

Appendix B: Tribal Constitution

CONSTITUTION OF THE TRIPANICK - NANSEMOND FAMILY INDIAN NATION

PREAMBLE

We, the Citizens of the Tripanick Nansemond Family Indian Nation, through the guidance of the Almighty God, our Creator to promote the general welfare, to ensure tranquility and to secure to ourselves and our posterity the blessings of our ancestral heritage, culture, and tribal sovereignty, do hereby ordain and establish this Constitution for the Tripanick Nansemond Family Indian Nation.

ARTICLE I – NAME

The name of this Tribe of Tripanick Nansemond people shall be known as the “Tripanick Nansemond Family Indian Nation”.

ARTICLE II – MEMBERSHIP

The membership of the Tripanick Nansemond Family Indian Nation shall be through the following. By providing detailed lineage with primary sources, these acceptable sources will consist of birth, death and marriage records, census records, deeds, wills, and other government documents etc., Unsubstantiated sources will not be accepted.

Let it be known that the “Tripanick Nansemond Family Indian Nation” has no affiliation nor will we accept any applications from any other Federally Recognized Tribe.

ARTICLE III – GOVERNING BODY

The Tripanick Nansemond Family Indian Nation shall be governed by the Tribal Chief along with an elected Tribal Council of officers.

The officers of the Nation are to include all elective officials, Assistant Chief and members of the Judicial Department/Tribal Council.

The Assistant Chief shall assist the Chief and perform all duties as assigned to him by the Chief.

The Judicial Department/Tribal Council shall assist and support the Assistant Chief as assigned.

The tribal council shall have authority to make changes in the number of representatives according to future needs.

ARTICLE IV – BILL OF RIGHTS

The Tripanick Nansemond Family Indian Nation shall not:

Make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Impose and or violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V – ELECTIONS

Any member, male or female, twenty-one (21) years of age or more and registered according to rules set forth by the tribal council shall be entitled to vote at any tribal election.

No person shall be allowed to run for, or hold, more than one elected tribal position at any one time.

The tribal council shall prescribe rules and regulations governing tribal elections consistent with this constitution and bylaws by secret ballot.

In all tribal council elections, the person receiving the largest number of votes for the given position shall be declared elected.

The term of office for elected officials shall be four (4) years, provided that present officers shall serve until their successors have been elected or they are reelected to hold said position.

ARTICLE VI – VACANCIES

In case of the death, resignation or removal of the Chief, the Assistant Chief shall immediately become Chief for the remainder of the unexpired term. In the event the Assistant Chief shall succeed to the office of Chief, he shall appoint a successor Assistant Chief with the advice and consent of the Tribal Council.

The Chief shall have power within sixty (60) days after a vacancy occurs in the Tribal Council to fill such vacancy for the remainder of the unexpired term. Such appointee shall meet the same qualifications as required of a candidate for election to such office. If a vacancy occurs more than one (1) year before the expiration of such term, a special election shall be called to fill the vacancy.

ARTICLE VII – REMOVAL OF OFFICIALS

Any elected or appointed officer shall be subject to impeachment for willful neglect of duty, corruption in office, habitual drunkenness, incompetency, incapability of performing his duties or committing any offense involving moral turpitude while in office.

Impeachment charges shall be presented to the Judicial Department. The Tribal Court shall within thirty (30) days examine the evidence. If the Tribal Court determines the evidence or charges are sufficient to warrant further action, it shall conduct a hearing pursuant to this Article.

Any officer against whom charges may be preferred shall be entitled to a hearing, by the Tribal Court, under rules and procedures prescribed by the Tribal Council. The official against whom articles of impeachment are preferred, shall be suspended from the exercise of duties of his office during the pendency of his impeachment proceedings.

The Tribal Council shall sit as a court of impeachment and its decision shall be final.

Eight (8) votes shall be required to impeach the official.

Judgment in cases of impeachment shall extend not only to removal from office but also to disqualification from holding any office of honor, trust or profit under this Nation.

The Tribal Legislature shall prescribe rules and procedures that are necessary to carry into effect the provisions of this Article.

ARTICLE VIII – OATH OF OFFICE

All elected or appointed officials shall take the following oath:

"I solemnly swear (or affirm) that I will support, obey and defend the Constitution of the Tripanick - Nansemond Family Indian Nation, and the United States of America and will discharge the duties of my office with fidelity. I further swear (or affirm) that I will devote my best efforts toward the preservation of the heritage and tradition of the Tripanick Nansemond Family Indian Nation in order that all mankind may better understand, evaluate, and appreciate the history of its glorious past and enjoy its brilliant future, so help me God."

ARTICLE IX – AMENDMENT

Proposed amendments to this Constitution may be initiated by either of the following methods:

A resolution of the Tribal Legislature adopted by at least nine (9) affirmative votes.

By a petition containing the entire text of the amendment and signed by not less than thirty percent (30%) of the total number of qualified voters voting in the last Chief's election.

No amendment shall become effective until it shall have been approved by the tribal council.
