



***Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation
Koasek Tribe under ICCU Agreement
Traditional Territory of New England & Eastern Canada***

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***"Preserving and restoring our native culture, while walking with nature."
Office, Archives & Records Center 32 Hoit Mill Rd, #202, Weare, NH 03281***

Constitution of

The Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Preamble

We, the Abenaki People of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation here uphold our truths, heritage and culture to our ancestors and our descendants to manage our affairs as an autonomous, sovereign and independent nation free from any external control free to define in this document our own laws until we cease to exist. This document shall supersede our previous constitution which was voted for by the tribal membership on 17 May 2013 and approved and signed by the chiefs and council on 7 Dec. 2014. And this version of our constitution was created after we were approved and recognized by the first native court hearing in Vermont and New Hampshire that was heard at UMASS, Amherst, Massachusetts by Native Judge Mohawk attorney from Connecticut on 21 Oct. 2017.

This document ensures the Substantive rights, to promote the general welfare of all Ko'asek (Co'wasuck) Abenaki People, and to preserve the heritage of our clans, our ancestors, our culture, our history, our language, our ancestral homeland, our sovereign right to live free and commune with the spirits of the natural world, through ceremony, and to protect our natural resources, water of life and everything that grows upon, above or below Mother Earth.

The Abenaki people are the guardians and interpreters of their culture and knowledge system - past, present, and future. Abenaki knowledge, culture, and arts, are inextricably connected with their traditional lands, districts, and territories.

Abenaki people have the right and obligation to exercise control to protect their cultural and intellectual properties and knowledge.

... Abenaki knowledge may have traditional owners involving individuals, families, clans, associations, and societies which must be determined in accordance with these peoples' own customs, laws, and procedures."...WHEREAS, the Abenaki must protect and preserve our other cultural property whether in the form of language, ceremonies, stories, songs, physical sites, sacred or ceremonial items, artwork, utilitarian goods, or any other tangible or intangible items pertaining to our culture; and what this means is that Spirituality, Customs, Traditions and other Traditional Knowledge is the Cultural, Intellectual and Spiritual Property of the Abenaki Nation...

It is not just our Right but our Obligation to protect this knowledge.

Those not of Traditional Abenaki Knowledge are here-by expressly forbidden to share, or make attempt to teach this knowledge in any way or at any time.

We remain loyal to and agree to uphold the *Great Peace of Montreal* that our ancestors agreed to abide by in the wampum laws of 4 August 1701. We will bury our weapons in peace and live in accordance to the Great Peace and honor Chief Mescouadoue, who signed the document for all Abenaki.

The Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation has continuously been an established Tribe for many generations and has had many various names and titles as our historic nomad lives has taken us around our Traditional Territory of New England and Eastern Canada. We maintain a rich line of modern and ancient chiefs, and peoples in our genealogies, we are all members of one and the same Tribal and clan related peoples, and member of the Wabanaki Confederacy.

Most Recent Chiefs

Chief Elwin (Joe) Pero 1947 to 1981, Co'wasuck of the Coos Chief Elwin (Joe) Pero

Chief Howard Knight Jr. 1981 to 2006 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation (under other tribal names)

Chief Brian Chenevert 2006 to 2010 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Co-Chief Nancy Millette Lyons 2006 to 2007 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Sub-Chief Nancy Millette Cruger Lyons Doucet 2007 to 2007 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Sub-Chief Leo Desciteaux .2007 to 2009 (passed over) Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Sub-Chief Paul Bunnell 2009 to 2010 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Chief Paul Bunnell 2010 to 2010 Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation

Co-Chief Nathan Pero of Ko'asek Traditional Band of the Sovereign Abenaki Nation 2010 to 2015

Co-Chief Paul Bunnell Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation 2010 to 2015

Chief Paul Bunnell, Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation. (Under Clans Agreement) 2015-Present

Historical Chiefs Associated with Ko'asek Tribal People

The following is a list of over 477 years of Tribal Chiefs of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation Tribal Family Members connected by genealogies.

*Chief Canochet Canonicus, b. c. 1539 d. 1647

*Chief Ihyannough/Hyanno, b. 1565, Cape Cod, Mass. D. 1622, Cape Cod.

