

## MCT Constitution Reform Convention Meeting Minutes

September 15, 2023 9.m. to 3:15 p.m. CDT

Hosted By Grand Portage Delegates

Log Building Community Center, 62 Upper Road

In Person and via Zoom

**Handouts** provided by Michele Hakala-Beeksma's email Wednesday September 13, 2023: Lineal Descent Definitions etc.docx, Draft 9 2023 Alliance Document.pdf, MCT CR Agenda 9-15-2023 Draft.docx, MCT on Sovereignty 09.02.23.pdf, education funds distribution1.docx, Glossary Definitions.docx

**Attendees in Person** (16+): Michele Beeksma GP, Levi Libra GP, Cheryl Edwards FDL, Sally Fineday LL, Patty Straub WE, Billy Blackwell GP, Natalia LL, Melisa LL, Ray Bellcourt WE, Julia FDL, Tara FDL, Emily WE, Toby Stevens GP, Elizabeth Simmons GP, Norman D., Louie Johanssen WE, April McCormick GP

**Attendees via Zoom** (16+): Sandra Borden GP, Carol Janick FDL, Michael Reyes LL, Sybil Gund WE, Al Olson MLB, Tracey BF, Christina Bowstring LL, Lilah White, Andrea Thompson, Julie MLB, Danielle Smith MLB, Michele Palomaki, Char Ellis WE, Andrea Thompson, Carrie Day Aspinwall LL, John Lemire GP

9:00 am **Welcome and Invocation-** Intro by Levi, host

Opening Prayer/ Pipe Ceremony by Billy Blackwell. Billy went through definitions of elders (men and women) and stories related to Grand Portage, Nett Lake, Leech Lake, Cass Lake, mountains in Virginia, Boise Forte, Fond du Lac, Mille Lacs. He prayed for us to get the knowledge that we need. He reminded us that the Spirits come down the path of the smoke and he hoped everyone will go home with a strong heart. Note: He mentioned that he spent time with WE, LL & FDL delegations last night.

9:30 am **Delegation Roll Call, Housekeeping/Reminders.** In attendance GP, FDL, WE, MLB, LL, BF

9:40 am **Update on Alliance Document Community Input- 8 sections**

Carol Janick- The Drafting subcommittee meets weekly and has gone through all comments received and incorporated them into Draft 9, except the request to take out the word "citizenship." Cheryl- this topic (Alliance Document) is on the agenda because it was an assignment for everyone to review and will be a topic at each monthly meeting. Sally Fineday LL recommends changing "clan" to "doodem" (which per Carol already has been done.) Levi GP- GP has meetings scheduled to review the document. Sally – LL has had three community meetings plus an urban meeting; document was well received. Ray WE- We discussed each reservation having their own constitution plus having the Alliance document—this needs more clarification. Also, there is concern for the need for safeguards. Carol- The Drafting Subcommittee is working on roles & responsibilities for governing bodies and on safeguards; there is a draft. Sally- maybe there should be a diagram (of the governance and responsibilities) for those who are more

visually oriented. Emily WE, relatively new delegate- how do we get a copy of each of the reservation constitutions? Ray WE- We have a draft constitution and do not have a meeting scheduled yet. Sally- Several draft band constitutions are posted on the FDL website. Sally- 1996 LL developed a provisional constitution, 4 or 5 pages, which is posted on the FDL website. The next step is to include comments and to put the topic on the radio. Levi GP- has questions about the Grand Council. How big? How are they elected? Carol- the drafting subcommittee is working on governance now. Sally- Is the drafting subcommittee open to all? Carol- yes. Sandra Borden GP- complimented the drafting subcommittee. Levi- do we have a goal for when it will be ratified? Sally LL- It will take more than a year or two to reach out to the communities. Levi- GP has posted the Alliance Document on the GP Facebook site. Louie- WE will have August meetings. Sally- LL does not want 5 RTC members; no one knows how much money they make and there is a lack of transparency. We want more members and want them to be volunteers. Ray Bellcourt WE- I agree with Sally. We need to get rid of the RBC/RTC. Cheryl- it is important to get this into the Band constitutions.

