

**Amah Mutsun Tribal Band of the
Mission San Juan Bautista
Petition for Federal Recognition**

Exhibit 18

**UPDATED AND AMENDED TO THE
AMAH MUTSUN TRIBAL BAND OF THE
MISSION SAN JUAN BAUTISTA
CONSTITUTION RATIFIED AND
EFFECTIVE SEPTEMBER 1, 2024**

PREAMBLE

We, the members of the tribe known as the Amah Mutsun Tribal Band of the Mission San Juan Bautista (the "Tribe"), in order to provide for the perpetuation of our way of life and the welfare and prosperity of our people, to preserve our right of self-government, and to protect our property and resources, do ordain and establish these updates and amendment(s) to the original Constitution dated June 9, 1991, July 18, 2004 and April 25, 2010.

ARTICLE I- NAME

The name of this Tribe of Indians shall be the Amah Mutsun Tribal Band of the Mission San Juan Bautista (the "Tribe").

ARTICLE II- TERRITORY

The territory of Tribe shall include, to the fullest extent possible consistent with applicable law, all lands, water, property, airspace, surface rights and other natural resources in which the Tribe now or in the future has any interest, or which are owned now or in the future by the Tribe or by the United States for the exclusive or non-exclusive benefit of the Tribe or for individual tribal members.

ARTICLE III- JURISDICTION

Except as prohibited by applicable law, the Tribe shall have jurisdiction over all tribal members and over all persons, subjects, property and all activities occurring within its territory as defined by this Article. Nothing in this Article shall be construed to limit the

ability of the Tribe to exercise its jurisdiction, based upon its inherent sovereignty as an Indian tribe.

ARTICLE IV- MEMBERSHIP

Section 1. Criteria for Enrollment.

The membership of the Tribe shall consist of all persons (a) whose name validly appear on the official tribal membership roll, provide that such roll may be corrected at any time by three-fourths vote (75%) of the Tribal Council, pursuant to Section 6 of this Article IV; or (b) who are lineal descendants of those persons whose name appear on the official tribal membership roll. In order to be eligible for tribal membership, each prospective member must be able to trace his or her ancestry to the Mission San Juan Bautista baptismal records prior to and through 1840.

Section 2. Enrollment:

The Tribal Council shall have the responsibility of implementing the Enrollment Ordinance as referred to in Section 3. The Tribal Council will have the sole discretion to accept or reject any tribal members that are not duly enrolled. The roll will be open for one year after the date on which the Tribe is granted federal recognition, and applications will (be) accepted during this one-year period. After this one-year period, the roll will be closed.

Section 3. Enrollment Ordinance:

Qualification for Enrollment to be listed on the Tribal Membership Rolls:

Every individual Tribal member shall have and provide an authentic descendancy chart which establishes his or her direct descent to an Amah Mutsun Indian who lived at the San Juan Bautista Mission compound between 1797 to 1840 and tied to the Amah Mutsun Indian Baptismal records from the San Juan Bautista Mission during this time frame.

Section 4. Limitations:

No person shall be eligible for membership in the Tribe if he or she

- (a) Is not a lineal descendant of those persons enrolled on the Tribes membership roll.
- (b) Is eligible for or has received an allotment or assignment on another Indian reservation.
- (c) Is officially enrolled in another tribe, band, or Indian entity; or
- (d) Is a recognized member of another tribe, band or Indian entity, whether or not it is recognized by the Secretary of the Interior, unless he or she has relinquished in writing his or her membership in such a tribe, band or community.

Section 5. Transfer of Membership:

Membership in the Tribe is not transferable or assignable.

Section 6. Resignation and Removal:

A member may resign at any time by written notice filed with the Secretary of the Tribe. And may be removed at any time, with cause, by the affirmative vote of three-fourths (75%) of the Tribal Council, and member shall be removed, upon clear and convincing evidence, presented to the Tribal Council, that such person does not meet the criteria for membership as set forth in Section 1 of this Article IV.

