

Constitutional Convention Reform meeting MCT Delegates February 21, 2020

Held at Black Bear Casino, Carlton, MN

10:19 a.m. -Opening ceremony by Ricky DeFoe and Cedar Creek drum group.

10:28 am – Preamble Discussion. Reviewed the current statements. Opportunity to discuss what was our thought process. W.E. speaks of their statement, their first one. L.L. wanted to know if they have the one that was completed by the group in October.

L.L. wants to assign a group to consolidate the statements. Bois Forte agreed with L.L.

Bois Forte liked all the statements and felt they all touched on the same ideas.

Birdie speaks to creating an outline to determine what needs to be included in the statement. Who are we, what's the aim or justification, legal reason, reason for the enactment to help us to move forward to create the statement.

W.E. wants this also since the committee can't have 60 people trying to write a preamble. Wants to create a drafting sub-committee.

G.P. agrees with White Earth believes there is many similarities. Broke it down into 4 areas: Who we are what are name is, what makes us Anishinaabe, where do we want to go? How do we govern ourselves? Attempting to combine all the submitted statements into one statement. Wants to also combine everyone's and create one from the various statements.

MLB AI agrees but there is no accountability when it comes to the sub-committees. He agrees to sit on the draft committee. We got to have some mechanism for accountability.

L.L. want to create a drafting committee. Motion made to create a drafting sub-committee. Jason seconds motion. Do we want to vote on this? B.F. yes, G.P. yes, L.L. yes, W.E. yes, FDL yes, ML yes, Michele wants to comment, we are ok with but want to define a few things when we talk about this committee, the rest of us don't all have the resource of legal representation. We would like to see legal support, not a delegate but someone separate from us. We need a legal representative to help us with figuring out our parameters. The Finance sub-committee could determine funding for it. Wants to talk about this at 3:00 to address this. We don't do the check marks on stuff we work on. Wants to talk about this during the subcommittee discussion.

Delegates from their respective reservations have accepted this responsibility; someone from BF has names and will email out.

Committees were directed to discuss Article 12. MLB discusses Article 12 amongst ourselves. We reviewed the %'s and made various comments on why they are proposed with the changes and also the differences in the wording for the various sections. Is this something the drafting committee would determine?

Break was initiated and drawings occurred.

Motion to officially accept Sandy Lake as a body delegation;

Motion by White Earth second by Leech Lake;

Vote:

White Earth Yea

Mille Lacs no. Mille lacs asked that the issue be put on the agenda for the next meeting.

Boise Forte abstain.

Leech Lake yea

Grand Portage yea

Fond du Lac yea

Discussion about this being on the agenda and having community input to make a vote. Each delegation voted but there was not a consensus. Mille lacs voted no and Boise Forte abstained. They need more time. Tabled for next meeting.

11:05 am Request by M.L. to table Sandy lake being recognized as a delegate team. W.E. made the motion Bois Forte 2nd to add Sandy Lake as a separate delegation. Committee are asked to discuss this amongst themselves. Statement was made about the TEC voting on this at the last TEC meeting. There is a comment about TEC recognizing them. FDL thinks we can't exclude it's a form of violence to not discuss a topic because it's not on the agenda. Couldn't capture the voting due to MLB committee continued discussion. G.P votes yes, Bois Forte abstains (?)

Curt requests to make a comment. This was not on the agenda. Each delegate represents each area. Not fair to ask us to vote. W.E. made a motion to put it on the next agenda. Bois Forte 2nd. Comment made by (?) We need an understanding on what happened at the TEC meeting. We get three minutes to discuss our position to the group. We are not going to vote yet until we had time to consult others concerning this. L.L. said we decided not to use Roberts rules of order. Group wants to review to determine further what we can do.

Sandy Lake speaks about moving forward with the agenda. Carrie speaks to the topic. We can say collectively and wanting to be inclusive with including Sandy Lake. Thinks it's a good thing to do. Voting occurs; MLB stays with a no vote. We want time to look at the resolution. We just want the time to talk to people about it.

FDL wants to know who "they" are. Who do you need permission from? MLB had already stated we need to consult the membership. Sandy Lake approaches MLB while the voting occurs. Unable to record the voting outcome. Committees break out to discuss further. If there is no consensus then it dies. G.P. yes, L.L. yes, W.E. yes, FDL yes. MLB no, comment rescind the motion and give us more time to research. W.E. does not want to rescind the motion. They want to finish up the vote and if it fails we add it to the next agenda. This will be tabled.

11:59 am. Discussion occurred as to what the next steps are, individual vote. Sandy Lake again approaches MLB committee and states we are playing the we don't know card. MLB disputes his comment. We want to ensure we are speaking on behalf of our communities and

not expressing our individual opinion at this meeting. It was proposed to vote again to add Sandy Lake as a recognized delegation to add to the next agenda.

