



KIOWA TRIBE

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

RESOLUTION NUMBER KL-CY-2025-012

A RESOLUTION OF THE KIOWA TRIBE IMPLEMENTING A 3% COST OF LIVING ADJUSTMENT (COLA) RAISE FOR ALL EMPLOYEES OF THE EXECUTIVE, LEGISLATIVE, JUDICIAL, AND KIOWA INDIAN COUNCIL BRANCHES.

At a duly called Session of the Legislature of the Kiowa Tribe held this 9th day of August 2025. The following resolution and law were 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 and approved by the U.S. Secretary of the Interior (“Secretary”)(the “Constitution”); and,

WHEREAS, the Kiowa Constitution pursuant to Article VI, Section 6 (a) The Legislature shall have the power to make laws and resolutions in accordance with the requirements of the Constitution. All legislative actions by the Legislature shall be embodied in a written law or resolution. All actions by the Legislature shall be made by a majority vote of the Legislature present, unless otherwise specified in this Constitution. Laws and resolutions which have been enacted shall remain valid until amended or repealed; and,

WHEREAS, the Kiowa Constitution pursuant to Article VI, Section 6 (v) The Legislature shall have the power to raise revenue and appropriate funds for expenditure. Every funding item in the annual budget must have been previously authorized by law. No monies shall be drawn from Treasury except by signature of the Chairman and except upon authorization by law; and,

WHEREAS, the Legislature finds it necessary to authorize and approve a 3% Cost of Living Adjustment (COLA) raise for all employees within the Executive, Legislative, Judicial, and Kiowa Indian Council Branches; and,

WHEREAS, all Cost of Living Adjustments (COLA) shall be in an approved annual budget of the Kiowa Tribe; and,

WHEREAS, the Legislature has the authority to adjust the Cost of Living Adjustment (COLA) from 1% to 3%. This decision will be made through Legislative Order, requiring a majority vote of the Legislature; and,

WHEREAS, this decision reflects our commitment to supporting our Kiowa Tribe employee workforce and commitment to employee welfare and productivity; and,

NOW, THEREFORE BE IT RESOLVED, that the Kiowa Tribe Legislature authorizes and approves a 3% Cost of Living Adjustment (COLA) raise for all employees within the Executive, Legislative, Judicial, and Kiowa Indian Council. All (COLA) raises shall be in an approved annual budget of the Kiowa Tribe.

CERTIFICATION

The foregoing Resolution KL-CY-2025-012 was duly voted upon by the Legislature on August 09, 2025, at a Legislative Regular Session C-(100), with a vote of (7) in favor and (0) opposed, (0) abstaining, and (0) absent, according to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus

Michael Primus
Speaker of the Legislature



LEGISLATIVE RESOLUTION – KL-CY-2025-012

Sponsors: Warren Queton, District 7

Co-Sponsors:

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héñgyádàu
Kyle Ataddlety District 1	X			
Michael Primus District 2	X			
Timothy Satepauhoodle District 3	X			
Cole DeLaune District 4	X			
Tiya Rosario District 5	X			
Ben Wolf District 6	X			
Warren Queton District 7	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2025-011 was presented to the Chairman of the Kiowa Tribe on the 12th day of August, 2025, 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.



Michael Primus
Speaker of the Legislature

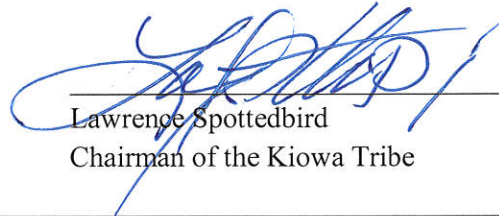
CHAIRMAN'S ACTION:

☐ APPROVED

☒ VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

See Attached

On this 20th day of August, 2025.


Lawrence Spottedbird
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2025.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

☐ YES

☐ NO

KIOWA TRIBE RESOLUTION NUMBER KL-CY-2025 012

COLA

Reason for Veto by Chairman

In review of Resolution on the COLA increase, I noticed a provision that suggests the Legislature could later decide to modify the COLA by "Legislative Order" as follows:

"The Legislature has the authority to adjust the COLA from 1 to 3%. This decision will be made through Legislative Order, requiring a majority vote of the Legislature."