- *Grand Chief Henri Membertou, b.c. 1570 Port Royal Acadie, d. 1611
- *Chief Charles Pachirini, c. 1570 Algonquin Nation, Nepissingue. d. after 1648, Trois-Rivieres, Quebec.
- *Chief Louis (Judas) Membertoucoichis, b. c. 1593, Acadie, Canada, d. Port Royal, Acadie.
- *Chief Barthelemy/Barthelemi Miteouamigou, b. 1600 Algonquin Nation, Nepissingue d. 1704, Quebec
- *Chief Du Plat Anncheston Atsena, b. Attignadouantan, Ontario, Canada. d. after Aug. 1657
- *Chief Bear Clan, Nicolas Arendanki/Anenontha, Ontario, Canada, b. 1623 d.1649
- *Chief Chatburn, b. c. 1700 Long Island New York.
- *"White Chief", Joseph Louis Gill, (Nagwawidobait) b. 1719 Odanak, Quebec, d. 1798 Odanak
- *"White Grand Chief" Augustin Gill, b. 1770 Odanak, d. 1851
- *Chief Peter Jackson (Polani/Taxus/Taxos/Takus b. c. 1815 St. Francis, Quebec.
- *Chief Joachim Arontio Ouentouen, b. aft 1620 La Conception Pays Des Hurons, Quebec, Canada

In This Constitution

“Band, Clan, People or Tribe” shall mean a body of First Nation Peoples and “First Nation” shall mean a living man or women under natural law who is identified as a of the Band or Tribe and who is by National, State, or Federal definition considered to be an native by ancestry by the United States or by any other Band or Tribe.

“Council, Band Council or Tribal Council” shall mean that Council chosen in accordance to the laws of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation.

“Chief, Sag8mo, and Sachem” shall be interchangeable hereinafter for Leader and Speaker.

A Wakaswak (several people) is any enrolled individual of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation.

The “Council of Elders” is a group of three to seven Wakaswak (several people), age 55 years or over, who are steeped in the Law of the Nation, our traditions, ceremonies, language, and history.

“Enfranchised” shall mean a person registered on a Band or Tribal list and who is of the full age of fifteen (15) years or older.

”Tribal Property” shall mean any building, land structures, article, material, documents, artwork, internet creations (for example: website and blogs), or equipment of any nature belonging to and controlled by the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation.

“ Tribal Trust Assets” shall mean property of all kinds, real or personal, tangible and intangible, including, but not limited to, intellectual and ancestral, stocks, bonds, trade accounts, notes, receivables, marketable securities, notes, accounts receivable, equitable assets, probate assets, chattels, nominal assets, mineral rights fixed assets, investments, real assets, equipment, cash, patents, trademarks, goodwill, and any other liquid or fixed assets.

“Governing Body” shall mean the Clan Chiefs, Band or Tribal Council, chosen by the enfranchised Wakaswak (several people) of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation according to the voting procedures set forth in this Constitution.

“Sag8mis” shall mean secondary speaker or sub-chief, who shall perform the duties of the Sag8mo(s), if the Sa8mo(s) are unable to fulfill duties due to sickness, disability, or death.

Article I – Tribal Name

The Indians of Co’wasuck/Coos Territory shall be known as and operate under the name *The Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation* which historically is our traditional territory of New England and Eastern Canada, and has over all previous tribal name evolution, such as: Abenaki, Cahass, Cohas, Cohasser, Cohassiac, Coohas, Coosuc, Coosuck, Coosuk. Cowass, Co’wasuck, Koas, Ko’asek (Co’wasuck), Koes, Massassuk, Ville de Loup (French translation of Village of the Wolf), Loupe de Ville (another variation of Ville de Loupe) or any other spelling that has been documented through historical time (hereafter “Ko’asek (Co’wasuck)”, “the band” or “the tribe”).

Article II – Territory and Jurisdiction

Section 1: “Abenaki Territory” shall be those geographical areas within the present day borders of Vermont, New Hampshire, Maine, Northern Massachusetts, and Eastern Canada, as well as other territories which have been and are now, historically and traditionally the homelands of the Ko’asek (Co’wasuck).

Section 2: The Koasek (Covasuck) nation authority extends over all people, lands, and property within its territory.

Article III, Membership and Registration

Section 1: All Wakaswak (several people) (blood relations) of the Ko’asek (Co’wasuck) Traditional Sovereign Band of the Abenaki Nation as a collective body shall be called the Bodazew8gan or General Council of the Band. Spouses of Wakaswak (several people) Native American blood, from another Native American Indian group, and the Children from a Wakaswak (several people) are given Wakaswak (several persons) status. Non-blood Spouses and adopted children of Wakaswak (several people) are limited to an Associate Member status. All Non-blood Associate Members and adopted child members shall not be included in any General Council.

