

FEB 15 2023

KIOWA TRIBE
KIOWA INDIAN COUNCIL MEETING
APRIL 1, 2023
RED BUFFALO HALL, CARNEGIE, OK
RESOLUTION NUMBER: KIC-CY-0011-2023

DATE POSTED:**DATE APPROVED:**

**SUBJECT: A RESOLUTION OF THE KIOWA INDIAN COUNCIL TO ENACT
GERONIMO'S EASY ACCESS TO AFFORDABLE MARIJUANA
LAW**

WHEREAS: The Kiowa Tribe is a sovereign nation since time immemorial and is federally recognized as a Tribal Government by the United States; and,

WHEREAS: The Kiowa Tribe is organized under a Constitution approved by Tribal membership on April 17, 2017, and approved by the Secretary of the Interior, U.S. Bureau of Indian Affairs May 5, 2017; and,

WHEREAS: Article V, Section (3)b of the Constitution grants the Kiowa Indian Council the power to set policy for the Tribe, and shall have all other powers and duties specifically provided by the Constitution.

WHEREAS: We the members of the Kiowa Indian Council of the Kiowa Tribe, under the authority granted to the Kiowa Indian Council by the Constitution by the Kiowa Tribe, in order to preserve for ourselves and our children the inherent sovereign rights of our Indian Nations governed under the laws of the Kiowa Constitution, to preserve Kiowa Cultural values and promote health, safety and welfare of the Kiowa people, do hereby establish and submit the following resolution; and

WHEREAS: the Kiowa Tribe is organized under a constitution ratified by the Kiowa Indian Council vote on April 17, 2017; and

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

WHEREAS: the Legislature finds the need to enact a law and resolution to legalize Marijuana giving the Kiowa people and open and clear path to a more pain free, better quality of life and for the purpose Longevity, Health and Welfare and Affordability; and

WHEREAS: both the Kiowa Indian Council and the Kiowa Legislature realize the urgency and need to exercise the powers of each Body of the Kiowa Government vested them under the Kiowa Constitution and to provide 100% protections by placing under a lockbox protection to those inherent and Civil Rights that we consider to be sacred the same that we consider and provide for Peyote; and

WHEREAS: the need for protection is necessary for this law to be placed permanently into the Kiowa Tribes BILL OF RIGHTS with the words “AS WELL AS NATURAL HERBAL MEDICINES TO SPECIFICALLY INCLUDE ALL FORMS OF NATURALLY GROWN MARIJUANA TO INCLUDE MARIJUANA DERIVED EDIBLES FOR THEIR HEALTH AND WELL BEING, AND THE CHOICE OF ANY AND ALL TYPES OF MEDICAL TREATMENT SHALL REMAIN THAT OF THE INDIVIDUALS THEMSELVES” are to be placed in Article I – BILL OF RIGHTS Section 1(a) to read as such Article I – BILL OF RIGHTS Section 1. Bill of Rights. The government of the Tribe shall not make or enforce any law which (a) infringes upon religious purposes AS WELL AS NATURAL HERBAL MEDICINES TO SPECIFICALLY INCLUDE ALL FORMS OF NATURALLY GROWN MARIJUANA TO INCLUDE MARIJUAN DERIVED EDIBLES FOR THEIR HEALTH AND WELL BEING, AND THE CHOICE OF ANY AND ALL TYPES OF MEDICAL TREATMENT SHALL REMAIN THAT OF THE INDIVIDUALS THEMSELVES, nor establishes religion; and

WHEREAS: the Kiowa Tribe is a sovereign nation since time immemorial and is federally recognized as a Tribal government by the United States; and

WHEREAS: the Kiowa Tribe is organized under a Constitution approved by the Secretary of the Interior, U.S. Bureau of Indian Affairs on May 5, 2017; and

WHEREAS: the Legislature supports the Kiowa Indian Council wish to retain full and complete power of authority overseeing all aspects of the marijuana industry pertaining to the Kiowa Tribe; and

WHEREAS: Article V, Section 3 (b) of the Constitution the Kiowa Indian Council the power to set policy for the tribe, and shall have all other powers and duties specially provided by the Constitution of the Kiowa Tribe; and

WHEREAS: the members of the Kiowa Indian Council of the Kiowa Tribe under the authority granted to the Kiowa Indian Council by the Constitution of the Kiowa Tribe, in order to preserve for ourselves and our children the inherent sovereign Rights of our Indian nations governed under the laws of the Kiowa Constitution, to preserve Kiowa cultural values and promote and the health and safety of the Kiowa people, due hereby approve, and under the Authority of the Kiowa Indian Council, The Kiowa Tribe of North America General Council Assembled Standing for Marijuana - Sovereign A Body that consists only of Kiowa Indian Council members (No non-Kiowa Indian Council member shall be part of this body), and under the direction of the Kiowa Indian Council and in accordance with this constitution and the Policies and Procedures of the Kiowa Indian Council to be the official Marijuana regulatory Authority/Entity for the Kiowa Nation and to oversee any and all Rules and Regulations, Fees and Taxation and Licensing of the Marijuana Industry related to the Kiowa Nation and for the Kiowa Tribe as a whole and there will be NO Kiowa Tribe Tax Stamp and all taxes will be set to not exceed the amount of 4% and shall be determined and distributed as seen fit via the Kiowa Indian Council through a vote held by the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign and in accordance with the Policies and Procedures of the Kiowa Indian Council; and

