

MCT Constitution Reform  
ZOOM Meeting  
March 19th, 2021 (every third FRIDAY)  
9:00 a.m. to 4:00 p.m. CT  
Zoom Meeting ID: 879 8189 8884  
Zoom Meeting Password: 047032

9:00 am Delegation Roll Call: Mike Davis, Sandra Borden, John Saaristo (guest), Connie Saaristo, Awanikwe Nagaajiwanoong, Danielle Smith, Cheryl Edwards, Steve Thomas, Tara Kimmel, Jason Burnett, Joylyn, Joy Annette, Maureen Jones, Birdie Roberts, Michele Palomaki, Louie, Rose Robinson, Sybil Gund, Sally Fineday, Michele Beeksma, Jason Decker, Perry Skinaway, Marcie Olson, Wayne Dupuis, Maria Costello, Wally Storbakken, Mil Holmes, Mattie DeCarlo, Maureen Jones, Al Olson, Raymond Bellcourt, Thomas Miranda, Lyz Jaakola, Char Ellis, Maureen Jones, Muriel Deegan

9:10 am Invocation: Rose Robinson

9:20 am Housekeeping Reminders -Voting/Census, Building Protocol, Strategic Process; added to the agenda - signing a Treaty (discussion)

9:30 am Minnesota Chippewa Tribe Enrollment REPORT OUT / SUMMARY

- Jason Decker- listened in to the MCT meeting
- All TEC committee members attended
- Cheryl- TEC allowed an opening presentation of the document that we prepared. At her local RBC meeting yesterday, she understood that the TEC wants us to handle the resolutions or else they will have to move to vote. Therefore, it puts pressure on us to come up with 3 or 4 resolutions and 2 or 3 goals. They requested that we meet every 30 days.
- Wally- He is a literalist and we should follow the Constitution. An example is the Swearing in Day in July that should be strictly followed. He questions two of the resolutions- all the TEC members voted (12 but should have been 11): Constitution (no President?) vs Robert Rules Order (all vote). The Constitution over-rides Robert Rules.
- Jolyn- everyone was so helpful. Her impression is that there are lots of important issues with each band (Leech Lake; enrollment). Enrollment is the elephant in the room and also all the people need to be heard. As a tribal member we are allowed an individual opinion, but caution is needed.
- Michele Palomaki MLB- We need written answers from the memorandum sent to the TEC.
- Birdie- There were two resolutions. MLB wants to write their own enrollment statute, based on sovereignty. Each band should write their own enrollment statute. The meeting seemed haphazard. Membership is the 1941 base rolls; after 1961 must have the blood quantum.
- Jason Decker- Article 2 is membership, then powers are listed. The Constitution does not provide authority to decide enrollment, but if the power is not enumerated the power is left to the people.

- Discussion on the Mille Lacs Delegates Talking Points & Recommendation for Revision to Article 3 of the MCT Constitution- Each Band is a Sovereign Nation.
- Rose- it was good for the TEC to hear this topic.
- Cheryl Edwards- Perhaps we should schedule a meeting and invite TEC.
- Steve Thomas- The TEC [sic] is tabling these discussions. Our goals for enrollment are not currently in the Constitution. Need 30% vote of registered voters.
- Joy Annette - having reservations decide their enrollment is further dividing the Anishinabe Tribe. What would happen to our reservations if we took the blood quantum out of membership requirements. Maybe this is the conversation that should be discussed.
- Jason Decker – Resolutions have to go to Secretarial Elections. TEC could include Red Lake blood
- Michele Palomaki, MLB: went through the ML Delegates Talking Points & Recommendation.
- There was a discussion on transfer of membership from one band/tribe to another.
- Sally Fineday- I like the recommendation but wish we would stop saying blood quantum, the word itself is racist and by our using it we continue the racism internally.
- Birdie Roberts- We continue to use blood quantum because that's what is stated in the IRA and use the words from that law.
- Steve Thomas- Blood quantum has been unconstitutional since 1847.
- Birdie Roberts- Wants to switch power from TEC to the bands and rebuild the bands and push enrollment back to the bands.
- Birdie Roberts- Since 1871 the US government is not creating new treaties with Indians,
- Raymond -but prior Treaties executed prior to that are valid.
- Wally- The Nelson Act is referred as a treaty, but it is not a treaty.
- Sally Fineday- The six bands need a treaty related to the TEC
- Steve Thomas- The TEC was started fraudulent.
- Raymond Bellcourt- TEC and RBC are financial organization. We are not bound by US government because we are sovereign.
- Wally- We made treaties before the US was formed. We had treaties amongst ourselves before the White man made treaties with us.
- Next TEC meeting is April 29 & 30.

10:30 am BREAK

10:40 am

- Jason Decker- one option is to take out Blood Quantum out of the Constitution. We no longer need to reference the IRA.
- Carrie- Each Band decide membership. Third option ?
- Steve Thomas – We need to delineate what can we do now with in the Constitution. He believes, no. Don't want one generation solution. Wants a vote on taking out Blood Quantum.
- Jason Decker- The TEC could decide what constitutes what is required for Minnesota Chippewa Tribe membership.