Section 7. Loss of Membership:

All relinquishments of membership in the Tribe shall be done in writing in accordance with the procedures established by the Enrollment Ordinance. The Tribal Council shall remove from the Tribe's membership roll the name of any person who voluntarily relinquishes his or her membership in the Tribe in accordance with such procedures. Any member of the Tribe who is

or becomes a member of any other organized tribe, band or Indian entity shall be disenrolled by the Tribal Council in accordance with the procedures established by the Enrollment Ordinance.

Section 9. Voting:

Each enrolled member of the Tribe who is at least eighteen (18) years of age shall be entitled to one vote upon each matter submitted to a vote at a meeting of members. At all meetings of members, a member may only vote in person, except as otherwise provided for elections of Tribal Council members, which may be conducted by mail in accordance with Article IX.

Section 10. Meetings:

The annual meeting of the members, beginning in the year 2005, shall be held at the hour of noon on the second Sunday in July of each year at the office of the Tribe, or at such other place and at such a time as may be provided by resolution of the Tribal Council. Special meetings of the membership may be held at any time on the call of three-fourths (75%) of the Tribal Council or by members having three-fourths (75%) of the votes entitled to be cast at such meeting. Special meetings shall be held at the office of the Tribe, or at such other place may be provided by resolution of the Tribal Council.

Section 11. Notice of Meetings:

Written notice of all meetings shall be given to each member entitled to vote and shall state the place, day and hour of the meeting, and in the case of a special meeting, stating the purpose for which the meeting is called. Notices shall be postmarked not less than (20) days before the date of the meeting, by or at the direction of the Tribal Secretary.

Section 12. Quorum:

At least half (50%) of qualified voters must be present at all the annual or special meetings of tribal members in order to constitute a quorum. Once a quorum is established, it is valid for the duration of the meeting. No business shall be conducted in the absence of a quorum.

Section 13. Membership Roll:

The Tribal Council shall maintain a membership roll of all current and former tribal members. The membership roll shall be kept current by therefore.

- (a) Individuals who have relinquished, in writing, their membership in the Tribe
- (b) Individuals who have been removed from the Tribe, and
- (c) deceased individuals, upon receipt of a death certificate or other evidence of death.

Section 14. Full Disclosure and Equal Opportunity:

The members of the Tribe are guaranteed full disclosure of information concerning the governance of the Tribe and an equal opportunity to participate in all tribal programs and business activities. This Article shall be interpreted liberally and shall favor disclosure.

Section 15. Rights of Members:

In furtherance of the basic principles stated in Section 14 of this Article, the Tribal Council shall:

- (a) Permit tribal members to attend any meeting in which tribal business or governance is being discussed, except those meetings wherein personnel or membership matters are being resolved.
- (b) All tribal members the opportunity to inspect all audit reports which examine the financial condition of the Tribe, including but not limited to, annual audits of funds expended to benefit the Tribe, or any audit done in connection with Tribal enterprise or partnership in which the Tribe may be involved.
- (c) Permit tribal members to inspect any and all employment or consulting contracts which have been entered into between the Tribe and individuals covered by these contracts.

ARTICLE V- CIVIL RIGHTS

Pursuant of the federal Indian Civil Rights Act of 1968 (82 Stat.77, codified at 25 U. S. C. ~1302) and all valid amendments thereof, the Tribe, in exercising its powers of self-governance, shall not:

- (a) Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for redress of grievances.
- (b) Violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and person or thing to be seized.
- (c) Subject any person for the same offense to be twice in jeopardy.
- (d) Compel any person in any criminal case to be witness against himself.
- (e) Take any private property for public use without just compensation.
- (f) Deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense and to have these rights explained at the time of his arrest.
- (g) Require excessive bail, impose excessive fines, or inflict cruel and unusual punishments.
- (h) Deny any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of the law.
- (i) Pass any bill to attainder or ex post facto law; or
- (j) Deny to any person accused of an offense punishable by imprisonment the right, upon request, to a jury trial by jury of not less than six persons.

