

**CONSTITUTION OF THE COMANCHE NATION**

(October 1, 2008)

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# **CONSTITUTION OF THE COMANCHE NATION**

**(October 1, 2008)**

## **PREAMBLE**

We Nʉmʉnʉ, the people and also known as the Lords of the Plains, having faith in and reverence of Taa Ahpʉ, adopt this Constitution.

As Nʉmʉnʉ we are dedicated to the Sovereignty of our Comanche Nation, our cultural heritage, and the preservation, defense, and protection of our lands, history, language, natural resources, economic and social endeavors, all Treaty Rights and the rights of individual Nʉmʉnʉ. Only Nʉmʉnʉ may speak of their culture and spirituality.

## **ARTICLE I. NAME**

The Nʉmʉnʉ government is the “Comanche Nation.” The people of the Comanche Nation shall be referred to as “Nʉmʉnʉ”. The Comanche Nation is referred to in this Constitution as the “Nation” and a person enrolled in the Nation is a “Nʉmʉ”. This Constitution shall supercede all previous Constitutions and Bylaws of the Comanche Nation.

## **ARTICLE II. BILL OF RIGHTS**

**Section 1.** The Nation, in exercising the powers of self-government, shall make no law inconsistent with The Indian Civil Rights Act of 1968, as amended (25 U.S.C. §§1301-1303; 82 Stat. 77).

**Section 2.** The Nation shall not alter, abridge or affect the tax status of income directly derived from the trust allotments of any individual Nʉmʉ of the Nation, except that nothing shall diminish the regulatory or taxing authority of the Nation on any lands within its territory.

**ARTICLE III.**  
**SOVEREIGN RIGHTS AND POWERS**

**Section 1. Sovereign Rights and Inherent Powers.** The Nation has inherent sovereign rights and right to Self-Determination existing from time immemorial.

**Section 2. Treaty Rights Not Restricted.** Nothing in this Article shall be construed as restricting the Treaty Rights of the Nation or its Nʌmʌnʌ. The Nation affirms the United States government's constitutional and legal trust responsibilities, rights, duties and obligations.

**Section 3. Rights and Powers Not Diminished.** Any rights and powers vested in the Nation, but not expressly referred to in this Constitution, shall not be diminished, abridged, or divested by this Constitution.

**ARTICLE IV.**  
**JURISDICTION AND TERRITORY**

**Section 1. Sovereign Powers.** The Nation's sovereign powers shall be exercised to the fullest possible extent with the inherent right to independent governance as a Nation pre-existing the United States of America. This sovereign power shall extend over all Nʌmʌnʌ of the Nation and to all persons residing within Nation jurisdiction, entities, natural resources, assets and real property within the jurisdiction of the Nation, for now and in the future.

**Section 2. Territory.** The territorial boundaries of the Nation shall encompass all land within the original boundaries of the Reservation as established by Treaty.

**Section 3. Historical.** Places, sites or physical land forms of historical, cultural and spiritual significance to the Nʌmʌnʌ shall be within the former traditional territories of the Nation.

**ARTICLE V.**  
**ENROLLMENT**

**Section 1. Requirements:** The Nʌmʌnʌ of the Nation shall consist of the following:

- (a) Nʌmʌnʌ, who received an allotment of land under the Act of June 6,

1900 (31 Stat. 672), and subsequent Acts of Congress, shall be included as full blood Nʌmʌnʌ in the Nation.

- (b) All living immediate lineal direct descendants of allottees eligible for Nʌmʌnʌ status in the Nation under provisions of Section 1.(a) of this Article born on or before May 29, 1976, the date of adoption of the Original Constitution.
- (c) Any child meeting the requirements of Section 1. (b) or (c) above who is or was legally adopted by a non-Nʌmʌnʌ family shall be eligible to be considered to have status in the Nation, provided that the requirements of this Article are met.
- (d) No enrolled Nʌmʌ of the Nation shall be subject to involuntary disenrollment unless they become enrolled in another Federally recognized Indian Tribe.
- (e) All descendants of allottees eligible for enrollment in the Nation under Section 1. (a) of this Article, who possess one-eighth (1/8) or more degree of Nʌmʌnʌ blood.

