

CONSTITUTION OF THE GOVERNMENT
OF THE LEECH LAKE OJIBWE

PREAMBLE

The Leech Lake General Council enacts this constitution to provide for the protection of tribal resources and provide for the health, safety and welfare of tribal citizens. Leech Lake Ojibwe is in alliance with Bois Forte, Grand Portage, Fond du Lac, Mille Lacs and White Earth nations. The Leech Lake Ojibwe recognize the treaties with the Chippewa is the United States federal government recognizing the Leech Lake Chippewa's sovereign nation status. Leech Lake Ojibwe honor the Treaty in the Act of January 14, 1889 (25 Stat.642). Leech Lake Ojibwe honor the Treaty of 1837, wherein the United States entered into a Treaty with several Bands of Chippewa Indians. Under terms of this Treaty, the Chippewa Indians ceded land in present-day Wisconsin and Minnesota to the United States, and the United States guaranteed to the Indians certain hunting, fishing and gathering rights on the ceded land. The Leech Lake Ojibwe honor the Treaty of Washington, the 1855 Treaty, (February 22, 1855) United States government and representatives of the Pillager, Lake Winnibigoshish and Mississippi bands of Chippewa established the Leech Lake and Mille Lacs Reservations. The Leech Lake Chippewa honor the 1999 ruling by Justice Sandra Day O'Connor, U.S. Supreme Court, where it was concluded that the Chippewa retain the right to enjoy the use and advantages of another's property short of the destructive or waste of its substance rights guaranteed to them under the 1837 Treaty.

ARTICLE I

GENERAL COUNCIL AND BRANCHES OF GOVERNMENT

- a. General Council – the voting citizens
- b. Legislative Branch – Local Indian Councils are five representative citizens, one elder and one youth elected by their respective residential Leech Lake community
- c. Executive Branch – one representative Local Indian Council from each citizen community.
- d. Judicial Branch – Four judges elected by the General Council; two with federal, state and Tribal law and two local citizens. Eligibility criteria set by law.

ARTICLE II

GENERAL COUNCIL

The General Council constitutes registered voters who have attained the age of 18 years and older. Registered voters are Leech Lake citizens who vote on election day. An individual registered voter may request a law. Laws may come from the Local Indian Councils.

ARTICLE III

LEGISLATIVE BRANCH

The Legislative Branch consist of all elected representatives of the Local Indian Councils.

- 1) Nature's Lake (formerly S Lake)
- 2) Ball Club
- 3) Sugar Point
- 4) Noopiming (formerly Cass River)
- 5) Cass Lake Area. Cass Lake shall have two representatives.
- 6) Onigum/Old Agency
- 7) Inger
- 8) Smokey Point/Kego Lake/Boy Lake
- 9) Bena
- 10) Mission
- 11) Oak Point
- 12) Prescott
- 13) Winnie Dam
- 14) Sugar Bush/Buck Lake
- 15) Minneapolis/St. Paul area.
- 16) Duluth
- 17) Deer River
- 18) Bemidji

New Local Indian Council communities may become a part of an existing community where the location is nearest to the existing community. The community structure is fluid and any changes to the structure are at the discretion of the Local Councils.

The Legislative Branch develops and enacts laws through a regular legislative session. Laws shall be written, defined and structured to meet the needs of the citizens. A final written law is determined by majority defined as 50%+1 of the Legislative Branch. The law shall become final by a majority of the registered voters.

The Leech Lake Ojibwe honor the Revised Minnesota Chippewa Tribe Constitution and Bylaws until the Constitution of the Leech Lake Ojibwe is instituted by a majority of registered voters of the General Council of Leech Lake Ojibwe. Any authority not stated is reserved for the Leech Lake Ojibwe citizens.

Shall be mandatory to attend an orientation of the Leech Lake Ojibwe Constitution and have knowledge of the history of the Ojibwe including the Chippewa Treaties.

Biannually all Local Indian Councils shall meet to determine if issues are extreme and to measure goals and create objectives to meet the solution to extreme issues.

ARTICLE IV

COMPENSATION OF THE LEGISLATIVE BRANCH

The Legislative Branch compensation shall be derived from a budgetary process by law prior to the first Legislative Session. The compensation will be available to Legislative Branch citizens who do not have employment with the Leech Lake Band of Ojibwe, Leech Lake Gaming and other Leech Lake business entities. Leech Lake citizens who are employed with the Leech Lake government and or any of the Leech Lake gaming and other business entities will be compensated with their usual hourly and/or salaried wages. Employment laws exist to protect the employment of Local Indian Council citizens while in session. The Legislative Branch proposes compensation and the General Council approves compensation.