ARTICLE VI- THE TRIBAL COUNCIL

Section 1. *The Tribal Council:*

The governing power of the Amah Mutsun Tribal Band of the Mission San Juan Bautista shall be vested in the Tribal Council. The Tribal Council shall be made up of nine (9) council members. The Tribal Council shall select officers from within its members, including one

(a) Chairperson

(b) Vice Chairperson

(c) Sergeant at Arms

(d) Secretary

(e) Treasurer

(f) Tribal Administrator and

(g) any such other officers and committees or trustees as the Tribal Council may deem necessary or appropriate from time to time. The tribal officers shall oversee the administration of the Tribe's business and shall supervise the day-to-day operations of the Tribe. The tribal officers shall subordinate to the Tribal council.

Section 2. *Terms of Office:*

The existing Tribal Council, elected pursuant to the Tribe's Constitution enacted in 1991, shall continue to serve as members of the Tribal Council until six (6) years after the date of adoption to this Constitution. After the six (6) year term, an election shall be held to elect a Tribal Council for staggered terms, which will be conducted pursuant to Article IX, Section 4 of this Constitution. Once named to an officer position, each Tribal Council member shall serve in this position for six (6) years or until their successors are duly elected and installed in office, except for the Chairperson, Tribal Administrator and Tribal Trustee, whose term shall be for life. The terms of office for Vice Chairperson, Secretary, Treasurer shall be for six (6) years or until their successors are duly elected and installed in office. There shall be no

limitations on serving consecutive terms on the Tribal Council and in the event that the Tribal Chairperson should elect to remove herself from office, then at her sole discretion, she may select her replacement.

Section 3. Duties of the Officers:

The duties of Chairperson, Vice Chairperson and the other officers shall be established by ordinance enacted by the Tribal Council.

The duties of the Tribal Trustee shall be as the sole designated representative of the Tribe to which any and all economic development opportunities must be presented to and through on behalf of the Tribe and Tribal Council. There shall be no inter/intra-action on any basis with regard to any and all business activities without the express written acknowledgement by the Tribal Trustee for presentation to the Tribal Chairperson or the Tribal Council for approval. If the Tribal Trustee passes away, or becomes incapacitated, all duties of the Tribal Trustee shall pass to the Tribal Council with all business decisions requiring a 75% majority vote of the Tribal Council.

Section 4. Resignation:

Any officer may resign at any time by giving written notice to the Tribal Council or to the Chairperson or Secretary of the Tribe. Such resignation shall take effect when the notice is delivered unless the notice specifies a future date; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make effective.

Section 5. Removal:

Any of the officers to the Tribe may be removed by the Tribal Council in accordance with Article X, Section 2 of this Constitution. Election or appointment of an officer shall not of itself create any contract rights.

Section 6. Vacancies:

Any vacancy in any other Tribal Council member position because of death, resignation,

removal, disqualification or any other cause shall be filled by special election of the

Tribe's eligible voters called for that purpose, and conducted in accordance with the Election Ordinance.

Until a replacement is determined, the remaining officers shall serve as acting officers as follows.

(a) If the office of Chairperson is vacated, the Vice Chairperson shall also serve as Acting Chairperson

(b) If the office of Vice Chairperson is vacated, the Chairperson shall also serve as Acting Vice Chairperson

(c) If the office of Secretary is vacated, the Treasurer shall also serve as Acting Secretary

(d) If the office of Treasurer is vacated, the Secretary shall also serve as Acting Treasurer and

(e) if the office of Tribal Administrator is vacated, the Chairperson shall also serve as Acting Tribal Administrator. Officers serving as Acting Chairperson and/or Acting Tribal Administrator do not retain these positions for life, but rather until successors for these positions are determined. The Chairperson, through a valid and approved ordinance or resolution, may impose limitations on how many officer positions may be held by members of any single family.

ARTICLE VII- MEETINGS OF THE TRIBAL COUNCIL

Section 1. Annual Meetings:

The annual meeting of the Tribal Council shall be held without other notice than in this Constitution immediately following and at the same place as the annual meeting of members; or

at such other place and as such time as may be determined by the Tribal Council. All annual Tribal meetings shall be open to all members of the Tribe, unless involving confidential matters.

