

KETCHIKAN INDIAN CORPORATION d/b/a KETCHIKAN INDIAN COMMUNITY

ORDINANCE 11:RECALL PROCEDURES

SECTION 1:RECALL OF A TRIBAL COUNCIL MEMBER

The members of KIC shall have the right to recall a Tribal Council Member, including the President, for any of the following reasons: Misappropriation of funds, gross neglect of duty, abusing the powers of office, conviction in a state, federal or Tribal court of a felony or crime against an individual.

SECTION 2:VALID PETITION

02.01 A valid petition signed by KIC members in a number equal to or greater than fifty percent (50%) of the number of KIC members who voted in the most recent Annual Election, may be presented to the Tribal Council, seeking a recall election for a member of the KIC Tribal Council.

02.01.1 The Council shall be authorized to adopt additional rules and regulations governing the form of the recall petition and the conduct of the recall election. At a minimum, such petitions shall conform to the following requirements.

1. Petitions shall be issued by the Tribal Operations Officer.
2. Each page of a petition shall be sequentially numbered.
3. A petition may be circulated only by a tribal member who voted in the most recent Annual Election. KIC employees may sign a petition but shall not circulate a petition nor seek signatures on behalf of another tribal member who is circulating a petition.
4. No petition circulator or other person may offer any item of value, employment, promotion or political consideration to a person to induce such person to sign a petition.
5. Each page of the petition shall contain a verified statement that attests that the petition circulator is a member of KIC and that no item of value has been offered to any person to sign a petition.
6. Each page of the petition shall contain the reasons for the recall.

02.01.2 Any petition that does not conform to the requirements stated above, shall not be a valid petition.

02.01.3 The Tribal Operations Officer shall verify that the signatures on the petition are signatures of adult members of KIC.

02.01.4 The Tribal Council shall determine that a recall petition is or is not a valid recall petition within 15 calendar days of receiving the petition.

SECTION 2: NOTICE

The Tribal Council shall provide written notice to the target of the recall petition that a valid recall petition has been filed against him. The Tribal Council member shall be afforded a hearing before the general membership prior to the Recall Election.

SECTION 3: CONFLICT OF INTEREST

The Tribal Council member who is the target of the Recall Petition shall abstain from all matters involving the Recall Petition and the Recall Election.

SECTION 4: RECALL ELECTION

The Tribal Council shall cause to be conducted a Recall Election no sooner than thirty (30) days and no more than sixty (60) days of the determination by the Tribal Council that valid Council and that a valid Recall Petition has been filed under procedures similar to those followed in Annual Tribal Council Elections and in which the question put to the voters is simply "Yes" or "No" to "Immediately recall from office (Name) , Tribal Council Member, and in which **if** the majority of those voting shall say "No", the Tribal Council Member shall serve his or her remaining term without being subject to further recall elections for the same incident or reason. If the majority of those voting shall say "Yes", the Tribal Council shall declare the member's seat immediately vacant and the Tribal Council shall appoint a successor to serve until the next Annual Election in which the Tribal membership shall be permitted to elect a successor Tribal Council member for the remaining term of that seat, **if** any.

REQUEST FOR A RECALL PETITION

_____ an enrolled Ketchikan Indian Community Tribal Member, having voted in the Annual Election of January, 200 , hereby swear or affirm that under provisions of **Ordinance 11: Recall Procedures**, I am seeking Recall of _____ (Printed name of Tribal Council Member) for the ground(s) stated in the charge(s) detailed below:

Misappropriation of Funds - You must provide a detailed description here of the grounds for this charge in 200 words or less, which detailed grounds will be reprinted verbatim on the recall petition pages to be issued for circulation:

Gross Neglect of Duty - You must provide a detailed description here of the grounds for this charge in 200 words or less, which detailed grounds will be reprinted verbatim on the recall petition pages to be issued for circulation:

Abusing the Powers of Office - You must provide a detailed description here of the grounds for this charge in 200 words or less, which detailed grounds will be reprinted verbatim on the recall petition pages to be issued for circulation:

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Conviction in a State, Federal or Tribal Court of a Felony or Crime Against an Individual - Y6u must provide a detailed description here of the grounds for this charge in 200 words or less, which detailed grounds will be reprinted verbatim on the recall petition pages to be issued for circulation:

In signing these documents, I additionally swear or affirm that (a) I am not employed by KIC in any capacity, (b) I am not a party to any Contract with KIC that may be found a conflict of interest, and (c) I have read, understand and will adhere to **Ordinance 11: Recall Procedures** as provided to me with this request.

Signature

Date

After you have properly filled, executed and filed this Request for Petition with the Tribal Operations Office, it will be presented for review and approval to the next regular monthly meeting of the Tribal Council occurring more than ten (10) business days after the date you have filed this Request for Petition with the Tribal Operations Office. Within two (2) business days of that regular monthly meeting, you will be notified of the Tribal Council's decision and, **if** your request is approved, the Tribal Operations Office will issue you sequentially numbered Petitions and instructions.

SAMPLE RECALL PETITION

I, the undersigned, being a qualified voter of the Ketchikan Indian Community, request the name of (To Be Filled In By
KJC Staff be placed on a Recall Ballot for the reasons stated below. In signing this petition, I state that (a) I
have read and understand the specific charges detailed below, (b) I have not been offered any item of value, employment, promotion or political
consideration to induce me to sign this petition, (c) the person circulating this petition or otherwise seeking my signature on this petition is not an
employee of KIC, and (d) I have not been coerced, intimidated, nor threatened in any way in connection with my providing my signature on this petition.

(THIS SECTION WILL BE FILLED OUT BY KIC FROM

INFORMATION PROVIDED BY ORIGINAL PETITIONER)

PRINT NAME

SIGNATURE

RESIDENTIAL ADDRESS

This Petition is being circulated by: _____

KIC's Corporate Seal must appear in relief, in the box at the right, to be a valid Petition Page.

Petitions may not be altered, faxed, or copied. When the Petition has been turned into Tribal Operations
for verification of signatures, all names must be in original ink and cannot be added or deleted, or in any
way changed.