ARTICLE V

EXECUTIVE BRANCH

The Leech Lake Reservation Local Councils shall appoint an Executive Branch Representative seated with the Executive Branch.

Legislation shall originate with the General Council and the Legislative Branch shall write the laws. A law becomes effective when passed by majority vote of the General Council.

The Legislative Branch oversees the government and businesses of the Leech Lake Ojibwe. The Executive Branch will oversee the Executive Director and Chief Financial Officer. Any changes to the Government and business industry rules for operations shall be changed only by the authority of the General Council with a referendum vote of a majority of the registered voters.

Any authority not stated is reserved for the Leech Lake Ojibwe citizens.

Shall be mandatory to attend an orientation of the Leech Lake Ojibwe Constitution and have knowledge of the history of the Ojibwe including the Ojibwe Treaties.

ARTICLE VI

JUDICIAL BRANCH

The judicial power of government shall be exercised by the Leech Lake District Court and the Alliance Supreme Court. Judges shall be elected and must be Leech Lake and live within ceded territory.

This constitution does hereby ratify the dissolution of Public Law 280. Public Law 280 does not reflect the rights nor laws of the Leech Lake people. Leech Lake Ojibwe Tribal Court shall have authority over all criminal law up to a point of felony crime. Felony crime shall then be deferred to the Minnesota Chippewa Tribe Appellate Court.

Judges shall possess a law degree and be in good standing with the State Bar Association.

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

Judicial officers shall include one 1), District Court judges, and 2) Minnesota Chippewa Tribe Appellate Court, 3) members of the Leech Lake Bar Association, and 4) Traditional Advisors.

The Federal Rules of Civil and Criminal Procedure shall attempt to 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 substantive law applied by the Leech Lake Judiciary, until modified.

Judges shall be elected and confirmed by majority vote of the General Council. Judges shall serve four-year terms and no more than two terms. Judges may be removed only by trial of impeachment by the General Council.

Members of the Leech Lake Bar shall be a graduate of an American Bar Association approved law school and licensed to practice law before any state or federal court and must have passed the Minnesota State Bar. Further, a candidate must also pass the Leech Lake knowledge of Federal Indian Law exam.

Traditional Advisors shall be nominated by the Legislative Branch. And confirmed by majority vote of the General Council and shall provide advice, upon request, to the judicial officers when questions of traditional law are before the court (Appendix A – Traditional Law)

Shall be mandatory to attend an orientation of the Leech Lake Ojibwe Constitution and have knowledge of the history of the Ojibwe including the Ojibwe Treaties.

ARTICLE VII

COMPENSATION OF THE JUDICIAL BRANCH

The Judicial Branch compensation shall be derived from a budgetary process by law prior to the first Legislative Session. The compensation will be available to Judicial Branch citizens who do not have employment with the Leech Lake Band of Ojibwe, Leech Lake Gaming and other Leech Lake business entities. Leech Lake citizens who are employed with the Leech Lake government and or any of the Leech Lake gaming and other business entities will be compensated with their usual hourly and/or salaried wages. Employment laws exist to protect the employment of Local Indian Council citizens while in session. The Judicial Branch proposes compensation and the General Council approves compensation.

ARTICLE VIII

EXECUTIVE CABINET

The Executive Branch shall be exercised by the Legislative Branch of Leech Lake Reservation. The Legislative Branch shall nominate the following tribal cabinet officers to assist in the exercise of the executive powers of government. (the list will be consolidated to a few Cabinets of like areas of knowledge)

- a. Secretary of Government – Ojibwe term – Orator
- b. Secretary of the Treasury – Ojibwe term
- c. Elders (55+ and shall originate from the elected Local Indian Councils)
- d. Youth (13 to 18 of age) and shall originate from the elected Local Indian Council
- e. Tribal College
- f. Tax Commission
- g. Utility Commission
- h. Natural Resources Advisory
- i. Organizational/Administration
- j. Tribal Courts
- k. Gaming Regulatory
- l. Bug-O-Nay-Geshig School
- m. Housing Authority
- n. General Administration
- o. Public Works
- p. Public Safety
- q. Tribal Development
- r. Resource Management
- s. Alcohol & Drug
- t. Behavioral Health
- u. Health Services
- v. Education
- w. KOJB Radio
- x. State Agreements

ARTICLE IX

MEETINGS OF THE EXECUTIVE CABINET

All meetings of the Leech Lake Ojibwe shall be with consensus voting and 15/18 super majority. Rules of traditional order shall be honored at each meeting. A majority of Executive Cabinet citizens may call a Special meeting. Notice of a special meeting is honored with three (3) business days' notice to each Executive Cabinet. Executive Cabinet meetings shall be held once every month. Meetings are mandatory. Cabinet members shall appoint an alternate from within their Local Indian Council of their choice. Legislative Branch advisors may not vote at the Executive Cabinet.

