

CONSTITUTION OF THE NATIVE VILLAGE OF CHITINA

PREAMBLE

We, the members of the Native Village of Chitina, a sovereign federally recognized Tribe, in order to promote the right to life, liberty, and the pursuit of happiness; to protect our health, education, and welfare; to preserve our cultural heritage, language, and sacred sites; and to exercise our inherent sovereign authority, hereby adopt this Constitution to govern our affairs, protect our people, and steward our lands and resources for future generations.

ARTICLE I — NAME AND PURPOSE

Section 1 — Name

The name of this Tribal organization is the Native Village of Chitina, a sovereign federally recognized Tribe, hereinafter called the Tribe.

Section 2 — Purpose

This Constitution establishes the governing framework of the Native Village of Chitina and is adopted to:

1. Exercise inherent tribal sovereignty;
2. Protect the rights, welfare, and cultural heritage of Tribal Citizens;
3. Govern tribal affairs with transparency, accountability, and respect for Ahtna values;
4. Preserve and steward ancestral lands, waters, burial sites, and sacred places;
5. Promote the health, education, and economic well-being of the Tribe;
6. Ensure intergenerational stewardship and cultural continuity.

Section 3 — Guiding Principles

The Tribe shall be guided by:

- Ahtna cultural values and traditions;
- Respect for ancestors and future generations;
- Collective responsibility and community well-being;
- Protection of cultural resources and data;
- Sustainable stewardship of lands and waters;
- Fairness, due process, and equal protection under tribal law.

ARTICLE II — TERRITORY & JURISDICTION

Section 1 — Territory

The territory of the Native Village of Chitina includes our traditional Ahtna homelands and all lands, waters, airspace, property, surface and subsurface rights, and natural resources that are owned or held now or in the future by the Tribe, or for the benefit of the Tribe, whether in trust, restricted status, fee simple, or any other form of title. The Tribe also exercises inherent sovereign authority, cultural stewardship responsibilities, and government-to-government consultation rights throughout our traditional territories, regardless of land ownership, including Native allotments owned by Tribal Citizens.

Section 2 – Jurisdiction

The Tribe shall have jurisdiction and governmental powers over all matters, including persons or activities, that affect the Tribe's political integrity, economic security, or health and welfare arising within the territory of the Tribe.

The Tribe shall have jurisdiction over all matters involving real or personal property of the Tribe and of its members; clan property; personal and legal relationships of the members to each other and to the Tribe; and consensual relationships between the Tribe and Tribal members or other persons.

The Tribe shall have subject matter jurisdiction over traditional territories historically used, occupied, or stewarded by Chitina ancestors, and over its graves, burial sites, cultural landscapes, sacred places, and other cultural resources, wherever not incompatible with applicable law.

Nothing in this section shall be construed to limit the ability of the Tribe to exercise its jurisdiction based upon its inherent sovereign rights, powers, and laws, including written and unwritten Ahtna law, custom, and tradition, or upon delegated authority under Federal law.

ARTICLE III – MEMBERSHIP

Section 1 – Basic Membership

All original members and descendants of Chitina Indian Heritage whose names appear on the Chitina membership roll under the Bureau of Indian Affairs, approved by the Tribal Council, must apply for enrollment.

Section 2 — Continuity of Enrollment

All enrollment previously recognized under prior governing documents remains valid unless revoked through due process. All subsequent enrollment actions shall be governed exclusively by this Constitution and duly enacted Tribal laws regarding enrollment.

Section 3 — Eligibility for New Membership

A person is eligible for enrollment if they:

1. Are a direct lineal descendant of a person whose name appears on the original 1971 membership roll (base enrollee) of the Native Village of Chitina;
2. Are not enrolled in another Tribe;
3. Meet documentation requirements established by ordinance.