Section 2: A Wakaswak (several people) and Member Band Register (Tribal Rolls) shall be established and maintained by the Tribal Genealogist and Archivist on which shall be recorded the names of every person who has met the criteria for Wakaswak (several people) or Member status as determined by the Tribal Genealogist, and special cases by the Sag8mo(s) and Tribal Council of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation.

Section 3: Persons desiring to be considered for Wakaswak (several people) Member must submit an official enfranchisement for and genealogical proof of Abenaki or Native descent to the Tribal Genealogist and or Sag8mo(s). The Tribal Genealogist shall review the submission of documentary proof by the petitioner, making use of the genealogical research conducted by the Tribal Genealogist sources.

The Tribal Genealogist and or Sag8mo(s) shall make use of the following criteria in determining eligibility for Wakaswak (several people) Membership.

- a. Documents of direct descent from an Abenaki or Native Family listed on our research documents and archives.
- b. Any person of Abenaki or Native descent as determined by the Tribal Genealogist and or Sag8mo(s) and special cases by the Tribal Council who is not a Wakaswak (several people) Member of any of any other Native American Tribe and whose name is not listed on the official rolls of any other Tribe, Band or Nation of American Indians is eligible for Wakaswak (several people) Membership.
- c. Any person who is not a member of another tribe, band, or nation that documents direct Native Ancestry from another Nation can be allowed with approval of genealogy documentation and approval of the Tribal Genealogy and or Sag8mo(s). Special cases must be reviewed by the Tribal Council also.

Section 5: Adoption – All non- Wakaswak (several people) Members seeking to become members of the Community must pay an administration fee of \$10, which fee must accompany the application to the Tribal Genealogy, and must also be approved by Sag8mo(s) and Tribal Council, and the Council of Elders. All applications for adoption must be sponsored by a blood Wakaswak (several people) Member. Notice of such application for adoption must be publicly posted via email, to the Ko’asek (Co’wasuck) Tribal Voice “Coosclans,” if available or posted in the Council Meeting Minutes, or by mail to other members with no emails. The application must remain open for a period of thirty (30) days. Any and all protest against the admission of such applicant or applicants shall be made in writing and filed with the Tribal Genealogist and Council of Elders before expiration period. The decision by the Council of Elders shall be subject to a Majority vote of the Tribal Council and Tribal Genealogist. Adult adoptions may or may not be authorized or recognized for Wakaswak (several peoples) Membership status and may be limited to Associate Member status.

Section 6: Should any protest arise regarding the addition to or the removal from the Tribal Roll or List, the procedure of the Ko’asek (Co’wasuck) Traditional Band shall be subject to the statues set by the Tribal Council, and reviewed and voted by the same, and the Sag8mo(s), Elders Council and Tribal Genealogist.

Section 7: The Sag8mo(s) and Tribal Council, and Tribal Genealogist, under advice of the Council of Elders, shall have the sole and absolute authority with respect to any issue regarding Tribal Wakaswak (several people) Membership. Decisions of the Sag8mo(s) and Tribal Council and Tribal Genealogist with respect to Tribal Wakaswak (several people) Membership shall be final when approved by the Council of Elders regarding special cases and situations.

Section 8: Falsification of genealogy and proof of such falsification being brought to the attention of the Sag8mo(s) and Tribal Council shall be cause for expulsion from Tribal Wakaswak (several people) Membership pending due process. During the period of due process that person shall be removed immediately from any Tribal Leadership role and responsibilities. All documents and tribal property shall be surrendered to and placed in the custody of the Sag8mo(s) for protection. These documents and properties shall remain under the protection of the Sag8mo(s) until, and if, deemed appropriate to present to the person taking over the Tribal Leadership role that was relinquished.

Section 9: All Tribal Wakaswak (several people) Members shall recognize this Constitution as their Governing Document of Authority and that, as Tribal Wakaswak (several people) Members, they are responsible for supporting and defending this Constitution, the greater Abenaki Nation, and the Ko’asek (Co’wasuck) Traditional Band. Instigation or joining in any treasonous activity directly towards the Sag8mo(s), Tribal Council, Council of Elders, and/or The Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation shall be cause for expulsion from Tribal Wakaswak

(several people) Membership pending due process. Tribal property and documents shall be handled according to Article III, Section 8.

