



Saint Regis Mohawk Tribe

Chief James W. Ransom
Chief Margaret Terrance
Chief Barbara Lazore
Sub-Chief Andrew Jacobs
Sub-Chief Rita Swamp
Sub-Chief Emily Lauzon

Tribal Council Resolution Resolution 2003- 115 Tribal Clerk Act

WHEREAS, the Saint Regis Mohawk Tribal Council is the duly recognized governing body of the Saint Regis Mohawk Tribe and is responsible for the health, safety, education and welfare of all community members; and,

WHEREAS, the Saint Regis Mohawk Tribe is vested with the authority and responsibility for the health, safety, education, and welfare of the residents of the Akwesasne Mohawk Indian Territory; and,

WHEREAS, the Saint Regis Mohawk Tribal Council is enacting the Tribal Clerk Act for the purpose of designating tribal requirements for the office and functions of the Tribal Clerk on behalf of the Saint Regis Mohawk Tribe; and,

WHEREAS, there will be no words or phrases that require statutory definition as part of the Act; and,

WHEREAS, the Tribal Clerk Act shall read as follows:

There is hereby created an elected office of the Tribal Clerk. The Tribal Clerk shall be elected on a non-partisan basis for a three (3) year term. The role of the Tribal Clerk holds no decision-making or policy development powers and serves only in the capacity as the official recorder for the Saint Regis Mohawk Tribe. The Tribal Clerk shall perform the following duties:

1. Administer and oversee the Tribal Election Procedures Act as written for in the Tribal Election Procedures Act.
2. Administer and oversee the Tribal Membership Code as written in the Tribal Membership Code.
3. Certify official acts of the Tribal Council as may be reflected in Ordinances, Tribal Council Resolutions, minutes or other official acts of the Tribal Council in accordance with ordinances and procedures adopted by the Tribal Council without prejudice.
4. Certify officials records of the Saint Regis Mohawk Tribe when requested by other Tribal officials or the public without prejudice.
5. Record and transcribe minutes of the monthly Tribal Meetings and Executive Sessions as requested by Tribal Council.
6. Administer the Public Access Act.
7. Make record of Wills, leases, and property conveyances in accordance with Tribal Ordinances without prejudice.
8. Receipt of any monies authorized pursuant to a Tribal Treaty, or the New York State Indian Law.

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9. Supervise the Deputy Clerk.

Non-Partisan Office

The Tribal Clerk is hereby declared a non-partisan Officer of the Saint Regis Mohawk Tribe. The Tribal Clerk shall run for office on a non-partisan basis. The Tribal Clerk may not participate in a partisan tribal political campaign while elected to office as Tribal Clerk. The Tribal Clerk may run for the Tribal Chief but must give a six months notice of intent to run for another office to the Tribal Council. If formally nominated for another Tribal Office at a caucus meeting, the Tribal Clerk shall temporarily relinquish his or her duties off office to a Deputy Clerk who shall become the acting Tribal Clerk until after the election.

Deputy Clerk

Subject to the availability of funding and approval of the Tribal Council, the Tribal Clerk may appoint one or more Deputy Clerks to assist the Tribal Clerk.

Absence of the Clerk

Should the elected Tribal Clerk be absent from the Tribe because of official business, illness, injury, personal emergency or vacation, a Deputy Clerk shall be designated to assume the duties and responsibilities of the Tribal Clerk. The Tribal Clerk shall not be absent from the Saint Regis Mohawk reservation or office during the Tribal Caucus, annual elections, and referendum votes unless there is a bona-fide personal emergency due to illness, or incapacity to perform the duties of the Office of the Tribal Clerk.

Provisions as Cumulative

The provision of this Act shall be cumulative to existing law.

Repeal Provisions and Conforming Amendments

The provisions of this Act supersede any provisions of the New York State Indian Laws to the extent of their inconsistency with any provisions of this Saint Regis Mohawk Tribal Clerk Act of 2003.

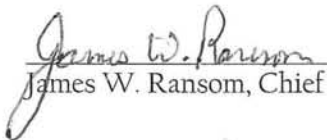
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Nothing in this Act shall be construed as impairing, amending, or repealing any treaty or trust obligation between the Saint Regis Mohawk Tribe, State of New York, or the Federal Government.

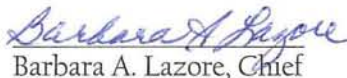
Severability

This provisions of this Act are severable and if any court of competent jurisdiction shall hold any part or provisions void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

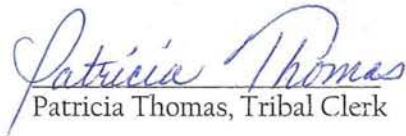
THE SAINT REGIS MOHAWK TRIBAL COUNCIL


James W. Ransom, Chief


Margaret Terrance, Chief


Barbara A. Lazore, Chief

CERTIFICATION: *This is to certify that the above resolution was duly passed by the Saint Regis Mohawk Tribal Council pursuant to the authority vested therein*


Patricia Thomas, Tribal Clerk

9/16/03
Date