Section 4 — Adoption of Members

Where consistent with the authority of the Tribe and with federal law, The Tribal Council may adopt as members of the Tribe:

1. Ahtna Alaska Native persons not on the base roll who otherwise meet criteria established by ordinance; and
2. Individuals from other tribes who have established residency, married into the Tribe, or otherwise meet criteria established by ordinance.

Section 5 — Loss of Membership

Membership may be:

1. Voluntarily relinquished;
2. Revoked for good cause, including:
 - Dual enrollment;
 - Fraudulent enrollment;
 - Certain crimes defined by ordinance;
 - Banishment following due process; or
3. Removed through Tribal Court proceedings.

Section 6 — Appeals

Membership decisions may be appealed to the Tribal Council through procedures established by ordinance. The Tribal Council shall issue a written decision within a reasonable timeframe.

Section 7 — Membership Roll Maintenance

The Council shall maintain an accurate and current membership roll, updated at least annually.

ARTICLE IV — GOVERNING BODY

Section 1 — Composition

The governing body of the Native Village of Chitina shall be a five-member Tribal Council, duly elected by eligible voters.

Section 2 — Officers

Officers shall include:

- President
- Vice President
- Secretary/Treasurer
- Two at-large Council Members

Section 3 – Duties of Officers

The President shall:

1. Preside over all meetings;
2. Serve as official representative when Council is not in session;
3. Execute contracts and official documents approved by Council;
4. Vote on all matters;
5. Supervise officers, employees, and committees;
6. Ensure implementation of Council decisions.

The Vice President shall:

1. Assist the President;

2. Preside in the President's absence;
3. Support coordination among Council members and committees.

The Secretary/Treasurer shall:

1. Take or delegate minutes of all meetings and elections;
2. Attest to enactment of resolutions and ordinances;
3. Issue notices of meetings and elections;
4. Conduct correspondence as directed;
5. Receive, deposit, and account for all tribal funds. Disburse funds only in accordance with Council approved resolutions. Carry out all financial directives of the Council, including budget implementation and grant tracking. Provide monthly financial reports, with authority to delegate reporting tasks. Maintain compliance with federal and tribal financial policies.

Section 4 — Advisory Elder Seat

The Council shall include one Advisory Elder, appointed by majority vote of the Council. The Advisory Elder is an advisory officer and shall:

- Provide cultural and spiritual guidance;
- Participate in discussions;
- Hold no voting authority;
- Serve as liaison to Elders;
- Serve a term defined by ordinance.

Section 5 — Youth Representative Seat

The Council shall include one Youth Representative, aged 16–24, appointed by majority vote of the Council. The Youth Representative is an advisory officer and shall:

- Provide input on youth issues;
- Participate in discussions;
- Hold no voting authority;
- Receive mentorship and support;
- Serve a term defined by ordinance.

Section 6 — Terms of Office

Council members and advisory officers shall serve staggered terms as established by ordinance.

Section 7 — Organizational Meeting

The Tribal Council shall meet at least once each year at an Annual Meeting. Immediately following the Annual Meeting, the Council shall convene to seat officers.

Section 8 — Assumption of Office

Newly elected Council members assume office immediately following the Annual Meeting.

Section 9 — Conflict of Interest

Council members shall not vote on matters in which they have a personal interest, including matters involving immediate family. Members must disclose conflicts and abstain from discussion and voting. Violations may result in disciplinary action or removal, pursuant to Article VI.

Section 10 — Vacancies

Vacancies, including removal, recall, and forfeiture, shall be filled by appointment by a quorum of the Tribal Council. Appointed members shall serve until the next election.

ARTICLE V — REMOVAL, RECALL, AND FORFEITURE

Section 1 — Removal by Council

A Council member may be removed for:

- Gross misconduct;
- Neglect of duty;
- An offense involving dishonesty.

Removal requires a finding by the Tribal Council. The decision is final and not subject to Tribal Court review.

Section 2 — Recall by Membership

Any Council member may be recalled by a petition signed by at least thirty percent (30%) of eligible voters.

