



KIOWA TRIBE

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

LEGISLATIVE RESOLUTION KL-CY-2024-002

FIRST AMENDMENT TO THE KIOWA TRIBE TERRITORY EXPANSION ACT OF 2024

At a duly called Session of the Legislature of the Kiowa Tribe held this X day of January, 2024, the following Resolution and Law is adopted.

WHEREAS, the Kiowa Tribe (the “Tribe”) is organized under a constitution, duly adopted and approved by the voters of the Tribe on April 17, 2017 (the “Constitution”); and

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

WHEREAS, the Kiowa Tribe controlled vast areas of land that sustained the People; however, over time, the Tribe’s land base has been greatly diminished by harmful Federal laws and policies, fraudulent transfers, and theft; and

WHEREAS, the Legislature passed the “Land Office Establishment and Land Acquisition Act of 2017” and the “Territory Expansion Act of 2018” to acquire additional allotments and specific lands around Hobart, Oklahoma and Indian City lands located near Anadarko, Oklahoma in order to expand the Tribe’s land base and territory; and

WHEREAS, the Legislature has determined that it is in the best interests of the Tribe to enact the “First Amendment to the Territory Expansion Act of 2024” to allow for the Tribe to acquire additional lands, including fee lands, to expand the Tribe’s land base and territory for housing and economic development; and

NOW THEREFORE, the Legislature hereby enacts the law entitled, “First Amendment Kiowa Tribe Territory Expansion Act of 2024”.

CERTIFICATION

The foregoing Resolution KL-CY-2024-002 was duly voted upon by the Legislature on January 13, 2024, at a Legislative Regular Session LXXXI (81), with a vote of (6) in favor and (0) opposed, (0) abstaining, and (1) absent, according to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.



Anita Johnson
Secretary of the Legislature

Tribe Website: September 05, 2023. Read into record by: Warren Quetone, District 7, on Legislative Regular Session LXXVIII-(77), September 09, 2023. Legislative Regular Session LXXVIII-(78), October 14, 2023. Legislative Regular Session LXXIX-(79), November 11, 2023. Legislative Regular Session LXXX-(80), December 09, 2023. Legislative Public Hearing on January 10, 2024. Legislative Regular Session LXXXI-(81), Saturday, January 13, 2024.

Hàu – Yes; Hàu:né – No; Hàun á – Abstain; Héñgyádàu - Absent

LEGISLATURE - RESOLUTION NO. KL-CY-2024-002:

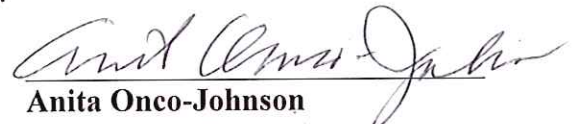
SPONSOR: Anita Johnson, District 5 Legislator

CO-SPONSOR(S): Warren Queton, District 7 Legislator

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héngyádàu
Kyle Ataddlety District #1	X			
Michael Primus District #2	X			
Timothy Satepauhoodle District #3	X			
Alana Quetone District #4	X			
Anita Johnson District #5	X			
Ben Wolf District #6	X			
Warren Queton District #7				X Present-out of district

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2024-002 was presented to the Chairman of the Kiowa Tribe on the 30th day of January, 2024, 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.


Anita Onco-Johnson
Secretary of the Legislature

Posted on Kiowa Tribe Website: September 05, 2023. Read into record by: Warren Queton, District 7, on Legislative Regular Session LXXVII-(77), September 09, 2023. Legislative Regular Session LXXVIII-(78), October 14, 2023. Legislative Regular Session LXXIX-(79), November 11, 2023. Legislative Regular Session LXXX-(80), December 09, 2023. Legislative Public Hearing XII-(12), January 10, 2024. Legislative Regular Session LXXXI-(81), Saturday, January 13, 2024.
Hàu – Yes; Hàu:né – No; Háun á – Abstain; Héngyádàu - Absent

CHAIRMAN'S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this 15th day of February, 2024.



Lawrence Spottedbird
Chairman of the Kiowa Tribe

Presented by the Vice-Chairman to the Legislature on the ____ day of _____, 2024.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

CERTIFICATION

The foregoing resolution KL-CY-2024-XXX was duly voted upon by the Legislature on _____, 2024, at a Legislative Order Session with a vote of _____ in favor and _____ opposed, and _____ abstaining, and _____ absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Anita Johnson
Secretary of the Legislature

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héñgyádàu
Kyle Ataddlety District #1				
Michael Primus District #2				
Timothy Satepauhoodle District #3				
Alana Quetone District #4				
Anita Johnson District #5				
Ben Wolf District #6				
Warren Queton District #7				

Article 1. Short Title.

This enactment shall be known as the “First Amendment to the Kiowa Tribe Territory Expansion Act of 2024” (“Act”).

Article 2. Purpose.

The purpose of this Act is to authorize and direct the Chairman to acquire additional lands for housing and economic development purposes for the benefit of the Tribe and the People.

Article 3. Findings.

The Legislature finds and declares that:

- 3.1 historically, the Tribe controlled vast areas of land that sustained the People; however, over time, the Tribe’s land base has been greatly diminished by harmful Federal laws and policies, fraudulent transfers, and theft; and
- 3.2 It is in the best interests of the Tribe to acquire additional lands, including available allotments, in order to expand the Tribe’s land base and territory,

Article 4. Authorization and Place Land into Trust

4.1 The Legislature hereby authorizes the Chairman or his designee to acquire land subject to approval by the legislature and appropriation for such purposes.

4.2 To obtain approval from the Legislature, the Chairman shall provide written notice to the Speaker of the Legislature. If the Legislature does not respond within 20 days, approval will be deemed given. If the legislature wishes to consider the matter before approval is considered, then the Speaker shall so notify the Chairman in writing, and the matter shall be taken up at the next regularly monthly session of the Kiowa Legislature in accordance with the Kiowa Constitution Article VI Section 7(a), and approval for the transaction shall require an affirmative, majority vote of the quorum of the Legislature.

4.3 In making such appropriations, the Legislature may make restrictions on the total amount expended for a particular tract of land, including per acre limitations on the amount expended.

4.4 In the process of purchasing such land, an attorney must be consulted, and before the land can be purchased the attorney shall state in writing to the legislature and the Chairman that:

- a. Title to be conveyed to the Kiowa Tribe is sufficient to satisfy the United States in an action under 25 U.S.C. part 151;
- b. A phase 1 environmental review reveals no impairments to the land to be purchased;

- c. If the land includes buildings, a structural inspection of the buildings shows they are in reasonable working order; and
- d. the other requirements of 25 U.S.C. part 151 likely can be met when the Kiowa Tribe seeks to put the land into trust.

Section 5. Duty to Apply for Trust Status.

Unless the Chairman specifies the land shall not be placed immediately into trust when he provides initial notice to the Speaker under Article 4, above, within 180 days of acquiring title of property purchased under this Act, the Chairman or his designee shall file with the United States an application to take the land into trust.

Section 6. Savings Clause

Both the requirements of this law and the requirements of “*KL-CY-2018-003 Economic Development Due Diligence Act of 2018*”, must be met when real estate is being purchased for economic development reasons.

Section 7. Approval and Enactment

The Legislature hereby approves and enacts the “*First Amendment to the Territory Expansion Act of 2024*”.