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Minutes of the Meeting of
THE GILA RIVER RELOCATION CENTER COMMISSION

Date: October 7th, 1942
Time: 7:30 p.m.
Place: Room #10, Administration Building
Butte Community

Members present were:

Mr. Joseph I. Omachi
Mr. Ken Utsunomiya
Mr. Frank Sakamoto
Mr. Nisuke Mitsumori
Mr. Kiyoshi Nobusada
Mr. Teizo Yohanda
Mr. Shotaro Hikida
Mr. Howard K. Hatayama
Mr. Yotaro Okuno
Mr. Frank Sasaki

Advisors present were:

Mr. M. J. Gaba
Dr. S. T. Kimball

Mr. Harry Miyake, due to illness, was unable to attend.

Meeting was called to order by Chairman J. I. Omachi.

As announced at the previous meeting, this meeting was called for the purpose of appointing members to work on the following five important committees:

1. Preamble
2. Community Council
3. Block Council
4. Arbitration
5. Judicial

It was suggested by the Chairman that the members call upon the services of other capable and qualified residents to assist them on their respective committees.

A suggestion was made by Mr. Omachi that the services of Mr. Hiraoka and Mr. Iwanaga, attorneys, be requested in the drafting of the Constitution.

The following residents of the Community were also recommended as being of valuable assistance on the various committees:

Taki Asakura
Mr. Ken Kitasako
Mr. Ernest Iwasaki
Mr. James Nakamura

Mr. Henry Kuwabara
Mr. Ken Tashiro
Mr. Furuta

A general discussion followed as to the advisability of, and the necessity of continuing with the Block Council as a

permanent advisory body, in which event recognition should be made in the Constitution. It was unanimously agreed that there is a definite need for the Block Council.

The functions and duties of the various commissions were outlined as follows by the group present:

The Preamble was generally discussed as the section which should contain a statement of the objectives of the Community.

The Commission on Community Council was considered to be of utmost importance. The major discussion on the Community Council centered around its size. Two points were presented. One point of view was that the Council should be a small group elected at large on a basis of population. The advantages of such a small Council would be that it would provide a compact group to work directly with the Project Director in meeting problems of general concern to the Project. One member added that he had given considerable thought to the question and believed that a Council based on an election of one member from each block would be desirable because the block residents would know the person who is best suited in their block to represent them and this would prevent a smaller group from securing the election of an individual who might be well known in the Community and yet not be qualified.

It was then pointed out that although election by block might secure representatives well known to the people who elected them, the disadvantages were that in a large Council, certain groups might have a tendency to shirk responsibilities and that if an executive group from the larger group were selected, the executive group would refuse to take action or assume responsibility without referring important matters to the larger Council. It was also pointed out that it was necessary to develop a total community leadership of persons who were able to grasp and act upon problems that concerned everyone. Persons who represented blocks would tend to think and act in terms of block welfare rather than community welfare.

Arbitration: The Arizona statutes on Arbitration provides that parties in dispute each select one arbitrator who must have the qualifications of a juror. Under the Arizona law, he must be a male citizen, resident in the County for six months. This qualification clause would possibly bar evacuees from meeting the requirements of a juror because of their status as legal residents of the State of California although actually living in Arizona. It would also, for the present, bar persons acting as arbitrators unless there were persons evacuated from some portions of Arizona who could meet the qualifications.

The alternative to the use of statutory provisions in arbitration is the use of common law. Under the common law, it was thought possible to use any person as an arbitrator without regard to citizenship or resident requirements. The disadvantage to using the common law procedure is that if one party refuses to accept the award of the Arbitration Commission, then the entire action must be taken to the Courts for settlement. In such an instance, the Courts would probably confirm the award but there would be Court costs which would have to be paid. There were several other questions regarding the laws of arbitration and it was agreed that Mr. Omachi prepare a list of questions to be

submitted to the Regional Attorney for clarification.

Judicial Commission: Mr. Omachi summarized points to be considered in the work of the Judicial Commission. He stated that some of the cases which would appear before this Commission would be of greater seriousness than others. He raised the question of violations of "high misdemeanor cases", with the right of a defendant to have the opportunity to request a jury trial. The question of public prosecutor and defender was also raised. The matter of appeal was also discussed with the possibility of a rehearing in case the defendant was dissatisfied with the decision of the Court or submission of appeal to the Regional Director. The latter would necessitate the preparation of briefs containing the testimony and decision of the Judicial Commission.

Block Council: The Commission on Block Council was asked, among other points, to consider the following:

1. Number in the Block Council
2. Method of selecting members
3. Term of office
4. Number of officers, if any

The following committeemen were then selected for the Commissions:

Community Council:	Mr. Okuno Mr. Mitsumori Mr. Hikida Mr. Hatayama
Block Council:	Mr. Nobusada Mr. Yohanda Mr. Sakamoto
Arbitration:	Mr. Sasaki
Judicial:	Mr. Utsunomiya Mr. Omachi
Preamble:	none

The members of the various Commissions were requested to appoint their assistants and to meet during the week, so that concrete plans may be submitted at the next meeting to be held on Wednesday, October 14th, 1942 at 7:00 p.m. in Room 10 of the Administration Bldg., Butte Community.

There being no further business, the meeting was adjourned at 10:50 p.m.

