

officers shall serve one (1) year terms, or until the next regular election. *(Amended in part by Amendment XI, November 18, 2003)*

SECTION 4. The Councilmen shall be elected on a staggered basis on the first Tuesday of November of every year. The first election after the passage of this Amendment shall be held in 2004, at which time all seven (7) positions on the Tribal Council shall be filled. For purposes of that first election, those three (3) Councilmen that received the highest number of votes shall serve three (3) year terms, or until their successors are duly installed in office. The two (2) Councilmen that received the fourth and fifth highest number of votes shall serve two (2) year terms, or until their successors are duly installed in office. The two (2) Councilmen that received the sixth and seventh highest number of votes shall serve one (1) year terms, or until their successors are duly installed in office. At the next election in 2005 and every three (3) years thereafter, two (2) Councilmen shall stand for election and serve three (3) year terms, or until their successors are duly installed in office. At the election in 2006 and every three (3) years thereafter, two (2) Councilmen shall stand for election and serve three (3) year terms, or until their successors are duly installed in office. At the election in 2007 and every three (3) years thereafter, three (3) Councilmen shall stand for election and serve three (3) year terms, or until their successors are duly installed in office. Thirty (30) days notice of every regular election of Councilmen, beginning in 1938, shall be given by the Tribal Council. Each Tribal Council elected under this Constitution shall take office immediately after its election. *(Amended in part by Amendment XI, November 18, 2003, and again amended in part by Amendment XIII, August 11, 2006)*

SECTION 5. The Tribal Council shall have the authority to appoint subordinate officers, boards, and committees.

ARTICLE IV – POWERS

SECTION 1. Enumerated powers. - The Tribal Council shall exercise the following powers, subject to any limitations imposed by the Constitution or statutes of the United States, and subject further to all express restrictions upon such powers contained in this Constitution and the attached Bylaws.

- (a) To negotiate with the Federal, State, and local governments on behalf of the Tribe, and to advise and consult with the representatives of the Department of the Interior on all activities of the Department that may affect the Omaha Tribe.
- (b) To employ counsel for the protection and advancement of the rights of the Tribe and its members, the choice of counsel and fixing of fees. *(Amended in part by Amendment XIV, August 11, 2006)*
- (c) To approve or veto any sale, disposition, lease, or encumbrance of Tribal lands, interests in lands or other Tribal assets, which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other qualified official or agency of government, providing that no reservation lands shall ever be leased for a period exceeding ten (10) years, sold, or encumbered, except for governmental purposes.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (e) To make assignments of Tribal land to members of the Tribe and to regulate the leasing of such assignments in conformity with Article VIII of this Constitution.
- (f) To manage all economic affairs and enterprises of the Tribe in accordance with the terms of a charter which may be issued to the Tribe by the Secretary of the Interior.
- (g) To appropriate for public purposes of the Omaha Tribe of Nebraska available funds within the exclusive control of the Tribe and any other available Tribal funds. *(Amended in part by Amendment XV, August 11, 2006)*
- (h) To levy and collect taxes and license fees upon persons located upon or doing business within the Omaha