



COMANCHE NATION

RECALL AND PETITION ORDINANCE

Section 1 PURPOSE

This Ordinance is enacted to:

- A. Provide procedures for the recall of a member of the Comanche Business Committee, Tribal Administrator, Tribal Attorney, or other official elected or hired by the Tribal Council pursuant to the Comanche Constitution, Article VIII, Section 2.
- B. Provide procedures for tribal members to petition for a special tribal council meeting or to petition for amendments to the Comanche Constitution.

Section 2 Recall of Tribal Officials

A. Recall Petitions.

1. Official Form and Bill of Particulars. A recall may be initiated only through an official Recall Petition. Any tribal member over the age of eighteen (18), including a member of the Comanche Business Committee, may obtain an official Recall Petition from the Enrollment Office by submitting a Bill of Particulars along with the fee required by subpart A(2) below to the Enrollment Director. The Enrollment Director shall then issue an official Recall Petition to the tribal member (the "Petitioner"). An official Recall Petition shall consist of: the form appended hereto as Appendix A, 20 signature sheets, and a copy of the Bill of Particulars, all of which must be bound together. The Enrollment Director must assign the official Recall Petition a number, with the first petition received in a calendar year to be identified as "01," followed by the year, and with successive application in numerical sequence followed by the year, i.e. 01-2026, 02-2026, etc. The Enrollment Director shall ensure that each page is numbered at the bottom in numerical sequence beginning with the number 1.
2. Fee. The fee for an official Recall Petition is \$1,000.00, paid by cashier's check or money order. The fee shall be refunded if the petition is signed by five members of the Comanche Business Committee, excluding the Chairman. Otherwise, the fee is non-refundable.
3. Notification to the Comanche Business Committee. Upon issuance of an official Recall Petition, the Tribal Enrollment Director shall notify, in writing, each member of the Comanche Business Committee that the official forms have been issued and the identity of the Petitioner.
4. Time limit. A Petitioner has ninety (90) calendar days from the issuance of the official Recall Petition to return the petition. If the ninetieth (90th) calendar day falls on a weekend or holiday, the official Recall Petition must

COMANCHE

be returned on the last day that the Nation's offices are open for business **prior to** the ninetieth day. IF THE RECALL PETITION WITH THE REQUIRED NUMBER OF SIGNATURES IS NOT RETURNED TO THE ENROLLMENT OFFICE BY THE DUE DATE, THE PETITION WILL BECOME NULL AND VOID. If this occurs, the Enrollment Director will notify the Petitioner and member of the Comanche Business Committee in writing within two (2) working days of the expiration of the ninety (90) day period.

5. Number of Signatures Required. In order to initiate removal, an official Recall Petition must be signed by either: (1) at least five members of the Comanche Business Committee (which may not include the Chairman) or (2) at least two hundred and fifty (250) tribal members aged eighteen or older.

6. Limitations on Vacancies. In no event may a Recall Petition be issued for a member of the Comanche Business Committee if there are two or more existing vacancies on the Comanche Business Committee.

B. Verification of Petition by the Enrollment Office.

1. Return of Petition; Condition. Upon return of an official Recall Petition, the Enrollment Director shall verify that the Recall Petition is bound and all pages are in the same order as issued. If the Recall Petition is not bound or the pages are out of order, the Recall Petition shall be declared void. If the Enrollment Director determines that the Recall Petition was unbound and re-bound, the Recall Petition shall be declared void.
2. Signature Requirements. Every signature must include the following:
 - i. Printed name
 - ii. Signed name
 - iii. Enrollment number
 - iv. Address
 - v. Date
3. Verification of signatures. The Enrollment Office shall verify that the names, enrollment numbers, addresses, and signatures provided on the Recall Petition match the information on file with the Enrollment Office. Any signature with information that does not match the files of the Enrollment Office shall be disqualified. The Enrollment Office shall also disqualify any signature that does not meet the requirements of subparts (B)(2)(i)-(v) above. Such signatures may be disqualified because the information required by subparts B(2)(i)-(v) is missing or is so illegible that it cannot be used by the Enrollment Office for verification. The Enrollment Office shall further verify that there are no duplicate signatures and no signatures by persons not enrolled with the Comanche Nation or not over the age of eighteen. Any such signatures shall be disqualified.
4. Timing. After reviewing and disqualifying signatures, the Enrollment Office shall count the number of verified and valid signatures. The number of



verified and valid signatures must be determined within thirty (30) calendar days of the receipt of the official Recall Petition, but may be determined sooner.