Respectfully submitted:

Sachi Omachi

Omachi

MINUTES OF
CONSTITUTION COMMISSION MEETING

October 22, 1942
2:00 P.M.
42-3-D

Members Present: Chairman Omachi, Y. Okuno, F. Sakamoto, S. Hikida, K. Iwanaga, H. Kuwabara, H. Hatayama, Y. Hiraoka, N. Mitsumori, W. Furuta, I. Otani, K. Utsunomiya,

Members Absent: H. Miyake, E. Iwasaki, K. Nobusada, T. Yahanda.

Administration Present: Mr. Hoffman, Mr. Gaba.

Meeting called to order by Chairman Omachi. Minutes of the last meeting read and approved.

The Commission discussed the matter of having an Advisory Board or Representative Board composed of one person from each block. It was decided that such a body was necessary to keep a closer contact between the Block Councils and the Community Council. The matter was referred to the Committee on Block Councils to select a proper name, draft an article on the organization, duties and functions of such a body.

The proper phraseology of the constitution was next discussed. The Commission decided that one attorney be appointed to each of the three committees to assist in the phraseology. After the tentative drafts are submitted by the three committees, then a special phraseology committee would be appointed to consolidate the component parts into the final constitution.

Attorney Hiraoka was appointed to assist the Community Council Committee, Attorney Iwanaga to the Block Council Committee and Attorney Omachi to the Judicial Committee.

Howard Hatayama next presented the report of the Community Council Committee. The Commission received and discussed the report. The following conclusions were agreed upon:

1. The number of Community Council members shall be 8 for Canal and 12 for Butte.
2. The candidates for Community Councilman shall be nominated by the Representative Board. Additional candidates may be nominated by a petition signed by at least 50 qualified voters provided not more than 20 of such voters are residents of any one block.
3. The Representative Board shall nominate at least twice the number of candidates as the number of councilmen to be elected.
4. A councilman's term of office shall be six months.

5. Eligibility for Councilman: 21 years of age or older; citizen of U.S.A. ; resident evacuee of the community in which he is to serve.
6. The office of any councilman shall be declared vacant after four consecutive absences unless excused by the chairman; or when a councilman moves his residence outside of the community, his office shall be declared vacant at the discretion of the chairman.
7. A councilman may be removed from office by a three fourths majority of the Council membership or a special recall election may be called upon presentation of a petition signed by at least 10% of the voters voting at the last previous general election.
8. When a vacancy occurs in the office of a councilman, the council shall appoint the person who had the next highest number of votes at the last previous general election to fill the vacancy for the unexpired term.
9. The officers of the Council shall be a chairman, vice-chairman, secretary and treasurer.
10. The officers shall be elected by the Council from among its own membership.
11. When a vacancy occurs in the office of chairman, the vice-chairman shall assume the office of chairman and a new vice-chairman elected. Vacancies in other Council offices shall be filled immediately by election.
12. Regular meetings of the Council shall be held at the Town Hall at such times as the Council shall determine. Special meetings of the Council shall be called by the chairman whenever deemed necessary or at the request of one third of the Council members.
13. Three fourths of the Council membership shall constitute a quorum for the purpose of transacting business.
14. Three fourths majority of the members present shall be necessary to enact regulations. Regulations shall become effective seven days after enactment. Adequate publicity shall be given to all regulations passed. A record of roll call votes shall be taken on passage of any regulations.
15. Two thirds majority of the Council membership shall be necessary to propose an amendment to the constitution.

Meeting adjourned at 5:00 P.M. to re-convene the following day, October 23, 1942 at 1:30 P.M. at 42-3-D.

Respectfully submitted,

Ken Utsunomiya, Ex. Sec.

Omachi

MINUTES OF
CONSTITUTION COMMISSION MEETING

October 23, 1942
1:45 P.M.
42 - 3 - D

Members Present:

J. Omachi, T. Yokanda, K. Iwanaga, Y. Okuno, F. Sakamoto,
W. Furuta, Y. Hiraoka, H. Hatayama, H. Kuwabara,
H. Mitsumori, I. Otani, H. Miyake, K. Utsunomiya

Members Absent:

S. Hikida, K. Nobusada, E. Iwasaki

Administration Present:

Mr. Goba

The meeting was called to order by Chairman Omachi and reading of minutes was dispensed.

The Commission continued with the review and discussion of the report submitted by the Community Council Committee. The following conclusions were agreed upon;

1. The amendment to the Constitution may be initiated upon the presentation of a petition signed by 1/4 of the qualified voters in the community.

2. An amendment in order to be ratified must be approved by the majority of the qualified voters voting at a special or general election.

3. An initiative measure may be originated upon presentation of a petition signed by at least 10% of the qualified voters voting at the last previous general election. Not more than 1/3 of such petitioners shall be a resident of any one block.

4. A measure may be placed on referendum upon 3/4 majority of the councilmen present.

5. The Project Director may make void any regulations that he deems beyond the limitations of the powers delegated to the Council.

6. Council shall have no power to tax the people.

7. All regulations passed by the Council shall be duly signed by the chairman and secretary.

8. It was agreed that an office of Community Clerk for the purpose of taking charge of all records should be created. Such

clerk to be appointed by the Council. The matter was referred to the committee on Community Council for further details.

