

Constitution Committee Motion #11
Amendments to Article XV

Committee deliberations identified two concerns with Article XV, and as a result the Committee recommends two amendments. (1) First, the Committee was concerned that, in a Tribe with almost 5,000 members, any 100 of them could trigger the constitutional amendment process by petitioning the Secretary of the Interior; the Committee recommends instead tying that numerical threshold to voting in the prior ITKN election. (2) The reference to 25 C.F.R. Part 52 is out of date, as the regulations for Secretarial Election have moved to 25 C.F.R. Part 81; rather than citing to a particular C.F.R. Part, which could be moved again, the Committee recommends generally referring to Interior’s regulations.

Committee Recommendations

- See **Committee Motion #01** for proposed corrections to typographical errors, OCR errors, and style.
- See **Committee Motion #03** for proposed amendments deleting most references to the Secretary of the Interior.
- See **Committee Motion #05** concerning uses of the terms “member,” “citizen,” and “enrolled member.”

Page 12

- Article XV
 - Lines 8-9: **delete** “of at least one hundred (100) qualified voters of the Iowa Tribe of Kansas and Nebraska” and **replace it with** “signed by a number of eligible voters which is at least seventy-five percent (75%) of the number of eligible voters who signed the register at the preceding election”
 - Lines 10-11: **delete** “set forth in 25 CFR 52” and **replace it with** “promulgated by the Secretary of the Interior”

See next page for final version if Committee Motion #11 is approved.

Final Version, if Committee Motion #11 is Approved

ARTICLE XV - Amendments

This Constitution may be amended by a majority vote of the qualified voters of the Iowa Tribe of Kansas and Nebraska voting in an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote shall vote in such election; but no amendment shall become effective until the election results approving such amendment shall have been certified by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment at the request of the General Council, the Executive Committee, or upon receipt of a petition signed by a number of eligible voters which is at least seventy-five percent (75%) of the number of eligible voters who signed the register at the preceding election. The amendment shall be conducted pursuant to regulations promulgated by the Secretary of the Interior.