Section 10: It shall be the responsibility of the individual Tribal Wakaswak (several people) and related Members to maintain the accuracy of their information in the Register on a yearly basis using any appropriate method of communication of the time. If the individual fails to maintain their Register information and the Band cannot determine or confirm their continued existence and/or location of residence, on an annual bases, that individual will be noted as “inactive” and will be removed from the Register after a time period of one year. This information should be updated by a family member of any elder or tribal member who is unable to communicate such.

Article IV – Declaration of Member Rights

Section A: Tribal Members Rights

1. Free to practice religion of his or her choice.
2. Speak or publish statements freely so long as they are not hate speech, intended to incite violence, and do not defame or slander any person or group.
3. Free to peacefully gather.
4. Every member has the right to attend the Tribal Council meetings and to participate except for called for or declared confidential meetings.
5. Right to petition pursuant to tribal law.
6. To have one’s person, possession, and home safe from unreasonable search and seizure, and to be searched only pursuant to a Tribal Court warrant that specifically describes the person or place to be search and the person or thing to be seized, issued based on a sworn statement and a finding of possible cause.
7. Charges can be tried by Tribal Court only once for a criminal offense, and the right to a speedy and public criminal trial, to be informed of the charges, and to be confronted with witnesses, and to subpoena witnesses in his or her favor, and to provide with legal counsel in a criminal, juvenile delinquency, or child welfare case if he or she is poor and cannot afford to hire counsel. The trial would be by jury of 6 person for a criminal offense.
8. The above serious crimes would presently need to be addressed to the area authorities and negotiate cooperative action according to tribal and civil laws.

Section B: Natural Resources Access Right (For future Purpose)

Article V – Organization of Government

Section 1: The Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation shall be governed by the Ko’asek (Co’wasuck) Abenaki People and Clans represented by a Tribal Council, Council of Elders and the Sag8mo(s).

The powers of the government of the Band shall be divided into two (2) separate governing bodies:

1. Tribal Council – Aln8bak Bodazew8gan, and Speakers – Sagem8w8gan.
2. Council of Elders – Noji Dagwagwtigajik.

Except as provided in this constitution, these bodies shall be separate and distinct and neither shall exercise the powers properly belonging to either of the others.

The Councils shall recognize the rights of the Clans through the “independent Clans of the Coos United” (ICCU) document signed in early 1991 and last applied on 1 Oct. 2015. This confidential document is in the tribal files.

Section 2: The Seat of Government of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation shall be and must always remain within Ancient Ko’asek (Co’wasuck) Traditional territory.

Article VI – The Tribal Council (Aln8bak Bodazew8wan)(Pota Wasin)

Section 1: The Tribal Council acts as an advisory group to the Sag8mo(s) and shall enact resolutions which shall have the force of law when approved by a simple majority at a regular Tribal Wakaswak (people). The Tribal Council shall consist of at least three (3) blood Tribal Wakaswak (people) and no more than Ten (10) and shall hold office for 7 years; or until disabled, or unable to fulfill the duties of the Tribal Council, or until removed by action by the Council of Elders and that a successor is approved.

Section 2: The Tribal Council shall establish rules, ordinances, regulations, and laws which it shall deem necessary and proper for the good of the Tribal Wakaswak (people), which shall not be contrary to the provisions of this Constitution.

Section 3: Every enactment which has been approved by a majority of the Tribal Wakaswak (people) in attendance at a Tribal Council meeting shall, before it becomes effective, be presented to the Sag8mo(s). The Sag8mo(s) shall have the option to approve it. However, if not approved; it must be returned, in a timely manner, with objections to the Tribal Council, which shall proceed to reconsider it. If, after such reconsideration, a majority of the entire Tribal Council agrees to pass the enactment; it shall be approved regardless of the objections of the Sag8mo(s).

Section 4: Nominations for the Tribal Council shall be made from the floor at the annual meeting or sent in by email/letter. Any Tribal Wakaswak (people) who is eligible to vote in a Tribal election may run for position. In some cases, the Tribal Council, Sag8mo(s), and Elders Council can add a Tribal Wakaswak (people) to the Tribal Council before election time, but that person must be on the election ballot at the general election to be approved by the Tribal Wakaswak (people).

