

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 7/23/24 Time: 6 PM

Facilitator: Carol J.

Present: Raymond B.

1. **White Earth's meeting-** Raymond reported the following:

- There was an employee picnic outside, and some of the RBC members came into the meeting, spoke briefly, and handed out \$30 casino coupons.
- White Earth suggests that there should be no alliance and separate constitutions. They want to amend the current Constitution. Raymond is opposed to this.
- Raymond stated that he is seriously thinking about stepping aside from the Delegation.
- White Earth will be electing new delegates from Districts 1 and 2.

2. **Election Ordinance-**Attorney Phil Brodeen wants to meet with 1-2 delegates from each band to draft an Election Ordinance.

- Carol sought election ordinances from other tribes that had removed the Secretary of the Interior from their Constitution.
 - The Oneida Nation "Election Board Bylaws" and "Conducting Elections" document addresses elections for candidates, not amending the Constitution.
 - Their Constitution has removed the Secretary of the Interior, and the document contains applicable procedures and policies related to elections that might be worth considering.
- The Oneida Nation Constitution in **Article VI-Amendment** addresses amending the Constitution.

Section 1. Amendment by the Oneida Business Committee. Amendments to this Constitution and Bylaws may be proposed by the Oneida Business Committee. Proposed amendments agreed to by eight members of the Oneida Business Committee, excluding the Chair, shall be put before a meeting

of the General Tribal Council. If a majority of the voting General Tribal Council members vote in favor of the proposed amendment, the proposed amendment shall be placed upon the ballot of the next General election or special election called for the purpose to consider an amendment.

Section 2. Amendment by Petition. Amendment to this Constitution and Bylaws may be proposed by petition of the members eligible to vote. Every petition shall include the full text of the proposed amendment, and be signed by members eligible to vote, equal in number to at least ten percent (10%) of the members eligible to vote. Petition with the requisite number of signatures may be put before the Oneida people for their approval or rejection at the next general election, except when the Oneida Business Committee or General Tribal Council orders a special election for the purpose. Such petitions shall be filed with the person authorized by law to receive the same at least ninety (90) days before the election at which the proposed amendment is to be voted upon. Any such petition shall be in the form, and shall be signed and circulated in such manner, as prescribed by Oneida law. The person authorized by law to receive such petition shall upon its receipt determine, as provide by law, the validity and sufficiency of the signatures on the petition, and make an official announcement thereof at least sixty (60) days prior to the election at which the proposed amendment is to be voted upon. Any amendment proposed by such petition shall be submitted, not less than ninety (90) days after it was filed, to the next general or special election called for the purpose to consider an amendment.

Section 3. Any proposed amendment, existing provision of the Constitution and Bylaws which would be altered or abrogated thereby, and the question as it shall appear on the ballot shall be published in full as provided by Oneida Law. Copies of such publications shall be prominently posted in each polling place,

at Tribal administration offices, and furnished to news media as provided Oneida law.

The ballot to be used in such election shall contain a statement of the purpose of the proposed amendment, expressed in not more than one hundred (100) words, exclusive of caption. Such statement of purpose and caption shall be prepared by the person who is so authorized by Oneida law, and shall consist of a true and impartial statement of the purpose of the amendment in such language as to create no prejudice for or against the proposed amendment.

If the proposed amendment is approved by sixty-five percent (65%) of the members eligible to vote who presented themselves at the polls and voted on the question, it shall become part of the Oneida Constitution and Bylaws, and shall abrogate or amend existing provisions of the Constitution and Bylaws at the end of thirty (30) days after submission of the final election report as directed law. If two or more amendments approved by the voters at the same election conflict, the amendment receiving the highest affirmation vote shall prevail.

3. Alliance Document- The Delegation suggested that the drafting committee look at the section on Self-Determination.

Rather than the original version:

_____ VI SELF DETERMINATION

The Alliance aims to maximize and create sustainable Tribal economic benefits through collaboration with federal agencies while seeking other sources not highly dependent on federal funds. We affirm our right to self-determination to freely determine our economic development while understanding that many federal funds are due to

us under the United States' obligations in the treaties. We endorse UNDRIP as a tool for addressing our economy and other issues and challenges identified in this Alliance.

Carol suggests the following:

IZHITWAAWIN VI SELF DETERMINATION

We affirm our right of self-determination to freely determine our economic development to maximize and create a sustainable economy while understanding that many federal funds are due to us under the United States' obligations in the treaties. We endorse UNDRIP to achieve our economic, political status, social, cultural, and self-governance goals.

4. **Finance Committee-** The meeting with the Bush Foundation is on July 30, 2024, at 10 AM.

5. The **Curriculum** is nearly done. Cheryl has a few more Elder videos to do. Carol suggested the following order of the Alliance Presentations:

- Short introduction (to be done after all the delegates in August review the Alliance Document)
- GMT20240524003901 What Gives Us the Authority to Create a New Governing Structure? (5 min 24 sec).
- IRA <https://youtu.be/KL1ZRA8pXLI>(19 min 42 sec)
- Wally's Video <https://youtu.be/FjOvMx7012M> (1 min, 39 sec.)
- Marcie's video <https://youtu.be/FjfAXbN5znY> (15min, 37 sec.)
- GMT2024522010308 Constitutional Reform: Constitutional Reform: The Alliance (12min, 2 sec)

6. Constitutional Reform Group

We must honor this committee and its delegates and respect that the delegates make decisions and rules of the group, not the TEC.

The next Convention is on August 16, 2024, at Black Bear.

Next meeting: 7/30/2024 at 6 PM