



September 2011

Constitution Reform Project Nearing Completion

The Constitution Committee was formed at the March 2000 General Council meeting, to amend the Kaw Constitution. Over the past ten years the committee held meetings, sent out surveys, and provided a list of recommended changes to the Executive Council. The Executive Council approved and sent to the General Council for ratification the only amendment (to the 1990 Constitution) which was adopted in 2004. It was agreed to by a vote of the Kaw people in 2006. This amendment removed the Secretary of the Interior's approval of any future amendments to the Constitution. The Constitution Committee held a training session with Falmouth Institute in April of 2008; it was decided that additional work was going to be needed to complete a revision of the Constitution. The Kaw Nation was awarded a grant from the Administration for Native Americans (ANA) in 2008 for the purpose of revising the constitution. This was a three-year grant to revise the Constitution and various policies and procedures of the Kaw Nation.

Starting in the spring of 2009, the Constitution Committee set out the task of revising the Constitution. Since then, the Committee held nearly a dozen public meetings for Tribal Citizens to solicit comments, sent out surveys, and drafted a new Constitution. A petition calling for a vote on the proposed Constitution was presented to the Chairman at the April 2011 General Council meeting. This petition was certified by the Kaw Nation District Court, and a vote took place August 20, 2011. The Kaw people voted 58 percent to 42 percent to ratify the new Constitution making it the organic law of the land. Shortly thereafter, the Kaw Nation Tribal Council (formerly known as the Executive Council) began diligently working to implement the new Constitution.

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The 2011 Constitution calls for several actions to be voted on by the General Council, and these are currently being prepared for future General Council meetings. A couple of the key changes include: changing the name of the "Executive Council" to the "Tribal Council," the term Kaw "members" to Kaw "citizens," and changing "Chairman/CEO" to "Chair." Changes which will affect the Kaw Nation in the near future include the hiring of an Attorney General, who will serve as the prosecutor in the Kaw Courts; provide rulings on the Constitutionality of Kaw Laws; and be available at General Council Meetings to answer questions by citizens in regard to the law. The Tribal Council and the General Council will both play a role in the selection of this person.

A change that will become apparent during next year's election for the Tribal Council will be changes to the Election Committee, which will become a permanent committee rather than one which is organized for elections and then disbanded. The other change to elections is in the requirement to run for elected office. Under the new Constitution a person must meet the following requirements: be 25 years of age, not a felon or adjudicated by a court as mentally incompetent, be 1/32 degree of Kaw Indian Blood, have a High School diploma or a GED, and term limits will start with the election in 2016.

The Constitution Committee is thankful to all the people who commented on the drafts and believes this new Constitution will help to guide the Kaw Nation through generations to come.

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