MLB requested to take a break. In 15 minutes, lunch. L.L. requests Sandy Lake present on the resolutions at the next meeting.

Article XII. Discussion on wording for the amendment of this article. Initiated discussion and input on this article of the constitution. This will be tabled until next meeting. Draft Subcommittee to review and bring forward at next Convention meeting.

M.L. discussed hosting the next meeting. Discussion took place on Article XII. The % of voters would be able to call that petition forward. FDL feels the presence of the TEC here. Perry stated he has to leave due to personal reasons. W.E. talked about the %'s. support the 30%. MLB points out the inconsistencies of the language. We requested the TEC be sent a letter and explain the intended interpretation. We need clarification especially regarding the Secretary of the Interior. FDL – Believes this body striking the statements resolves that issue. L.L. Qualified voters in the past meant the ones registered. TEC recognizes anyone 18 or above. Need to define what qualified voters mean. Curt spoke about Secretary approval. Wants a letter from the TEC defining the Article, the last two sentences. November 15, 2015 BIA encouraged the tribes to remove the Secretary of the Interior. There is something that was written in 2001 concerning eliminating the Secretary of the Interior. L.L. states on November 15, 2015 something from the BIA encouraged the tribes to remove the BIA from the language. That's why we are wanting to recommend to the TEC to remove the language since including the BIA does nothing but hinder our process. FDL - someone changed their constitution 17 times. There is a resolution that was created in 2001. Curt would inquire about obtaining the resolution for our committee.

12:30 – Lunch

1:30 pm – Meeting resumes. L.L. explained resident voters. Mirrors Article XIV. Recommendation to table Article XII discussion until next month. Reviewed the document. Voted, everyone agreed.

The delegates entertain the **Process Proposal** from Leech Lake to adopt a process to help guide our reform efforts. That process is as follows:

1. setting ground rules;
2. identifying and prioritizing issues;
3. working through possible solutions to those issues and gaining community input;
4. drafting the document;
5. holding community meetings to hear input on that draft;
6. MAKING REVISIONS (IF WARRANTED) AND
7. finalizing and presenting the final draft.

Motion to develop committee to forward this process and **Facilitator committee** will decide at the end of the meeting what will be on the next agenda item. Wayne will be the facilitator for MCT delegate meetings. This is to assure topics covered during monthly Tribal meetings are included on each month's agenda. The facilitator subcommittee will be

responsible for carrying forward agenda items for each tribal delegate meeting; we have Sally Fineday, Jason Decker, Birdie Roberts, Wayne Dupuis, Michele Haakala-Beeksma, Darell Shinobe, Tracey Dagen, Douglas Lee.

Motion to have a continuous spot on the agenda regarding presentation on structure of the government (TEC).

To move forward for next month be sure the following are included in agenda:

Sandy Lake delegation vote

Article XII and vote

These agenda items will be placed on morning agenda.

Finance, education, drafting committee, Survey committee,

Set agenda item for structure of government.

FDL presentation on Tribal Government Infrastructure. Presentation on participatory governance and consensus building, functions and responsibilities of a constitution, government to government relations, modern forms of tribal governance, traditional governance, leadership, legislative, judicial and executive – do we add general council? Structure – things to consider. Group discussion about opinion of adding a council of some sort as replacement of Department of the Interior oversight to the TEC.

1:41 pm Tribal Government Infrastructure. FDL explains their process for meetings on the constitution. Reviewed the basic components of a constitution. G.P. has done some work on re-structuring the MCT/TEC put in 4 branches of government.

Should constitution last forever? Ours does. Does it fit the vision of who we are? How do you reach people on clans for the purposes of the constitution? Choices - all information available to us and share it with everyone at home. Information came from NCAI a report from 2019. Would FDL send the power point out to everyone? They stated yes.

Bois Forte made a comment about heads of clans. Peoples council put in for committees for natural resources, etc. We haven't had any say on the issues affecting our reservation. Oversight committees, has to be in conjunction with the human rights and things like that. There is no due process. B.F. wants no central form of government, stay more local. We should have committees that has knowledge in certain areas. All of these would have local input. As we revise this constitution needs to be completed by educated people. Wants to see local committees put in place. This rests on what we do in our own communities. We should have committees who are knowledgeable about specific things. The best decisions are made by the people who are educated about the topic. Create local committees who have expertise in specific areas.

Education, local government, what does it mean to be Ojibwe? Teaching of new songs, old songs, that is reclaiming who we are. B.F. we talked about this idea. Defining the constitution, there are some many possibilities that we talked about. Define the issues it would take 6 months to a year. Would like to hear the different ideas. Checks and balances. The structure of the MCT is layered in a way that creates the imbalance.