Section 2. Regular Meetings:

The Tribal Council shall hold regular meetings at such place and such times as may be designated by resolution of the Tribal Council without other notices than such resolution. All regular Tribal Council meetings shall be open to all members of the Tribe, unless involving confidential matters, pursuant to Article IV, Section 15 (a).

Section 3. Special Meetings:

Special meetings of the Tribal Council may be held at any time on the call of the Chairperson, or at the request in writing of three-fourths (75%) of the Tribal Council, or three-fourths (75%) of voting tribal members. Special meetings of the Tribal Council may be held at such place as shall be specified or fixed in the call for such meeting or notice thereof.

Section 4. Notice of Meetings:

Notice of each special meeting shall be delivered by or at the direction of the Secretary to each Tribal Council member at least ten (10) days before the day on which the meeting is to be held. Notice may be waived in writing by a Tribal Council member, either before or after the meeting. Attendance of a Tribal Council member at any meeting shall constitute a waiver of notice of such meeting, except where the Tribal Council member attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at, or the purpose of, any special meeting of the Tribal Council must be specified in the notice or waiver of notice of such meeting.

Section 5. Quorum:

A 51% majority of the members of the Tribal Council shall constitute a quorum for any regular or special Tribal Council meeting. A quorum is required at all meetings in order to conduct official business of the Tribal Council.

Section 6. Participation at Meetings by Conference Telephone:

Tribal Council members may participate in and act at any meeting of the Tribal Council through the use of a conference telephone or other communications equipment by means of which all persons participate in the meeting can communicate with each other. Participation in such a meeting shall constitute attendance and presence in person at the meeting of the person or persons so participating.

Section 7. Voting:

The Tribal Council shall make decisions by a majority vote of those present, except as otherwise provided in this Constitution or in an ordinance which requires more than a majority vote. All Tribal Council members shall have the power to vote. Proxy voting shall be prohibited.

Section 8. Minutes of Meetings:

At each regular or special meetings of the Tribal Council the Secretary of the Tribe or another appointed person shall take minutes of the meeting, and a copy of the minutes shall be preserved by the Tribe's Secretary.

Section 9. Code of Ethics:

The Tribal Council shall have the power to adopt a Code of Ethics governing the conduct of tribal officials. The Code of Ethics may include disciplinary procedures so long as the official in question is informed of the charges and given an opportunity to respond to those charges, including the opportunity to present witnesses and other evidence in his or her defense.

ARTICLE VIII- POWERS OF THE TRIBAL COUNCIL

The Tribal Council shall have all powers vested in the Amah Mutsun Tribal Band of the Mission San Juan Bautista through its Inherent sovereignty or federal law. It shall execute these powers in accordance with established customs of the Tribe and subject to the expressed limitations contained in this Constitution or other applicable laws. These powers include, but

are not limited to, the following.

- (a) To represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this Constitution.
- (b) To negotiate and enter into contracts with federal, state, local, and tribal governments, and with individuals, associations, corporations, enterprises, or organizations.
- (c) To purchase or accept any land or property for the Tribe as presented by the Tribal Trustee.
- (d) To enact laws regulating the use, disposition and inheritance of all property within the territory of the Tribe.
- (e) To prevent or veto the sale, disposition, lease, or encumbrance of tribal lands, interest in land, tribal funds or other tribal assets.
- (f) To employ legal counsel in accordance with applicable laws.
- (g) To enact laws regulating the domestic relationships of persons within the jurisdiction of the Tribe in accordance with applicable laws.
- (h) To enact a law-and-order code governing the conduct of persons within the jurisdiction of the Tribe in accordance with applicable laws.
- (i) To levy and collect taxes, duties, fees, and assessments in accordance with applicable laws.
- (j) To appropriate and regulate the use of tribal funds in accordance with an annual budget approved by the Tribal Council.
- (k) To regulate all business activities within the jurisdiction of the Tribe, and to manage all tribal economic affairs and enterprises.
- (l) To regulate all matters and to take all actions necessary to preserve and safeguard the health, safety, welfare, and political integrity of the Tribe and its members.
- (m) To appoint subordinate committees, commissions, boards, tribal officers and employees, and to set their compensation, tenure and duties.
- (n) To enact laws, ordinances and resolutions or incidental to the exercise of its legislative powers.
- (o) To establish land policies, adopt a land use ordinance and to otherwise regulate land within the territory of the Tribe in accordance with applicable with law.
- (p) To take any and all actions necessary and proper for the exercise of the foregoing powers and duties, including those powers and duties not enumerated above, and for all other powers, and

