

CURRENT:

ARTICLE IV-PAWNEE BUSINESS COUNCIL

Section 1. The supreme governing body of the Pawnee Nation of Oklahoma shall be the Pawnee Business Council, which shall consist of eight (8) members.

Section 2. Subject to the limitations imposed by this Constitution and applicable Federal law, the Pawnee Business Council shall exercise all the inherent, statutory, and treaty powers of the Pawnee Nation of Oklahoma by the enactment of legislation, the transaction of business, and by otherwise speaking or acting on behalf of the Pawnee Nation of Oklahoma on all matters which the Pawnee Nation of Oklahoma is empowered to act, including the authority to hire legal counsel to represent the Pawnee Nation of Oklahoma.

Section 3. All acts regarding Membership or Claims or Treaty Rights of the Pawnee Business Council shall be subject to review by the Nasharo Council in accordance with this Constitution.

Section 4. The present Pawnee Business Council members shall serve until the next regular election or until their successors are elected and installed provided:

- (i) The Pawnee Business Council shall provide an election commission to conduct all elections, provided that regular elections are held on the first Saturday in May of each odd numbered year.
- (ii) No member of the Pawnee Nation of Oklahoma, eighteen (18) years of age or older, shall be denied the right to vote by secret ballot, either in person or by absentee ballot, provided that no write-in votes shall be allowed.
 - (a) Members of the Pawnee Nation of Oklahoma, twenty-five (25) years of age or older, shall be eligible for election to the Pawnee Business Council. Members of the Pawnee Nation convicted of a felony or dishonorably discharged from the Armed Forces of the United States of America are ineligible for candidacy.

Thereafter, all members of the Pawnee Business Council shall be elected to a four-year term of office and shall serve until their successors shall be duly installed in office. In cases when a vacancy is being filled to complete an un-expired term due to death, resignation, forfeiture, or recall of a Pawnee Business Council member, a successor will be appointed pursuant to Article VI of this Constitution.

- (iii) A Nasharo Council member shall resign his/her position if elected or appointed to the Pawnee Business Council.
- (iv) A Pawnee Nation of Oklahoma employee shall resign his/her position if elected or appointed to the Pawnee Business Council.
- (v) A Pawnee Business Council member shall not be eligible for employment by the Pawnee Nation of Oklahoma.
- (vi) Elected members of the Pawnee Business Council shall be inaugurated and sworn into office fourteen (14) calendar days after the Election Day.
- (vii) Pawnee Business Council records and all related documentation for each outgoing Pawnee Business Council member shall be made available to the newly elected Pawnee Business Council members. Failure to comply shall result in ineligibility to file for candidacy for the Pawnee Business Council for ten (10) years or until records and documents are returned.

Section 5. All acts of the Pawnee Business Council shall be determined by a majority vote of the membership present, provided five (5) members of the Council shall constitute a quorum to transact business. In the event of a tie, the chairperson or chairperson pro tem shall cast the deciding vote.

Section 6. Regular quarterly meetings of the Pawnee Business Council shall be held on the first Saturday in February, June, August and November of each year in a place designated by the Pawnee Business Council, provided:

- (i) Special meetings may be called by the President.
- (ii) Special meetings shall be called by the President within two (2) weeks after receiving a written request, by regular mail or by certified and return receipt mail, from a majority of the occupied Pawnee Business Council positions, provided:
 - (a) If the President fails to call and conduct a special meeting as requested within two (2) weeks, a majority of the occupied members of the Pawnee Business Council shall be authorized to call and conduct a special meeting by affixing their signatures to a document listing in detail the need for the meeting and citing this Section of the Constitution as their authority to meet.
- (iii) A minimum of two (2) days notice of all meetings, regular or special, shall be published in a newspaper and posted in public view. Provided, that in an emergency, posting in public view for two (2) days shall be deemed sufficient notice. Notice shall include the agenda.

Section 7. All members of the Pawnee Business Council shall attend tribal constitution orientation classes as prescribed by the Pawnee Business Council.