Next the report of the Block Council Committee was presented by Henry Kuwabara. The Commission discussed the report in detail and the following conclusions were agreed upon:

1. Duties and functions were referred back to committee for further consideration.
2. Term of office set at 6 months.
3. The chairman of the Block Council shall automatically become a member of the Representative Board.
4. Officers shall be chairman, vice-chairman and secretary and such other officers as the individual Block Council shall deem necessary.
5. The election of the permanent Block Council members shall be held within 10 days following the general election.
6. Qualifications of a Block Councilman shall be: 21 years of age, resident evacuee of the community.
7. Election of Block Councilmen shall be by ballot and a record of such election shall be kept by the Block Council secretary.
8. When a vacancy occurs in the Block Council, the barrack in which such vacancy occurs shall elect another councilman within a period of one week.
9. When a Block Councilman is absent for three consecutive meetings without legitimate reason, his office shall be declared vacant.
10. The committee was instructed to complete further details on the Block Councils.

Next the report of the Committee on the Judicial Commission was read by Ken Utsunomiya. The report was discussed in detail by the Constitution Commission and the following conclusions were agreed upon:

1. The Judicial Commission shall be composed by three members.
2. Commissioners shall be elected by the people at a general or special election.
3. At least six candidates for the Judicial Commission shall be nominated by the Representative Board. Further nominations may be made by petition signed by at least 50 qualified voters. Not more than 20 of such petitioners shall be residents of any one block.

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4. Qualifications: 25 years of age or older, Resident evacuee of the community, must be able to speak and understand the English language.

5. The Judicial Commissions of the two communities shall sit on alternate days so that in event of a disqualification or absence of a commissioner a substitute may be called from the other commission.

6. An election for the recall of a Judicial Commissioner may be initiated upon the presentation of a petition signed by at least 15% of the qualified voters voting at the last previous general election.

7. A Judicial Commissioner may be removed from office by the Project Director for causes.

TRIAL BY JURY

1. The Project Director or anyone other than an evacuee resident that he may appoint shall preside over jury trials.

2. The jury shall consist of 9 members.

3. 6 out of 9 votes shall be necessary to reach a verdict.

4. The Judicial Commission shall appoint a committee or board whose duty it shall be to prepare a list of eligible jurors for each six months period.

5. Qualifications of a juror: 21 years of age or older; evacuee resident of the community in which he is to serve.

6. Cases remanded by the Project Director or cases of high misdemeanors as defined by the Community Council shall have the right to a jury trial.

7. The person presiding over a jury trial shall select the jury, pass upon questions of law, admissibility of evidence, procedure and shall question the witnesses. The jury shall render the verdict.

As the reports of the three committees were fully discussed and conclusions agreed upon, Chairman Omachi instructed each committee with the aid of the attorney to draw up a tentative draft to be submitted at the next Commission meeting on November 2, 1942 at 1:30 P.M. at 42 - 3 - D.

Meeting adjourned at 4:50 P.M.

Respectfully submitted,

Ken Utsunomiya

Omachi

MINUTES OF
CONSTITUTION COMMISSION MEETING

Nov. 2, 1942
42-3-D

Members present: Chairman Omachi, H. Miyake, K. Iwanaga, Y. Hiraoka
K. Nobusada, Y. Okuno, S. Hikida, N. Mitsumori,
H. Hatayama, T. Yahanda, K. Utsunomiya

Members absent: E. Iwasaki, F. Sakamoto, H. Kuwabara, Izuto Otani,
and Dr. W. Furuta.

Administration Present: None

Meeting called to order at 2:00 P.M. by Chairman Omachi and minutes of previous meeting read. Chairman Omachi suggested that the conclusions and important points of the meeting be summarized and submitted to Mr. Hoffman's office.

Chairman Omachi stated that he would like to have the final draft of the Constitution completed within a week if possible in order that it may be submitted to the Temporary Community Councils of both communities for further recommendations.

Howard Hatayama and Y. Hiraoka presented the tentative draft of the Community Council to the Commission. The Commission received the draft and made the following minor changes, deletions, and additions:

1. The fifth day following the general election was set as the day for the induction of Community Councilmen.
2. The office of Sergeant-at Arms was eliminated entirely.
3. The Treasurer in lieu of a cash bond should have three surety guarantors.
4. The wording "regularly scheduled meetings" was changed to "schedule of meetings".
5. The term "Project Newspaper" was changed to read "Community Newspaper".
6. Regular meeting place of the Community Council was designated as the Town Hall.
7. The Section on Special Meetings was deleted to read as follows: "Special meetings may be called by the Chairman whenever an occasion deems such to be necessary, or at the written request of one-third of the council members".
8. The section on Public Hearings was eliminated entirely.
9. The Section on Adjourned Meetings was eliminated entirely.

10. Wherever the term "holiday" is used was changed to read "national holidays".
11. Regulations to become effective on the eleventh day instead of the seventh day.
12. Regulations shall be published in the Community Newspaper or posted on official bulletin boards of each block in the absence of a newspaper. Such notices to be made public at least three days prior to effective date of the regulation.
13. The council shall regulate the solicitation of funds.
14. Chairman of the council shall be permitted to introduce a motion and participate in the discussions but shall not second any motion.
15. Duties of Vice-Chairman was changed to read: "The vice-chairman shall act as chairman in the absence of the chairman; and when a vacancy occurs in the office of chairman, the vice-chairman shall assume the office of chairman and a new vice-chairman shall be elected by the council."
16. ~~xxx~~ A section should be provided for a Community Clerk to be appointed by the council designating his duties and term of appointment.
17. Disbursements of council funds shall be made only upon the approval of the council. The chairman and treasurer to sign the checks. A financial statement of the treasury shall be made available each month by the treasurer. The council shall be empowered to determine the time and place where council funds ~~xx~~ shall be deposited.