duties now or hereafter to the Tribal Council or vested in the Tribe by applicable law or through its inherent sovereignty.

ARTICLE IX- ELECTIONS

Section 1. Election Ordinance:

All nominations for Tribal Council and all elections shall be conducted in accordance with an Election Ordinance to be adopted by the Amah Mutsun Tribal Band of the Mission San Juan Bautista, which shall contain at least the following;

- (a) Form a ballot
- (b) Rules for calling elections
- (c) Procedures for the selection of an election committee
- (d) Duties of an election committee
- (e) Rules for nominations and candidate qualifications
- (f) Establish of polling places
- (g) Any other appropriate matters, including but not limited to election date.

Section 2. General Election:

General elections to vote for Tribal Council members shall be held in accordance with the Election Ordinance, Election of Tribal Council members shall be staggered, pursuant to an Election Ordinance, so that no more than half of the Tribal Council seat shall be up for election at any one time.

Section 3. Special Elections:

Special elections shall be held in accordance with this Constitution and Election Ordinance.

Section 4. The First Election:

The Tribal Council shall remain in office until six (6) years have elapsed from the date of adoption of this Constitution. Thereafter, the first election of Tribal Council members under this Constitution shall be held on a date establish by the Election Ordinance. Other than the Chairperson and Tribal Administrator, who have life tenure, the incumbent Tribal Council members as the date of the adoption of this Constitution shall remain in office until this first election. The first election under this Constitution shall be held in accordance with all other applicable provisions of this Constitution and the Election Ordinance.

Section 5. Nominations:

For all elections of Tribal Council members, the Tribal Council shall accept nominations signed by at least fifteen (15) eligible voters in order to nominate a tribal member as a candidate for each Tribal Council seat. The Tribal Council shall notify all eligible voters, at least thirty (30) days in advance, of the date of the election. A person may not be nominated as a candidate for more than one seat.

Section 6. Qualifications for Tribal Council:

All voting members of tribe shall be eligible to be nominated and elected into the Tribal Council unless

- (a) The members has been found guilty of a violent felony in any state, federal or tribal court (a pending appeal of such conviction does not exempt a Tribal Council Member from this provision)
- (b) The member was previously petitioned and recalled out of office following the adoption of this Constitution.

Section 7. Eligible Voters:

All tribal members who are eighteen (18) years or older that are members in good standing eligible to vote.

Section 8. Ballots:

All voting at regular and special elections shall be done by secret written ballot. Voting by mail and absentee ballot shall be provided for by the Election Ordinance. The Election Ordinance shall require that such ballots be made available to eligible voting members sufficiently in advance of any election to permit cast ballots be submitted to the Tribal Council prior to the scheduled date of the election. Ballots so submitted by mail shall be counted along with ballots cast in person at the polls.

Section 9. Election Result:

The Tribal Council shall certify the results of an election within three (3) days after the Election Day. For each position, the candidate receiving the highest number of votes shall be declared the winner of said seat.

Section 10. Oath of Office:

The oath of office for each newly elected Tribal Council member shall be administered by the Tribal Council within thirty (30) days after the Tribal Council declares the winner of a seat.

ARTICLE X- RESIGNATION, REMOVAL AND RECALL

Section 1. Resignations:

Any Tribal Council member may resign at any time by giving written notice to the Tribal Council, the Chairperson or the Secretary of the Tribe. Such resignation shall take effect when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. All resignation from the Tribal Council shall be done in writing.