**Section 2. Enrollment Ordinance.** Procedures for enrollment, disenrollment and relinquishment of Nʌmʌnʌ status in the Nation and appeal of enrollment or disenrollment decisions shall be set forth in an Enrollment Ordinance adopted by the Legislative Council.

## **ARTICLE VI.**

### **GENERAL COUNCIL RIGHTS AND POWERS**

**Section 1. Purpose.** All governing authority rests with the Nation's General Council. The General Council delegates specific powers and functions to the branches of the government, which can only be added to or removed by amendments to this Constitution.

**Section 2. General Council.** The General Council of the Nation shall consist of every Nʌmʌ of the Nation who is eighteen (18) years of age or older.

**Section 3. Specific Powers.** The entire General Council of the Nation, as defined in Section 2., as a collective body, shall have the following rights:

- (a) To amend, modify, alter or revoke Nəmә enrollment requirements.
- (b) To elect to office and recall from office its governmental representatives in accordance with election laws promulgated in accordance with this Constitution.
- (c) To approve or disapprove the annual budget. If the General Council takes no action within sixty (60) days the Nation shall operate under a Continuing Resolution until the budget is approved. All funds unless otherwise delegated to other authorities shall be included in the Nation's annual budget which shall be developed pursuant to a budgeting ordinance.
- (d) To be informed of all matters to be voted on at least sixty (60) days prior to any referendum votes.

**Section 4. Other Reserved Powers.** All powers and functions not so delegated remain with the General Council.

**Section 5. Bi - Annual Meetings.** The Nation's Executive Branch shall call bi-annual meetings of the Nation's General Council on the third Saturday in April and October of each year at 1:30 p.m. at the Nation's Headquarters or such other time and place as the Executive Branch shall determine. The purpose of bi-annual meetings shall be to present Tribal programs, Tribal business financial reports, provide information concerning budgeting, business opportunities and other matters of interest to the Nation. Bi-annual meetings shall be open to the public.

**Section 6. Special Council Meetings.** Will be called in the following situations:

- (a) When requested in writing by a majority of the Legislative Council acting in its capacity as the Nation's Legislative Branch. The Chairman shall call the Special Meeting within thirty (30) days.
- (b) Should the Chairman refuse to notice the Special Meeting with the Legislative Council or neglect to do so within ten (10) days after the request, the Nation's Legislative Council is required to notice such Special Meeting within three (3) days and shall do so by notifying the Chairman and the Executive Branch of the date thereof.

**Section 7. Quorum.** No meeting shall take place unless a quorum is present. A quorum shall consist of two hundred (200) eligible voters.

**Section 8. Notice of Council Meetings.** The Secretary shall cause notice of all General Council meetings to be posted at the Nation Headquarters and other public places stating the date, time, place, and purpose of the meeting. The Secretary shall cause notice to be published at least two (2) weeks prior to the meeting in local newspapers, and may utilize additional forms of media to notify the General Council.

**Section 9. Conduct of General Council Meetings.** All General Council meetings of the Nation shall be open to the public so long as law and procedures governing order, as promulgated by the Legislative Council, are obeyed.

## **ARTICLE VII.**

### **ORGANIZATION OF THE GOVERNMENT**

**Section 1. Governing Powers.** The powers of the Nation government shall be vested in three (3) separate branches: the Legislative, the Executive, and the Judicial.

**Section 2. Delegation of Authority.** The Executive Branch shall develop budgets pursuant to a budgeting ordinance and present them to the Legislative Council, administer the day-to-day functioning of the government, manage and account for government funds; enforce this Constitution and laws passed thereunder; and implement laws, codes, policies and procedures enacted by the Legislative Council. The Legislative Council shall make laws. The Legislative Council shall enact a budgeting ordinance and all ordinances to be implemented by the Executive Branch. The Judicial Branch shall interpret this Constitution and apply the laws of the Nation.

**Section 3. Separation of Powers.** The Legislative, Executive and Judicial branches of government shall be separate and distinct and no person or collection of persons, charged with official duties under one of those branches, shall exercise any power vested in either of the others except as expressly provided in the Nation's Constitution.