Traditional rules of order and conduct are

- 1) Sagaswediimin - smoking of the pipe to solve disagreements.

- 2) Cabinet citizens shall conduct themselves with the following sacred laws when conducting Cabinet business:
 - i) Dbaadenidiziwin – humility
 - ii) Aakwaodeewin – bravery
 - iii) Gwekwaadziwin – honesty
 - iv) Nbwaakaawin – wisdom
 - v) Debwewin – truth
 - vi) Mnaadendimowin – respect
 - vii) Zaagidwin – love

The Executive Cabinet will by law held accountable to uphold the sacred laws.

ARTICLE X

DUTIES OF CABINET CITIZENS

Shall be determined by the Legislative Branch and voted into law by the Legislative Branch and formally the General Council.

Shall be mandatory to attend an orientation of the Leech Lake Ojibwe Constitution and have knowledge of the history of the Ojibwe including the Ojibwe Treaties.

ARTICLE XI

TERMS

Terms shall be 4 years. The Legislative Branch shall be limited to 2 terms.

ARTICLE XII

ELIGIBILITY

- 1) Must be twenty-one (21) years of age.
- 2) Must be knowledgeable about community and history of Ojibwe.
- 3) Must reside in the community.
- 4) Shall not possess felony crimes from the age of 18 to present.

ARTICLE XIII

VOTE AND REFERENDUM VOTE

Leech Lake laws regulate Voting and Referendum Voting.

ARTICLE XIV

JUDICIARY, CODES AND LAWS

Judiciary Laws and Codes shall be retained at the Leech Lake Library of Laws.

ARTICLE XV

VACANCIES, REMOVAL AND ACCOUNTABILITY

Judgements of the Leech Lake District Court, unless appealed, and Minnesota Chippewa Tribe Court of Appeals are final and conclusive.

Any vacancy in the Local Indian Councils shall be filled by a majority vote of the Leech Lake Ojibwe registered voters of that particular Local Indian Council jurisdiction. During the interim, the Local Indian Council shall be empowered to select a temporary Local Indian Council replacement for a specific duration of time until an election may occur to replace the vacancy.

The Local Indian Councils shall by a majority vote of its Local Indian Council citizens shall remove any officer of the Local Indian Council for the following causes:

1. Malfeasance in the handling of tribal affairs;
2. Dereliction or neglect of duty;
3. Unexcused failure to attend three regular meetings in succession;
4. Conviction of a felony in any county, State or Federal court while serving on the Local Indian Council.
5. Refusal to comply with any provisions of the Constitution of the Leech Lake Ojibwe.

The removal shall be in accordance with the procedures set forth herein:

Any elected Local Indian Council citizen is provided charges by written notice supported by no less than 20 percent of resident registered voters of said Local Indian Council citizenship stating any cause for removal of the causes listed above. A hearing shall take place no later than 30 days after written notice of removal has occurred. The seated Local Indian Council and citizenship shall review the charges and hear the plea of the accused Local Indian Council citizen who has been charged with cause for removal. Then within 10 days there shall be a vote to remove the Local Indian Council citizen who is charged. A removal will be official with 51 percent of the citizenship of the Local Indian Council voters. At this time all resident voters are eligible to vote for removal. There shall not be an appeal. To serve the citizens is a serious and honorable service and to be found unacceptable for cause and removal occurs exhibits the seriousness to be elected to the Local Indian Council.

ARTICLE XVI

ELECTIONS

Election laws at Leech Lake shall be made by Law of the citizenship and made into law by a majority of the Legislative Branch; then enacted by a majority of the General Council.

ARTICLE XVII

ARTICLE XVII

CITIZENSHIP

Each community shall decide Leech Lake Ojibwe citizenship based on a valid Leech Lake Ojibwe heritage, descendant or lineal descent line connection to their community. Each Local Indian Council shall determine an enrollment committee to establish and determine new citizens based on criteria approved by the legislative branch and with 51% of registered voters codifies citizenship law by their vote.

Honorary members do not qualify for benefits.

ARTICLE XVIII

RIGHTS AND PRIVILEGES

The Leech Lake Ojibwe shall possess all the rights and privileges possessed by citizens of the United States of American. Leech Lake affirms the United Nations Declaration on the Rights of Indigenous People (UNDRIP).

