

## ARTICLE VII - EXECUTIVE BRANCH

### Section 1. Composition.

(a). The Executive Branch shall be comprised of a Governor and Lieutenant Governor. The Lieutenant Governor shall be subordinate to the Governor.

(b). The Governor and Lieutenant Governor shall be elected by the eligible voters of the Tribes. Candidates for Governor and Lieutenant Governor shall seek office as a team and both their names shall appear on the ballot together.

(c). The Executive Branch shall be comprised of Departments created by law which shall include at a minimum a Department of Housing, a Department of Justice, a Department of Law Enforcement, a Department of Enrollment, a Department of Health, a Department of Education, a Department of Social Services, a Department of Treasury which shall include an Office of Internal Auditor, a Budget Office, and a Finance Office, and any additional Departments created by law subject to the approval of the Tribal Council. The Executive Branch shall also be comprised of a Department of Administration which shall include an Office of Records Management, an Office of Personnel, a Property and Supply Office, a Procurement, Grants, and Contracts Office, and a Planning and Development Office. Each Department shall have one Executive Director.

(d). The Office of Records Management within the Department of Administration shall be located at the government headquarters in Concho. The Office of Records Management shall secure and maintain at a minimum the following Records of the Tribes: treaties, compacts, contracts, constitution, codes, resolutions, laws, ordinances, court opinions, elections, executive orders, memos, letters, rules, regulations, policies, bills, financial records, audits, audit letters and reports, budgets, salaries, travel records, grant proposals, grant awards, grant reports, maps, land records, newspapers, reports, studies, and any other documentary, audio, or written records. The Office of Records Management shall develop systems to index and access all Records maintained in the Office of Records Management or any other office. The public shall have the right to inspect any Record and shall have the right to obtain copies of any Record for a reasonable fee as may be set by law.

Section 2. Terms. The Governor and Lieutenant Governor shall serve four year terms or until a successor has been sworn into office. The Governor and Lieutenant Governor may serve as many terms in succession or otherwise as decided by the voters.

### Section 3. Qualifications.

(a). The Governor and Lieutenant Governor shall be at least thirty-five years old, enrolled members of the Tribes, and each possess at least a Bachelors degree from an accredited school.

(b). No person convicted of a felony within the last ten years shall serve as Governor or Lieutenant Governor unless pardoned.

(c). At time of filing a nomination petition, a candidate for Governor or Lieutenant Governor shall physically reside in a voting District. The Governor and Lieutenant Governor shall be residents of a voting District for the duration of their terms.

(d). A candidate for the Office of Governor and Lieutenant Governor shall submit copies of his or her Federal income tax returns for the previous five years and provide a written list of all of his or her personal and real property.

(e). A candidate for the Office of Governor and Lieutenant Governor cannot owe any money or owe any debts to the Tribes.

### Section 4. Powers.

- (a). The Executive power of the Tribes shall be vested in the Governor. The Governor shall execute, administer, and enforce the laws. The Governor shall enforce court orders.
- (b). The Governor shall make projections of annual revenues and shall propose an annual budget to the Legislature no later than June 1" of each year. The annual budget shall include all revenue and funds controlled by the Tribes including gaming revenue, and all revenue and funds received by the Tribes from any and all sources. Monies which have been appropriated by law shall not be drawn from the Treasury except by signature of the Governor. Spending government revenues or drawing monies from the Treasury without authorization and appropriation by law and without a signature by the Governor shall constitute embezzlement and fraud against the Tribes and which shall be punishable by a jail term of up to one year and a fine of up to five thousand dollars per offense.
- (c). The Governor shall have the power to negotiate and sign a treaty, compact, or gaming management contract which has been previously and specifically authorized by the Tribal Council. No treaty, compact, or gaming management contract shall be valid which has not been previously authorized by the Tribal Council. Any treaty, compact, or gaming management contract signed by the Governor shall be subject to ratification by the Legislature.
- (d). The Governor shall have the power to negotiate and sign a contract, other than a gaming management contract, which has been previously authorized by the Tribal Council or Legislature. No contract shall be valid which has not been previously authorized by the Tribal Council or Legislature. In the event of a conflict between the acts of the Tribal Council and the Legislature regarding the authorization to contract, the act of the Tribal Council shall govern.
- (e). The Executive Director of the Department of Treasury shall be called the Treasurer. The Treasurer shall safeguard and be responsible for the financial assets and practices of the Tribes. The Treasurer shall be bonded in a sufficient amount to protect the financial assets of the Tribes.
- (f). The Governor shall ensure that an annual audit of the Tribes is conducted by a reputable accounting firm or certified public accountant.
- (g). The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten days of passage with a written explanation of any objections; and if the Governor takes no action within ten days, then the enactment shall become law in accordance with this Constitution.
- (h). The Governor shall have the power to nominate an Executive Director for each Department subject to confirmation by the Legislature, provided that if no confirmation vote is taken by the Legislature within ninety days of nomination, the nominee shall be deemed confirmed.
- (i). The Governor and Lieutenant Governor shall not serve on any Commissions or Boards created by the Legislature.

Section 5. Compensation. The Governor and Lieutenant Governor shall receive reasonable compensation as established by law. No increase or decrease in compensation for the Governor or Lieutenant Governor shall take effect until after the next General Election except for generally applicable cost of living increases.