I don't think a Legislative Order is the appropriate vehicle to do this. The Constitution addresses the Legislature's use of Legislative Orders in Article VI, Section 6(c), and limits such authority to internal administrative matters, veto overrides, and calling meetings. Once again, the legislature is exceeding its Constitutional authority by assuming control over a matter that should have been relatively benign with no authority to do so.



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KIOWA TRIBE LEGISLATIVE ORDER KLO-CY-2025-026

SUBJECT: To Override A Veto Issued by the Chairman of a Resolution/Bill KL-CY-2025-012 A Resolution of The Kiowa Tribe Implementing a 3% Cost of Living Adjustment (COLA) Raise for All Employees of The Executive, Legislative, Judicial, and Kiowa Indian Council Branches.

WHEREAS, Article VI, Section 6(c) and (d) of the Tribe's Constitution grants the Legislature the authority to override a Chairman's veto of a Bill or budget by passing a Legislative Order; and,

WHEREAS, On August 09, 2025, the Legislature passed a Bill entitled, "A Resolution of The Kiowa Tribe Implementing A 3% Cost of Living Adjustment (COLA) Raise for All Employees of The Executive, Legislative, Judicial, and Kiowa Indian Council Branches". (Resolution KL-CY-2025-012); and,

WHEREAS, On August 20th, 2025, the Chairman of the Tribe vetoed Resolution KL-CY-2025-012 citing, "reasons for veto by Chairman (see attached statement)"; and,

NOW THEREFORE IT BE RESOLVED, that the Legislature hereby overrides the Chairman's veto of Resolution KL-CY-2025-012 A Resolution of The Kiowa Tribe Implementing A 3% Cost Of Living Adjustment (COLA) Raise for All Employees of The Executive, Legislative, Judicial, and Kiowa Indian Council Branches.

CERTIFICATION

The foregoing Legislative Override Order KLO-CY-2025-026 was duly voted and approved upon by the Legislature on September 13, 2025, at a Legislative Regular Session CI-(101) 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.

Michael Primus

Michael Primus
Speaker of the Legislature

KIOWA TRIBE RESOLUTION NUMBER KY-CY-2025-012

STATEMENT BY THE LEGISLATURE REGARDING VETO OVERRIDE

The Chairman's veto was limited only to the inclusion of the following "WHEREAS" provision in the resolution:

WHEREAS, the Legislature has the authority to adjust the Cost of Living Adjustment (COLA) from 1% to 3%. This decision will be made through Legislative Order, requiring a majority vote of the Legislature; and,

The Chairman, citing the Constitutional definition of Legislative Order, stated that he "didn't think a Legislative Order" was the "appropriate vehicle" to change the Cost of Living. From the outset, it must be noted that a "WHEREAS" clause is not law, but merely an explanation for the Legislature's action. The operative part of a resolution is the provisions contained in a "BE IT RESOLVED" clause. Here, the resolution only includes one "BE IT RESOLVED" clause:

NOW THEREFORE BE IT RESOLVED, that the Kiowa Tribe Legislature authorizes and approves a 3% Cost of Living Adjustment (COLA) raise for all employees within the Executive, Legislative, Judicial, and Kiowa Indian Council. All (COLA) raises shall be in an approved budget.

As detailed in the Resolution, this increase in (COLA) is not being approved through a Legislative Order but will be done in an approved budget. The impetus for the resolution was a concern that raises would be done in a subjective manner and the Legislature wished to ensure they were done equitably instead. As result, the Resolution was meant to inform the Executive Branch (and the public) of the Legislature's intent to include such an equitable increase in (COLA) in the budgetary process.

LEGISLATIVE OVERRIDE ORDER - KLO-CY-2025-026

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Kyle Ataddlety District 1	X			
Michael Primus District 2	X			
Timothy Satepauhoodle District 3	X			
Cole DeLaune District 4	X			
Tiya Rosario District 5	X			
Ben Wolf District 6	X			
Warren Queton District 7	X			