

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 3/28/23 Time: 6 PM

Facilitator: Carol J.

Present: Marcie M., Julie H-C., Rita E., Raymond B., Michaa A., Jean S-L

OLD BUSINESS:

Unresolved questions from the last meeting:

1. Request Secretarial election. 25 CFR 81.6 A duly adopted tribal resolution, tribal ordinance, other appropriate tribal document requesting the Secretary to call a Secretarial election, or, in the absence of an existing governing document or if authorized or required by the existing governing documents, a petition that has been verified by the Bureau as having the minimum number of required signatures of tribal members...

- Under MCT's current Constitution, there is no language for the use of a petition to call for an election.
- Only one way to call for an election, vote by 2/3 of the TEC.

2. Drafting committee is uncomfortable with the Supreme Court having the final decision. Even U.S. Supreme Court has language for a rehearing. What is it? Can we use it for our Document?

- Proposed language "Any decision of the Supreme Court shall be final, except that a rehearing may be granted, provided the grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented."

NEW BUSINESS

1. White Earth is having a Community meeting on 3/25/23 12-4 PM to discuss Alliance Doc.

2. Review of Draft 7 of Constitution Alliance.

- Grand Council Fire- Use Authority instead of advisory.
- Think about using "Hereditary Chiefs."

- A suggestion was made that there is a clause that all adults must participate to get benefits.
- Include Civil Rights and Human Rights. Will expand Civil Rights. Human rights are listed in the UNDRIP.
- Need to authorize Tribal Police, Trial Courts, and a Supreme Court.
- What is an attorney's qualification to represent Citizens in Tribal court?
- Discussion about Sovereign Immunity.
- Need a Manager type position for the day-to-day operation at the local level.
- Arbitration is now an option to resolve a dispute before going to court.
- Get the women's council involved in implementing and enforcing rules and laws.
- Can not come up with the name of the governing body responsible for implementing and enforcing rules and laws.

Michaa will send the names of two new drafting committee members from Bois Forte who need notice of next week's meeting.

Actions:

Next meeting: 4/04/23 at 6 PM