Meeting adjourned at 4:50 P.M. to reconvene the next day,
November 3, 1942 at 42-3-D to continue with unfinished business.

Respectfully submitted,

Ken Utsunomiya, Ex. Sec.

PROPOSED COMMUNITY COUNCIL
PHRASEOLOGY COMMITTEE

I.

Community Council of Canal (Butte) Camp
of Gila River Relocation Center
Powers and Duties.

SECTION 1. LEGISLATIVE POWERS: ✓

The legislative powers of the Canal (Butte) Community shall be vested in the Community Council and in the people through the initiative and referendum.

SECTION 2. NUMBER OF COUNCILMEN:

The Community Council of the Canal (Butte) Camp shall be composed of eight qualified members, (12) members elected at large.

SECTION 3. ORGANIZATION MEETING: ✓

The Community Council shall convene on the (5th) next succeeding the date of the holding of any General Community election. ~~of the Council~~ At said meeting there shall be selected from one of its own member a person to act as temporary chairman for the sole purpose of choosing the following officers of the Council:

1. Chairman
2. Vice-chairman
3. Secretary
4. Treasurer
- (5. ~~Sergeant-at-arms~~)

The above named officers shall be chosen from the elected members of the Community Council and shall serve at the

pleasure of the Community Council.

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SECTION 4 REGULA MEETINGS:

The Community Council shall hold ^{regular} regularly scheduled meetings at such times as it ^{may} ~~shall~~ determine for the proper conduct of its business, ^{of reg meetings} The schedule ~~to be~~ drawn at the first regular council meeting. The council may adjourn any regular meeting to a date certain which shall be specified in the order of adjournment, and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes. ~~Any adjourned meeting may likewise be adjourned.~~

The schedule for the regular meetings shall be published in the ^{community} ~~Project~~ newspaper at least once, ^{or} ~~and a~~ further notice of said schedule shall be posted ^{Town Hall} ~~at the regular meeting place of the Council.~~

SECTION 5. SPECIAL MEETINGS:

Special meetings may be called by the Chairman whenever an occasion deems such to be necessary, or at the written request of one-third of the council members. (the notice of such request to be delivered to each member of the Council at least one day prior to the time requested for the proposed meeting; provided, however, that any special meeting of the Council shall constitute a validly called special meeting, without the giving of the above provided written request, if all members of the Council shall give their consent and such consent is on file at the office of the Secretary. At any special meeting the powers of the Council shall be limited

to the matters referred to in such written requests or consent.

SECTION 6. PUBLIC HEARINGS:

All regular and special meetings shall be open to the public, with the limited right of the public to participate in the discussion and such right shall be a matter within the discretion of the Council; provided, however, that the Council by a majority vote of its members present may exclude the public, the reason for such exclusion to be recorded in the minutes.

SECTION 7. PLACE OF MEETINGS:

All regular and special meetings of the Council shall *at the Town Hall* be held ~~within~~ the community limits of the Project, at such place as may be designated for such purposes.

SECTION 8. ADJOURNMENT:

Any and all adjourned meetings must be held on the day specified in the order of adjournment.

SECTION 9. QUORUM:

At any meeting of the council, the presence of three-fourths of the duly elected members shall constitute a quorum for the purpose of transacting business. The quorum shall be determined as of the beginning of the meeting.

SECTION 10. ENACTMENT OF REGULATIONS:

When it shall be the business of the council to enact or pass upon any and all rules, regulations and ordinances, a three-fourths vote of the total council membership shall be required for enactment, and such enactment shall become effective on the 11th day, (Sundays) and holidays excepted) after its passage by the council.

The enacting clause of all legislation shall be substantially as follows:

"The Community Council of _____ Community does ordain as follows:" ~~(It shall be required that~~ ^{shall} every enactment ~~must~~ be signed by the Chairman and ~~attested to by the~~ Secretary.

SECTION 11. PROCEEDINGS:

The Council shall establish its own rules for the conduct of its proceedings, and shall cause the secretary of the Council to keep a correct record of all its proceedings, and ~~at the desire of any member,~~ ^{the} Secretary shall call the roll and shall cause the ayes and noes, ^{to be} taken on any question to be entered in the record journal.

SECTION 12. PUBLICATION OF REGULATIONS:

The Secretary of the Council shall cause each regulation and enactment to be published in a newspaper of general circulation published within the Project at least once, ~~and~~ shall post such regulations and enactment ~~at the regular meeting place of the Council.~~ All publications and posting of notices

required under the Constitution shall be published ^{or} ~~and~~ posted
at least days after passage of regulations or enactments.

II.

Functions of the Community Council.

