



# KIOWA TRIBE

**P.O. Box 369 • Carnegie, Oklahoma • 73015**  
**Phone: (580) 654-6338 • Fax: (580) 654-1788**  
**OFFICE OF THE LEGISLATURE**

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## Resolution Number KL-CY-2025-00X

**A Resolution of the Kiowa Tribe to Establish Executive Appointments for Elected Vacancies Act of 2025.**

**WHEREAS;** the Kiowa Tribe is a sovereign nation and has been so since time immemorial; and,

**WHEREAS;** the Tribe has the right to full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs; and,

**WHEREAS;** qualified voters of the Tribe ratified the Kiowa Constitution on April 17, 2017, as “the supreme law of the land”; and,

**WHEREAS;** same Constitution establishes the structure of the Kiowa Government, including separation of powers among four lateral branches as well as the subordination in the Executive Branch of the office of Vice-Chairman, the occupant of which serves at the pleasure of the Chairman of the Tribe; and,

**WHEREAS;** the Kiowa Constitution delineates protocols for the dismissal of a Vice-Chairman consistent with the judgment of the Chairman; and,

**WHEREAS;** Article XII, Section 9 of the Constitution asserts, “Any vacancy in the Office of Vice-Chairman shall be filled by appointment by the Chairman”; and,

**WHEREAS;** same Article fails to impose any temporal mandates on the prescribed appointment process; and,

**WHEREAS;** the Legislature of the Kiowa Tribe is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a); and,

**WHEREAS;** the Kiowa Constitution does not provide for a line of Executive Branch succession beyond assumption of the Office of Chairman by a Vice-Chairman; and,

**WHEREAS;** the Office of the Vice-Chairman of the Kiowa Tribe has remained vacant since September 2024; and,

**WHEREAS;** it is improbable that either the authors of or the voters who approved the Constitution intended for a vacancy in the Office of Vice-Chairman to persist in perpetuity; and,

**WHEREAS;** the Constitution provides for appointments by the Chairman to legislative offices, subject to confirmation of nominees by the Legislature, when vacancies arise in same offices with less than six months remaining in a term; and,

**WHEREAS;** by contrast, when applicable, the Constitution obligates the Election Commission to conduct a Special Election to fill analogous vacancies for other elected offices within a span of forty-five days; and,

**WHEREAS;** the Legislature acknowledges and respects the constitutional authority of the Chairman to select a Vice-Chairman sans legislative confirmation; and,

**WHEREAS;** the Legislature has determined that statutory codification of a clear timeline for appointment of a Vice-Chairman in the event of a vacancy in same office is necessary in the interests of developing organizational protections against the possibility of a constitutional crisis due to limitations of existing constitutional provisions for Executive succession;

**NOW THEREFORE BE IT RESOLVED,** that the Legislature hereby adopts “A Resolution of the Kiowa Tribe to Establish Executive Appointments for Elected Vacancies Act of 2025.”

#### **C E R T I F I C A T I O N**

The foregoing resolution KL-CY-2025-0XX, was duly voted upon by the Legislature on \_\_\_\_\_, 202\_\_, at a Legislative Regular Session \_\_\_ () with a vote of () in favor and () opposed, () abstaining, and () absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

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Michael Primus  
Speaker of the Legislature

LEGISLATURE - RESOLUTION NO. KL-CY-2025-0XX:

SPONSOR: Cole DeLaune, District 4

CO-SPONSOR(S):

| <b>LEGISLATORS</b>                  | <b>YES<br/>Hàu</b> | <b>NO<br/>Hàu:né</b> | <b>ABSTAIN<br/>Háun á</b> | <b>ABSENT<br/>Héngyádàu</b> |
|-------------------------------------|--------------------|----------------------|---------------------------|-----------------------------|
| Kyle Ataddlety<br>District 1        |                    |                      |                           |                             |
| Michael Primus<br>District 2        |                    |                      |                           |                             |
| Timothy Satepauhoodle<br>District 3 |                    |                      |                           |                             |
| Cole DeLaune<br>District 4          |                    |                      |                           |                             |
| Tiya Rosario<br>District 5          |                    |                      |                           |                             |
| Ben Wolf<br>District 6              |                    |                      |                           |                             |
| Warren Queton<br>District 7         |                    |                      |                           |                             |

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**DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN**

Resolution No. KL-CY-2025-0XX was presented to the Chairman of the Kiowa Tribe on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.

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Michael Primus  
Speaker of the Legislature

**CHAIRMAN’S ACTION:**

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

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On this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Lawrence Spottedbird  
Chairman of the Kiowa Tribe

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Presented by the Chairman to the Legislature on the \_\_\_\_ day of \_\_\_\_\_, 2025.

**LEGISLATURE’S ACTION:**

**Override of Chairman’s veto:**

YES

NO

## CERTIFICATION

The foregoing resolution KL-CY-2024-0XX was overridden with Order KLO-CY-2025-0XX and duly voted upon by the Legislature on \_\_\_\_\_, 2025, at a Legislative Order Session with a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining, \_\_\_\_\_ Absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

\_\_\_\_\_  
Michael Primus  
Speaker of the Legislature

| LEGISLATORS                         | YES<br>Hàu | NO<br>Hàu:né | ABSTAIN<br>Háun á | ABSENT<br>Héñgyáðau |
|-------------------------------------|------------|--------------|-------------------|---------------------|
| Kyle Ataddlety<br>District 1        |            |              |                   |                     |
| Michael Primus<br>District 2        |            |              |                   |                     |
| Timothy Satepauhoodle<br>District 3 |            |              |                   |                     |
| Cole DeLaune<br>District 4          |            |              |                   |                     |
| Tiya Rosario<br>District 5          |            |              |                   |                     |
| Ben Wolf<br>District 6              |            |              |                   |                     |
| Warren Queton<br>District 7         |            |              |                   |                     |

### **Section 1.1 Short Title**

This enactment shall be known as a “Resolution of the Kiowa Tribe Establishing Executive Appointments for Elected Vacancies Act of 2025”.

### **Section 1.2 Purpose**

These provisions are enacted to define an unambiguous timeline in the event that circumstances require the Chairman to fill a vacancy in the Office of Vice-Chairman or in the Office of Legislator by appointment.

### **Section 2 Timetable in Record**

Upon a vacancy in the Office of Vice-Chairman, the Chairman shall fill same vacancy by appointment within 45 calendar days. Any such appointments shall not be subject to confirmation by the Legislature. Upon any vacancy in the Office of Legislator that arises with less than six months remaining in the applicable term, the Chairman shall nominate an appointee to same Office within forty-five (45) calendar days; in accordance with the Constitutional mandate for legislative confirmation, the Legislature shall vote on any such prospective appointee within five calendar days of a nomination. Should a nominee fail to be approved by the Legislature, the Chairman shall nominate an alternate selection within forty-five (45) calendar days from the vote of the Legislature.

### **Section 3 Effective Date**

This bill is effective upon signature of the Chairman of the Kiowa Tribe or upon signature of the Speaker of the Kiowa Legislature following legislative override. The forty-five-day timeline for appointments to any vacancies preceding enactment of this bill shall commence with any such signature.