Ray- will the RTC support our efforts? Sally- looking at corruption, the Alliance Document can protect us. Cheryl- the MCT has endorsed us. It would be best to consider our (Constitution Reform) efforts as a "reconstruction." Levi- Do we need the current MCT TEC to support us since there are 2 new members? Cheryl- I feel that we still have their support; they are most concerned about seeing a final product. Our original goal was June 2022, but then COVID hit. Sally- the TEC just gave us \$100,000 for education. (a sign of their support). Al Olson- in our Education (document), you said that they gave us permission. We need to get out of the mind set of waiting for permission. Our elected officials are there to work for us. Carol- It is good to know that the TEC has supported us, but we have not gotten responses to our requests for information; e.g., taxation. What is the transition period going to be? It would be helpful if our current governing bodies participated by responding to requests for information. Sally- From my participation since 2018, I know that our effort is a people-led group. Taxation is a white people's approach; what we have traditionally done, is to help those who need help. LL does not tax. Ray WE- The power to tax is the power to destroy.

Carol- there are several topics: such as contracts, the Self-Determination Act for which we need feedback from the TEC. Christina- we need the same understanding of each of the topics; and therefore, the Education subcommittee should work on a description of these topics.

#### 10:25                    **Approval of Sovereignty Educational document**

Levi read through the Sovereignty document. Ray- Sovereignty is the most important topic for us. Cheryl- there is a correction in the section on why it is important to us- **change Anishinaabe to Anishinaabeg**, then approve the document. Carrie- the Sovereignty Educational document- according to our process, changes will mean adding time to our review. Then there was a discussion on "inherent right" and the need for a definition which can be addressed in our glossary instead of changing this Education document. There was a suggestion of **changing the diagram to put sovereignty within the circle**. Toby made a recommendation to remove the word "power," just have inherent right. John Lemire GP- sovereignty is our most important topic. I am a tribal judge in Michigan. The term citizenship is a more powerful word than the word member. GP is not large, and I am concerned about the future. Louie WE- should we say it is our "responsibility" versus "inherent right." Carrie- I like the inherent right and responsibility as Anishinaabeg... This is not hard to change. Cheryl- **It is our inherent right and responsibility...** Sally- is the word "inherent" in the treaty? Carol- I do not remember the word "inherent" in the treaties. Case law uses "inherent" with the word "sovereignty."

**Motion to make three changes to the Educational Document-** redraw the circle, use Anishinaabeg, and use “inherent right and responsibility.”

**Approved by GP, FDL, MLB, LL, WE** (awaiting the return of the BF delegate)

11:05 am        **Break**

11:40 am        **Community Education- Endorsement from TEC and need for dates**

Educational Curriculum by Cheryl Edwards FDL:

Outline of the Community education: Introduction 5 minutes video, Traditional/Evolution 1 hour video, MCT Organization/Enrollments 1 hour video, Alliance/Band Constitution 1 hour video, and Close 5 minutes in person.

The videos need to be completed first, finance committee needs to establish processes for the use of the \$100,000 and the \$9,000 remaining from previous funds, and we need to set the dates for the community meetings.

Note: we can still educate, but cannot use the funds without the videos and TEC endorsement.

Patty- The TEC only meets quarterly, so how can we get endorsement before the next TEC meeting in October?

From Chat – “Carried Aspinwall: If you have some suggestions on elders to contact in BF, GP and MLBO please email or call me so I can get this video together for Cheryl    carriedaspinwall@gmail.com / 612-597-0267”

11:50 am        **Lunch**

1:00 pm        **Update on Secretarial Election timeline-** Cheryl gave an update- from an email received a few days ago:

- No information back from the BIA as of last Friday
- The TEC asked questions in their request as well
- The BIA has asked for more information from the TEC
- One of the questions was regarding the 30% requirement
- The TEC is hoping for a November election date

1:00 pm        **Discussion on Definition of Lineal Decent**

Levi read the definition. There is nothing about adoption. Carol- It is by blood. Levi suggests add “direct blood line”. Carol- lineal descent and direct descent mean the same. Tracy, GP- I have a younger sister who is not even enrolled. I am concern about a genocide of our people and litigation on who is native. Does it mean that there are entitlements involved. I don’t want to open the door to entitlements and don’t agree with the definition of lineal descent. Carol- Lineal Descent is divorced from blood quantum. Sally- BQ will eliminate us. This is not about entitlement; it is about being Objway forever. LL will decide who has contributed. Cheryl- we are getting away from defining “lineal descent.” We need to make a definition so that we have agreement on what we are discussing. “Lineal descent” is a blood line. It is very simple. Our definition is not for the government. Louie (?) - if you are Anishinaabe, does it mean