5. Withdrawal of Signature. Any person may withdraw their signature at any time prior to Notice being provided pursuant to subpart (B)(7) below by providing a notarized written statement to the Enrollment Office requesting that their signatures be withdrawn.
6. Confidentiality. Recall Petitions are not confidential and may be obtained by any tribal member pursuant to an Open Records Code request.
7. Notice. Upon the Enrollment Office's completion of its review of the signatures on the Recall Petition, the Enrollment Director shall notify, in a signed writing, the Petitioner, the members of the Comanche Business Committee, and whichever Tribal official is the subject of the Recall Petition of the total number of verified and valid signatures on the Recall Petition. The Enrollment Director shall also return a copy of the Recall Petition to the Petitioner, and retain a copy for the Enrollment Office's files.

C. Determination of Misconduct or Neglect of Duty by the Tribal Court.

1. Within seven (7) days of receipt of the notice required under subpart B(7) above, the Petitioner must file the Recall Petition and the written notification received from the Enrollment Director with the total number of verified and valid signatures with the Tribal Court. Failure to file within this time will extinguish any rights the Petitioner has to pursue a recall.
2. Pursuant to the Comanche Constitution, Article VIII, Section 2(c), the Tribal Court shall convene a hearing, at which the Tribal official subject to the Bill of Particulars is given a meaningful opportunity to respond to the Bill of Particulars, to determine whether misconduct or neglect of duty has been proven by clear and convincing evidence by the Petitioner. Such a decision must be rendered within sixty (60) days of the filing of the Recall Petition with the Tribal Court under subpart C(1) above.
3. In making its determination under subpart C(2) above, the Tribal Court may require, through duly enacted Court Codes, additional forms, fees, or procedures. The Tribal Court may also, and in its discretion, allow discovery or prehearing motions.

D. Right to Respond.

1. Within thirty (30) days of receipt of the notice required under subpart B(7) above, the Tribal official that is the subject of the Recall Petition shall be allowed to submit a response to the Bill of Particulars to the Public Information Office. The response shall be published immediately in a special edition of the newsletter and on the Comanche Nation's webpage and Facebook page.

E. Recall Election.



1. If the Tribal Court determines that clear and convincing evidence of the misconduct or neglect of duty exists pursuant to subpart C(2) above, a Recall Election shall be held as set forth in the Election Ordinance.

Section 3 Other Petitions

A. Petitions.

1. Right of Tribal Members to Petition Government; Scope. Tribal members have the right to file petitions to convene a special tribal council meeting or for amendments to the Comanche Constitution. This Section shall apply to such petitions.

B. Petitions for a Special Tribal Council Meeting

1. Official Form. Any tribal member over the age of eighteen (18) (the “Petitioner”) may obtain an official Petition for a Special Tribal Council Meeting from the Enrollment Office by submitting a written request for a tribal council meeting that sets forth the purpose of the meeting. The Enrollment Director shall then issue an official Petition for a Special Tribal Council Meeting to the tribal member (the “Petitioner”). An official Petition for a Special Tribal Council Meeting shall consist of: the form appended hereto as Appendix A, 100 signature sheets, and a written request setting forth the purpose of the meeting, all of which must be bound together. The Enrollment Director must assign the official Petition for a Special Tribal Council Meeting a number, with the first petition received in a calendar year to be identified as “01,” followed by the year, and with successive application in numerical sequence followed by the year, i.e. 01-2026, 02-2026, etc. The Enrollment Director shall ensure that each page is numbered at the bottom in numerical sequence beginning with the number 1.
2. Notification to the Comanche Business Committee. Upon issuance of an official Petition for a Special Tribal Council Meeting, the Tribal Enrollment Director shall notify, in writing, each member of the Comanche Business Committee that the official forms have been issued and the identity of the Petitioner.
3. Time limit. A Petitioner has ninety (90) calendar days from the issuance of the official Petition for a Special Tribal Council Meeting to return the petition. If the ninetieth (90th) calendar day falls on a weekend or holiday, the official Recall Petition must be returned on the last day that the Nation’s offices are open for business **prior to** the ninetieth day. IF THE PETITION FOR A SPECIAL TRIBAL COUNCIL MEETING WITH THE REQUIRED NUMBER OF SIGNATURES IS NOT RETURNED TO THE ENROLLMENT OFFICE BY THE DUE DATE, THE PETITION WILL