Section 5: An election committee for all candidates running in the general election must be chosen from the floor by the Sag8mo(s) at the General Council meeting. The committee shall consist of at least three or not more than five Tribal Wakaswak (people) of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation who not within the immediate family of those nominated. The election committee shall be responsible for the following:

- a) A ballot shall be provided to each Tribal Wakaswak (people) of voting age. This may be done in person, by email, or by mail.
- b) Only ballots that arrive prior to or by the election may be counted.
- c) Calling for an impartial person to oversee the ballot counting.
- d) Have a locked box for the ballots.
- e) Have a check-off list of all eligible voting Tribal Wakaswak (people) to record each ballot received.
- f) The elections committee will certify the election results.
- g) The election committee will make sure all ballots are sealed and placed in the fireproof safe thereafter for a period of a minimum of two years.

Section 6: The General Election shall be held within six weeks of the Annual meeting if not during the Annual Meeting.

Section 7: Any Tribal Wakaswak (people) at least 15 years of age shall be eligible to vote.

Section 8: In the event of a tie vote, the Council of Elders will decide the outcome.

Section 9: In the event a vacancy should arise within the Tribal Council, the Sag8mo(s) shall accept nominations from the Tribal Council to fill any vacancy at the first scheduled meeting which takes place within 30 days of the date of the vacancy. But, these new appointments must be listed on the next General election for all the Tribal Wakaswak (people) to approve.

Section 10: There shall be at least two (2) regular scheduled sessions of the Tribal Council during the calendar year at such dates as the Tribal Council members are in attendance. If a Tribal Council member cannot attend in person, conference-style communication methods of the period (Skpe, Facetime, phone speaker, etc.) may be used for such Tribal Council member to be involved and represented. A preference of one meeting per month is desired. Meeting Minutes will always be taken.

Section 11: Special meetings of the Tribal Council may be called by the Sag8mo(s) or upon request by the majority of the members of the Tribal Council.

Section 12: All meetings of the Tribal Council may be open to the Tribal Wakaswak (people) at the discretion of the Tribal Council and Sag8mo(s).

Section 13: A member of the Tribal Council may resign from office by notifying the Tribal Council in writing. Said resignation shall take effect upon receipt of same by the Tribal Council. Tribal property and documents must be handled according to Article III, Section 8.

Section 14: The Tribal Council will review a Council member's attendance to the meetings if 3 or more meetings have been missed.

Article VII – Council of Elders
(Noji Dagwagwtigajik – Those who settles Things)

Section 1: There shall be a Council of Elders which acts in a judiciary manner and shall perform duties necessary for hearing and settling disputes and other judicial matters. The decision of the Council of Elders shall be final, in so far as the judicial process of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation is concerned.

Section 2: The Council of Elders shall be composed of at least three (3), but no more than seven (7) Elders of the appropriate age (55+) and all of whom shall be blood Citizens of the Band, chosen by the Elders, and approved by the Sag8mo(s) and the Tribal Council.

Section 3: Council of Elders members shall hold office for life; unless disabled and unable to fulfill the duties of the Council of Elders, or are removed by the combined actions of the Tribal Council, the Council of Elders, and the Sag8mo(s) and a successor is then chosen. Tribal property and documents shall be handled according to Article III, Section 8.

Section 4: Council of Elders shall intervene into any controversial debates or complaints, especially involving the Sag8mos(s), Tribal Council members or unsolved issues.

Section 5: The Council of Elders will assist the Sag8mo(s) and Holy Person with:

- *Relocation of human remains and religious artifacts
- *Organization and oversight of culturally sensitive dig sites through monitoring services
- *Organization and oversight of recovered artifacts, pictographs, etc
- *Coordination and collaboration with historical, local, state, national and international societies and museums
- *Coordination and collaboration with other persons and entities concerning recognized sensitive sites
- *Building continued relationships with outside agencies, tribes and any other affiliations that share the same preservation beliefs
- *Creating a strong bond with youth

Article VIII – Leaders, Judges, Security and Speakers (Sag8w8gan)

Section 1: The Leadership of the Ko’asek (Co’wasuck) Traditional Band of the Sovereign Abenaki Nation shall rest with the Sag8mo(s) who must be a blood Citizen of the Ko’asek (Co’wasuck) and be at least 21 years of age. The Sag8mo(s) shall be without regard to gender and shall hold the title for seven years, unless in the event of voluntary retirement, disabled, unable to fulfill the duties of Sag8mo(s), or is removed by the actions of the combined Tribal Council and Council of Elders.