They continue to identify what other obstacles are. We need an oversight committee. The MCT has been structured to hold us back. Need a body to oversee the TEC. There is conflict of

interest and gives them powers that others don't have. We do need an oversight committee. There never seems to be resolution when attempting to resolve problems.

W.E. attended a special meeting of the TEC they were talking about the election ordinance. They put a group of people to look at the ordinances. Comment states if the TEC wanted to create accountability for themselves, they could do it. Article I Section 3. Reads the Article, its right in the purpose. They believe there is no accountability or a process. W.E. election ordinance was looked at such as violations. If they wanted to create accountability processes they could do it. Feels there is already language about their duties and responsibilities. We just need to push the issue.

G.P. made comments about the accountability of the General Council. G.P. would should not allow them to create their own accountability. Wisconsin has general counsels.

Sandy Lake states they are talking about structure. There seems to be discussion about going to a traditional structure vs. what we have. They looked at Ho-Chunk. Supreme court comment within the MCT. Looked at Red Lake has a council of hereditary chiefs but they don't really have the power to override the Councils decision.

5 tribal council members not the best system. L.L. proposes we take this issue and utilize our approved process for the next three months. To listen to structure that's a motion, 2nd.

L.L. comments about utilizing the current process we approved and spend three months and listen to people about their thoughts on structure. 4-minute discussion occurred.

Drawings occurred.

Reports from:

Education subcommittee

Birdie commented the Education committee is recommending a newsletter be created to be approved by the committees, once approved these newsletters will be routed to the respective tribes to hand out and communicate as they see appropriate. Recommendation is monthly after each MCT Delegate meeting. Committee will be creating a laundry list of potential educational topics for all committees to prioritize.

Survey committee

Working on survey questions. Hope to have a draft next month. There are only 2 members to this committee. If you want to be part of committee contact the current members.

Facilitator committee

L.L. stated we still need to identify who is persons for the Facilitator sub-committee. One from every band will decide at the end of the meeting what will go on the next meeting. All new things in the afternoon. Members of sub-committee are selected.

We are going to focus on setting up the agenda for next month utilizing the process we agreed to recently. Bring up things that were tabled. We are going to finish Article 12 with the drafting committee. Asked who is hosting the next meeting. MLB on the 27th tentatively Eddy's

in Onamia. TEC is on the 31st so can we do it on the 30th? Discussion took place on coordinating a date to coincide with the TEC meeting.

Finance committee – Sally will set up meeting with MCT for committee members to explain what is needed from fiscal agent to apply for grants to fund delegations to do this work. BF having financial trouble and committee sees need to have meetings paid for with other funding.

Question: is the TEC charging us legal fees? Would like an update on the status of our funds.

TEC committee –

A body that is a liaison to the TEC. Agreed would set for 4 months only. Our committee has expired and we should have put together a new committee. Submit the names for the new members. No new information to share. At the January meeting Cheryl Edwards, FDL, did attend and first, thanked TEC members for attending our January Convention meeting. and provided a brief summary of what occurred. We are still working on enrollment requirements, meeting with communities and they did like having the update. We are now on the TEC agenda as a standing topic. We need to ensure we are present at each meeting. Gave announcement of next Convention Meeting at Black Bear Casino on February 21st.

There are some members of the TEC that does not understand what we are doing, our progress, to stop rumors, false expectations. We recommend we go to these meetings with written documents and agree on it before its presented to the TEC. Wants to hear on the topics we should report on. The next meeting is March 27, so we have time to pick the topics for the TEC.

Drafting committee –

No chance to accomplish anything. We need 10 minutes to determine what we should be doing. Another 10 minutes were used to allow the drafting committee to work on the tasks. 10 minutes later, drafting committee comments. A meeting will take place March 5th. Preamble. Use that example to think about these categories and combine the 6 drafts into one draft.

Delegate Convention Meeting schedule – 2020

Next delegate meeting March 27 at Eddy's in Mille Lacs. Planned ongoing meetings through end of year 2020:

March 27, 2020	Mille Lacs	Eddy's
April 17-18, 2020	Leech Lake	Northern Lights
TEC 4/30/20 – 5/1/20	Mille Lacs	
May 15, 2020	Leech Lake Urban	
June 19, 2020	White Earth	
July 10–11, 2020	Grand Portage	
TEC 7/13/20 - GP		
August 21, 2020	Bois Forte	
September 11 or 25, 2020	Fond du Lac	
October 16–17, 2020	Mille Lacs	
TEC 10/22&23, 2020		
November 20, 2020	White Earth	
December 18, 2020	Leech Lake	
January, 2021	Bois Forte	