Upon receipt of a valid petition, the Council shall call for a recall election within sixty (60) days. If the Council fails to act, the tribal membership may convene a membership meeting to conduct the recall.

A majority vote by a quorum of voters in favor of recall removes the official. No official may be subject to recall more than once per term.

Section 3 — Forfeiture

A Council member automatically forfeits office if they:

1. Submit a written resignation;
2. Die;
3. Are convicted of a felony while in office;
4. Are absent from three (3) regular monthly meetings without being excused by the Council.

ARTICLE VI — MEETINGS

Section 1 — Regular Meetings

The Council shall meet monthly. Notice shall be posted at least five (5) days prior on social media, NVC website, and in the Community Hall.

Section 2 — Special Meetings

The Council or President may call a special meeting with at least twenty-four (24) hours' notice.

Section 3 — Emergency Meetings

The council or President may hold an emergency meeting without notice only if emergency circumstances warrant, and only to address the imminent emergency.

Section 4 — Executive Session

The Council may enter a nonpublic executive session only for matters involving child welfare, personnel, litigation, enrollment, or other confidential issues.

Section 5 — Tribal Membership Meetings

A membership meeting shall be held annually. Voting decisions at a membership meeting shall be valid if there is a membership quorum and a majority vote.

Additional meetings may be called by the Council or by a petition signed by 30% of qualified voters.

If the Council fails to act on a valid petition, the membership may convene a meeting.

Section 6 — Quorum

- Council quorum: three (3) members.
- Membership quorum: twenty percent (20%) of eligible voters.

ARTICLE VII — ELECTIONS

Section 1 — Voter Eligibility

All enrolled Tribal Citizens aged eighteen (18) years or older are eligible to vote in tribal elections.

Section 2 — Election Procedures

Elections shall be conducted according to an Election Ordinance, which shall include:

1. Secret balloting;
2. Absentee voting;
3. Nomination procedures;
4. Maintenance of a current list of eligible voters;
5. Procedures for petitions;
6. Verification of petition signatures;
7. Resolution of election disputes;
8. Certification of results.

Section 3 — Election Committee

The Council shall appoint an independent Election Committee whose duties include:

1. Supervising, administering, and conducting all tribal elections;
2. Certifying election results immediately after the election;
3. Overseeing recounts;
4. Verifying petitions;
5. Resolving election disputes.

No member of the Election Committee may simultaneously serve on the Council or be a candidate for office.

Section 4 — Youth Participation

Youth under age 18 may serve as election observers to encourage civic engagement.

ARTICLE VIII — POWERS OF THE COUNCIL

Section 1 — General Authority

The Council shall have the authority to:

1. Consult, negotiate, contract, and enter agreements with federal, state, local, and tribal governments;
2. Exercise any power or duty now or in the future delegated to the Council by federal, state, local, or Tribal government, and to delegate any such powers where consistent with applicable law.
3. Employ legal counsel as permitted by federal law;
4. Acquire property and accept gifts;
5. Prevent the sale, lease, or encumbrance of tribal lands without approval of the qualified voters;
6. Protect tribal members' rights in personal property;
7. Zone and regulate land use;
8. Exercise eminent domain for public purposes with just compensation;
9. Administer tribal assets, funds, and economic enterprises;
10. Enact ordinances and regulations consistent with this Constitution;
11. Approve and adopt policies governing tribal administration and programs;
12. Regulate internal procedures of the Tribal Council;
13. Levy and collect taxes and fees for tribal purposes;
14. Charter enterprises, corporations, and associations;
15. Join or charter housing authorities;
16. Promote peace, health, education, and welfare;
17. Encourage and protect traditional cultural practices, language, and customs;

18. Provide for law and order and administer justice through tribal courts;
19. Regulate child custody and domestic relations among tribal members and among nonmembers subject to Tribal jurisdiction.
20. Protect and manage burial sites, sacred places, and cultural resources;
21. Protect wildlife and natural resources;
22. Assert jurisdiction over graves and other ancestral remains;
23. Develop and enforce tribal data governance protocols;
24. Exercise full sovereignty over traditional territories and ancestral lands.