BECOME NULL AND VOID. If this occurs, the Enrollment Director will notify the Petitioner and member of the Comanche Business Committee in writing within two (2) working days of the expiration of the ninety (90) day period.

4. Number of Signatures Required. In order to convene a special Tribal Council meeting, an official Petition for a Special Tribal Council Meeting must be signed by 10% of the Tribal Council members.

5. Verification of Petition by the Enrollment Office.

i. Return of Petition; Condition. Upon return of an official Petition for a Special Tribal Council Meeting, the Enrollment Director shall verify that the Petition for a Special Tribal Council Meeting is bound and all pages are in the same order as issued. If the Petition for a Special Tribal Council Meeting is not bound or the pages are out of order, the Petition for a Special Tribal Council Meeting shall be declared void. If the Enrollment Director determines that the Petition for a Special Tribal Council Meeting was unbound and re-bound, the Petition for a Special Tribal Council Meeting shall be declared void.

ii. Signature Requirements. Every signature must include the following:

1. Printed name
2. Signed name
3. Enrollment number
4. Address
5. Date

iii. Verification of signatures. The Enrollment Office shall verify that the names, enrollment numbers, addresses, and signatures provided on the Petition for a Special Tribal Council Meeting match the information on file with the Enrollment Office. Any signature with information that does not match the files of the Enrollment Office shall be disqualified. The Enrollment Office shall also disqualify any signature that does not meet the requirements of subparts (5)(ii)(1)-(5) above. Such signatures may be disqualified because the information required by subparts (5)(ii)(1)-(5) is missing or is so illegible that it cannot be used by the Enrollment Office for verification. The Enrollment Office shall further verify that there are no duplicate signatures and no signatures by persons not enrolled with the Comanche Nation or not over the age of eighteen. Any such signatures shall be disqualified.

iv. Timing. After reviewing and disqualifying signatures, the Enrollment Office shall count the number of verified and valid signatures. The number of verified and valid signatures must be determined within thirty (30) calendar days of the receipt of the official Petition for a Special Tribal Council Meeting, but may be determined sooner.

COMANCHE

- v. Withdrawal of Signature. Any person may withdraw their signature at any time prior to Notice being provided pursuant to subpart (5)(vii) below by providing a notarized written statement to the Enrollment Office requesting that their signatures be withdrawn.
- vi. Confidentiality. Petitions for a Special Tribal Council Meeting are not confidential and may be obtained by any tribal member pursuant to an Open Records Code request.
- vii. Notice. Upon the Enrollment Office's completion of its review of the signatures on the Petition for a Special Tribal Council Meeting, the Enrollment Director shall notify, in a signed writing, the Petitioner, the members of the Comanche Business Committee of the total number of verified and valid signatures on the Petition for a Special Tribal Council Meeting and the total number of Tribal members over the age of eighteen as of the date of the notice.

6. Special Tribal Council Meeting. If the total number of verified and valid signatures on the Petition for a Special Tribal Council Meeting is greater than 10% of the total number of Tribal members over the age of eighteen as of the date of the notice, the Chairman shall call a special tribal council meeting. If the Chairman fails to call and hold a special tribal council meeting within thirty (30) days of the notice provided under subpart 5(vii) above, the Enrollment Director shall notify the Commissioner of Indian Affairs or his authorized representative so that he or she may call a special tribal council meeting.

