

## MCT CONSTITUTION REFORM MEETING MINUTES

Friday, September 17, 2021, 9:00 am to 4:00 pm CDT

Facilitated by Grand Portage via Zoom

**Attendees:** Michele Hakala-Beeksma (facilitator, GP), Sandra Borden (GP), John Morrin (GP), John Saaristo (Zoom host), Marcie McIntire (GP), Ellen Olson (GP), Bernadine Roberts(MLB), Jolyn Donnell (WE), Mike Davis (MLB), Patty Straub, Sybil Gund (WE), Wayne Dupuis (FDL), Sally Fineday (LL), Maureen Jones (Urban), Cheryl Edwards (FDL), Joy Annette, Michele Palo (MLB), Al Olson (MLB), Perry Skinaway jr, Sybil Gund (WE), Cel Cloud, Lani Blackdeer, Frank Reese, Nookomis Debra, Raymond Bellcourt, Wally (LL), Angel, Nanci Glenn Stone, Danielle S (MLB)

9:00 am **Welcome** by Michele Hakala-Beeksma, facilitator

9:05 am **Invocation** by John Morrin

9:15 am Michele H-B provided the **Housekeeping/voting protocol and strategic plan timeframe**. We are moving towards clan groups for voting. Discussions are time limited. The next TEC meeting is the end of October 28 & 29; therefore, we need resolution language by then. The proposed Secretarial Election is in 2023.

Roll Call: Bois Forte absent, Fond du Lac present, Grand Portage present, Leech Lake present, Mille Lacs present, White Earth present. Note: Urban present, Sandy Lake absent

9:20 am **Discussion of MCT resolution** put forth June 22, 2021 and response April McCormick:

Birdie Roberts (MLB) provided MLB's edited version of the resolution with written comments and led a discussion. Her document is provided as a separate companion document to these minutes. The TEC Committee is soliciting comments from other bands and will incorporate new comments into Birdie's document in order to present our position and needs to the TEC at its meeting October 28 and 29.

Michele H-B: The first resolution is a survey question.

Birdie: The biggest question is what are we trying to accomplish by the resolution and therefore, we provided comments on each section. The resolution is only about a referendum; therefore, we tried to simplify the resolution. We reviewed Article 14. How simple can you make the resolution knowing step one is to amended Article 2 of the Constitution. Wayne: A quicker route may be a petition. Sally: Even if a band is missing, we may vote by having the missing band vote later. We need to make sure the question is what we want the people to understand. We will probably only vote on this twice, our petition and the Secretarial Election. "Now therefore be it is resolve" is the important point. Sandra: We need the resolution to be shorter. Michele H-B: GP is working on a one-page information sheet for its band members. Patty: White Earth has developed a survey (should we eliminate blood quantum and TEC resolution regarding membership being decided by the bands, yes/no) with expected results before TEC meeting in October. Cheryl Edward: At FDL we have been telling our member about the process. Language should be simplified and the resolution question should be split into two (blood quantum and whether the band should decide membership).

Joy in Chat: " "Bands" are on each reservation... Reservations are not 'bands' and that should be corrected. reservations are not tribes. We are one Tribe one Nation... the Anishinabe. We need to define who we are"

Birdie: The Whites assigned our names; for example, one village was divided between two states and different reservation. Michele: Grand Portage was divided between Canada and United States.

10 am to 10:15 am Break

10:15am **Continued discussion** and development of additions/deletions to the resolution language:

Michele H-B: How are we going to make changes to the resolution? Sally recommends we present Birdie's comments to the TEC because they asked for our comments.

Raymond Bellcourt wants us to look at the document about historical governance/councils, Draft of 1998 Constitution of White Earth. (The document has been mailed out and is on the FDL website.)

Birdie: Add the petition (vs. a resolution) option to comments document.

Michele H-B: Need to focus on the referendum/or petition. Cheryl: A petition is a speedier option. Two referendums have passed and will be put on the ballot. We need to do both concurrent and hopefully get a 20% participation with a petition. Raymond: It is hard to get 20%; therefore, it was easier to limit voting to members living on reservations, then all members (including nonresidents) can vote when it gets to the ballot.

Michele H-B: What is the petition process? Wayne: Need a notary, only reservation residents can vote (20% need to agree to get it on the ballot); when on the ballot anyone can vote. Michele: What is the time frame for the petition? **Cheryl** has a copy of the petition process and can **post to website**. Maureen Jones represents the Urban people and is concerned that the petition would not include the Urban members. Michele H-B: will are constituents be ready vote by 2023? Cheryl: We don't need a referendum but the TEC wants to have a referendum to see if we need to a Secretarial Election.

