

Constitution of the Native American Tribal Republic of Timucua

I. Preamble - We the people of the Native American Tribal Republic of Timucua in order to form a nation and tribe that provides a home of established justice, common defense and aid to our people, shared heritage, to insure domestic peace and to secure for ourselves and offspring and descendants the Rights of Self-Determination, Life, Liberty and the Pursuit of Happiness do ordain this constitution to establish our government and to establish this constitution itself as the supreme law of our nation.

II. Governmental Structure - Our government shall consist of 3 branches with each having a powerful check and balance system on the others.

1. Executive Council of Tribal Chieftains - This body consists of 2 chiefs to serve as the executive body of the government. They both shall possess the title of Ela Biro or Ela Nia which is Timucuan for Sun Man or Sun Woman since the greatest natural body is the Sun so also shall our Executive Chieftains be great people. These people are to be life appointments unless removed by 75% vote of impeachment by the Legislative Council. In order to keep the council clean and free of corruption, the Legislative Council shall vote every 5 years on impeachment or not of the Executive Chiefs. The members of this council are to have the power to authorize and enforce laws set down by the Legislative Council. Also they retain the power of entire veto and line item veto of actions of the Legislative Council. Their appointment to office shall be by a vote requiring 75% of the Legislative Council to vote for a member to be placed on the Executive Council.

2. Legislative Council of Tribal Chieftains - This body shall consist of one house of chieftains apportioned to having one representative chieftains per 100 citizens in the country. These chieftains shall be elected to office to serve a term of 10 years by the people in a direct referendum nationally. Direct elections are to be held every 10 years for Legislative Council offices. These chieftains shall serve a 180 day legislative term to begin in January 10 of each year and to end June 10 of each year unless called by order of the Executive Council with both executives agreeing into a Special Session. This is to allow the legislative body the ability to live among and truly know their people they represent. This body has the right to pass, debate and formulate all laws in the country. It shall require a 75% vote for a measure to pass the legislative body and go to the executive body. Also should a measure be vetoed in full or line item, the Legislative Council may by 90% vote override the veto of the executive. The members of the Legislative Council shall be addressed by the title of Acu Biro or Acu Nia which is Moon Man or Moon Woman in Timucua. This is to reflect that the Legislative members are also to be of high moral character as well. The people retain the right to raise by petition with a minimum of 80 signatures at any time the request that a Legislative Member be removed. The Executive Council along with the 11 member Judicial Council at this point shall hold an investigation and determine if the said Legislative Member shall need to be removed from office or not.

3. *Judicial Council of Tribal Chieftains* – This body shall consist of an 11 member body which shall be recommended by the Executive Council to the Legislative Council. The Legislative Council shall approve the recommendations by 75% vote for a Judicial member to be confirmed to office. The Judicial Council members shall serve life appointments as the Executives do but also shall face a vote of impeachment every 5 years which the Legislative Council shall hold and determine if a Judicial member shall be removed or not. As in the case of the Executives it shall require a 75% vote to remove a Judicial Chieftain from office. The Judicial Chieftains shall be addressed by the title of *Efa Biro or Efa Nia* which in Timucua is Dog Man or Dog Woman. This is to reflect the faithfulness of the dog to its master so also the Judiciary should also reflect a faithfulness to the people. The Judicial Council shall retain the right to determine if actions taken by the Executive or Legislative are within the constraints of our constitution or not once it is written. The Judicial by a vote of 75% shall have the power to declare an action or law unconstitutional and if an action or law is determined unconstitutional it shall be immediately revoked and removed from the processes of government.

4. *Rights of impeachment by the people* – The people shall retain the right to at any time prior to the 5 year requirements of impeachment vote to call for a petition of impeachment. Any impeachment petition shall require at minimum a poll in the country showing a desire of 75% of the people to remove a member of the Executive or Judicial Council from office.

5. *In Event of Impeachment* - In the event of an impeachment the government member is to be only removed from office and allowed to retain full rights of citizenship in the Native American Tribal Republic of Timucua unless his or her actions are determined to be unlawful or of extreme immoral character that resulted in his or her impeachment to be voted in favor of. In the event of unlawful or extreme immoral character actions and a member has been impeached the Judicial Council in session with the Executive shall determine the punishment of the government member unless a punishment is determined by law already.

