

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 members. Leech Lake Ojibwe is in alliance with Bois Forte, Grand Portage, Fond du Lac, Mille Lacs and White Earth nations. 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 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 1999 ruling by Justice Sandra Day O'Connor, U.S. Supreme Court, where it was concluded that the Chippewa retain the usufructuary rights guaranteed to them under the 1837 Treaty". 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 Ojibwe established the Leech Lake and Mille Lacs Reservations. The Leech Lake Ojibwe territory is located Add treaty language.

ARTICLE I

Branches of Government

There shall be three branches of government.

- a. General Council – the voting citizens
- b. Legislative Branch – Local Indian Council develops and institutes all laws enacted and amended.
- c. Executive Branch – one elected local government leader from each citizen community oversees the government and businesses of the Leech Lake Ojibwe.

ARTICLE II

Membership

The Leech Lake Ojibwe honor the Revised Constitution and ByLaws of the Minnesota Chippewa Tribe until the Constitution of the Leech Lake Ojibwe is instituted by _____ vote of the General Council.

Excerpt of Revised Constitution and ByLaws of the Minnesota Chippewa Tribe, Article II

Section 1. The membership of the Minnesota Chippewa Tribe shall consist of the following:

(a) Basic Membership Roll. All persons of Minnesota Chippewa Indian blood whose names appear on the annuity roll of April 14, 1941, prepared pursuant to the Treaty with said Indians as enacted by Congress in the Act of January 14, 1889 (25 Stat. 642) and Acts amendatory

thereof, and as corrected by the Tribal Executive Committee and ratified by the Tribal Delegates, which roll shall be known as the basic membership roll of the Tribe.

(b) All children of Minnesota Chippewa Indian blood born between April 14, 1941, the date of the annuity roll, and July 3, 1961, the date of approval of the membership ordinance by the Area Director, to a parent or parents, either or both of whose names appear on the basic membership roll, provided an application for enrollment was filed with the Secretary of the Tribal Delegates by July 4, 1962, one year after the date of approval of the ordinance by the Area Director.

(c) All children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children.

Sec. 2. No person born after July 3, 1961, shall be eligible for enrollment if enrolled as a member of another tribe, or if not an American citizen.

Sec. 3. Any person of Minnesota Chippewa Indian blood who meets the membership requirements of the Tribe, but who because of an error has not been enrolled, may be admitted to membership in the Minnesota Chippewa Tribe by adoption, if such adoption is approved by the Tribal Executive Committee, and shall have full membership privileges from the date the adoption is approved.

Sec. 4. Any person who has been rejected for enrollment as a member of the Minnesota Chippewa Tribe shall have the right of appeal within sixty days from the date of written notice of rejection to the Secretary of the Interior from the decision of the Tribal Executive Committee and the decision of the Secretary of Interior shall be final.

Sec. 5. Nothing contained in this article shall be construed to deprive any descendant of a Minnesota Chippewa Indian of the right to participate in any benefits derived from claims against the U.S. Government when awards are made for and on behalf and for the benefit of descendants of members of said tribe.

OPTIONS:

1. Each community shall decide based on a valid connection to their community.

ARTICLE III

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 elected leaders shall not harm the people. Harm done shall be handled with 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.

ARTICLE IV

Executive Power

The Executive power of government 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.

- a. Secretary of State – Ojibwe term – Orator
- b. Secretary of the Treasury – Ojibwe term
- c. Elders (55+)
- d. Youth (13 to 18)
- 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

Any authority not stated is reserved for the members.

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

1. Shall be drug and alcohol tested
2. Shall be required to attend all 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.

ARTICLE V

Legislative Power

The legislative power of government shall be exercised by the General Council. The General Council shall consist of ALL 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 communities shall become a part of an existing community where the location is nearest to the existing community.

The Leech Lake Reservation Local Councils shall select a representative to be seated with the Executive Branch.

Legislation may originate with the General Council and becomes effective when passed by majority vote of the General Council.

ARTICLE VI

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 members 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 other week. Legislative meetings shall be held once a month. All meetings are mandatory and elected Cabinet member shall appoint an alternate from within their Local Indian Council of their choice.

Traditional rules of order and conduct are

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

ARTICLE VII

Duties of Cabinet Members

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.

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

ARTICLE VIII

Terms

Terms shall be 4 years and up to 2 terms. Staggered terms are divided 1 to 9 and 10 to 18.

ARTICLE IX

Eligibility

- 1) Must be twenty-one (21) years of age.
- 2) Must be knowledgeable about community and history of Ojibwe.

ARTICLE X

Vote and Referendum Vote

Voting and Referendum Voting shall be regulated with the Alliance Voting Ordinance.

ARTICLE XI

Executive Branch

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.

ARTICLE XII

Legislative Branch

The Legislative Branch will be seated Commissioners overseeing the Divisions

ARTICLE XIII
Judicial Power

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.

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 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 one 1), District Court judges, and 2) Court of Appeals is retained with the Alliance, 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 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 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 an American Bar Association approved law school and licensed to practice law before any state or federal court and shall pass the LL test for knowledge of Federal Indian Law.

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)

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

ARTICLE XIV
Expiration

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

ARTICLE XV

Amendment

This constitution may be amended by three quarters (3/4) majority 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 ___, 2023, 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.
