

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 2/6/24 Time: 6 PM

Facilitator: Carol J.

Present: Marcie M., Michaa A., Debra T.

NEW BUSINESS

1. Code of Conduct and Recall, Removal, and Vacancies ready to send out to MCT Delegates (**Attachment #1 & #2**)
2. Corrected information. The regulation requiring registration came out in 1967, not Pre-Constitution, as Carol J. noted.
3. Discussed the 30% quorum. There is still confusion about registered voters versus eligible voters. The court in Hudson v. Zinke ruled that the Constitutional language in that case, the same language in our Constitution, requires a higher standard than that required by the Secretarial Election procedures. A regulation can not change the Constitution.
4. MCT has never obtained the 30% quorum. An argument that might make sense is that MCT granted valid elections using some means other than 30% of all eligible voters for years, so we should use it. We have established a Customary Practice.
5. Michaa noted that TEC and The Secretary bypassed our Constitution in the past, but he thinks we would have a good shot at a valid election if we do the whole package at once, not in pieces with blood quantum and the new government later.
6. Things that could assist in this next Secretarial Election:
 - Obtain the use of the membership's addresses, like candidates do to get votes. Instead, send them educational information about what the election is about.
 - Access our Descendant groups on their Facebook, etc. They can forward the message to their enrolled family members and encourage them to vote.
 - Open up our phone numbers to answer questions, like we did with the referendum.
7. 25 CFR 81.43 Any person who was listed on the Eligible Voters List and who submitted a voter registration form may challenge the results of the Secretarial election.
 - Therefore, we cannot do away with the registration process. If we do, we will not be able to challenge the election.
8. Some Recall, Removal, and Vacancies sections will need an accompanying ordinance. Attachment #1 Application seeking Recall or Removal initiates the process.
10. Debra T. had the following suggestions to include or change in the documents:

- In the definition section of the Code of Conduct, Ethics, and Conflict of Interest, family members include the Ojibwe word for godparent (We'en? spelling) and put the relatives in chronological order.
- Write something about "GAG" orders somewhere in our documents. For example, Enbridge said all band members should not discuss the settlement, but poisoning our rice is everyone's issue, not just Fond du Lac's, so we should be able to discuss it.
- The documents requiring minutes indicate a time frame for completion and where they are posted or published. By doing this, we can avoid the issues with Ferdinand Martineau, the Secretary-Treasurer, not completing meeting minutes.
- If we use Zoom, we should look at each other. Do not place a black screen up.
- Solicitation can go both ways. Members soliciting and out-side individuals

Next meeting: 2/13/2024 at 6 PM