C. Petitions for a Constitutional Amendment

1. Official Form. Any tribal member over the age of eighteen (18) (the "Petitioner") may obtain an official Petition for a Constitutional Amendment from the Enrollment Office by submitting the text in the Constitution the tribal member proposes be amended in redline form. The Enrollment Director shall then issue an official Petition for a Constitutional Amendment to the tribal member (the "Petitioner"). An official Petition for a Constitutional Amendment shall consist of: the form appended hereto as Appendix A, 20 signature sheets, and a redline version of the proposed constitutional amendment. The Enrollment Director must assign the official Petition for a Constitutional Amendment a number, with the first petition received in a calendar year to be identified as "01," followed by the year, and with successive application in numerical sequence followed by the year, i.e. 01-2026, 02-2026, etc. The Enrollment Director shall ensure that each page is numbered at the bottom in numerical sequence beginning with the number 1.
2. Notification to the Comanche Business Committee. Upon issuance of an official Petition for a Constitutional Amendment, the Tribal Enrollment

COMANCHE

Director shall notify, in writing, each member of the Comanche Business Committee that the official forms have been issued and the identity of the Petitioner.

3. Time limit. A Petitioner has ninety (90) calendar days from the issuance of the official Petition for a Constitutional Amendment to return the petition. If the ninetieth (90th) calendar day falls on a weekend or holiday, the official Petition for a Constitutional Amendment must be returned on the last day that the Nation's offices are open for business **prior to** the ninetieth day. IF THE PETITION FOR A CONSTITUTIONAL AMENDMENT WITH THE REQUIRED NUMBER OF SIGNATURES IS NOT RETURNED TO THE ENROLLMENT OFFICE BY THE DUE DATE, THE PETITION WILL BECOME NULL AND VOID. If this occurs, the Enrollment Director will notify the Petitioner and member of the Comanche Business Committee in writing within two (2) working days of the expiration of the ninety (90) day period.

4. Number of Signatures Required. In order to propose constitutional amendments, an official Petition for a Constitutional Amendment must be signed by at least two hundred (200) tribal members aged eighteen (18) or older.

5. Verification of Petition by the Enrollment Office.

i. Return of Petition; Condition. Upon return of an official Petition for a Constitutional Amendment, the Enrollment Director shall verify that the Petition for a Constitutional Amendment is bound and all pages are in the same order as issued. If the Petition for a Constitutional Amendment is not bound or the pages are out of order, the Petition for a Constitutional Amendment shall be declared void. If the Enrollment Director determines that the Petition for a Constitutional Amendment was unbound and re-bound, the Petition for a Constitutional Amendment shall be declared void.

ii. Signature Requirements. Every signature must include the following:

1. Printed name
2. Signed name
3. Enrollment number
4. Address
5. Date

iii. Verification of signatures. The Enrollment Office shall verify that the names, enrollment numbers, addresses, and signatures provided on the Petition for a Constitutional Amendment match the information on file with the Enrollment Office. Any signature with information that does not match the files of the Enrollment Office shall be disqualified. The Enrollment Office shall also disqualify any signature that does not meet the requirements of subparts (5)(ii)(1)-(5) above. Such

COMANCHE

signatures may be disqualified because the information required by subparts (5)(ii)(1)-(5) is missing or is so illegible that it cannot be used by the Enrollment Office for verification. The Enrollment Office shall further verify that there are no duplicate signatures and no signatures by persons not enrolled with the Comanche Nation or not over the age of eighteen. Any such signatures shall be disqualified.