Wayne (in Chat): "a vote of 8 out of the 12 TEC members [are] require[d] that to be put to a vote. we can petition our representatives to put this to a vote"

Michele H-B: Will the bands be ready to handle membership?

Sally: Let's tell the TEC what we want. Do we want a two-step process?

Sally in Chat: "Referendum Article XIV states Section 1. The Tribal Executive Committee, upon receipt of a petition signed by 20 percent of the resident voters of the MCT or by an affirmative vote of 8 members of the TEC, shall submit any enacted or proposed resolution ordinance of the TEC to a referendum of the eligible voters of the MCT. The majority of the votes cast in such referendum shall be conclusive and binding on the TEC. The TEC shall call such referendum and prescribe the manner of conducting the vote. Section 2. The RBC, upon receipt of a petition signed by 20 percent of the resident voters of the Reservation, or by an affirmative vote of a majority of the members of the RBC, shall submit any enacted or proposed resolution or ordinance of the RBC to a referendum of the eligible voters of the reservation. The majority of the votes cast in such referendum shall be conclusive and biding on the RBC. The RBC shall call such referendum and prescribe the manner of the conducting vote."

Birdie: We need to make a decision and make a recommendation to the TEC. This is an agenda item for the Facilitation committee.

Michele: If other Bands have comments, those comments need to be added.

Cheryl: the **TEC committee** needs a **Zoom meeting** to incorporate the band comments into Birdie's document of edits and comments of the resolution. Note- Perry Skinaway is on the TEC committee but does not receive email communication regarding the TEC committee.

Michele: H-B: She is the Grand Portage's rep on the TEC and Finance committee, replacing a member who stepped down. (She is also a member of the Facilitation committee.)

Cheryl: Please send by band your committee members to Cheryl. We will meet a week before this group's October's meeting.

Sally: It is the TEC committee that presents the delegations comments to the TEC.

1:00 pm **Infrastructure** resource presentation by Wayne Dupuis and Michele Hakala-Beeksmas:

Wayne: the below link is a useful resource and is posted on the Fond du Lac webpage; it includes information on Constitutions.

<https://nativegov.org/our-story>

Michele H:B discussed the info in the following link (e.g., explanation of Indian Country; American citizenship)

<https://www.house.leg.state.mn.us/hrd/pubs/indiangb.pdf>

Raymond Bellcourt: take back our power as a sovereign people. Maureen Jones and Birdie agreed. Joy: remember the Grandfather Teachings.

Sally asked a question about what was the results from the last resolution in 2005 (not to allow felons to vote; it did not receive a 30% vote).

Registered vs. eligible voters; it is eligible voters. Sally: Anyone who has voted is a registered voter. Michele H-B: the constitution needs to clarify/amend the requirements for a valid election.

Patty Straub: The percentage of voters required is on our survey.

Wayne in Chat: "I think we need to consider all our relations, so how do we include the "rights of nature"? first oath any elected representative to the MCT is to the constitution of the united states!"

Birdie in Chat: "Education Sub-Committee has that as a topic for our meetings. Other topics jumped in front of the Rights of Nature."

Noon – 1 pm Lunch

11:25 am What's next with (governance) structure? Sally: We need to be assertive at the TEC meeting regarding the TEC and RBC structure not being suitable. We need to establish ourselves. Birdie: ML is doing our training and will have a report on sovereignty which we will share. Sally: I do not think our leadership should be paid positions (at Leach Lake) with potential for corruption. Let's go through the **Draft of 1998 Constitution of White Earth**. **Michele H-B** will put together a **Power Point** (on Fond Du Lac website).

#### 11:25 am **Committee Reports**

**TEC** topics are covered earlier in these minutes.

**Finance** have not had a meeting or done anything with the grant proposal for two years effort. Each committee is to submit a budget.

**Education** did not meet this last meeting. We will cover for the October meeting the Rights of Nature.

**Survey** Wayne reported Steve Thomas sent out a draft survey. There is not a chairman. Cheryl states it will cost \$16,000 per mail out with a stamped return envelope. **Birdie** will **ask the Education committee** if they will do the education piece **of the survey**.

Drafting Marcie reported that the drafting committee has not met for a long time

Note: **Next Meeting** will be either October 15th or the 22nd hosted by **Boise Forte** (Muriel is the point of contact). We need a **plan B** if Bois Forte cannot host. White Earth is next on tap. Per Patty she prefers November because Char is not available. **Cheryl (FDL) is willing to do a Zoom as backup**.

Sally asked if anyone from Urbans was willing to step up for Carrie. Maureen Jones and Sybil will take the topic to the chair and vice chair about a replacement for Carrie.

11:55 am Ajourned