

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS  
OF THE  
HOONAH INDIAN ASSOCIATION  
"



RATIFIED OCTOBER 23, 1939



UNITED STATES  
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**SEC. 2.** The membership of the Association shall meet on the first Monday in December and the first Monday in March of each year. At the regular membership meeting in December the adult members of the Association shall make nominations and determine the candidates for election to the Board. One-third of the adult members of the Association shall constitute a quorum.

**SEC. 3.** Board members shall be elected on the annual election date and shall serve for a period of two years or until their successors are elected and qualify. Vacancies may be filled by the Board but only pending the next meeting of the Association when a new member shall be elected to fill the unexpired term.

**SEC. 4.** The first election of the Board shall be called and held under the direction of the Constitution, By-laws and Charter Committee within three months after the ratification of this Constitution. The term of office of the four members of the Board receiving the highest number of votes shall terminate on the annual election date of the third December following and the term of office of the three receiving the next highest number of votes shall terminate on the second December following. Thereafter each member of the Board shall serve two years.

**SEC. 5.** The Board shall organize itself within 30 days after each annual election date by electing from within its membership a President and Vice-president, and from within or without, a Secretary, a Treasurer, and such other officers as it may deem necessary. Officers elected from without the Board shall not vote therein. The term of office of each elected officer shall expire when his successor is elected and qualified.

#### ARTICLE IV—ELECTIONS

**SECTION 1.** The annual election date shall be the second Tuesday of December in each year.

**SEC. 2.** Any adult member of this Association shall have the right to vote.

**SEC. 3.** All elections shall be by secret ballot and shall be held in accordance with the rules and regulations of the Board.

**SEC. 4.** It shall be the duty of the Secretary to notify each person of his election within fifteen days.

#### ARTICLE V—POWERS

**SECTION 1.** The Board shall exercise the following powers, subject to any limitations imposed by the statutes or Constitution of the United States and subject further to all express restrictions upon such powers contained in this Constitution and By-laws.

(a) To negotiate with the Federal and Territorial Governments on behalf of the Association and to advise and consult with representatives of the Interior Department on all activities of the Department that may affect the Hoonah Indian Association.

(b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To manage and control all the economic affairs and enterprises of the Association in accordance with the terms of a charter which may be issued to the Association by the Secretary of the Interior.

(*d*) To prevent the sale, disposition, lease, or encumbrance of Association land, interest in land or waters or in other assets of the Association without the consent of the Board.

(*e*) To organize or to charter associations of its members for economic purposes and to regulate the same.

(*f*) To provide for the guardianship of the persons and property of minors and mental incompetents, consistent with Territorial and Federal law.

(*g*) To levy dues, fees, assessments, and fines on the members for Association purposes, and charges on nonmembers for the use of the property of the Association and to provide for the collection thereof.

(*h*) To provide for filling vacancies in office consistent with this Constitution.

(*i*) To make assignments of Association lands to members of the Association in accordance with custom or the regulations of the Board.

(*j*) To protect and preserve the property and natural resources of the Association.

(*k*) To cultivate native arts, crafts and culture.

(*l*) To aid needy members and protect the general welfare and security of the Association.

(*m*) To control the use by members or nonmembers of any reserve set aside by the Federal Government for the Association and to keep order in the reserve.

SEC. 2. The Board of the Hoonah Indian Association may exercise such further powers as may in the future be delegated to the Board by members of the Association or by the Federal or Territorial Governments.

#### ARTICLE VI—BILL OF RIGHTS

SECTION 1. The Board shall not restrict or in any way abridge the rights of its members guaranteed under the Constitution of the United States but it shall be its duty to see that the full constitutional rights thereof are maintained and preserved.

SEC. 2. All members of the Association shall be accorded equal right and opportunity to participate in and enjoy the resources, property and benefits of this organization.

#### ARTICLE VII—REMOVAL OF OFFICERS

SECTION 1. (*a*) Any member or officer of the Board who is convicted of a felony or any offense involving dishonesty shall forfeit his office.

(*b*) Any member of the Board who is absent from the regular meetings of the Board for a period of three months without cause or excuse may have his seat declared vacant by the Board, whereupon the Board shall fill it as in other vacancies.

#### ARTICLE VIII—FEDERATION

The Board may for the purpose of forming a federation or union with other organizations of like character appoint a committee to

meet with such other organizations, and submit its findings to the said Board for appropriate action.

## ARTICLE IX—AMENDMENTS

This Constitution and By-laws may be amended by a majority vote of the qualified voters of the Hoonah Indian Association voting at an election called for the purpose by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election upon receipt of a written resolution signed by a majority of the Board.

## BY-LAWS OF THE HOONAH INDIAN ASSOCIATION

### ARTICLE I—DUTIES OF OFFICERS

**SECTION 1.** The President of the Board shall preside over all meetings of the Association and shall be chairman of the Board, exercising the usual duties of chairman and any others delegated to him. He may vote in Board meetings only in case of a tie or where the vote is by ballot.

**SEC. 2.** The Board shall elect a Vice-president who shall act as president in the absence or disability of the President.