The Leech Lake Ojibwe declares the right to Free, Prior, and Informed Consent flows from our original and continuing sovereignty. No action may touch our lands, waters, or people without our full free, prior, and informed consent.

The Leech Lake Band of Ojibwe proclaims that Free, Prior, and Informed Consent (FPIC) is a non-negotiable condition for any engagement with its Nation, people, lands, resources and treaty territories. No action, negotiation, project, or decision by any agency, department, or representative of the United States government shall be lawful, valid, or enforceable absent the explicit Free, Prior, and Informed Consent of the Leech Lake Nation. The requirement of FPIC is an exercise of the Nation's inherent, supreme sovereignty and shall be enforced without exception. Any failure to obtain FPIC shall be regarded as an unlawful intrusion upon the rights and sovereignty of the Leech Lake Band of Ojibwe and shall invoke all protective powers reserved to the Nation.

No activity, project, policy, or initiative that may impact the rights, lands, resources, or livelihoods of the Leech Lake Band of Ojibwe shall proceed without the Free, Prior, and Informed Consent of the Tribal Nation, as required by this Constitution.

The power to enter into, revoke, or nullify treaties is a sacred and inherent attribute of the Leech Lake Band of Ojibwe's sovereignty, exercised without requirement of recognition, approval, or consent from any external authority. This Constitution affirms that the Leech Lake Band of Ojibwe's sovereignty pre-exists, survives, and transcends all treaties.

The Leech Lake Ojibwe Nation's **sovereign Ojibwe people**, exercises its powers of self-governance, by providing the Leech Lake Ojibwe citizens the following rights and privileges:

1. Have protections to be secure in their persons, house, papers, land leases, and effects against unreasonable searches, seizures, warrants, but upon probable cause, supported by oath and affirmation, and particularly describing the place to be searched and the person or thing to be seized.
2. Have the right to assert preferential employment with the Leech Lake government and any and all of the Leech Lake enterprises, including contracts for services and products, where Leech Lake laws provide for Leech Lake Ojibwe employment and purchasing standards and practices.
3. Employment protections of safekeeping positions and salaries for Local Indian Council citizens while participating with legislative sessions will be dictated by a budget and a 51% of the vote of the General Council.
4. Have protections for health and dental services that meet the needs of the citizens to full and satisfactory capacity.
5. Have the right to the true history of the Leech Lake Ojibwe in the schools within the jurisdictional boundaries of the Leech Lake Reservation.
6. Have the protections of the Leech Lake civil courts and the Indian Child Welfare courts.
7. Have protections with freedom of speech, freedom of religion, and the right to hold property and maintain a Leech Lake lease according to the property laws of the Leech Lake Ojibwe.
8. Assert and affirm the Tribal Employment Rights Ordinance.
9. Possess traditional family living standards that supersede all other laws that hinder traditional family living.
10. Have protections from violence of elders, youth, and vulnerable adult.
11. The Leech Lake Ojibwe laws shall insure fair and just campaign finance with uniform elections.

ARTICLE XIX

EXPIRATION

Leech Lake General Council reserves the right to make constitution changes.

ARTICLE XX

AMENDMENT

This constitution may be amended by fifty percent plus 1 vote of the voting citizens should the legislative Branch fail to approve the amendment, after three quarters (3/4) majority votes of the General Council, the General Council may enact the amendment upon unanimous vote.

On this ___ day of ____, 2025, at Cass Lake, Leech Lake Reservation, my signature affixed hereto, signifies on behalf of the Local Council I represent and as a citizen of the General Council, adoption and allegiance to the foregoing Constitution.

Shall be signed by the Chair of each Local Indian Council.

FOR MORE INFORMATION

- All work of the MCT Constitution Reform is available at **www.FDLconstitution.org**
- The MCT is NOT a tribe. This work does NOT mean Tribes will be separating from the MEMBERSHIP of the MCT.
- Each tribe is now working on developing their own Constitutions.

THE NEXT LL CONSTITUTION MEETING is May 13, 2025 at 9am at the Pub 33, Cass Lake.
THE NEXT MCT CONSTITUTION REFORM CONVENTION is May 16, 2025 hosted by Bois Forte, Tribal Government, 1610 Farm Road South, Lake Vermillion Reservation. All Leech Lake citizens are welcome to attend LL Ojibwe Constitution meetings and MCT Constitution Reform Convention. Bring your ideas for government structure, citizenship, and citizen rights.

NOTES 04/29/25 LEECH LAKE CONSTITUTION MEETING – attending: Leanna Goose, Donovan Staples, Aleigha Fineday, Marilyn Wind, Eva Wilson, Frank Reese, April Greene, Marcus Woods, Avis Poupart, Sally Fineday, Nedahness Greene, and Chris Haugen

The following budget re-arrangement shall be brought to the RBC for review and acceptance.