**Section 4. Supremacy Clause.** This Constitution shall be the Supreme Law over all territory, persons and transactions subject to the jurisdiction of the Nation.

**ARTICLE VIII.**  
**LEGISLATIVE BRANCH - DUTIES AND POWERS OF**  
**LEGISLATURE**

**Section 1. Legislative Power.** The legislative power of the Nation, except for Right to Petition reserved to the Nʌmʌnʌ by this Constitution, is vested in one legislative body called the “Comanche Nation Legislature.”

**Section 2. Composition of the Legislature.** The Legislature shall be composed of thirteen (13) representatives elected by popular vote. The Legislature shall elect among themselves a Speaker of the Legislature (Hereinafter “Speaker”), Speaker Pro-Tem, Parliamentarian, Sergeant at Arms and the remaining nine (9) legislators shall serve in their capacity as District Representatives. The Legislature shall serve three quarter (3/4) time and receive a salary pursuant to Section 6. Compensation.

**Section 3. District and At-Large Representatives.** Voting districts will be based on population distribution of the Nation’s Nʌmʌnʌ. The Legislature shall by majority vote approve and periodically review the Nation’s population every five (5) years to determine if an amended district plan is necessary.

**Section 4. Qualifications for Legislature Members and Candidates.** To serve on the Legislature, a Nʌmʌ:

- (a) Must be at least twenty-five (25) years of age;
- (b) Must never have been convicted by any court of law of a felony, a misdemeanor involving dishonesty or accepting a bribe; and
- (c) Must not have been recalled from office as a result of a removal or a recall action held in accordance with this Constitution. Such person shall forfeit the right to seek election to any position for ten (10) years.

**Section 5. Term of Office.** The term for all members of the Legislature shall be for a period of four (4) years or until reelected or a successor is duly elected and installed in office.

**Section 6. Compensation.** All members of the Legislature, Executive Branch and Judicial Branch shall be reasonably compensated for their services. The Legislature shall develop and enact rules and procedures to appoint a Salary Commission in

order to allow an appropriate determination of compensation. The Legislature shall appoint an independent Salary Commission composed of three (3) individuals and they shall propose a salary structure for the Executive Branch and Judicial Branch. The Executive Branch shall appoint an independent Salary Commission composed of three (3) individuals who shall recommend a salary structure for the Legislature. Salaries can be retroactive to the date the Legislature and Executive Branch are elected.

**Section 7. Powers and Duties of Legislature.** The Legislature shall be required to attend orientation on this Constitution and Tribal Laws within the first six (6) months in office. Each Legislative Council member, including the Speaker or other presiding officer, shall vote for each matter under consideration while in attendance at a Legislature meeting, except when a conflict of interest arises. Attendance shall include appearance by telecommunications and/or other electronic methods approved by the Legislative Council. During deliberations the Speaker shall be an active participant. Delegated powers and duties shall include, but not be limited to the following power or duty to:

- (a) Enact and amend tribal policies, laws to promulgate ordinances and codes governing law and order to protect the peace, health, safety, employment and general welfare of the Nation.
- (b) Enact appropriate laws to protect the continuity of government during declared disasters.
- (c) Enact legislative rules of proceedings in order to carry out their duties and functions as stated herein.
- (d) Enact an Election Ordinance to protect the integrity of all elections which authorizes the Office of the Secretary to administer the election process.
- (e) Enact an Election Board that provides for representation from each district, adopt rules of conduct and procedure to govern all elections of the Nation, and to ensure that all eligible Nʌmʌnʌʌ, have an opportunity to vote in every election.
- (f) Enact an Enrollment Ordinance that protects the confidentiality of enrollment records and sets forth, enrollment procedures to ensure all enrollment applications are considered adequately.