**SEC. 3.** The Secretary of the Board shall conduct all correspondence and keep a complete and accurate record of all business transacted at Board or Association meetings. It shall be his duty to give promptly to the Government Teacher at Hoonah for inspection and forwarding to the General Superintendent of the Office of Indian Affairs in Alaska two copies of all minutes of all regular and special meetings of the Board or Association.

The Secretary shall record all rules, regulations and ordinances in appropriate books, indexing the same and assigning a short title, and may publish the same for the information of the Association.

**SEC. 4.** The Treasurer of the Board shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Board, whether Association funds or other funds for which the Board is responsible. He shall deposit all such funds in such banks or elsewhere as directed by the Board. He shall make and preserve a faithful record of such funds and shall report to the Board all receipts and expenditures and the amount and nature of all funds in his possession or custody. He shall not pay out or authorize disbursement of any funds for which he is responsible except in the manner authorized by the Board.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Board and acceptable to the Juneau Office of the Office of Indian Affairs, and at such other times as the Board shall direct. He shall give two copies of the auditor's report and, once each month, two copies of his trial balance to the Government Teacher at Hoonah for inspection and forwarding to the General Superintendent of the Office of Indian Affairs in Alaska.

The Board, or when Federal funds are involved, the Commissioner of Indian Affairs, may require the Treasurer to give a satisfactory bond, and until then any Federal funds shall be deposited according to the direction of the General Superintendent of the Office of Indian Affairs in Alaska. The Treasurer shall be present at all special or regular meetings of the Board. The Treasurer may, with the advice and consent of the Board, appoint assistants.

SEC. 5. The duties of all appointive officers or agents shall be clearly defined by a resolution of the Board at the time of their appointment.

## ARTICLE II—QUALIFICATIONS OF OFFICERS

SECTION 1. No person may be a candidate for any elective office unless he has the qualifications of a voter.

## ARTICLE III—INSTALLATION OF OFFICERS

Each person appointed or elected to an office shall subscribe to the following oath of office before entering upon the duties thereof:

“I, -----, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies; that I will carry out faithfully and impartially the duties of my office as ----- to the best of my ability; that I will promote and protect the best interests of the Hoonah Indian Association in accordance with its Constitution and By-laws.”

## ARTICLE IV—TIME AND PLACE OF MEETING AND ORDER OF BUSINESS

SECTION 1. The Board shall meet on the first Thursday of the month at 6:30 p. m., unless otherwise ordered by resolution, and may meet at such other times as may seem desirable to the Board.

SEC. 2. Five members including the President shall constitute a quorum.

SEC. 3. The following shall be the order of business unless changed by or with the consent of the Board, namely:

- Call to order by the President;
- Roll call;
- Announcement of quorum;
- Reading the minutes of the last meeting;
- Correction or approval of the minutes of last meeting;
- Treasurer's report;
- Report of committees;
- Unfinished business;
- New business;
- Adjournment.

SEC. 4. When there is no special rule, Robert's Rules of Order shall be the law governing the procedure of the Board.

SEC. 5. Every resolution, after the explanatory clauses, shall begin with the words: “*Be it resolved by the Board of the Hoonah Indian Association* \* \* \*.”

## ARTICLE V—DEFINITIONS

SECTION 1. Where the masculine pronoun is used it shall be understood to include the feminine.

SEC. 2. The word "adult" means a person who is 21 years of age or over.

SEC. 3. Whenever the term "Government Teacher in Hoonah" is used it shall be understood to mean the head government teacher for the Department of the Interior, Office of Indian Affairs, or any successor official representing the Office of Indian Affairs in Hoonah.

## ARTICLE VI—RATIFICATION OF CONSTITUTION AND BY-LAWS

SECTION 1. This Constitution and By-laws shall be effective from and after the date of its ratification by a majority vote of those voting at an election called for the purpose by the Secretary of the Interior: *Provided*, That at least 30 percent of those entitled to vote shall vote in such election, the ratification to be formally certified by the Election Board.

SEC. 2. The persons entitled to vote in the election on the adoption of the Constitution and By-laws are all the adult Indians or Eskimos residing in the neighborhood of Hoonah whose names appear on a roll compiled under the direction of the Secretary of the Interior.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of May 1, 1936 (49 Stat. 1250), do hereby approve the attached Constitution and By-laws of the Hoonah Indian Association and submit the same for ratification in a popular referendum to be called by the Indians and Eskimos having a common bond of residence in the neighborhood of Hoonah, Alaska, under instructions issued by the Secretary of the Interior.

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 By-laws, are hereby declared inapplicable to the Hoonah Indian Association.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended:

FRED H. DAIKER,

*Assistant to the Commissioner of Indian Affairs.*

OSCAR L. CHAPMAN,

*Assistant Secretary of the Interior.*

[SEAL]

WASHINGTON, D. C., August 19, 1939.

## CERTIFICATION OF ADOPTION

Pursuant to an order, approved August 19, 1939 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to all the adult Indians and Eskimos residing in the neighborhood of Hoonah on October 23, 1939, and was



duly ratified by a vote of 116 for, and 9 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 15, 1935 (49 Stat. 378).

WM. S. SHEAKLEY,  
*Chairman, Election Board.*

JOSEPH W. PRATT,  
*Secretary, Election Board.*

WENDELL H. CORDLE,  
*Government Representative.*

