

Kuskokwim River Inter-Tribal Fisheries Commission Constitution

Preamble

We, the Tribes of the Kuskokwim River and its tributaries, proclaim that our fisheries are essential to our cultural, nutritional, economic and spiritual well-being and our way of life. We recognize our responsibility and authority to exercise our inter-tribal treaty rights to act as stewards to our common traditional territories and resources. Since time immemorial, we have properly cared for the fishery resources of the Kuskokwim River Drainage. We commit to conserve, restore, and provide for tribal use of fisheries based on indigenous knowledge systems and scientific principles. Founded on tribal unity, and striving for consensus, we form the Kuskokwim River Inter-Tribal Fisheries Commission for the health and well-being of our tribal members, our future generations, and all Alaskans who rely upon the health of the fisheries.

I. Article 1:

Section 1. Name

The name of this organization shall be the Kuskokwim River Inter-Tribal Fisheries Commission (Commission).

Section 2. Commission Membership

Membership in the Commission shall be open to any Tribe who meets the following criteria:

1. Is a Federally Recognized Tribe (Tribe) located along the Kuskokwim River watershed; and
2. The Tribe ratifies this constitution and joins the Commission by a duly adopted resolution. A Tribe may withdraw from the Commission at any time by resolution of its governing body that is sent to the Commission.

Section 3. Commissioners.

1. Each member Tribe shall appoint one person and an alternate to serve as that Tribe's Commissioner.
2. Each member Tribe will provide a resolution authorizing its Commissioner to vote on behalf of the Tribe.
3. The form of appointment or election of the Commissioner and the term of service shall be at the discretion of the member Tribe. The Tribe shall also determine the process for removal and appointment of their Commissioner.

II. Article 2: Purpose, Powers, and Limitations of the Commission.

Section 1. Purpose.

The purpose of the Commission is for the Tribes of the Kuskokwim River watershed to:

1. Act with a unified voice for the conservation and restoration of Kuskokwim River Fisheries to promote, protect, and preserve our customary and traditional way of life and well-being.
2. Ensure tribal management and co-management in all aspects of fisheries management.
3. Establish comprehensive fisheries co-management plans and programs, which include allocation, based upon indigenous knowledge systems and scientific principles.

Section 2. Powers.

To accomplish these purposes, the Commission will have the powers to:

1. Actively advocate and coordinate Commission positions.
2. Adopt plans, policies, procedures, and resolutions.
3. Seek and accept funding from state and federal agencies, and public and private persons and organizations, and expend such funds.
4. Consider tribally affiliated organizations for non-voting membership

Section 3. Limitation of Commission Authority

Any and all inherent sovereign rights and powers reserved and vested in the member Tribes shall not be abridged by this Constitution or powers authorized and delegated to the Commission. The Commission's authority is limited to the powers specifically delegated through this constitution and any other authority that may be delegated through the resolution of members.

III. Article 3. Meetings and Voting.

1. The Commission shall hold at least one meeting a year, by or at the direction of the Commission or Executive Council. Members shall receive notice not less than thirty (30 days) before the date of such meeting.
2. A majority of the Commission membership shall constitute a quorum.
3. All action must be authorized by motion and approval by a consensus of those Commissioners in attendance at a meeting where a quorum has been achieved. Failing consensus, approval shall be through a majority vote of the Commissioners in attendance unless the Commission defines another process.
4. Each Commissioner shall be entitled to one vote.

5. The conduct and procedure of the meetings may be further defined through bylaws or resolutions adopted by the Commission.

IV. Article 4: Officers and Executive Council

Section 1. Election and Term of Office.

1. The Commission shall elect a Chair, Vice-Chair, and other necessary Officers identified by the Commission. Officers must be Commissioners and receive a majority vote from the Commission. Officers shall serve a term of two years. There will be no term limits.
2. The Chair shall rotate each two year term among three sections of the Kuskokwim Drainage. The Commission shall designate the member Tribes that compose the lower, middle and upper sections of the drainage for purposes of electing the Chair. The Commission shall also determine the order for when a Commissioner representing each section of the drainage shall be elected Chair. The Chair and Vice-Chair shall be Commissioners representing different sections of the drainage.
3. The Commission shall designate seven regions for the establishment of an Executive Council. Once designated, each region shall elect a representative to represent them on an Executive Council. Executive council members must be Commissioners and must receive a majority vote from the Commissioners of their respective region. Executive council members shall serve 2 year staggered terms on the Executive Council as follows: 1, 3, 5 and 7 shall expire on the date Executive Council elections are held during the annual meeting in 2018, and every 2 years thereafter. The term of regions 2, 4 and 6 shall expire on the date Executive Council elections are held during the annual meeting in 2019, and every 2 years thereafter. There will be no term limits. A majority of Council members constitute a quorum, and official actions require a majority vote of Council members at a meeting where a quorum is present. Except for powers reserved for and by the Commission, actions taken by the Executive Council shall be the official position of the Commission. Any two Council members may call a meeting of the Council. The Chairperson and Vice-chairperson of the Commission shall be elected from the members of the Executive Council and shall also serve as the Chair and Vice-Chair of the Executive Council. The Secretary of the Commission shall also serve as Secretary of the Executive Council but shall not have a vote on the Executive Council unless the Secretary is also an elected member of the Executive Council.

Section 2. Duties of Commission Officers.

1. The Commission Chairperson shall preside over all meetings of the Commission, shall perform all duties of a Chairperson and shall exercise any authority delegated to him/her by the Commission or Executive Council. The Chairperson shall be the official policy representative of the Commission as directed by the Commission and Executive Council.
2. The Vice-Chairperson shall assist the Chairperson by performing those duties and functions delegated by the Chairperson. In the absence of the Chairperson from any

meeting of the Commission, the vice-chair shall preside and have all rights, privileges, duties, and responsibilities of the Chairperson.

V. Article 5. Vacancies and Removal of Executive Council Members and Officers

1. If an Officer or Executive Council member dies, resigns, is removed, or otherwise permanently leaves the Commission or Executive Council, the Executive Council shall declare the position vacant and appoint an interim successor until such time as the Commission or applicable region shall elect a replacement for the balance of the unexpired term.
2. The Commission may remove an Officer for any cause or reason deemed necessary by the Commission. Removal shall be through a majority vote of the Commissioners.

VI. Article 6: Amendments

This Constitution may be amended by a two-thirds vote of the Commissioners by Commission resolution. Member Tribes must receive at least 90 days of notice prior to any vote on a Constitutional amendment.

VII. Article 7: Ratification

This Constitution is effective on an interim basis pursuant to approval by the Commissioners present at the August 30, 2017 Commission meeting. The Constitution will be fully ratified upon the receipt of resolutions from a majority of the Tribes in the Kuskokwim River watershed.