SECTION 1. ~~POWERS:~~ *Ordinances*

The Community Council shall be ~~vested with the power~~ ^{have} to prescribe regulations and to provide penalties for their violation on all matters. Any and all ordinances of the Community which have been enacted and published in the manner required at the time of their adoption, and which have not been repeated, may be compiled, consolidated, revised, indexed and arranged as a comprehensive code. ~~And the Council shall further be empowered to~~ codify its enacted rules and regulations concerning safety, fire prevention, sanitation, health and other matters essential to the welfare of the Community.

No provision ^{of} ~~in~~ the Constitution shall be construed to be a grant of power to the Council to regulate ~~on~~ penalize felonies as defined by the Statutes of Arizona. The power granted to the Council shall embrace all matters affecting ~~and concerning~~ the internal peace and order of the community and the welfare of its residents; provided, that no regulation or enactment ~~passed~~ by the Council shall contravene or conflict with any Federal law, military proclamation, Statutes of Arizona or any order issued by the appropriate officer of the War

Relocation Authority.

The Council may provide for the confinement of any person violating its regulation, suspension of privileges, and other suitable punishment, but it shall not provide for the imposition of a fine. In lieu of a fine, the Council may provide for the suspension of the defendant from work privileges, pay privileges, or any other privileges to which he would otherwise be entitled.

SECTION 2. RESOLUTIONS:

The Council shall be ~~vested with the~~ ^{have} power to present ^{of the project} to the Project Director or to any appropriate officer, ~~resolutions~~ ^{on} all matters affecting the welfare of the Community ^{and of its residents}.

SECTION 3. COMMUNITY FUNDS AND PROPERTY:

The Council ~~may~~ receive funds and property for community purposes, and ~~shall~~ ^{may} administer such funds and property ~~to the best interests of the community.~~ ^{for the benefit of the community.}

SECTION 4. LICENSES:

The Council shall be ~~vested with the~~ ^{have} power to license and require reasonable license fees from evacuee-operated enterprises. The license fees from all sources shall not exceed \$1000 for any calendar year, nor shall any license fee be effective until approved by the Project Director.

Any and all funds availed of under the provision shall be spent only for purposes which will promote the general welfare of the residents on the basis of the appropriations

made by the Council and on written recommendations against such appropriations issued by the Chairman and ~~attested to~~ ^{signed} by the Secretary. The Council shall not have the authority to regulate the management, operation or conduct of business enterprises within the Community.

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SECTION 6. DELEGATED POWER FROM WRA

The Council ~~shall~~ ^{may} exercise such other duties and functions as may be conferred upon it by the War Relocation Authority from time to time.

III.

Officers.

SECTION 1. DUTIES OF CHAIRMAN:

The Chairman shall preside at all meetings of the Council and shall have the power to present ~~(and second)~~ any motion and discuss any matter before the Council, notwithstanding the fact that he is the presiding officer. In no event shall the Chairman ~~exercise a power to vote~~ ^{shall have no vote} except in the case where his vote shall be necessary to break a tie.

The Chairman shall ~~be empowered to appoint~~ ^{have power} Council members to ~~Council~~ committees, but ~~must secure the approval of~~ ^{shall have} the Council before ~~any non-council members are appointed to~~ ^{for appointment of} boards, commissions ~~or~~ committees which the Council may establish. ^{any}

SECTION 2. DUTIES OF VICE CHAIRMAN:

~~The Council shall select one of its own members to act in the capacity of vice chairman whose duty it shall be to act as Chairman of the Council in the absence of the Chairman or when the regular chairman is unable to preside or when a vacancy of the chairman's office is established.~~

SECTION 3. SECRETARY:

It shall be the duty of the Secretary of the Council to keep a full and true record of all the proceedings of the Council in books that shall bear appropriate titles and be devoted exclusively to such purposes, respectively. Such books shall have a general index sufficiently comprehensive to enable any resident evacuee of the community to readily ascertain matters contained therein.

The Secretary shall cause all necessary publications to be made in a newspaper of general circulation published within the Project, or by posting at the regular meeting place of the Council.

The Secretary shall cause all and any financial statements of any and all business enterprises operated within the community and the receipt and disbursement of all community funds and property /in a newspaper of general circulation published within the project and by posting of said statements at the regular meeting place of the Council.

The Secretary shall keep a book marked "Ordinances" into which he shall record all community ordinances, giving the number of said ordinances and stating the same to

be a true and correct copy of the ordinances, and stating that the same has been published and posted according to the rules hereabove prescribed.

SECTION 4. TREASURER:

It shall be the duty of the treasurer of the Council to receive and safely keep all moneys which shall come into his hands as Community treasurer.

(DEPOSITS: Committee to determine)

The treasurer shall at regular intervals (once a month) submit to the secretary a financial statement, if there be any, a copy of which shall be filed with the Council, and a further copy shall be published in a newspaper of general circulation published within the Project ^{or} and a copy posted at the regular meeting place of the Council.

It shall be the duty of the treasurer to safeguard all community property and he shall dispose of said property according to the discretion of the Council.

IV.

Council Members.

SECTION I. QUALIFICATIONS:

The members of the Council shall be not less than 21 years of age, a citizen of the United States, and a resident of the community which he represents. (It shall be the duty of the Election Committee to provide other qualifications; provided the same shall not be in conflict with the rulings

and instructions of the War Relocation Authority.>

SECTION 11. TENURE: *Term of Office.*

solid day The members of the Council shall hold office for ~~six~~ months from and after the first succeeding Monday after the day of election and until their successors are elected, No provision in this Consitution shall be construed to prevent a Councilman from being re-nominated and re-elected. ✓

V.