Section 2 — Reserved Powers

Any rights and powers held by the Tribe that are not specifically mentioned in this Constitution are not lost by omission. The Council may exercise such powers through Constitutional amendment.

ARTICLE IX — POWERS RESERVED TO MEMBERSHIP

No lands or interests in lands owned by the Tribe may be sold or disposed of without the favorable vote of at least two-thirds (2/3) of eligible voters in a tribal election or at a membership meeting where a quorum is established.

ARTICLE X — POPULAR PARTICIPATION

Section 1 — Initiative

Eligible voters may bring issues to a vote through a petition signed by at least thirty percent (30%) of eligible voters.

The Council shall call an election within sixty (60) days. If the Council fails to act, the issue may be brought before a tribal membership meeting.

A majority vote at a membership meeting with quorum establishes the Tribe's position.

Section 2 — Referendum

The Council may refer issues to the tribal membership by an affirmative vote of at least three (3) Council members.

A referendum election shall be held within sixty (60) days.

A majority vote at a meeting with quorum determines the Tribe's position.

Section 3 — Binding Effect

Initiative and referendum decisions are binding until amended or rescinded by the voters or until they expire by their own terms.

ARTICLE XI — RIGHTS OF MEMBERS

Section 1 — Equal Protection and Due Process

All Tribal Citizens shall enjoy equal rights and protections under tribal law. No person shall be denied due process, property rights, or civil liberties.

Section 2 — Access to Records

Access to records shall comply with all applicable Tribal and federal privacy laws. Requests involving personal or sensitive information must follow confidentiality protocols.

Section 3 — Proposal of Ordinances

Tribal members may propose ordinances to the Council and speak at meetings where ordinances are considered.

Section 4 — Indian Civil Rights

The Tribe shall provide all persons within its jurisdiction the rights guaranteed by the Indian Civil Rights Act of 1968, as amended.

ARTICLE XII — TRIBAL COURT

The Tribe may establish a judicial system to adjudicate civil and criminal matters within its jurisdiction, including any case the Tribe chooses to hear.

The Tribal Court shall:

1. Operate under Tribal Court Codes and this Constitution;
2. Exercise civil and criminal jurisdiction;
3. Transfer or accept cases from other courts;
4. Establish an appellate review process.

ARTICLE XIII — SOVEREIGN IMMUNITY

Nothing in this Constitution shall be interpreted as a waiver of sovereign immunity.

A waiver may only be granted by:

1. Express resolution of the Tribal Council; and

2. Approval by referendum of a majority of qualified voters;

Except that the Council may waive immunity without referendum solely to satisfy conditions of federal or state grants or contracts.

Waivers must be specific and limited in scope, duration, claims, property, and jurisdiction.

Any waiver not meeting these requirements is invalid.

ARTICLE XIV — SEVERABILITY

If any provision of this Constitution is declared invalid, the remainder shall remain in full force and effect.

ARTICLE XV — SAVINGS CLAUSE

All ordinances and resolutions duly adopted under prior governing documents remain valid unless they conflict with this Constitution.

ARTICLE XVI — AMENDMENTS

This Constitution may be amended by majority vote of eligible voters, with at least 30% participation.

The Council President shall call an election on any proposed amendment upon:

1. Council request, or
2. Receipt of a petition signed by 30% of qualified voters.

ARTICLE XVII — ADOPTION

This Constitution is adopted by majority vote of the Native Village of Chitina and effective on May 30, 2026.

Signed by:

President: Cornie Ewan

Vice President: Elizabeth Stevens Orzechowski

Secretary/Treasurer: [Signature]

Council Member: Katie Finnan

Council Member: [Signature]