- (g) Enact and implement rules of conduct and procedure to govern all levels of the Nation's government, including a Code of Conduct.
- (h) Enact a uniform method of codifying tribal laws, regulations, resolutions, formal policy and other actions taken pursuant to this Constitution.
- (i) Enact laws governing the separation of the Nation's government and the Nation's economic affairs and enterprises of the Nation, when appropriate.
- (j) Enact for the Nation a Freedom of Information Act, allowing reasonable access to records of the Nation.
- (k) Enact statutory authority governing the acquisition, leasing, disposal, use, and zoning of land within the jurisdiction of the Nation or intangible assets, and the encumbrance and disposition of non-real estate tangible assets. Trust property owned by individuals shall be excluded.
- (l) Create an Office of Attorney General and procedures for approval of general and special legal counsel.
- (m) Approve the filing of lawsuits by a two-thirds (2/3rds) majority vote and authorize the Executive Branch to work with the Nation's legal counsel and/or Office of Attorney General on such matters that require litigation. Periodic reports on the status of all litigation shall be made to the Legislature. No settlements shall be entered without the consent of two-thirds (2/3) majority of the Legislature.
- (n) Enact a budgeting ordinance, appropriate funds and raise revenue, including the power to tax and regulate and additionally develop policies for receiving grants, donations, or other funding.
- (o) Approve agreements negotiated by the Executive Branch with other governments by a two-thirds (2/3) majority of the Legislature.
- (p) Enact an official records maintenance and archival system for the Nation.

## **Section 8. Duties of Legislative Council Officers.**

- (a) **Speaker of the Legislature.** The Speaker shall exercise the authorities and powers as delegated by this Constitution. The Speaker shall preside at all meetings of the Legislature and shall be responsible for ensuring that appropriate minutes, recordings and documentation are maintained and distributed to the Legislature, Executive Branch and archival system for the Nation.
- (b) **Speaker Pro-Tem.** The Speaker Pro-Tem shall perform the duties of the Speaker in the event of the Speaker's temporary absence or disability or when it is determined the removal of the Speaker is necessary based on a conflict pursuant to the operating procedures of the Legislature.
- (c) **Parliamentarian.** The Parliamentarian shall develop sufficient expertise to advise the Speaker and Legislature on matters of parliamentary procedure and operating guidelines of the Legislature. The Parliamentarian shall keep copies of the Rules of Order, Council Procedures and Code of Conduct available at all times the Legislature is in session. Other duties may be delegated to the Parliamentarian by the Legislature from time to time.
- (d) **Sergeant at Arms.** The Sergeant at Arms shall exercise the following duties:
  - (i) Maintain order and authorize the Nation's Law Enforcement to remove any individual who is disruptive during any session of the Legislature and maintain security therein.
  - (ii) Execute posting of all notices or information and carry out other directives of the Legislature and/or the Speaker.

## **Section 9. Quorum for Regular and Special Legislature Meetings.**

- (a) A quorum of the Legislature shall consist of seven (7) members, which shall include the Speaker, Speaker Pro-Tem, Parliamentarian and Sergeant at Arms. No business shall be transacted except when a quorum is present.
- (b) Once a quorum is established, it may be broken only when presiding

officer excuses legislators for emergency purposes.

- (c) Members of the Legislature shall be removed from office when they are absent from three consecutive meetings, or more than four non-consecutive meetings in one year.

**Section 10. Regular Meetings.** The Legislature shall meet during a legislative session established to correspond with the budget and fiscal year endings. The legislative sessions shall be determined by the Legislative Council to address the governmental affairs of the Nation. Any and all matters affecting the Nation shall be included on an agenda posted thirty (30) days in advance of the meeting. Should meeting times and dates conflict with other significant matters the dates can be changed with proper notice.

In case of a holiday recognized by the Nation or cancellation due to extreme weather conditions, the meeting will be held as soon as possible thereafter at the discretion of the Legislature.

**Section 11. Special Meetings.** Special Meetings may be called from time to time by the Speaker of the Legislature or by a majority of the Legislature. In addition, the Legislature shall conduct Special Meetings devoted to tribal laws, to be called special legislative sessions.

**Section 12. Emergency Meetings.** When immediate official action of the Legislature is necessary, the Speaker, a majority of the Legislature and/or the Chairman of the Executive Branch may call an emergency meeting. Advance written or verbal notice of such meeting shall be given to the Legislature and Executive Branch to the greatest extent feasible.