Elections

SECTION I. FIRST GENERAL COMMUNITY ELECTION

Upon acceptance and approval of this Constitution, ~~the~~ *composed of chairmen of* Nominating Committee shall select a panel of prospective *Temporary Councilmen shall* qualified candidates to fill the positions of Councilmen of the community. *24* The Nominating Committee shall be composed of the Representative Board, which shall include all of the block chairmen. It shall be the duty of the Nominating Committee to meet ~~within 7 days~~ *within 7 days* after the acceptance and approval of this Constitution *by the War Relocation Authority to* *publish candidates a majority of the qualified electors* *within 2 weeks after approval* ~~present their candidates.~~

SECTION 2. PETITIONS: FIRST GENERAL ELECTION:

The qualified voters of the community shall have the right to submit their candidates to the office of Councilmen by a written petition ~~submitted to~~ *signed* by at least fifty

qualified voters, no more than twenty of whom shall reside in the same block.

Election Day - 2nd Tuesday after Publication -

SECTION 3. TEMPORARY COMMUNITY COUNCIL:

It shall be the duty of the Temporary Community Council to provide for, supervise and otherwise conduct the first general election in a fair, just and impartial manner and to provide ballots and do everything necessary for the conduct of a speedy election.

SECTION 4. REGULAR ELECTIONS. METHODS OF NOMINATION

a. Nominations by ~~Advisory Board~~.

Subsequent elections to the first general election, it shall be the duty of the (Advisory Board composed of Block Chairmen) to select candidates for the offices of Councilmen. (No nominating list of candidates prepared and submitted by the ~~Advisory Board~~ shall be composed of less than twice the number of Councilmen to be elected. (It shall be the duty of ~~the Board~~ *an Election Board*

appointed by the C. C. ~~Board~~ to provide for, supervise and otherwise conduct elections in a fair, just and impartial manner and to provide ballots and do everything necessary for the conduct of a speedy election.

b. Petitions.

The qualified voters of the community shall have the right to submit their candidates to the office of

Councilment by a written petition attested to by at least fifty qualified voters, no more than twenty of whom shall reside in the same block.

SECTION 5. ELECTIONS. TIME:

of Can. Council.
A general election ~~to determine who shall be selected~~
on 3rd Tues of Dec., 1942. 1st
~~as Councilman shall be held every six months.~~ *Tues of each six*

highest to be elected.
A special meeting ~~shall~~ be held at any time except *month thereafter*
where a general election is to be held within forty days from the special election date.

a. Ballots.

All elections conducted under this Constitution shall be by secret ballot.

SECTION 6. VACANCIES:

Any vacancy occurring in the Council shall be filled by appointment in the following manner: The Chairman of the Council, with approval of the members of the Council, shall appoint the candidate receiving the ninth highest vote ~~in the last general election, held in the Canal Community~~ (thirteenth highest vote at the Butte Community) to fill the vacancy ~~only~~ until the next regular ~~council~~ election, at which time a person shall be selected to serve ~~for the remainder of such unexpired term.~~ In the event that the candidate receiving the ninth highest ~~numbers of~~ *general* votes at the last election in the Canal Community (thirteenth

highest number of votes at the last election in the Butte Community) cannot fulfill the position, then the Chairman shall appoint the candidate receiving the tenth highest vote at the last Canal Community election (14th highest in Butte) and so on until one of the candidates is secured, to fill the vacancy by the above procedure. Then, and only then, the Council shall appoint some person with the necessary qualifications to fill the vacancy only until the ~~unexpired term~~ *unexpired term*, ~~next general or special election~~.

SECTION 7. VACANCY BY ABSENCE:

A vacancy in the office of the Council shall be ~~so~~ declared when and if a member of the Council shall be absent from the Council meetings for four consecutive times; except where the Chairman finds adequate reason to excuse such absences. (Further, it shall be the duty of the Chairman to determine whether a vacancy shall be created in the case of a Councilman who changes his residence from the Community in which he resides and from which he is elected a member to the Council.)

SECTION 8. REMOVAL FROM OFFICE:

The Council by a three-fourths vote *of membership* shall have the power to remove any of its member from office for reason *misconduct in the behavior* of graft, dishonesty, corruption, and conduct unbecoming a Councilman *under such procedures*

in notice & hearing as provided by Council.

SECTION 9. RECALL:

A special election for the recall of any member of the Council may be held ^{upon petition signed by} when ten per cent of the voters ^{voting at} of the last previous general election, ~~shall have signed~~ and presented a petition for such purpose.

[Question as to who takes care
of recall election)

Council
by ordinance

VI.

Initiative and Referendum.

SECTION 1. INITIATIVE:

Revised { ~~No regulation or enactment~~ shall be instituted or proposed by the qualified voters unless ten per cent of the qualified voters sign such a petition, of whom not more than one-third of that percentage shall reside in the same block. }

SECTION 2. REFERENDUM:

{ The Council by a three-fourths vote of those present may refer a proposed regulation or enactment to the voters at a general or special election, and such shall become effective only when approved by ^a ~~the~~ majority of the voters ^{voting} ~~casting ballots~~ ^{such} at that election. }

MISCELLANEOUS

SECTION 1. DEFINITIONS:

Whenever in this Constitution the word "Council" occurs,

it refers to and means the Community Council of the (Canal, Butte) Communities, and every department, board or officer, whenever either is mentioned, means a department, board or officer as the case may be, of the Community Council of (Canal, Butte.)