- WHEREAS:** the members of the Kiowa Tribe may possess, buy, sell, home grow (Cultivate) manufacture, Study/investigate/research Marijuana in accordance with set Rules and Regulations implemented by the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign; and
- WHEREAS:** ownership of any and all businesses formed on any and all Kiowa lands for the Marijuana industry must be owned by, and at no less than 75% of an enrolled Kiowa tribal member of the age 21 years of age and older, ALL non-Kiowa members of the age 21 years and older may only own 25% of any such business and anyone under the age of 21 does NOT qualify for business License and or permits; and
- WHEREAS:** state licensed businesses and medical card holders that are non-Kiowa members may buy/purchase and possess Marijuana and all derived Marijuana products across tribal and state boundaries and on any and all Kiowa Tribal Lands of any kind in accordance to the Rules and Regulations of the Marijuana Industry of the Kiowa Tribe, but possession and use of Marijuana and any Marijuana derived will be left to the discretion of the property owner or property manager of the privately owned Kiowa Lands owned by Kiowa Tribal members who are the age of 21 and older, and if allowed must still adhere to the Rules and Regulations implemented by the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign; and
- WHEREAS:** no state or outside non-Kiowa government, Entity and/or shall implement or enforce any other laws, Rules or Regulations on Kiowa Tribal Lands nor create any Taxation, Fees, Fines, License and/or Permits of any kind for the Marijuana industry for the Kiowa Nation; and
- WHEREAS:** NO ONE AND NO BUSINESS may buy, sell, cultivate or manufacture Marijuana or any derived Marijuana products on any and all Kiowa lands to include privately owned Kiowa lands (unless for personal use and Home Grows, and in accordance with the Rules and Regulations of the Kiowa Tribe) without being approved by and properly licensed by the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign; and
- WHEREAS:** the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign and as the controlling entity overseeing the Marijuana industry for the Kiowa Nation will assemble new Rules and Regulations that that shall be posted for display in accordance to the Policies and Procedures of the Kiowa Legislative Body and for public comment for all interested Kiowa Indian Council members to assist in the structure of said Rules and Regulations with a focus to fully provide the proper protections, and no other Entity, Agency, Board, Commission and/or Government Branch shall implement or enforce any other rules or regulations that are in conflict with said Rules and Regulations implemented by the Kiowa Tribe of North America General Council Assembled Standing for Marijuana – Sovereign; and

WHEREAS: there shall be no discrimination to those who use legal Marijuana especially when it comes to 1. Employment 2. Housing 3. Public Assistance and the Kiowa Tribe or any Kiowa Tribal business or any business on Kiowa Tribal lands of any kind shall not require/allow any pre-screening and/or pre-employment drug testing for Marijuana and/or THC metabolites and/or traces of Marijuana of any type and the legal use of Marijuana shall not be held against anyone unless supported by factual evidence proving that the person accused is under the influence at the time at their involvement in a work related incident and a positive Marijuana test shall NOT be enough evidence on its own to warrant any negative action and must have supporting factual evidence as proof; and

WHEREAS: no outside Entity, State Government to include the Federal Government may intrude implement or interfere with any aspect of the Marijuana industry for the Kiowa Nation as a whole.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby resolve; that the Legislature hereby resolves the attached law "GERONIMO'S OPEN PATH LAW"

BE IT FURTHER RESOLVED, that this resolution shall be the policy of the Kiowa Tribe until it is withdrawn or modified by subsequent resolution or Constitutional amendment. The Kiowa Indian Council enacts "GERONIMO'S OPEN PATH LAW"

2023 KIOWA INDIAN COUNCIL OF THE KIOWA TRIBE

Chairman, _____

ATTEST:

Secretary, _____

KIOWA INDIAN COUNCIL, RESOLUTION NO. _____:

CERTIFICATION

The foregoing resolution was duly voted upon by the 2023 Kiowa Indian Council of the Kiowa Tribe; _____ was present at the duly called Annual Kiowa Indian Council Meeting held on the _____ of _____, 2023, and that the foregoing Resolution was adopted by the affirmative vote:

FOR: _____ **OPPOSED:** _____ **ABSENTIAN:** _____

Secretary, Kiowa Indian Council _____