**Section 13. Closed Meetings.** The Legislature may meet in closed session. Closed session shall be limited to matters involving litigation or other legal concerns, issues concerning Legislative staff or other matters as determined necessary to protect the interests of the Nation.

**Section 14. Rules of Procedure.** The Nation's Legislature shall adopt uniform rules of procedure for the conduct of its proceedings. The Legislature shall keep and publish a journal of its proceedings.

**ARTICLE IX.**  
**EXECUTIVE BRANCH - DUTIES AND POWERS**

**Section 1. Composition of the Executive Branch and General Duties.**

The Officers of the Executive Branch shall be the Chairman, Vice-Chairman, Secretary and Treasurer. They shall be vested with executive power and shall dutifully support the Constitution and Laws of the Nation. The Chairman shall have the authority to recommend to the Executive Branch such other functions as Attorney General, Chief of Staff and other positions as determined necessary.

**Section 2. Term of Office.** The Executive Branch officers shall be elected at a general election for a term of four (4) years. The terms shall extend from their oath of office until a replacement is elected or a successor is sworn in.

**Section 3. Compensation.** The annual compensation package for the Executive Branch shall be prescribed by Article VIII, Section 6.

**Section 4. Powers and Duties of the Chairman.** The Chairman shall:

- (a) Transact all necessary business of the Nation in collaboration with the officers of Nation's government, or other governments as necessary pursuant to established law and public policy.
- (b) Represent the Nation in an ambassadorial capacity and serve as the principal member of all Nation delegations.
- (c) Execute and enforce the laws and resolutions through delegation to appropriate departments.
- (d) Give to the General Council information on the State of the Comanche Nation and recommend for their consideration such measures as necessary. A State of the Nation address shall be prepared and delivered to all Nʉmʉnʉʉ during the first bi-annual meeting held in April of each year and thereafter as the Chairman deems appropriate.
- (e) Make recommendations to the Legislature on matters of interest or benefit to the Nation.

- (f) Oversee the management of the Nation's Executive Branch.
- (g) Supervise the Tribal Administrator.
- (h) Call special meetings of the Legislature and any subcommittee of the Council, in accordance with this Constitution and the rules and procedures of the Legislature.
- (i) Execute necessary documents on behalf of the Nation when authorized by the terms of this Constitution or law of the Nation.
- (j) Request lands be placed in trust for the benefit of the Nation when appropriate.
- (k) Declare a State of Emergency in the event of a disaster.

**Section 5. Powers and Duties of the Vice Chairman.** The Vice-Chairman shall:

- (a) Perform the duties of the Chairman in his absence, and assume the duties and the powers of the Chairman when that position is vacated.
- (b) Assume responsibility for Executive Branch administrative functions as delegated by the Chairman.

**Section 6. Powers and Duties of the Secretary.** The Secretary shall:

- (a) Preside in the absence of the other Executive Branch officers.
- (b) Ensure that a report of the notices and minutes of all Executive Branch and General Council meetings are recorded, archived and provided to the Legislature.
- (c) Maintain and protect the Great Seal of the Comanche Nation.
- (d) Send all meeting notices as required by this Constitution.
- (e) Assume the responsibilities for records management.
- (f) Perform such other duties as may be specified by this Constitution, by tribal law or code, or as required by the Executive Branch.

- (g) Oversee the Office of Enrollment.
- (h) Administer the elections.

**Section 7. Powers and Duties of the Treasurer.** The Treasurer shall:

- (a) Preside in the absence of the other Executive Branch officers.
- (b) Establish financial accountability for funds and revenues entrusted to the Nation, monitor fiscal matters and advise the Executive Branch and Legislature on the financial affairs of the Nation.
- (c) Secure an audit of each fiscal year's financial activities and publish that audit of the prior fiscal year funds at least sixty (60) days prior to the first bi-annual meeting held in April of each year for distribution to the Nāmūnū at the April meeting.
- (d) Have access to financial records and documents of the Nation in order to carry out duties of the office as set forth herein.
- (e) Submit an Annual Report on the State of the Nations finances.
- (f) Acquire a surety bond, in an amount and with a surety company satisfactory to the Executive Branch.
- (g) Work with the Tribal Administrator, Chief Financial Officer and all department directors to develop and adhere to the Annual Budget, in accordance with Nation's law and shall propose budgets subject to General Council approval, pursuant to a tribal budgeting ordinance.

