

- (d) There shall be one seat vacant for the President and his/her Vice President to serve until they are replaced in the General Election in four years.
- (e) For purposes of the First Election only, the following misdemeanors and no others shall be considered serious misdemeanors; adultery, bribery, embezzlement, extortion, fraud, forgery, misbranding, perjury and theft.
- After the adoption of this Constitution and the certification of the election results, Article V, Section 11, First General Election, shall be deemed executed and be considered stricken from this constitution.

ARTICLE VI – LEGISLATIVE BRANCH

SECTION 1. Composition.

- (a) The Legislature shall be composed of nine (9) members, two from each District except Peridot which will have three (3) members. Legislators will be elected by popular vote of his/her District.
- (b) The Legislature, from time to time, may by law change the forgoing number and distribution according to the growth of population.
- (c) The Legislature has 90 days from the installation of the constitution to establish or revise all the necessary laws pertaining to this constitution.

SECTION 2. Duties of the Legislature. The Legislature shall:

- (a) enact statutes and resolutions, which it shall deem necessary and proper for the general good of the San Carlos Apache Nation provided that such laws are not inconsistent with or contrary to the Constitution and the Corporate Charter.
- (b) approve an annual budget. The Legislature shall not appropriate funds which have not been authorized by law. Approval shall require a majority vote of the Legislature. Rejection, amendment or alteration shall be by executive veto, including line item veto.
- (c) Provide resources for a History and Cultural Preservation agency to encourage, guard and foster traditional cultural practices of the San Carlos Apache, including but not limited to the language, arts, crafts, religion, and customs.
- (d) enact a law requiring all public institutions of learning from pre-K through college within the boundaries of the San Carlos Apache Nation, to offer formal instructions in the Apache Language.
- (e) enact laws to encourage and foster tribal member businesses.
- (f) enact laws governing campaigns and campaign contributions to political candidates within six (6) months after the adoption of this Constitution, and such laws shall include a prohibition on contributions from non-members of the Nation.
- (g) make laws pertaining to the acquisition, leasing, disposition and management of real property; subject to Federal Law and consistent with the Corporate Charter.
- (h) make laws pertaining to the lease or sale of water rights, lease of land for grazing purposes, lease or sale of mineral rights, provided that it must be authorized by

no less than 30% of the qualified voters cast in an election called for that purpose.

- (i) Enact laws regulating domestic relations of members of the Nation, providing for appointment of guardians for minors and mental incompetents, regulating the inheritance of real and personal property of members of the Nation within the Reservation; and providing for the removal or exclusion from the reservation of any non-member of the Nation whose presence may be injurious to the people of the Reservation;
- (j) employ legal Counsel
- (k) appoint subcommittees which shall consist of no more than two Legislators per committee
- (l) no assignment of future tribal income shall be made for more than five years in advance, except as security for loans from the United States or other private/public entity.
- (m) the foregoing Legislative duties shall be subject to the following limitations: no tribal land or interest in land shall ever be sold
- (n) No tribal land or interest in land shall be leased for a period longer than 99 years.
- (o) Shall establish an open meeting law to include requirements for regular and executive sessions and other necessary procedures.

SECTION 3. Salary Commission. The legislature shall establish by law a Salary Commission made up of five (5) members, two appointed by the President, two appointed by the Legislators and one appointed by the Chief Judge. The responsibility of the Salary commission will be to recommend stipend increases for the all Elected positions. Salaries for Legislatures must be approved by the voters in an election called for that purpose.

SECTION 4. Compensation. Legislators shall be paid a stipend of two hundred dollars per meeting not to exceed two meetings per month, which shall be appropriated in the annual budget, any additional meetings will not include compensation. No additional compensation of any form shall be made to Legislators, subject to the availability of funds.

SECTION 5. Terms of Office. Legislators shall serve four (4) year staggered terms. Legislators shall represent their respective Districts. Legislators shall serve no more than two (2) consecutive four (4) year terms.

SECTION 6. Procedures.

- (a). **Speaker.** The Legislature shall at the first regular session, following a General Election, elect from their own body a Speaker to serve a one year term. The Speaker will preside over all meetings and may vote.
- (b). **Bills.** A simple majority will be required to pass a law. All legislative proposals shall be formally introduced as bills. All bills introduced by a Legislator(s) shall be presented to the President for comment, and shall be subject to a public legislative process including a committee meeting(s) and public hearing(s) after a thirty (30) day public notice prior to being voted upon by the Legislature.