SECTION 2. AMENDMENTS:

This Constitution shall be amended in the following manner:

1. The Council by a two-thirds vote of its total membership may ~~initiate~~^{propose} an amendment, or
2. by petition signed by ^{15%} ~~one-fourth~~ of the ~~qualified voters~~^{voters}.

The amendments proposed shall be ratified at a special election called for that purpose; provided that a general election is more than forty days distant from the special election date, and in the event that the general election is less than forty days distant, the amendments proposed shall be ratified at the general election.

It shall be the duty of the Project Director to satisfy himself that none of the proposed amendments contravenes, conflicts with or violates any regulation or instruction of the War Relocation Authority.

MINUTES OF CONSTITUTION COMMISSION MEETING

November ³ 8, 1942
2:00 P.M.
42-3-D

Administration Present: Mr. Gaba

MEMBERS PRESENT: T. Yahanda, Y. Okuno, S. Hikida, N. Mitsumori, K. Iwanaga, Y. Hiraoka, K. Nobusada, Ken Utaunomiya, J. Omachi.

MEMBERS ABSENT: H. Miyake, E. Iwasaki, I. Otani, H. Kuwabara, F. Sakamoto.

MEMBERS TARDY: H. Hatayama.

Meeting called to order by Chairman Omachi. Mr. Erie Kawai, Chairman of the temporary Community Council, was introduced to the Commission and invited to participate in the discussions. As the session was a continuation of the previous day's meeting, the minutes were not read.

The Commission continued with discussions on the tentative draft of the Community Council and the following changes were made:

1. The matter of a Council Budget was discussed and the conclusion was that the Council should be empowered to make such a budget.
2. Qualifications of a councilman shall be 21 years of age or older; evacuee resident of the community. Other qualifications were stricken out.
3. The term of office to start from the date of induction and not the day of election.
4. For the first general election following the accep-

tance of the Constitution, the nomination of candidate shall be made by a nomination committee consisting of the Chairman of the temporary Block Councils.

5. The Nomination Committee shall meet and submit as panel of candidates within two weeks following the acceptance of the Consittution by the majority of the qualified voters. The names of the candidates to be published in the community newspaper.

6. Election shall be held on the second Tuesday following the publiscation of thepanel of candidates submitted by the nominations committee.

7. Additional nominees by petition shall be submitted at least 5 days prior to the election date.

8. It shall be the duty of the Temporary Council to appoint an Election Committee to conduct the first general election.

9. Councilmen elected at the first general election shall serve until June 30, 1943 regardless of when elected.

Thereafter the Councilman's term of office shall be from July 1, to December 31, and January 1, to June 30.

10. All general elections subsequent to thefirst general election shall be held on the third Tuesdays of June and December.

11. Subsequent to the first general election ~~SM~~ the Block Chairman Board shall publish the panel of candidates at least 5 days prior to election date.

12. The term "misconduct in office" was substituted for

"graft and corruption" as reasons for removal of a councilman from office. The procedure for the proper hearing of a councilman charged with misconduct shall be provided by the Council.

13. The Community Council shall be empowered to set up the procedure and conduct of special elections.

14. Create a section defining the qualification of voters.

15. Registration of voters for first general election to be done by the Temporary Community Council. Subsequent registrations by the Community Council.

16. Regulations may be proposed upon petition signed by at least 10% of the qualified voters voting at the last previous general election.

17. Amendments to the Consitution may be initiated by petition signed by 15% of qualified voters voting at last previous general election.

18. No special election shall be held within 40 days prior to a general election.

Review and discussion on the tentative draft of the Community Council was completed. Next meeting date of the Commission was set for November 5, 1942, at 42-3-D at 1:30 P. M.

Meeting adjourned at 4:40 P.M.

Respectfully submitted

Ken Utsunomiya

MINUTES OF CONSTITUTION COMMISSION MEETING

November 5, 1942
42-3-D
2:25 P.M.

ADMINISTRATION PRESENT: Mr. Gaba

MEMBERS PRESENT: N. Mitsumori, K. Iwanaga, J. Omachi,
H. Miyake, Y. Hiraoka, K. Nobusada, K.
Utsunomiya.

MEMBERS ABSENT: A I. Otani, T. Yahanda, H. Kuwabara, F.
Sakamoto, S. Hikida, Y. Okuno, W. Furuta,
I. Iwasaki, H. Hatayama.

OTHERS PRESENT: Erie Kawai, Chairman of Temp. C. C.

Meeting called to order by Chairman Omachi at 2:25 P.M.
Dispensed with the reading of last meeting's minutes.

Commission discussed the adviseability of having a
co-ordinating committee to co-ordinate the work of the Canal
and Butte Community Councils. Agreed that such a committee
was necessary and that mention should be made in the Consti-
tution empowering the Council to appoint the committee desig-
nating its duties and functions.

Next the tentative draft of the Block Councils and Block
Chairmen Board as submitted by the committee was reviewed
and discussed. Changes and additions were made as noted on
the copy of the tentative draft.