6. *Freedom of Speech for Government Members* – In matters of handling governmental matters all members of the government shall enjoy freedom of speech and shall be free from any legal actions by this government or its agencies while performing actions of safe travel to or from the seat of government as well as free from legal actions by this government or its agencies when debating and voting on laws to be passed by this government. Also in no way is anything said or lawfully done in the process of debate and voting on laws to be legally held against a governmental member.

III. Direct Powers of the Government -

A. Powers of the Legislative Council – The Legislative Council shall have the following powers:

1. To assess and collect sales taxes on items and services made and sold within our republic.
2. To provide for and raise and regulate a purely peacekeeping defensive land, sea, marine, and air force to maintain our territorial integrity and for law enforcement of our laws.
3. To create a solid workable currency backed by hard currency reserves and to set the value of the unit thereof as well as to determine the exchange rate of foreign currency to our currency.
4. To establish and regulate laws of citizenship in our nation.
5. To borrow money or issue bonds on the credit of the Republic.
6. To regulate commerce with foreign nations and within our republic in a manner consistent with promoting a free market economy.
7. To establish judicial councils inferior to the Judicial Council of Tribal Chieftains.

8. To establish, regulate, and maintain communication routes and infrastructure throughout our nation.
9. To regulate governmental spending in each department by setting up a balanced budget that requires the government to stay within its means of income.
10. To make laws governing counterfeiting of money and government documents as well as laws governing the environment and travel and commerce on our territorial lands and waters.
11. To determine and regulate a system of weights, measurements, and standards.
12. To fund, promote and develop laws and policies to encourage development of the arts and sciences.
13. To review and approve all agreements and treaties negotiated by the Executive Council.
14. To regulate and provide a legal framework for the preservation of the environment of our national territorial lands and seas.

B. Powers of the Executive Council -

1. To serve as the Supreme Commanders of the Armed Forces.
2. To execute and enforce laws enacted by the Legislative Council.
3. To appoint tribal chieftains to the judicial councils.
4. To negotiate treaties with foreign powers and present them to the Legislative Council for approval.

C. Powers of the Judicial Council -

1. To regulate and determine if laws and treaties are constitutional as passed by the Legislative Council and enforced by the Executive.
2. To hear and settle disputes and violations of the law.
3. To regulate judicial councils inferior to the Judicial Council of Tribal Chieftains.

IV. Bill of Rights and Limitation on Governmental Powers -

Principle 1. - The Government shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or limiting the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government to address and correct corruption and grievances of the people. Nor may the Government in any way limit the expression of any religion in the public forum.

Principle 2. - A well regulated defense force, being necessary to the security of a free nation, the right of the people to keep and bear arms, shall not be limited or prevented in any way by any governmental agency.

Principle 3. - No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Principle 4. - The right of the people to be secure in their persons, houses, vehicles, papers, and effects both electronic and physical, against unreasonable searches and seizures, shall not be violated, and no warrants shall be issued, except with probable cause, supported by an oath or affirmation, and with express details describing the place to be searched, and the persons or things to be seized.

Principle 5. - The right of the people to maintain privacy in all personal financial, personal home, family and property matters shall not be limited or endangered by any member of the nation or member of the government. The government may only violate this principle through a secure and public warrant specifically detailing the things to be discussed and examined.

Principle 6. - No person shall be held to answer for a capital, or otherwise infamous crime, unless called by a subpoena to report in front of a grand jury, except in cases arising in the armed forces, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just and fair market value compensation.

Principle 7. - In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the village or political subdivision wherein the crime shall have been committed, which district shall have been previously determined by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Principle 8. - In suits at common law, where the value in controversy shall exceed a fair and reasonable market value, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Principle 9. - Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Principle 10. - The rights, duties of government, and specified things in this Constitution, of certain rights, shall not be construed to deny or disparage all others retained by the people.

Principle 11. - The powers not delegated to the Government or its subdivisions by this Constitution, nor prohibited by it to the Government and its subdivisions, are reserved to the people.

V. Process to for Amendments to be added to this Constitution.

In order for any amendments to be added to the Constitution they must be first proposed by the people in a national referendum and then voted into law by the Legislative Council with the Judicial Council reviewing and approving the Amendments after a complete review of the Constitution and determining that any amendments are in line with the spirit of our constitution.