Section 2: Nominations for Sag8mo will be made by the General Council, approved by the Council of Elders and appointed by the Tribal Council. The time period to install a new Sag8mo shall be within the time of one moon cycle from the date on which the previous Sag8mo was no longer in this position or unable to fulfill the duties of the position.

Section 3: Elections shall be held following the procedure in Article VI, Section 5.

Section 4: The Sag8mo(s), after fulfilling the term of seven (7) years, may be reconsidered for reelection, if willing. The Tribal Council and Council of Elders must approve any motion for reelection. Elections shall be held according to Article VIII, Section 3.

Section 5: The Sag8mo(s) shall preside over all meetings of the Tribal Council.

Section 6: The Sag8mo(s) shall be responsible for calling of special Tribal Council Meetings.

Section 7: The Sag8mo(s) shall be the sole authority giver for marriages, divorces, adoptions, naming and deaths.

Section 8: The Sag8mo(s) shall appoint committees as deemed necessary to render advice in the affairs of the Nation.

Section 9: The Sag8mo(s) shall be the spokesperson(s) for the Tribe in matters of policy and Tribal affairs and may designate one or more persons to act as agent and delegate to other bands or to agencies of the United States, other countries within the world and other sovereign Nations.

Section 10: One Sag8mo, or appointed agent, shall not individually attend any meeting, discussion, state-appointed group council, or other function where decisions will be made *that can or will affect* the Ko’asek (Co’wasuck) Tradition Band without being accompanied by the other Sag8mo, the Tribal Judge, and/or a member of the Tribal Council or Council of Elders or another agent appointed by the Sag8mo(s). Minutes must be supplied to the Tribal Council and the Council of Elders, as according to Article VIII, Section 15. The minutes may be taken by another individual who is attending such meeting.

Section 11: The Sag8mo(s) shall ensure that Tribal funds are only expended upon proper authorization and that expenditures are consistent with established Tribal policies.

Section 12: The Sag8mo(s) shall cause to be maintained an adequate bookkeeping system showing the financial records of the tribe during each fiscal year. Bank and account balances will be given at each Tribal Council meeting.

Section 13: The Sag8mo(s) shall report bi-annually to the Tribal Council and Citizens on the State of the Tribe.

Section 14: The Sag8mo(s) shall be responsible for the supervision of all Tribal Employees. However, the Sag8mo(s) may delegate supervisory authority to Tribal officials when necessary.

Section 15: The Sag8mo(s) shall ensure that the Tribal Council and Council of Elders are fully informed as to all aspects of the Tribal business.

Section 16: The Sag8mo(s) shall appoint the Tribal Judge who shall have all powers invested in him/her by the Sag8mo(s) and Tribal Council to carry on Justice for the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation.

- a) The Tribal Judge shall be a member of the Council of Elders.
- b) The Tribal Judge's authority shall extend to all cases and matters in any laws pertaining to the Ko'asek (Co'wasuck) territory and equity arising under the Constitution of and ordinance of the Tribe.
- c) The Tribal Judge shall generate reports and letters, as needed, to appropriate parties after reviews by chiefs and both councils.
- d) The Tribal Judge shall advise the Council of Elders if/when any proposed changes to the Constitution are made, prior to review and adoption by the Tribal Council and Sag8mo(s).
- e) The Tribal Judge shall hold office for life, unless disabled and unable to fulfill the duties of Tribal Judge or is removed by the combined actions of Tribal Council and Sag8mo(s) and a successor is chosen. Tribal property and documents shall be handled according to Article III, Section 8.
- f) Tribal Court is a trial court of general jurisdiction providing an initial judge, and or jury, for resolving cases and controversies arising under the nation.
- g) The Tribal Court may establish divisions to hear distinct types of cases, including but not limited to, a Healing to Wellness Court.
- h) If there is a Court of Appeals, all matters within its jurisdiction are final and not subject to review. There is no further appeal to the General Council, the Chief (Sag8mo(s), Tribal Council or any other person or entity.
- i) Qualifications of Justices and Judges must be Native American, and be familiar with native law, and in good standing, and has never been suspended or charged and must be familiar with Native Law.

