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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

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A CONSTITUTION
FOR
ISLETA PUEBLO, NEW MEXICO

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APPROVED MARCH 27, 1947



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A CONSTITUTION FOR ISLETA PUEBLO, NEW MEXICO

PREAMBLE

We, the people of the Pueblo of Isleta, in order to establish a responsible and representative government, to promote the general welfare, to secure the blessings of liberty to ourselves and our posterity, to provide for our economic and social betterment through cooperative effort, industry and enterprise, to promote security and to provide for law and order, do establish this constitution for the Pueblo of Isleta.

ARTICLE I—JURISDICTION

This constitution shall apply within the exterior boundaries of the Isleta Pueblo Grant and within the exterior boundaries of such other lands as are now or may in the future be added by purchase, grant, lease, or otherwise acquired for use by the Pueblo of Isleta. No such lands shall ever be alienated from the Pueblo by action of any member of the Pueblo.

ARTICLE II—MEMBERSHIP

Persons of one-half or more degree of Isleta Indian blood and Isleta parentage shall be members of the Pueblo of Isleta, provided they have not renounced their right to membership. Other persons of Indian blood may become naturalized members of the Pueblo of Isleta.

All male members who are heads of families and male members who have attained the age of 21 and have established a separate household shall be eligible to vote in the general Pueblo elections provided that such members have established their eligibility by registration with the proper Pueblo official.

ARTICLE III—EXECUTIVE BRANCH

SECTION 1. The Executive Branch of the Pueblo of Isleta shall consist of the Governor, First and Second Lieutenant Governors, Sheriff and Under-Sheriff, Secretary and Treasurer. These officers shall be chosen only from among the membership of the Pueblo of Isleta.

SEC. 2. These officers shall serve for a period of one year.

SEC. 3. The duties of the Governor shall be:

(a) To direct and be responsible for the administration of Pueblo affairs.

(b) To act officially for the Pueblo in its relation with other Pueblos, the States, other governmental agencies, individuals, and such other groups as may require the official action of the Pueblo.

(c) To co-sign with the Treasurer all checks drawn against the Pueblo of Isleta bank account.

(d) To be responsible for the maintenance of law and order within the Pueblo, and to require and direct such assistance in this regard as may be necessary.

(e) To attend all Council meetings.

SEC. 4. The duties of the First Lieutenant Governor shall be:

(a) To assist the Governor, as directed by him, in the performance of any or all of the Governor's duties.

(b) To maintain law and order at all times, under the direction of the Governor, if possible, but on his own initiative when necessary.

(c) To assume the governorship, and the duties thereof, in the case of death, resignation, or absence of the Governor.

(d) To attend all Council meetings.

SEC. 5. The duties of the Second Lieutenant Governor shall be:

(a) To assist the Governor, as directed by him, in the performance of any or all of the Governor's duties.

(b) To maintain law and order at all times, under the direction of the Governor, if possible, but on his own initiative when necessary.

(c) To assume the governorship, and the duties thereof, in the case of the death, resignation, or absence of the Governor and First Lieutenant Governor.

(d) To attend all Council meetings.

SEC. 6. The duties of the Sheriff and Under-Sheriff shall be:

(a) To maintain law and order at all times, under the direction of the Governor, when possible, but on their own initiative when necessary.

(b) To attend Council meetings when requested.

SEC. 7. The duties of the Secretary shall be:

(a) To keep all records and files of the Pueblo and attend to such official correspondence as may be authorized.

(b) To register qualified voters and be responsible for the registration records.

(c) To attend all Council meetings, and act as interpreter upon request.

SEC. 8. The duties of the Treasurer shall be:

(a) To keep all financial records and to be accountable for them.

(b) To issue and sign checks authorized to be drawn against the Pueblo of Isleta bank account and to submit these for all other necessary signatures.

(c) To serve under bond.

(d) To give financial statements to the Council semi-annually; to make such information available to the people if requested; to open financial records for inspection by the people if requested.

SEC. 9. It shall be the duty of every officer, as of every member of the Pueblo, to take all necessary emergency measures to prevent loss of life or of property.

SEC. 10. The candidates for Governor shall be nominated as follows:

(a) The outgoing Governor shall be a candidate for reelection.

(b) Each voter, registering with the Secretary and three clerks appointed by the Council, between the December 1 and December 10 before an election, shall declare his preference for Governor. Those three members of the Pueblo receiving the most of such preferences by registrants shall be additional candidates for Governor, and their names shall be immediately announced to the people.

SEC. 11. The registered voters shall cast their secret ballots in a properly secured voting box in the custody of the Secretary between the hours of 8 A. M. and 6 P. M. on December 30.

The Secretary shall have a representative of each candidate with him when opening the ballot box at 6 P. M. on December 30; after counting the ballots under their inspection he shall immediately announce the candidate receiving the most votes, as the new Governor. He shall also announce the candidates receiving the second and third most votes, as President and Vice-President of the Council.

The new Governor shall select all other officers except the Treasurer in the executive branch, as required under the Constitution, between December 31 and January 6.

SEC. 12. The officers shall be inaugurated as follows:

(a) The new Governor shall be met on January 6 by the outgoing Council, the ranking officer of which shall instruct him and inaugurate him into his duties.

(b) The other officers of the executive branch shall be sworn into office as the Council may provide.

