



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

KIOWA TRIBE RESOLUTION NO. KL-CY-2019-006

KIOWA CULTURAL AUTHORITY ACT OF 2019

At a duly called Session of the Legislature of the Kiowa Tribe held this 9th day of March, 2019, the following Resolution and Law were adopted.

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

WHEREAS; Article VI, Section 6(i) of the Constitution vests the power in the Legislature to establish Executive Boards, and Members of all Boards shall be nominated by the Chairman, subject to confirmation of the Legislature; and,


WHEREAS; The former Business Committee of the Tribe established a “Kiowa Cultural Preservation Authority, also known as the Kiowa Museum Board” by Resolution dated February, 2007; and,


WHEREAS; The Legislature has identified the need to re-establish the Kiowa Cultural Preservation Authority and Museum Board in a new law, to provide guidance on the authority and responsibilities of the Board, and to authorize an appropriation of operational funds.

NOW THEREFORE BE IT RESOLVED; that the Legislature hereby enacts the attached law entitled, “Kiowa Cultural Authority Act of 2019”.

CERTIFICATION

The foregoing resolution KL-CY-2019-006 was duly voted upon and **TABLED** by the Legislature Regular Monthly Session on March 9, 2019, with a vote of (7) in favor and (0) opposed, (0) abstaining, and (0) absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.





Anita Johnson, District #5
Secretary of the Legislature

Approved by the Kiowa Legislature on August 9, 2018 for the September 8th, 2018, XVII Legislative Session.
Adopted by the Legislature Regular Session XXIII, March 9, 2019. (tabled).

LEGISLATURE - RESOLUTION NO. KL-CY-2019-006:

SPONSOR: Anita Onco-Johnson, District #5 Legislator

CO-SPONSOR(S): Modina Waters, District #6 Legislator

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1	X			
Michael Primus District #2	X			
Marilyn K. Bread District #3	X			
Jessie Svitak District #4	X			
Anita Johnson District #5	X			
Ben Wolf District #6	X			
Modina Waters District #7	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2019-006 was presented to the Chairman of the Kiowa Tribe on the ___ day of March, 2019, 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.

Marilyn K. Bread
Speaker of the Legislature

CHAIRMAN'S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this ____ day of _____, 2019.

Matthew M. Komalty
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2019.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1				
Michael Primus District #2				
Marilyn K. Bread District #3				
Jessie Svitak District #4				
Anita Johnson District #5				
Ben Wolf District #6				
Modina Waters District #7				

CERTIFICATION

The foregoing Order KLO-CY-2019-006 was duly voted and overridden upon by the Legislature on _____, 2019, at a Legislative Working Session with a vote of _____ in favor and _____ opposed, and _____ abstaining pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Anita Johnson, District #5
Secretary of the Legislature

Section 1.1 **Short Title**

This enactment shall be known as the, “Kiowa Cultural Authority Act of 2019” (“Act”).

Section 1.2 **Purpose.**

The purpose of the Act is to establish and clarify the authority of the Kiowa Cultural Authority and Museum Board in a new law, to provide guidance on the authority and responsibilities of the Board, and to authorize an appropriation of operational funds for the Board.

Section 1.3 **Findings.**

- (a) The Legislature finds that it is in the best interest of the Tribe and its Members to support, protect, and promote Kiowa cultural activities and preservation, language, cultural properties, artifacts, intellectual properties including songs and images, and related matters; and,
- (b) The former Business Committee of the Tribe established an entity called the, “Kiowa Cultural Authority, also known as the Kiowa Museum Board” (“Kiowa Cultural Authority/KMB”), by Resolution dated December 13, 2016; and,
- (c) The former Business Committee directed the Kiowa Cultural Authority/KMB to serve as the caretakers of the former Indian City property owned by the Tribe including the authority to make decisions regarding the property; and,
- (d) The Kiowa Cultural Authority/KMB has assisted and directed the Kiowa language programs within the Tribe; and,
- (e) The Kiowa Cultural Authority/KMB maintains and operates the museum programs within the Tribe; and,
- (f) Article VI, Section 6(i) of the Constitution vests the power in the Legislature to establish Executive Boards, and all Members of all Boards shall be nominated by the Chairman, subject to confirmation by the Legislature.

Section 1.4 Establishment of the Kiowa Cultural Authority Program and Board.

- (a) The Legislature hereby establishes the Cultural Preservation Board (“Board”) comprised of five Board Members selected upon nomination by the Chairman and confirmation by the Legislature.
- (b) The Board shall consist of five (5) Members. All Board Members shall be enrolled Members of the Tribe.
- (c) Each Board Member shall serve a four year term of office or until a successor has been sworn into office. Initially, the terms of office for Board Members shall be staggered with three Members’ seats designated for four years, and two Members’ seats designated for two years, and, thereafter, all Board Members’ seats designated for four year terms. Board Members currently serving shall retain their seats until replacements are nominated, confirmed, and installed into office.

Section 1.5 Duties and Responsibilities of the Kiowa Cultural Authority Board.

- (a) The Board shall assist the cultural programs within the Tribe by providing advice and direction on the proper goals and objectives of each program, proper practices and protocols related to each program, and the steps that should be taken to obtain the stated objectives related to each program.
- (b) The Board shall assist the language program with advice and assistance regarding the promotion and preservation of the Kiowa language including language instruction, education, and maintaining a proper archive.
- (c) The Board shall be authorized to take all steps necessary and make decisions regarding the care and maintenance of the property formerly known as Indian City located in Anadarko, Oklahoma, including all buildings, contents of buildings, and grounds.
- (d) The Board shall assist the museum program with setting and achieving program goals, which shall include operating the museum, maintaining artifacts, archiving photos and audio recordings, and identifying any intellectual property such as artistic works, designs, symbols, patents, copyrights, and trademarks.
- (e) The Legislature hereby authorizes up to \$60,000 for the Board, subject to approval of such funds by the voters in an Annual Budget or Budget Modification. Board

Members shall be paid no more than \$300 per diem per meeting, and shall hold no more than four paid meetings per month.

- (f) The Board shall provide a written report to the Chairman and Legislature on its activities two times per year, no later than June 1st and December 1st of each year.
- (g) The Board shall be invited to attend, and may attend, the annual Special Session of the Legislature with the Tribe's Cultural and/or Traditional Leadership as called for in Article VI, Section 7(c) of the Constitution.