Section 17: The Sag8mo(s) shall appoint a Head of Security (Security Chief/War Chief) for a length of time as decided by the Sag8mo(s). The Head of Security/Security Chief will follow all regulations established by the Sag8mo(s) and the Tribal Council, to include but not limited to:

- a) The prevention of disorderly conduct.
- b) The maintenance of a list of Tribal property, to be reviewed and approved by the Sag8mo(s) bi-annually.
- c) The maintenance and security of Tribal property.
- d) The regulation of the conduct of non-natives on Tribal Property.
- e) The security of visiting Sag8mo(s).
- f) Security of all tribal events; generate reports and letters to appropriate parties after reviews by Sag8mo(s) and both councils.

Section 19: All new Sag8mo(s) will be required to take the Ko'asek (Co'wasuck) Oath of Office and to live by it. The Oath will be administered by the outgoing Sag8mo or Tribal Judge or Tribal Elder. A formal ceremony will take place which will include taking the oath with a following feast.

Section 20: In the case that there is only one (1) Sag8mo, there shall be a Sag8mis or secondary speaker or Sub-Chief. All requirements for the selection and approval for the Sag8mis shall be the same as those for the Sag8mo.

Section 21: In case of the absence of the Sag8mo(s) from office due to death, resignation, removal, or inability to discharge the powers and duties of the said office, the same shall pass jointly and equally to the Sag8mis(s). In case of disability, such powers shall continue during the term of such disability.

Section 22: The Sag8mis(s) by virtue of the office, aid, and advise the Sag8mo(s) in the administration of the government and shall be the secondary Speakers of the Band and shall act for the purpose of bringing about a consensus as required. Should both Sag8mo(s) be disabled or unable to perform their office, the Council of Elders shall assist the Sag8mis, if there is one, in taking over the responsibility of the Tribe until such time as the new Sag8mo(s) shall take office.

Article IX – Government Positions

Section 1: The Tribal Council, on recommendations of the Sag8mo(s), may create additional governmental positions, offices, agencies, and departments which are deemed necessary.

Section 2: All positions, offices, agencies, and departments shall be composed of persons who shall be blood Citizens of the Band. Any adult, of the appropriate age, Citizen by blood of the Band may be a candidate for an office or position within the Band. However, no person who has been proven to have conspired to, has been convicted of, or has pled guilty to a major crime or offense against the Ko'asek (Co'wasuck) Traditional Band or the greater Abenaki/Wabanaki Nation shall be eligible to hold any office or appointment of honor, profit, or trust unless such person has received a pardon from the Council of Elders.

Section 3: All positions and offices shall be subject to removal from office for willful neglect of duty, corruption in office, or act of incompetency committed while in office. The Tribal Council and the Council of Elders shall be responsible for the provisions of this Article, ensuring that proper process is afforded the accused.

Article X – Repeal and Savings Clause

In the event that any sentence, paragraph, section, or article of the Constitution is subsequently held invalid by a court of competent jurisdiction, the remainder of this Constitution shall remain valid and in full force and effect.

Article XI – On Issues Adopted

Section 1: The Sag8mo(s) and the members of the Tribal Council of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation shall review any proposed revisions to the Constitution.

Section 2: After approval by such, the newly revised Constitution shall be subject to approval via a vote by at least 20% of eligible voters of the Band. A special Council meeting may be called to facilitate the voting. Ballots, accompanied by a copy of the proposed Constitution shall be sent out via email or postal service, to Citizens who are not able to attend. Those choosing to vote must be given a date by which ballots may be returned.

Section 3: Handling of the ballots, whether returned by mail, email, or in person shall be performed as outlined in Article VIII, Section 3, articles © through (g)

Section 4: Once adopted, the Constitution shall be signed by the Sag8mo(s) and the members of the Tribal Council of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation. It shall be announced as available to any Citizen who wishes to see it. It shall be filed in the office of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation and sacredly preserved as fundamental law.

Section 5: Amendments to the Constitution will be conducted solely by referendum. Each proposed amendment must be presented for voting in the referendum ballot separately. Twenty Percent or more of the voting age population must participate in order for the referendum to be valid. The amendment must be approved by two-thirds of those voting in the referendum.

Ratified by Tribal Vote
of the General Council of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki
Nation
on this _____ day of _____ in the year _____

Approved and Signed by the Tribal Council
of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation
on this _____ day of _____ in the year _____

*Adopted and Signed by SAG8MO(s)
of the Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation
on this _____ day of _____ in the year _____*

Tribal Seal