REDLINED REVISIONS:

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~~(ix) No member of the Pawnee Nation of Oklahoma, eighteen (18) years of age or older, shall be denied the right to vote by secret ballot, either in person or by absentee ballot, provided that no write-in votes shall be allowed.~~

~~(i) CitizensMembers of the Pawnee Nation of Oklahoma, twenty-five (25) years of age or older, shall be eligible for election to the Pawnee Business Council. Members~~Citizens~~ of the Pawnee Nation convicted of or having plead guilty to a felony crime regardless of jurisdiction or dishonorably discharged from the Armed Forces of the United States of America are ineligible for candidacy for elected office as proscribed by law.~~

~~(ii) At the first election after the adoption of this Constitution (1999), the President, Treasurer, and the First and Second Council Members shall be elected to a four--year term and the Vice-President, Secretary, and Third and Fourth Council members shall be elected to a two-year term in order to stagger the terms of office:~~

~~—Candidates shall declare the position they are seeking~~

~~(a) If there are positions which are vacant due to lack of candidates, those positions shall be considered vacant and filled according to Article VI.~~

~~HenceforthThereafter, all members of the Pawnee Business Council shall be elected to a four-year term of office and shall serve until their successors shall be duly installed in office. In cases when a vacancy is being filled to complete an unexpired term due to death, resignation, forfeiture, or recall of a Pawnee Business Council member, a successor will be appointed pursuant to Article VI of this Constitution.~~

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~~(ii)(iv) A Pawnee Nation ~~of Oklahoma~~ employee shall resign his/her position if elected or appointed to the Pawnee Business Council.~~

~~(iii)(v) A Pawnee Business Council member shall not be eligible for employment by the Pawnee Nation ~~of Oklahoma~~ during his/her term of office.~~

~~(iv)(vi) Elected members of the Pawnee Business Council shall be inaugurated and sworn into office fourteen (14) calendar days after the Election Day.~~

~~(vii) Pawnee Business Council records and all related documentation for each outgoing Pawnee Business Council member shall be made available to the newly elected Pawnee Business Council members. Failure to comply shall result in ineligibility to file for candidacy for the Pawnee Business Council for ten (10) years or until records and documents are returned.~~

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~~(v)(ix) If positions are vacant due to lack of candidates, they are considered vacant and filled according to Article VI.~~

Section 5. All acts of the Pawnee Business Council shall be determined by a majority vote of the membership present, provided five (5) members of the Council shall constitute a quorum to transact business. In the event of a tie, the ~~President~~chairperson or ~~chairperson~~President pro tem shall cast the deciding vote.

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 - (b) A minimum of two (2) days notice of all meetings, regular or special, shall be ~~published in a newspaper and~~ posted in public view. Provided, that in an emergency, posting in public view for two (2) days shall be deemed sufficient notice. Notice shall include the agenda.
- (iii) All meetings in this section may be held in-person, virtually, or as a hybrid meeting with both in-person or virtual attendance as may be determined by the Pawnee Business Council.

Section 7. All members of the Pawnee Business Council shall attend tribal constitution orientation classes as prescribed by the Pawnee Business Council.

Section 8. The Pawnee Business Council shall provide an election commission to conduct all elections, provided that regular elections are held on the first Saturday in May of each odd numbered year.

PROPOSED REVISIONS:

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- (ii) At the first election after the adoption of this Constitution (1999), the President, Treasurer, and the First and Second Council Members shall be elected to a four-year term and the Vice-President, Secretary, and Third and Fourth Council members shall be elected to a two-year term in order to stagger the terms of office:
 - (a) Candidates shall declare the position they are seeking
 - (b) If there are positions which are vacant due to lack of candidates, those positions shall be considered vacant and filled according to Article VI.
 Thereafter, all members of the Pawnee Business Council shall be elected to a four-year term of office and shall serve until their successors shall be duly installed in office. In cases when a vacancy is being filled to complete an unexpired term due to death, resignation, forfeiture, or recall of a Pawnee Business Council member, a successor will be appointed pursuant to Article VI of this Constitution.
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