Section 2. Removal:

The Tribal Council shall remove a Tribal Council member for final conviction of a violent felony

by any tribal, federal, or state court while serving on the Tribal Council (a) pending appeal of each conviction does not exempt Tribal Council members from this (provision). The Tribal Council may suspend a Tribal Council member charged with a felony pending the outcome of the trial. The Tribal Council may discipline or remove a Tribal Council member, by a vote of at least three-fourths (75%) of the members of the Tribal Council for:

- (a) Conversion of tribal property or monies for personal use.
- (b) Failure to attend four (4) regular or special meetings consecutively without a good cause.
- (c) Final conviction of three misdemeanors by any tribal, federal, state or local court while serving on the Tribal Council.
- (d) Violation of the Code of Ethics.
- (e) Disruptive behavior during Council Meeting.

In all proceedings under Section 2 (a) through (d) above, the Tribal Council member in question shall be afforded full due process rights, including a written statement of the charges, the right to respond to those charges and the right to present witnesses and other evidence in his or her defense. The decision of the Tribal Council shall be final. A Tribal Council member removed from office must wait at least six (6) years from the official date of removal to run for office again,

Section 3. Recall

Any adult tribal member may initiate recall proceedings against any Tribal Council member, by filling a written request with the Tribal Council, provided that the recall proceedings may not be initiated against any Tribal Council member whose term expires within six (6) months. After receipt of the written request, the Tribal Council shall issue official petition forms to the tribal member who initiated the recall. The tribal member shall have sixty (60) days to collect the signatures from three-fourths (75%) of eligible voters. Individual petitions shall be circulated for each member who is subject to recall. A maximum of three (3) Tribal Council members be recalled at a time. The Tribal Council shall verify the signatures on a recall

petition within ten (10) days of receipt of the petition. If the tribal member seeking recall has collected the required number of signatures in the allotted time, then the Tribal Council shall hold a recall meeting within sixty (60) days of the receipt of the petition. Notice of the recall meeting shall be mailed to the eligible tribal voters at least thirty (30) days prior to the recall meeting. The person initiating the recall and the person subject to recall shall be given a reasonable opportunity to speak and present evidence at the recall meeting. A minimum of three-fourth (75%) of participating voters shall be necessary to recall a Tribal Council member, provided that a least fifty percent (50%) of the eligible voters participate in the recall. The recall meeting shall be held in accordance with the provisions of the Election Ordinance.

ARTICLE XI- INITIATIVE AND REFERENDUM

Section 1. Initiative and Referendum:

The Tribal Council shall submit any proposed ordinance or resolution, except those regarding land or housing, to popular initiative upon petition of a least three-fourths (75%) of eligible voters of the Tribe, or upon petition of a least three-fourths (75%) of the members of the Tribal Council. The initiative election shall be held within sixty (60) days after of the receipt of the qualifying numbers of petition of signatures or the Tribal Council request. The initiative shall be adopted an affirmative vote of three-fourths (75%) of the qualified voters, provided that at least fifty (50%) of eligible voters participate in the vote.

Section 2. Referendum:

The Tribal Council shall submit any enacted ordinance, resolution other official action of the Tribal Council, except those regarding land or housing, to popular referendum upon petition of at least three-fourths (75%) of the eligible voters of the Tribe or upon request of at least three-fourths (75%) of the members of the Tribal Council. The referendum election shall be held within sixty (60) days after the receipt of the qualifying number of petition signatures or the Tribal Council request. The ordinance, resolution or other official action shall be rescinded upon an affirmative vote of three-fourths (75%) of the qualified voters,

provided that a least fifty (50%) of eligible voters participate in the vote.

Section 3. Procedure:

Initiative and referendum elections shall be conducted by the Tribal Council.

ARTICLE XII- ORDINANCES AND RESOLUTIONS

Section 1. In General:

The Tribal Council, except as otherwise herein provided by this Constitution, shall act by ordinance, resolution or motion.

