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KIOWA TRIBE

KIOWA INDIAN COUNCIL MEETING

APRIL 1, 2023

RED BUFFALO HALL, CARNEGIE, OK

RESOLUTION NUMBER: KIC-CY-0002-2023

DATE POSTED: 2/28/2023

DATE APPROVED: 04/06/2024

SUBJECT: AMMENDMENT TO ARTICLE XIV-AMENDMENTS SECTION 2, REQUIREMENTS FOR PASSAGE.

WHEREAS: The Kiowa Tribe is a sovereign nation since time immemorial and is federally recognized as a Tribal Government by the United States; and,

WHEREAS: The Kiowa Tribe is organized under a Constitution approved by Tribal membership on April 17, 2017, and approved by the Secretary of the Interior, U.S. Bureau of Indian Affairs May 5, 2017; and,

WHEREAS: Article V, Section (3)b of the Constitution grants the Kiowa Indian Council the power to set policy for the Tribe, and shall have all other powers and duties specifically provided by the Constitution.

WHEREAS: We the members of the Kiowa Indian Council of the Kiowa Tribe, under the authority granted to the Kiowa Indian Council by the Constitution by the Kiowa Tribe, in order to preserve for ourselves and our children the inherent sovereign rights of our Indian Nations governed under the laws of the Kiowa Constitution, to preserve Kiowa Cultural values and promote health, safety and welfare of the Kiowa people, do hereby establish and submit the following resolution; and

WHEREAS: ARTICLE XIV AMENDMENTS SECTION 2, Requirement for Passage. States "The Constitution may be amended by a majority vote of the voters who vote in the Special Election; provided, that at least thirty percent of the voters cast a vote in the special Election."

WHEREAS: There has not been a Constitutional amendment since the new Constitution became effective since 2017.

WHEREAS: The requirement to pass a Constitutional amendment includes "at least thirty percent of the voters cast a vote in the Special Election." This benchmark is vague, too high and prevents needed amendments to the Constitution. The use of the word voters is not specific as to type (registered or eligible). The number of eligible voters in the tribe is estimated by the Enrollment office to be approximately 9,200 citizens. Thirty percent of eligible voters is estimated to be 2,760 voters. Historically, there has never been 2,760 or more voters in any election.

WHEREAS: When the benchmark of thirty percent if not reached but the resolution is approved by the tribal citizens during a valid council meeting and Special Election, it will prevent approval of a proposed amendment.

WHEREAS:

The use of the word "voter" is vague. ARTICLE XIV-AMENDMENTS, SECTION 2, Requirement for Passage., is not specific and should include the use of eligible voters in contrast to voters.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby resolve;

removes the language of "at least thirty percent of voters cast a vote in the Special Election. ARTICLE XIV-AMENDMENTS, SECTION 2. Requirements for Passage. Shall be revised as follows: The Constitution may be amended by a majority vote of the eligible voters who vote in the Special Election. Amendments approved by the eligible voters shall become effective immediately unless otherwise indicated in the amendment.

BE IT FURTHER RESOLVED, that this resolution shall be the policy of the Kiowa Tribe until it is withdrawn or modified by subsequent resolution or Constitutional amendment.

2023 KIOWA INDIAN COUNCIL OF THE KIOWA TRIBE

Chairman, David Beinausadda

ATTEST:

KIOWA INDIAN COUNCIL, RESOLUTION NO. KIC-CY-0002-2023:

CERTIFICATION

The foregoing resolution was duly voted upon by the 2023 Kiowa Indian Council of the Kiowa Tribe; 163 was present at the duly called Annual Kiowa Indian Council Meeting held on the 1st of April 2023, and that the foregoing

Resolution was adopted by the affirmative vote:

FOR: 137 OPPOSED: 9 ABSENTIAN: 17

Secretary, Kiowa Indian Council Mary D. Autaube

Kiowa Indian Council Coordinator Steve Johnson