**Section 8. Veto Authority.** The Chairman may veto bills enacted by the Legislature. The Chairman shall return any vetoed bills, with a statement of the objection(s), to the Legislature.

The Chairman shall notify the Legislature within five (5) days of his exercise of his decision to veto a bill. Vetoed bills will be returned to the Legislature for further consideration or modification. The Nation's Legislature may, by an affirmative vote of three fourths (3/4) of its members, override a veto by the Chairman.

**Section 9. Appointment Authority.** The Chairman shall appoint, subject to the consent of the Legislature, the members of each board, commission or other instrumentality in the Executive Branch whose election or appointment is not provided by this Constitution. The Chairman may appoint executive staff.

The Chairman shall submit the names of appointees to the Legislature for confirmation at a duly convened meeting. Failure of the Legislature to confirm or deny the appointment, prior to the end of the monthly Legislature session, shall constitute approval.

**Section 10. Offices and Records of Executive Officers.** Executive Branch officers shall maintain records, books and papers of the Executive Branch at the seat of government in a manner prescribed by the law of the Nation.

**Section 11. Seal of the Nation.** The seal of the Nation shall be used for official business by the Chairman and/or Secretary of the Nation and it shall be called the “Great Seal of the Comanche Nation.”

## **ARTICLE X. JUDICIAL BRANCH - POWERS VESTED**

**Section 1. Powers.** The judicial power of the Nation shall be vested in a Judicial Branch established by this Constitution.

**Section 2. Composition.** There shall be one Judicial Branch. The Judicial Branch shall be made up of one Trial Court, one Supreme Court, a Chief Clerk of each Court, and appropriate subordinate clerks of court. The Judicial Branch shall also include trial level courts of special jurisdiction as established by law such as the Nation’s Tribal Children’s Court and Peacemaker Court.

**Section 3. Appointment.** The Legislature shall confirm, pursuant to Article IX, Section 9, Executive Branch appointment of Justices and Judges of the Judicial Branch. The Judicial Branch shall interpret this Constitution, laws, codes, ordinances, including laws defining its powers and duties.

**Section 4. Compensation.** The annual compensation package for the Judicial Branch appointees and employees shall be prescribed by Article VIII, Section 6.

## **ARTICLE XI.**

## **ELECTIONS**

**Section 1. General Elections.** The members of the Legislature and the Executive Branch shall be the only Nation officials elected by popular vote.

**Section 2. Nominations of Candidates.** All prospective candidates desiring to run for any office named in Section 1. shall file a Statement of Intent to run for public office not later than February 15th.

**Section 3. Official Announcement of Candidates.** Official certification of candidates by the Secretary shall be announced pursuant to a tribal ordinance.

**Section 4. Conduct of Election.** The conduct of all elections shall be held pursuant to the Election Ordinance.

**Section 5. Certification of Election Results.** The Secretary shall post non-certified election results at the Nation's Headquarters as soon as reasonably available after the election, and disseminate the results by any other appropriate means of communication. Certified election results shall be posted by the Secretary as proscribed by ordinance.

**Section 6. Challenges of Election Results.** Any certified candidate of the Nation may challenge the result of any election by filing a written challenge with the Secretary pursuant to the Election Ordinance.

## **ARTICLE XII. RECALL AND VACANCIES**

**Section 1. Recall.** Any Legislature or Executive Branch member may be subject to recall from office at any time pursuant to a Nəmənəm Recall Ordinance.

## **ARTICLE XIII. RIGHT TO PETITION**

**Section 1. Right to Petition.** Nəmənəm may propose law by Petition.

- (a) Upon receipt and verification by the Secretary of a petition containing twenty percent (20%) of the number of votes cast in the last General Election.

- (b) A verified petition shall be submitted to the Legislative Council which shall act on such petition within sixty (60) days. If the petition is not enacted, the Secretary will place the petition on the ballot for the next general election.