Section 2. Ordinances:

All final decisions on matters of permanent interest shall be embodied in ordinances. Such enactments shall be available for inspection by members of the Tribe during normal business hours. No ordinance, or section or subsection of an ordinance, shall be amended, superseded or repealed, except by ordinance regularly adopted, provided that repeal may be by reference to the title of the ordinance or any part thereof. An ordinance, as finally enacted, shall be certified by the signatures of the Tribal Council members present at said meeting when the ordinance is adopted. A true copy of every certified ordinance shall be numbered and recorded in the official records of the Tribe.

Section 3. Resolutions:

All final decisions on matters of temporary interest where a formal expression is needed shall be embodied in a resolution, noted in the minutes, which shall be available for inspection by members of the Tribe during normal business hours. Action by resolution shall be the form of action in which the purpose or policy underlying the action taken is expressly set forth in an accompanying statement of purpose or policy.

Section 4. Motions:

Action by motion shall be the form of action in which only the action taken is expressly set forth, without an accompanying statement of purpose or policy.

Section 5. Procedure:

The ordinance, resolution or motion ("action") shall be introduced at either an annual, regular or special meetings of the Tribal Council. It shall be read in full, and copies shall be made available to all members of the Tribal Council at or before the meeting at which the action is introduced. After the first reading of the action, the action shall be approved with or without amendment, rejected, or tabled by vote of the Tribal Council. If the action is tabled, it may be considered at subsequent meetings of the Tribal Council; if the action is approved with or without amendment or rejected by vote of the Tribal Council. Every ordinance, resolution or motion shall be adopted by the affirmative vote of a majority of the Tribal Council members present at the meeting, except as otherwise provided herein the Constitution.

ARTICLE XIII- SOVEREIGN IMMUNITY

The Tribe shall be immune from suit, except to the extent that the Tribal Council expressly waives the Tribe's sovereign immunity, or as provided herein this Constitution.

ARTICLE XIV- COMMITMENT TO ECONOMIC DEVELOPMENT

The Tribe is dedicated to a plan of economic and social development for all current and future Tribal Members.

ARTICLE XV- GOVERNING LAW

Upon adoption, this Constitution shall be operative governing document of the Amah Mutsun Tribal Band of the Mission San Juan Bautista. It may be supplemented with ordinances, resolutions and motions superseded by this Constitution.

ARTICLE XVI- ADOPTION OF CONSTITUTION

Pursuant to the authority provided in the Act of June 18, 1934 (i.e. the Indian Reorganization Act), 25 U.S.C.s 476, and will amendments thereto, this Constitution, when adopted by a two-thirds (66.6%) vote of the Tribal Council and two-thirds (66.6%) vote of eligible voters of the Tribe, shall be effective from the date of such approval.

ARTICLE XVII- AMENDMENTS

This Constitution may only be amended by three-fourths (75%) vote of the Tribal Council and three-fourths (75%) vote of all eligible voters of the Amah Mutsun Tribal Band, at an election called for that purpose.

DocuSigned by:	
Signature: <u>Irenne Zwierlein</u>	Tribal Chairperson, Irenne Zwierlein
Signed by: 812B000724EF54C5...	
Signature: <u>Jeffrey Butron</u>	Vice Chairperson, Jeffrey Butron
Signed by: 75491FAB415E44B...	
Signature: <u>Shelby Brown</u>	Secretary, Shelby Brown
DocuSigned by: 01C7E549E92C455...	
Signature: <u>Arlene Burton</u>	Treasurer, Arlene Burton
Signed by: 1DCB4DC2681042E...	
Signature: <u>Christopher Quintana</u>	Sergeant At Arms, Christopher Quintana
DocuSigned by: 9A7D70070B634C9...	
Signature: <u>Christopher Zimmer</u>	Tribal Administrator, Christopher Zimmer
Signed by: 4590D8481B6643C...	
Signature: <u>Marlene Juarez</u>	Council Member, Marlene Juarez
Signed by: A9F8747DDF5744B...	
Signature: <u>Chad Breslin</u>	Council Member, Chad Breslin
Signed by: 7E723ACE515455 by:	
Signature: <u>Katie Gilroy</u>	Council Member, Katie Gilroy
Signed by: 5DB6C823C0C843F...	