- iv. Timing. After reviewing and disqualifying signatures, the Enrollment Office shall count the number of verified and valid signatures. The number of verified and valid signatures must be determined within thirty (30) calendar days of the receipt of the official Petition for a Constitutional Amendment, but may be determined sooner.
- v. Withdrawal of Signature. Any person may withdraw their signature at any time prior to Notice being provided pursuant to subpart (5)(vii)) below by providing a notarized written statement to the Enrollment Office requesting that their signatures be withdrawn.
- vi. Confidentiality. Petitions for a Constitutional Amendment are not confidential and may be obtained by any tribal member pursuant to an Open Records Code request.
- vii. Notice. Upon the Enrollment Office's completion of its review of the signatures on the Petition for a Constitutional Amendment, the Enrollment Director shall notify, in a signed writing, the Petitioner, the members of the Comanche Business Committee, and the Election Board of the total number of verified and valid signatures on the Petition for a Constitutional Amendment.

6. Special Election. If the total number of verified and valid signatures on the Petition for a Constitutional Amendment is equal to or greater than two hundred (200), a Special Election shall be held as provided in the Election Ordinance.

7. Appeal. If the total number of verified and valid signatures on the Petition for a Constitutional Amendment is less than two hundred (200), a Petitioner may appeal that determination at the next regular monthly meeting of the Comanche Business Committee. If the Comanche Business Committee determines that the Petition was signed by two hundred (200) or more adult member of the Comanche Nation, then the Comanche Business Committee shall make a motion so indicating and forward an official copy of that motion to the Election Board for a Special Election to be held as provided in the Election Ordinance.



COMANCHE NATION APPLICATION FOR PETITION FORMS

Petition No. _____

Appendix A – PETITION APPLICATION

Date: _____

Name of Petitioner: (please print legibly)

Address of Petitioner:

Phone number: _____

CDIB number: _____

What type of petition is being requested?

_____ 1. To recall of a member of the Comanche Business Committee, Tribal Administrator, Tribal Attorney, or other official elected or hired by the Tribal Council.

If box (1) is checked, a Bill of Particulars must be provided by the Petitioner.

_____ 2. To request the Tribal Chairman to call a special meeting of the Tribal Council.

If box (2) is checked, a written request setting forth the purpose of the meeting must be provided by the Petitioner.

_____ 3. To amend the Constitution.

If box (3) is checked, a redline version of the proposed constitutional amendment must be provided by the Petitioner. Note, only one amendment may be proposed per petition.

Signature of Petitioner: _____

Signature of Enrollment Director: _____



COMANCHE NATION APPLICATION FOR PETITION FORMS

Petition No. _____

Appendix A - RECORD OF ACTIONS

(To be completed by Director when signature forms are issued)

Date petition application released: _____

Date completed petition application received: _____

Payment received: _____

Application for petition signature forms approved by: _____

Petition number assigned: _____

Date petition signature pages issued: _____

Number of petition signature pages issued: _____

Type of petition:

_____ 1. Petition to recall a member of the Comanche Business Committee, Tribal Administrator, Tribal Attorney, or other official elected or hired by the Tribal Council (requires 250 signatures of eligible voters)

_____ 2. Petition to request a special meeting of the tribal council (requires signatures of 10% of the total number of Tribal members over the age of eighteen)

_____ 2. Petition to remove an officer or member of the Comanche Business Committee (requires 200 signatures of eligible voters)

Signature of Enrollment Director:

Signature of Petitioner:



COMANCHE NATION APPLICATION FOR PETITION FORMS

Petition No. _____

Appendix A- RECEIPT CERTIFICATION

(To be filled out by Petitioner when issued signature forms):

Date petition signature forms received: _____

Petition number assigned: _____

Date petition signature forms are due: (90 calendar days from date of issue): _____

I, the undersigned, hereby acknowledge by my signature that petition forms for petition no. _____

have been received in numerical order. I also acknowledge that petition no. _____ is due back to the enrollment office by the _____ day of _____ 20____; and, I understand that if the petition is not returned to the enrollment office by the designated due date, the petition will become null and void and no further action will be taken.

_____ (Initial) I understand that if more petition forms are needed, a request form must be completed and the petition due date does not change.

Signature of Petitioner: _____

Enrollment Director: _____

Sworn before me this ____ day of _____, 2023.

Notary Public

My Commission Expires: _____