**Section 2. Restriction.** A Petition shall not be used to dedicate revenues, make or repeal appropriations, affect personnel or administrative decisions, create courts, define the jurisdiction of the courts or prescribe their rules. No article, section, or provision of the this Constitution shall be amended except as provided in Article XIV.

#### **ARTICLE XIV. CONSTITUTIONAL AMENDMENTS**

**Section 1.** This Constitution may be amended by two-thirds (2/3) majority vote of the eligible voters of the Nation voting in an election called for by action of the Legislature or the General Council. A petition for a Constitutional amendment shall be signed by no less than twenty percent (20%) of the eligible voters of the Nation as certified by the Secretary. At least thirty percent (30%) of those entitled to vote must cast a ballot in the election or the amendment shall fail. Amendments to the Constitution shall become effective upon certification of the election results by the Secretary. Amendments to the Constitution may be proposed by the Legislative Council or by petition of twenty (20%) percent of all eligible voters certified by the Secretary. The amendment will appear on the next General Council election ballot at which time at least twenty five (25%) of all eligible voters must vote of which two thirds (2/3) must vote for the amendment.

#### **ARTICLE XV. OATH OF OFFICE**

**Section 1. Mandate.** Each member of the Legislative Council and Executive Branches as well as appointed officials shall take an oath of office and pledge to support and defend the Constitution of the Nation prior to assuming the duties of office.

**Section 2. Form of Oath.** The following form of oath shall be given:

“I, \_\_\_\_\_ do hereby solemnly affirm before Taa AhrꞤ and the NꞤmꞤnꞤ People that I will support and defend the Constitution and Laws of the Nation, and will faithfully, and impartially execute the duties of my office to the best of my abilities.

I will promote and protect the best interest of the Nation in accordance with the terms of the Constitution.

**Section 3. Time.** The oath of office shall be administered as soon as possible after final election results are certified, and after time for the filing of challenges has elapsed. The oath shall be signed and maintained in the Nation's records by the Secretary of the Executive Branch:

**ARTICLE XVI.**  
**KIOWA, COMANCHE AND APACHE INTERTRIBAL**  
**LAND USE COMMITTEE**

**Section 1. Appointment and Authority.** The Nation's Executive Branch shall appoint members to represent the Nation on the Kiowa, Comanche and Apache Intertribal Land Use Committee. In consultation with the Legislative Council and Executive Branch, the appointed members shall be authorized to enter into leases, permits, easements, rights-of-way, contracts for development planning, and other transactions. The Executive Branch shall report to the Legislative Council and General Council on matters that affect the KCA Inter-tribal land use.

**ARTICLE XVII.**  
**IMPAIRMENT OF CONTRACTS**

**Section 1.** The Nation shall not adopt any law, code, or resolution, either through any act of the Legislature or through N̄m̄m̄n̄n̄ right to petition, impairing the obligation of any written and properly executed contract of the Nation or of any agent, corporation, or N̄m̄ of the Nation. Any law, code, or resolution which, by its terms or in effect, would impair the availability of any judicial remedy in such contract shall be considered an impairment of contract.

**ARTICLE XVIII.**  
**SEVERABILITY**

**Section 1.** If any provision of the Constitution shall, in the future, be declared invalid or unconstitutional by the Nation's Judiciary, the invalid provisions shall be severed and the remaining provisions shall remain in full force and effect.

**ARTICLE XIX.**  
**ADOPTION**

**Section 1.** This Constitution shall become effective when ratified by a majority vote of the eligible voters of the Nation voting in a special election called for such purposes by the Secretary of the Interior; provided, that at least thirty percent (30%) of those Nʌmʌnʌu eligible to vote cast ballots.

**ARTICLE XX.**  
**MAJOR CRIMES PUNISHMENT**

**Section 1.** The Comanche Nation affirms its belief in the sanctity of life and hereby authorizes the sentencing of all punishments by Federal Statute for major crimes in the Comanche Nation.

**ARTICLE XXI.**  
**SAVINGS CLAUSE**

**Section 1.** All actions of the Nation taken before the effective date of this Constitution shall remain in full force and effect only to the extent that they are consistent with this Constitution.