- Wally- We need to leave blood in, at least being a lineal descendent. We are working on the overall Constitution that needs to be written in such a way that works with the Bands. Citizenship is part of the local Constitution.
- Jolyn- There are a lot of mistakes in the 1941 enrollment list/blood roll.
- Jason- 1941 was an unscientific roll.
- Birdie- Why would we even consider 1941, we should we go back further.
- Carrie- March 4<sup>th</sup> meeting we talked about future generations, Sponsorship....
- Discussion of Resolutions- (Wally) (Constitutional Amendment) Make everyone on the July 3, 1961 rolls full bloods or 1941, kick the can down the road. (Steve Thomas) Other two resolutions need a Constitutional change. Every time you push blood quantum, it is disrespectful to our ancestors. Carrie Aspinwall is pro the "lineage." (Rose Robinson) Everything is connected to the Constitution, including resources. Must promote Education. Our leaders should make Education a number one priority; our purpose is to take care of each other. (Liz) 1930's – genocide when our Constitution was created, why should we perpetuate. (Sandra) Changing the Constitution is difficult and it may be a long time before we can change the Constitution again therefore, we need to write a change that allows for flexibility and will work for several generation. (Birdie Roberts) We need to lay a good foundation and it could take awhile to write. There are things that should not be in the Constitution. (Jason) We need to set a date, 2022, for completion. (Jason) the Constitution does not give the TEC or the RBC enrollment power; the TEC made an ordinance. (Tara) initially the push for the Constitutional Reform was to remove the Secretary of Interior from the Constitution. (Steve Thomas) We must get done by 2022. (Birdie) we could complete Enrollment by 2022. (Cheryl) Let's put our timeline on paper. (Jason Burnett) Thought that we would be independent and it took us a year to get organized. I am confused at what the TEC asked us to do about enrollment. I thought we work on the Preamble, etc. The TEC will get involved in government structure. (Jason Decker) Is concerned that the TEC will push their 3 resolutions. (Raymond Bellcourt) Is concerned that by taking out the Secretary of Interior there will be no checks and balances with the TEC unless it is replace with another mechanism. (Wally) Rescind 1-80.

Frame out draft potential structure through discussion

Carrie summary of resolutions:

Each band on its own will solve membership; treaties with each other.

Remove blood quantum.

Direct Lineage

Any one born 1941 are full blood

All full bloods from July 1971

Cheryl: PowerPoint / Cheryl Edwards- Structure Governance:

did an overview of Participatory Governance and Consensus Building, why and how are we doing this Constitutional Convention? Public forums & meetings,

Functions and Responsibilities of a Constitution, Bylaws, Ordinance

Should we establish a Council as a checks and balance of TEC?

12:00 pm LUNCH

1:00 pm Continued Structure/Governance

Cheryl- It appears that we have agreed to reforming the Umbrella Constitution and each Band needs to work on their Constitution. Why not write the Band Constitutions at the same time.

Carrie: We need to do this work face-to-face to put it together, two-day meeting.

Cheryl: Need to finalize the Preamble, education, enrollment, governance structure. Per Jason Burnett we are in the driver's seat.

Birdie: There are still COVID meeting restriction.

Carrie: Next meeting April 16 and Facilitation Committee will set the agenda.

### **Committee Reports**

- TEC Committee

Steve: Wants us to vote on items which will change our relationship to TEC. Vote on: (1) All are methods of handling Enrollment needs a change to the Constitution. (2) Membership criteria happens at the band level.

Birdie: We need to simplify the above two above votes.

Liz: Use a walking caucus method.

Wally: Prefers to just put one item to the membership to vote- get rid of the Secretary of Interior. It will be hard to get 30% approval.

Steve: A summary paper should have the status of each item, whether the item was voted on item. Tribal governance is at the Band Level.

Jason Burnett: Prefers to work on the total Constitution, making sure we have the hot items in it.

Sally Fineday: has a synopsis of all action up to November.

Carrie: Will send Sally's synopsis to us for review and approval.

- Finance – Sally read the Finance Report and explain the form that the committee developed for requesting funds. Wally asked if we requested funds from the BIA.
- Education- Birdie- met March 8<sup>th</sup>. Next item is MCT (what is it, etc.). Rights of Nature. What other education, summary of important documents; e.g., IRA. Liz we are trying to be in sync with the other committees.
- Survey- Carrie we need some help there are only two members (Wayne Dupuis and Steve Thomas). Other members have not gotten invites. Send Wayne an email to volunteer for the committee: waynedupuis1@msn.com
- Drafting- Marcie: The Preamble is done; has received comments that it is too long. Drafting committee hasn't met recently. Jason Burnett: why don't we call the draft Preamble an identity statement.

2:17 pm BREAK

2:30 pm Develop 3-4 Enrollment Solutions for collaborative meeting with TEC

Indian Welfare Act: the 1/4 blood quantum is required to receive Federal service; members vs. citizenship

MCT Constitution: Proposed Enrollment Solutions/ Goals (Each Band decides its own citizenship.)

1. Each Band decides their own membership
2. Establish treaties between each Band
3. **Direct Lineage**

Common Goals that align our Delegation with TEC

Constitutional Amendment, Amend the Constitution – Discussion to not piece mail, review what we've already completed, consensus on all elements and send to vote of membership – take the opportunity as community engagement will have to be significant to drive/ motivate members.

Sally Fineday- Are Bands should work together for mutual benefit such as purchasing, accessing Federal funds, etc.

Steve Thomas: The 3 above Goals/Recommendation should be treated as one Goal (Direct Lineage) with three parts.

Note: Next Zoom meeting date April 16th / 3rd Friday hosted by Mille Lacs

Post Note: We still need to schedule 2-day treat/session for 1st quarter 2021 Next meeting host, Invocation, and meeting minutes. Wally suggested that we ask the TEC to send a representative(s). Cheryl recommends inviting the whole TEC and keep control with this committee. Something will go on the ballot in 2022. Steve: let's have the entire constitution. Wally: We are speaking from our hearts, our minds, with one voice.

Cheryl: We need two separate meetings: the convention meeting and a meeting where we invite the TEC.

Action: Send out the invite for the Facilitation Committee meeting.

4:00 pm Adjourn

Tabled again

Education / History Timeline (tabled from January meeting)

- White Earth
- Leech Lake