



Proclamation

Whereas, on the afternoon of Monday, August 5, 1996, on Leech Lake Reservation at the Bug-O-Nay-Ge-Shig School the body politic, speaking through the general council of the Leech Lake Band of Ojibwe convened at 1 p.m. The convention was chaired by Eli O. Hunt, Leech Lake Reservation Business Committee Chairman, and attended by 218 Leech Lake tribal members.

Upon motion of Roxanne LaRose, duly seconded, and unanimous affirmative vote, Eli O. Hunt, in his capacity as Chief Executive Officer of Leech Lake Reservation, was directed to proclaim a State of Emergency on Leech Lake Reservation due to the failure of tribal government and the endangerment of tribal resources and the health, safety and welfare of tribal members.

Further, upon motion of Hilda Beaulieu, and duly seconded, and unanimous affirmative vote, Eli O. Hunt, in his capacity as Chief Executive Officer of Leech Lake Reservation, was directed to proceed with all deliberate speed to form a provisional tribal government to protect tribal resources and provide for the health, safety and welfare of tribal members and that the legislative powers of the provisional tribal government is to be vested in the representatives of the Leech Lake Local Indian Councils.

The foregoing premises considered, I, Eli O. Hunt, in my capacity as Chief Executive Officer of Leech Lake Reservation, on this 5th day August, 1996, hereby proclaim a State of Emergency on Leech Lake Reservation; and further proclaim that a provisional tribal government has been constituted to protect tribal resources and provided for the health, safety and welfare of tribal members; and further proclaim that the provisional tribal government will remain constituted as necessary.

ELI O. HUNT, Chairman
Leech Lake Reservation Business Committee

CONSTITUTION
OF THE
PROVISIONAL GOVERNMENT
OF THE
LEECH LAKE OJIBWE

PREAMBLE

The Leech Lake Ojibwe, acting through the traditional general council, declare that a State of Emergency exists on Leech Lake Reservation and that tribal resources are endangered and the health, safety and welfare of tribal members are endangered due to a general failure of government. Therefore, the Leech Lake general council enacts this provisional constitution to provide for the protection of tribal resources and provide for the health, safety and welfare of tribal members.

Article I

Branches of Government

There shall be three branches of government:

- a. Executive Branch.
- b. Legislative Branch.
- c. Judicial Branch.

Article II

Executive Power

The Executive power of government shall be exercised by the Chief Executive of Leech Lake Reservation. The Chief Executive shall nominate the following tribal cabinet officers to assist in the exercise of the executive power of government:

- a. Secretary of State.
- b. Secretary of the Treasury.

c. Attorney General.

d. Additional Cabinet Officers as necessary.

The tribal cabinet officers shall be confirmed by majority vote of the General Council.

Article III.

Legislative Power

The legislative power of government shall be exercised by the General Council. The General Council shall consist of thirteen (13) representatives.

The following Leech Lake Reservation local councils shall select a representative:

- a. Squaw Lake.
- b. Ball Club.
- c. Sugar Point.
- d. Pennington.
- e. Cass Lake Area. Cass Lake shall select two representatives.
- f. Onigum/Old Agency.
- g. Inger.
- h. Smokey Point/Kego Lake.
- i. Bena.
- j. Mission.
- k. Oak Point.
- l. Minneapolis/St. Paul Area.

Legislation may originate with the General Council or the Chief Executive and becomes effective when passed by majority vote of the General Council and approved by the Chief Executive. In the

event the Chief Executive fails to approve or vetoes the legislation, the General Council, by a three-quarters (3/4) majority, may override the inaction or veto by the Chief Executive whereupon the legislative becomes effective.

The Chief Executive shall preside at meetings of the General Council in accordance with the provisions of Leech Lake Ordinance 1-64, dated October 7, 1964.

Article IV.

Judicial Power

The judicial power of government shall be exercised by the Leech Lake District Court and Leech Lake Court of Appeals.

The Leech Lake District Court shall be a court of general jurisdiction. The Leech Lake Court of Appeals shall be empowered to review questions of law only on appeal from the Leech Lake District Court.

Judicial officers shall include (1) Judge, District Court, (2) Judge, Court of Appeals, (3) members of the Leech Lake Bar and (4) Traditional Advisors.

The Federal Rules of Civil and Criminal Procedure shall provide the initial procedural law to be applied by the Leech Lake Judiciary, until modified. The substantive law of the State of Minnesota and traditional Ojibwe law shall be the substantive law applied by the Leech Lake Judiciary, until modified.

Judges shall be nominated by the Chief Executive and confirmed by majority vote of the General Council. Judges shall serve for life and may be removed only by trial of impeachment by the General Council.

Members of the Leech Lake Bar shall be a graduate of a American Bar Association approved law school and licensed to practice law before any state or federal court.

Traditional Advisors shall be nominated by the Chief Executive and confirmed by majority vote of the General Council and shall provide advise, upon request, to the judicial officers when questions of traditional law are before the court.

Judgments of the Leech Lake District Court, unless appealed, and Leech Lake Court of Appeals are final and conclusive.

Article V.

Rights and Privileges

The Leech Lake Ojibwe shall possess all the rights and privileges possessed by citizens of the United States of America.

Article VI.

Expiration

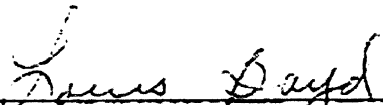
This provisional constitution shall expire upon the constitution of a functioning Leech Lake tribal government under the provisions of Constitution of the Minnesota Chippewa Tribe or upon conclusion of a Constitutional Convention of the Leech Lake Ojibwe.

Article VII.

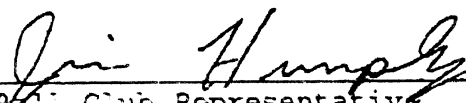
Amendment

This provisional constitution may be amended by three quarters (3/4) majority vote by the General Council and approval by the Chief Executive. Should the Chief Executive fail to approve an amendment after three quarters (3/4) majority votes of the General Council, the General Council may enact the amendment upon unanimous vote.

On this 6th day of August 1996 at Cass Lake, Leech Lake Reservation, my signature, affixed hereto, signifies, on behalf of the local council I represent and as a member of the General Council, adoption and allegiance to the foregoing Provisional Constitution.



Squaw Lake Representative



Ball Club Representative

Guy D. Greene
Sugar Point Representative

Genice M. Timney
Pennington Representative

Roxanne LaRoe
Cass Lake Area Representative

A. A. M...
Cass Lake Area Representative

Diane E. White
Onigum/Old Agency Representative

Peter D. White
Inger Representative

Harley White
Smockey Point/Kego Lake Representative

David Morgan Sr
Bena Representative

Dennis Smith
Mission Representative

John Dewey
Oak Point Representative

Minneapolis/St. Paul Area Representative