any member of the tribal council may be recalled from office by the eligible voters of the Las Vegas Paiute Tribe; provided, that no recall may be initiated against a tribal council member until that member has held office for at least 90 days. Upon receipt of a petition signed by not less than 25 percent of the eligible voters, it shall be the duty of the tribal council to call and hold a special election within 30 days thereafter to permit the voters to express their wishes on the recall of the person named in the petition. The decision of the majority of the voters who vote in such election shall be final; provided that at least 30 percent of those entitled to vote shall vote in such election.

ARTICLE IX - AMENDMENTS

Amendments to this constitution and bylaws may be ratified and approved by a special Tribal election to be held upon a petition signed by at least 25 percent of the eligible Tribal voters, or upon a majority vote of the Tribal Council. In such

election, an affirmative vote of at least 75 percent of the eligible voters of the Tribe is required for ratification of an amendment to the Constitution.

ARTICLE X- IMPAIRMENT OF CONTRACTS

The Las Vegas Paiute Tribe shall not adopt any law, ordinance, measure or resolution, whether under Articles VII and VIII hereof or otherwise, impairing the obligation of contracts of the Las Vegas Paiute Tribe or of any instrumentality, agent, corporation or member of the Las Vegas Paiute Tribe.

BYLAWS

ARTICLE I -DUTIES OF OFFICERS

Section 1. The chairman of the tribal council shall preside over all meetings at which he is in attendance and shall perform all duties assigned to him as chairman.

Sec. 2. The vice-chairman of the tribal council shall assume the duties of the chairman in his absence and perform other duties assigned to him by the chairman or the tribal council.

Sec. 3. The secretary-treasurer shall perform all duties assigned to him or her by the chairman or the tribal council. It shall be the responsibility of the secretary-treasurer to receive, record, and safeguard all tribal funds and records.

ARTICLE II - MEETINGS

Section 1. A meeting of the tribal council may be called at any time by the chairman or by a majority of the tribal council members.

ARTICLE III - ORDER OF BUSINESS

Section 1. The order of council business shall be as follows:

- (a) Meeting called to order.
- (b) Roll call.
- (c) Reading of minutes of the last meeting.

- (d) Reports.
- (e) Unfinished business.
- (f) New business.
- (g) Adjournment.

ARTICLE IV - ADOPTION

This constitution and bylaws when ratified by a majority vote of the qualified Paiute Indians of the Las Vegas Colony voting in a special election called for that purpose by the Secretary of the Interior, provided, that at least 30 percent of those qualified to vote shall vote in such election shall be submitted to the Secretary of the Interior, and if approved, shall be effective from the date of such approval.