



**KIOWA TRIBE**  
P.O. Box 369 Carnegie, Oklahoma 73015  
Phone: (580) 654-2300 Fax: (580) 654-1788  
**OFFICE OF THE LEGISLATURE**

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**KIOWA TRIBAL LEGISLATURE**

**KIOWA TRIBE CODE OF LAWS**  
**RESOLUTION No. KL-CY-2020-0007**

**A RESOLUTION DULY PROPOSED TO THE KIOWA LEGISLATURE  
APPROVING THE KIOWA CODE OF LAWS.**

**WHEREAS**, the Kiowa Legislature is the lawmaking body of the government of the Kiowa Tribe and has a constitutional duty and authority to approve or create all annual tribal government budgets and amendments for the tribal government; and

**WHEREAS**, the Kiowa Constitution provides for the establishment of a Kiowa Tribal Judiciary; and

**WHEREAS**, Judges have been appointed and commence of operation of the Kiowa Courts await the approval of a Code of Laws; and

**WHEREAS**, the Code of Laws was commissioned by the Kiowa Legislature and has been further modified with input from our Judges and Court Administrator and Legislative Counsel; and

**WHEREAS**, the Kiowa Legislature has reviewed and hereby approves the Kiowa Tribe Code of Laws; and

**NOW THEREFORE BE IT RESOLVED** that the Kiowa Legislature hereby authorizes and approves the Kiowa Code of Laws.

**CERTIFICATION**

The foregoing Resolution No. KL-CY-2020-0007 was duly voted upon by the Legislature on August 8<sup>th</sup>, 2020, at a Regular Monthly Session XL with a vote of 6 in favor and 0 opposed, 0 abstain, and 1 absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.



Anita Onco Johnson, District V  
Secretary of the Legislature





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**Section 1.1 Short Title**

This enactment shall be known as the "KIOWA TRIBE CODE OF LAWS".

**Section 1.2 Purpose**

The purpose of this Act is to authorizes and approves the delivery of the Kiowa Code of Laws to the Southern Plains Regional Office of the Bureau of Indian Affairs for review and approval.

**Section 1.3 Findings**

The Legislature hereby finds and declares that:

- a) The Constitution establishes a separation of government powers between the Legislature, which is vested with law-making and budgeting powers, and the judiciary branch which are vested with powers to make findings of fact, to interpret the Constitution and laws of the Tribe, and to make conclusions of law.
- b) Until such time as the Tribe enacts a law and order code establishing criminal offenses and criminal procedures, as well as laws establishing civil procedures governing civil causes of action, the Courts of the Tribe shall apply the criminal offenses, criminal procedures, and procedures governing civil actions contained in the U.S. Code of Federal Regulations.
- c) The Legislature shall have the power to establish rules for the Judicial Branch by law notwithstanding the power of the Supreme Court or Judicial Commission to establish rules.
- d) Constitution of the Kiowa Tribe, Article II, Section 1. Sovereignty. *"The Tribe possesses inherent sovereign powers of government by virtue of territorial integrity and democracy. The Constitution of the Tribe shall be the supreme law of the land. All the existing laws of the Tribe shall remain in full force and effect unless such laws are contrary to the terms of this Constitution."*
- e) The Legislature shall have the power to assert the Sovereignty and Jurisdiction of the Tribe by law over all matters that affect the interests of the Tribe. *"Nothing in this Article shall be construed to limit the ability of the Tribe to exercise its Jurisdiction based upon its inherent sovereignty as an Indian tribe."* (Constitution of the Kiowa Tribe, Article III, Section 2-Jurisdiction)



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**LEGISLATURE- RESOLUTION NUMBER: KL-CY-2020-0007**

**SPONSOR:** Angela McCarthy, Michael Primus, Marilyn Bread, Jessie Svitak, Anita Onco Johnson, Ben Wolf, & Jacob Tsotigh

**CO-SPONSOR(S):**

LEGISLATORS		YES	NO	ABSTAIN	ABSENT
District 1	Angela McCarthy	X			
District 2	Michael Primus	X			
District 3	Marilyn Bread	X			
District 4	Jessie Svitak	X			
District 5	Anita Onco Johnson	X			
District 6	Ben Wolf				X
District 7	Jacob Tsotigh	X			



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

Resolution No. KL-CY- 2020-0007, was presented to the Chairman of the Kiowa Tribe on the \_\_\_\_\_ Day of \_\_\_\_\_, 2020 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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Anita Onco Johnson, District V  
Secretary of the Legislature

**CHAIRMAN'S ACTIONS:**

[ ] APPROVED

[ ] VETO – RETURNED TO LEGISLATURE WITH EXPLANATION:

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On this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Matthew M. Komalty  
Chairman of the Kiowa Tribe

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Presented by the Chairman to the Legislature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LEGISLATURE'S ACTION:**

Override of the Chairman's Veto:

[ ] YES

[ ] NO



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LEGISLATORS		YES	NO	ABSTAIN	ABSENT
District 1	Angela McCarthy				
District 2	Michael Primus				
District 3	Marilyn Bread				
District 4	Jessie Svitak				
District 5	Anita Onco Johnson				
District 6	Ben Wolf				
District 7	Jacob Tsotigh				

## LEGISLATURE'S ACTION AFTER TEN (10) DAYS:

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## CERTIFICATION

The foregoing Resolution No. KL-CY-2020-0007 was duly voted upon by the Legislature on August \_\_\_\_\_ 2020, at a \_\_\_\_\_ with a vote of (\_\_\_\_\_) in favor and (\_\_\_\_\_) opposed, (\_\_\_\_\_) abstain, and (\_\_\_\_\_) absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

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Anita Onco Johnson, District V  
Secretary of the Legislature



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**ACKNOWLEDGEMENT OF DELIVERY**

**RECEIVING:**

INTENDED RECIPIENT	CHAIRMAN MATTHEW M. KOMALTY and/or an associate from the Office of the Chairman
DOCUMENT(S)	1. Resolution KL-CY-2020-0007 2. Kiowa Tribe Code of Laws
DATE:	August 19, 2020
TIME:	11:21 am
PRINT NAME:	Civa Hill
TITLE:	Executive Asst.
SIGNATURE:	Civa Hill

**FROM:**

THE KIOWA TRIBE LEGISLATIVE BRANCH	AUGUST 18, 2020
Janet Savpitty	August 19, 2020