ARTICLE IV—LEGISLATIVE BRANCH

SECTION 1. The Legislative Branch of Isleta Pueblo shall consist of a Council of twelve, all of whom shall be chosen from among the eligible voters.

SEC. 2. The term of office of members of the Council shall be for a period of one year, but the Council shall stay in office until inauguration of their successors by the new Governor. In case of the death or resignation of any member of the Council, his successor shall be chosen by the officer who had selected him for office.

SEC. 3. The twelve Council members shall be selected as follows:

(a) Those candidates for Governor who receive the second and third greatest number of votes, shall be the President and Vice-President of the Council, respectively.

(b) On the January 1 after an election, the new Governor, and the new President and new Vice-President of the Council shall meet to determine the other ten members of the new Council. The Governor shall select four members, and the President and the Vice-President shall each select three members.

(c) The Council shall, at its first meeting after election, choose one of its members as Council Secretary. The Council shall determine what are the special duties of its President, Vice-President, and Secretary. The Council shall also choose some qualified member of the Pueblo as Treasurer of the Pueblo, to serve in the executive branch.

SEC. 4. Council meetings shall be called by the Governor or by the President of the Council upon their own initiative, or by the President upon request of any three Council members. It is the duty of each individual Council member to be present at all Council meetings. A quorum of eight is necessary in order to transact official Council business, with a majority vote required.

SEC. 5. The duties of the Council shall be to pass ordinances for the Pueblo, and to determine generally the usage of Pueblo property. It shall be the further duty of the Council to appropriate such money, authorize employment and payment of such assistants or advisers and set up such rules and procedures as may be necessary for the proper administration of this Constitution and of all ordinances in effect.

SEC. 6. The Council shall enact no ordinances discriminating against individuals specifically named. The Council shall enact no ordinances abridging any of the following rights of the members of the Pueblo: freedom of religion, speech, and the press; freedom of the people to assemble and to request general or specific action from the Council or the officers; freedom from unreasonable searches and seizures; freedom from deprivation of liberty or property without due process of law; freedom, in all criminal prosecutions, to enjoy speedy, impartial and public trial with assistance of pertinent witnesses and defense counsel; freedom from excessive bail or fines and from cruel punishments. The enumeration in this constitution of certain rights shall not be construed to deny or disparage other rights retained by the people.

ARTICLE V—JUDICIAL BRANCH

SECTION 1. The judiciary shall be composed of a Chairman and two other members appointed and sworn into office by the Governor and approved by the majority vote of the Council. Their term of

office shall be one year but they shall serve until their successors have been chosen.

SEC. 2. The duties of the judiciary shall be :

(a) To pass on the constitutionality of ordinances when requested by any member of the Pueblo.

(b) To pass on the legality of the action of officers enforcing the ordinances.

(c) To handle all criminal and civil cases brought before it.

(d) To establish judicial methods and procedures within the framework of this Constitution and appropriate ordinances.

SEC. 3. The Council may, at its discretion, accept any appeals from action of the judiciary, and try these in its capacity as a superior court.

ARTICLE VI—SPECIAL ELECTION

Within 30 days after ratification of this Constitution, and its approval by the Secretary of the Interior, the Governor of the Pueblo and the President and Vice-President of the Council shall be elected by the registered voters of the Pueblo at a special election held, so far as possible, in accordance with the procedure specified in section 10 of Article III. The election shall be supervised by the Superintendent of the United Pueblos Agency. Within seven days after such election, the Governor shall assume office, and the other executive and legislative officers shall be selected in accordance with the procedure specified in Article IV and V of this Constitution. The officers so elected or chosen shall remain in office until the selection and qualification of their successors in the next regular election.

ARTICLE VII—RATIFICATION

This Constitution, when adopted by a majority of the votes cast at a special election called by the Secretary of the Interior in which at least 30 percent of the members of the Pueblo 21 years of age or over shall vote, shall be submitted to the Secretary of the Interior, or his authorized representative, for approval and shall be effective from the date of such approval. The Constitution of the Pueblo may thereafter be amended or revoked in the manner provided by Article VIII thereof.

ARTICLE VIII—AMENDMENTS

This Constitution may be amended by a majority vote of the members of the Pueblo 21 years of age or over, voting for that purpose in an election called by the Secretary of the Interior, or his authorized representative, provided that at least thirty percent of those entitled

to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior, or his authorized representative. It shall be the duty of the Secretary of the Interior, or his authorized representative, to call an election on any proposed amendment at the request of a majority of the Council or upon receipt of a petition signed by at least one-third of the registered voters.

CERTIFICATION OF ADOPTION

Pursuant to an order approved March 7, 1947, by the Under Secretary of the Interior, the attached Constitution was submitted for ratification to the Indians of the Isleta Pueblo of New Mexico and was on March 23, 1947, duly adopted by a vote of 132 for, and 61 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

REMIJO JOJOLA,
Chairman, Election Board.
JUAN CARPIO,
Secretary, Election Board.

ERIC T. HAGBERG,
Acting Superintendent, United Pueblos Agency.

APPROVAL

I, C. Girard Davidson, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution of the Pueblo of Isleta.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution are hereby declared inapplicable to the Pueblo of Isleta.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution.

Approval recommended:

WILLIAM ZIMMERMAN, JR.,
Acting Commissioner of Indian Affairs.

[SEAL]

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

WASHINGTON, D. C., March 27, 1947.