an unbroken line keeping our culture? Sally- I like: "A person who is in direct line to an ancestor, such as child, grandchild, great-grandchild and on forever." Cheryl- We need to continue the blood line. BQ is a racial derogative term. John Lemire GP- From the legal point of view, we should have band enrollment offices who will look at descendants from who is a descendant of enrolled members and be concerned in our actions create split families. Note: most tribes will not allow a person to be a member of more than one tribe. Each band should determine its own membership. Carol- Direct line or direct enrollment? For direct enrollment needs some consideration for cases where the parent may not have had a chance to enroll. Patty- What is the basis for establishing a direct line. It must be decided by the membership bringing it up in community meetings. People are concerned about entitlement. Levi- we need to focus on the definition, not on how it will be used. Cheryl- these other issues need to be handled in the band constitution(s). Let's write the definition now. Michele GP- in the 1800's the enrollment was determined by the Census of where you lived. Unfortunately, if people were not physically present on the reservation, then they were not included/counted. There is no perfect Census. Sally- LL does not have old records. Patty- the accuracy on the basis (for membership) must be clearly defined. April McCormick GP – discussed the Anishinaabe words for "where we decided together" and "to belong." There will be a lot of logistics to helping people belong by deciding together. Julia FDL- most of us are over the age of 50. We are worried about our children. Why not chose the year 2000? (Male Unknown)- Use the baseline of when the document is ratified. Michele GP- we have splintered families so we need to go back further to solve that problem. John GP- Enrollment will be determined by each band. Carol- is concerned about a baseline of when the document is ratified; i.e., the problem of enrolled members who are not descendants. Sally- if we accept 1941, Leech Lake will not be included; therefore, we may need to go back to 1930. Carol- My point is that there are some people that are enrolled and have no blood line and their children should not be included. Patty WE - We have not started work on this matter. Michele GP- in legal documents there is usually a glossary and that is what we are aiming for, to state what our intent is. There needs to be a basis time line date. Each band will determine the time line. April McCormick- At the last TEC meeting, it was expected that the baseline would be determined. Sally- We like the first sentence and need to research a baseline date. Michele GP- maybe "as determined by each band" belongs where enrollment is described. Cheryl FDL- the Alliance Document doesn't describe enrollment.

Vote on definition of lineal descent:

**A person who is in direct blood line to an Anishinaabe ancestor as determined by each band.**

**Yes: GP, LL,**

**No: WE (want to discuss with delegates), MLB (need to talk to delegates), FDL (need a basis line date; the TEC is asking for our MCT specific definition, not the definition of the word.)**

**Absent: BF**

**Decision- to wait another month**

2:40 pm      **Glossary- started?**

Yes, we have version 5. The glossary relates to Alliance Document.

**Assignment- review version 5.**

2:45 pm            **Break**

2:55 pm            **Band Constitution Updates**

Michele GP- Grand Portage has a working draft constitution led by Marcie who asked John Lemire to work on the Judicial portion. Patty WE- We are awaiting the Educational documents. We are on board and are planning three meetings including the Iron Range. Cheryl FDL- We are doing research and have not started writing. There will be separate meetings for the band constitution. Danielle MLB- We have been showing the Alliance Documents at community meetings and are developing a video. In 2010 we started a band constitution, approximately 30 pages. Sally LL- We are using a 1996 document as a basis for a band constitution. We had a meeting with 40 people in attendance.

3:00 pm            **Committee Reports**

- TEC Committee- Cheryl- We have not met for a couple of months. The last presentation to the TEC was done with each band giving their own presentation. **The next TEC is October 24 & 25 at White Earth.**
- Finance Committee- Cheryl We are working with Beth Drost for the policy for using the Education funds. Beth has given us a draft and since then we received another dissimilar draft. Also, the monies that were previously allocated to us are in dispute. In July we were told we have no line item/no money in the MCT budget. Yet we have documented proof that needs to be forwarded to Beth Drost and Cathy Chavers to see if we can get the money back. The Bush Grant application has been updated and needs to be approved. Sally- I have hard files; the LL electronic files are lost.
- Education Committee- Carrie- assignments have been given including asking for input to the videos. They have reached out to MLB. Cheryl has not received the videos and Carrie will resend.
- Survey Committee- Cheryl- it is defunct. Only Sybil and Cheryl attended recently. Sally FDL and Sandra GP voted to disband, MLB and WE also voted to disband.
- Drafting Committee- Carol- We meet weekly and will continue work on roles and responsibilities for governing bodies.

**The next meeting is October 20, 2023 hosted by Leech Lake who will provide the minutes.**

3:15 pm            **Adjourn**