The tentative draft on the Judicial Committee ~~xxx~~ as
submitted by the committee are also reviewed and discussed.
Changes and additions were made as noted on the copy of the

tentative draft.

A special phraseology committee to draft the final constitution was appointed and instructed to meet on November 7, 1942 at 8:30 A.M. at 16-12-D. Members appointed to the committee were Karl Iwanaga, Y. Hiraoka, Kay Nobusada, Ken Utsunomiya and J. Omachi.

The Committee was instructed to have 20 copies of the final draft made and distribute one copy to each of the Commission members, a copy to each of the Temporary Community Councils.

Next meeting of the Commission was tentatively set for Tuesday 11/11/42 9:00 A. M. 42-3-D

Meeting adjourned at 5:00 P.M.

COMMITTEE REPORT * COMMUNITY COUNCIL

MEMBERS - Proposed number of council member

- Plan 1. One member for every 1000 people. (Camp 1 - 5
(" 2 - 10
2. One member for every 700 people. (Camp 1 - 7
(" 2 - 14
- ✓ 3. Camp 1 - 8 council members
" 2 - 12 " "

(Committee recommends the 3rd plan as the most compact and an effective group.)

4. 10 council for each camp.

SELECTION OF COUNCILMAN

First Election:

1. Upon acceptance of the constitution, the committee recommends that the nomination be made by the Advisory Board composed of Block Chairmen.
2. Nomination by petition after the Advisory Board selects the nominees in order to avoid duplication of candidates.
3. Temporary Community Council would set up election committee.

Methods of Nomination (Regular nomination):

1. Nomination by petition of 50 qualified voters with requirement that not more than 20 petitioners be from the same block. The purpose is to avoid petty politics.
2. *twice* Nomination by Advisory Board, the number to be ~~2 more than~~ the number of councilmen elected.

TENURE OF OFFICE: 6 months, eligible for reelection.

ELIGIBILITY OF CANDIDATE:

Must be 21 years of age, citizen and an evacuee resident. Other eligibility to be determined by the election committee.

VACANCY OF OFFICE:

A councilman who is absent 4 consecutive regular meeting shall be declared his office vacant, unless his each absence has been excused by the chairman. Also, if a member changes his actual residence from the re-

location center his office shall be declared vacant.

REMOVAL OF COUNCILMAN:

A councilman may be removed by $\frac{3}{4}$ majority of council for reason of dishonesty, graft, corruption, and conduct unbecoming of a councilman. ✓

RECALL PROCEDURE:

A special election for recall can be held when 10% of the voters of the last previous general election sign and present to the council. ✓

FILLING VACANCY:

~~The council shall designate the manner in which a vacancy may be filled.~~ *shall* the chairman with approval of council may appoint the candidate receiving the next highest votes in the last general election.

OFFICERS OF THE COUNCIL:

1. 1. Chairman
2. Vice-Chairman
3. Secretary *— clerk —*
4. Treasurer
2. All officers shall be elected member of council.
3. Chairman of the council shall preside at all meetings but shall not vote unless in case of a tie.
4. Chairman may appoint members to council committees, but must secure approval of the council for appointments of non-council members to boards, commissions, and committees which council may establish.
5. In case the chairman's office is vacant the vice-chairman to hold chairmanship and a new vice-chairman elected. Other vacancy to be selected by the council themselves.

MEETINGS:

1. Council to decide on its regular meetings. (Time, Place, and Special-meetings).
2. a. Special meetings to be called by the chairman whenever he deems necessary.
- b. Request of the $\frac{1}{3}$ of the members of the council a special meeting may be called.

Duties of Officers

PROCEDURE:

1. The council shall be deemed to have a quorum when $\frac{3}{4}$ of the duly elected members are present at the meeting.
2. In enacting regulations $\frac{3}{4}$ ^{+ those present} of the total ~~council membership~~ vote is necessary for enactment.
3. ~~No regulations shall be enacted sooner than one week after its introduction. Enacted regulation to be effective 15th days after its' passage. (Regulation to be well publicized)/~~
4. Record of ayes and nays shall be kept by roll call on all votes on enactment of regulations.
5. ~~Meetings shall be opened to the public, except by majority votes of the council-man present the public may be excluded and a closed meeting held.~~
6. Council shall provide such other rules of procedure as may be necessary for conduct of its business.

Published at least once in news papers) general circulation. If not, posted in at least 3 public places. should indicate effective date.

AMENDMENT PROCEDURES:

*See
II-E*

1. Council by $\frac{2}{3}$ ^{$\frac{3}{4}$} vote of its' member may initiate an amendment.
2. Petition signed by $\frac{2}{3}$ of all the block councils. ^{$\frac{1}{4}$ of qualified voters}
3. Amendment to be ratified by a special election or if the general election is less than 40 days away the proposed amendment is to be defined and voted on at the general election. ^{majority of voters voting}

FUNCTIONS OF THE COUNCIL:

Council to regulate its action and functions as provided in Administrative Order No. 34.

$\frac{5}{8} \div \frac{2}{3}$
 $\frac{15}{24} \div \frac{16}{24}$

Initiative -

Referendum -

Limitations.

Enacting clause - how signed.

Elections - shall be by secret ballot.