Convention travel stipend		
16 x 150 x 12	28,800	
Additional \$75 for 2-Day Convention travel stipend		
16 x 75 x 12	<u>4,800</u>	
	33,600	
TEC travel		
14 x 200 x 4	<u>11,200</u>	
TOTAL travel stipends		\$44,800.00
Website		\$ 500.00
Zoom (via LLBO MIS)		\$
LL hosted MCT Constitution Conventions	1100 x 2	<u>\$ 2,200.00</u>
ANNUAL TOTAL		\$47,500.00

Write or call in your thoughts and ideas:

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Avis Poupart	avis.poupart12@gmail.com	612-759-0787
Donovan Staples	Donovan.staples76@gmail.com	218-308-1556

zoom information coming soon!

FIRST LAWS OF THE LL OJIBWE LEGISLATURE

LAWS TO BE ENACTED IN THE FIRST SESSION OF THE LEECH LAKE OJIBWE LEGISLATIVE BRANCH

Represents procedural items taken from the developing Leech Lake Ojibwe Constitution (Draft 26)

Law Makers Compensation

It is a privilege to be elected by a community of citizens to serve on the Leech Lake Ojibwe government branches. The Leech Lake Ojibwe General Council will dictate monetary compensation using Leech Lake laws enacted by a majority of the registered voters for the Legislative and Executive Branch positions.

1. Determine rate of compensation for non-employees of a Local Indian Council.
2. If a Local Indian Council official chooses to give up employment and only receive the Law makers Compensation then it shall be so.
3. Employees of the Government or its business entities shall maintain their wages and salaries throughout the Legislative Session.

Duties of the Cabinet Citizens

Cabinet members shall be drug tested. Unacceptable drugs are non-prescription drugs. Cabinet members shall attend all mandatory meetings or ensure their representative alternate is available to attend.

The Cabinet officers shall be confirmed by majority vote of the General Council. Executive Cabinet citizens shall abide by the following traditional laws:

1. Shall not use illegal drugs; random testing will occur.
2. Shall be required to attend all meetings of the Local Indian Council, Executive and Cabinet meetings; consequences for non-attendance of three consecutive meeting will be dismissal from the Executive Cabinet.
3. Shall be conduct themselves in a professional manner.
4. Shall not have been charged at any time in adulthood (18+ years of age) of a felony crime. (MCT Constitution – Article IV. Sec. 4 No member of the Tribe shall be eligible to hold office, either as a Committeeman or Officer, if he or she has ever been convicted of a felony of any kind; or of a lesser crime involving theft, misappropriation, or embezzlement of money, funds, assets, or property of any Indian tribe or Tribal organization.)
5. Shall be of sound mind. Mental illness as defined by law shall be reason for exclusion and removal from Local Indian Council.
6. Shall be removed from duties and office for malfeasance, dereliction of duty, abuse of authority, mental illness, and harming citizens – financially, home and health.

7. The Leech Lake Ojibwe elected Branches shall not harm the people. Harm done shall constitute removal from office; included in this term for removal are 1) retaliatory actions against the Ojibwe people, 2) Lack of informing the Ojibwe people of any changes with laws, business developments, annual budgeting and financial reporting

DEFINITIONS

1. Reside in a community
2. Cures
3. Super majority
4. Free Prior and Informed Consent (FPIC) shall mean:
 - (a) Consent must be given voluntarily, free from coercion, intimidation, manipulation, or undue influence;
 - (b) Consent must be sought and obtained prior to the initiation of any action, decision, or project that may impact the rights, lands, resources, or livelihoods of the Leech Lake Band of Ojibwe and its citizens;
 - (c) Consent must be based on full, accurate, and accessible information provided in a culturally appropriate language and format; and
 - (d) Consent must be explicit, specific, and documented, reflecting the genuine and informed agreement of the Leech Lake Band of Ojibwe.

LEECH LAKE ELECTION LAW

1. Certification Process
2. Hand counting
3. Election Law shall recognize the official appointed Election Board in each community.
4. TECHNICAL VOTING MECHANISM – may be hard wired or via cellular phone with biometrics.
5. An Election team shall be appointed to monitor voting with making laws

ELIGIBILITY

1. Shall be mandatory to pass a criminal background check to display zero felonies

ACCOUNTABILITY BOARD

1. Shall be elected by the General Council and shall be a citizen of the Leech Lake Ojibwe.
2. Shall establish Certification Process for Candidates to be included in a Leech Lake election.

A background check shall be a criminal background check including finger prints.