

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 10/3/23 Time: 6 PM

Facilitator: Carol J.

Present: Marcie M., Raymond B., Clair G., Julie H-C

NEW BUSINESS:

1. Carol will try to put policy issues from the Alliance, UNDRIP, and all the other sources together and address them in the Central Council and the Grand Council roles and responsibilities because the current list doesn't cover all issues. UNDRIP is more comprehensive. It will help to provide a framework.
2. The question asked, Is there anything in the documents about "prevention of sales, disposition, lease or encumbrance of tribal land? There is in #16 of the roles of the Grand Council.
3. On the topic of Indian preference, it is in the employment/jobs section of the area of the citizen's rights.
4. Taxing citizens on their reservation is against federal laws, and the MCT constitution requires a referendum to begin the change process. We have not been allowed access to the agreements. We have an exemption to taxation on who we are. The state sends out \$250 refunds, but the reservation citizens don't get it. Taxes go to the TEC. People who don't have to file, like the elders and those on Social Security, don't get a rebate. It's not fair we all pay taxes.
5. Carol reported on an article she read. The University that has the Nursing School entered into an alliance with an Indian tribe in Montana. The agreement was for the nurses to immerse themselves in the tribal culture and provide healthcare services to the tribal members. After completing the first students' service period, the tribal elders and the students thought it was a very beneficial program. The Alliance was defined as a relationship that is all about people. The definition also says knowledge and information are assets and are to be shared in an open flow that benefits all the parties. How applicable is this to what we are proposing with open meetings, citizen involvement, transparency, and ensuring that every policy process and structure has effective collaboration, noted in our Alliance in the area of the UNDRIP rights, Free Prior Informed Consent (FPIC)?
6. We all know we have rights but don't have remedies for them. Implementation will be mainly at the band level. We can help process implementation in the drafting committee. The United Nations has handbooks, written material, and suggestions on implementing citizens' rights.
7. #9 of the Alliance needs to change. The amendment process should be more complex and not in the hands of just the General Counsel.
8. The Alliance should exist for a long time. It needs to be good now and 100 years from now.

9. Article 25 needs to be changed to more than the majority vote and carefully thought out. Grand Portage's land use plan was changed by twisting arms. We have to have a strict process on how to amend it.
10. Raymond stated he thinks the reason for the IRA was put into place. It was a diversion, so we couldn't exercise our rights, which were put in the hands of the business committee. They turned themselves into a government structure over the years. TEC and RBC took more of our rights, putting them in a government position. But they are not a government with separation of their powers.
11. Our people never authorized TEC and RBC more than what is in the constitution in Articles V & VI.
12. The people have the right to a referendum. We need a more standard process where if there is a majority, the government structure cannot refuse to put it on the ballot as they did for the 2022 referendum by calling it non-binding.
13. The TEC treats us like crazy relatives or pests. They ignore us.
14. Some of the Grand Council's responsibilities are similar to what the Secretary of Interior was doing: oversight approvals and advisory.
15. The leg work should be done before the Grand Council meetings so the delegates are ready to address the issues at the meeting.
16. The Central Council is essentially a policy-making unit. We add a general statement about the rights in the alliance document, the openness, and the collaboration effects.
17. A list of topics will be used to write policies, ordinances, and resolutions.
18. The question was asked, "Why do we need a resolution for all enrollees at the TEC meeting?"
19. Concern about complaints related to resources available to citizens. Maybe there should be enrollment of the non-natives without services, so there's an Indian preference for access to services. The policy is to better us and make it easier to address the needs of our citizens and children.
20. Marcie stated that she could write policies and would write an example that the rest of us could use to write drafts of some of the policies. That will allow us some control of what is written and consistent with how we defined the Alliance.
21. Different calendar audits- an annual calendar from January to December, a fiscal calendar from January 1st to June 30th of the following year, a fiscal year ending either in September or October and then the State of Minnesota has a different calendar year.
22. Grant programs for services like the clinic, Head Start, and natural resources have audits like a nonprofit. Business audit would be the casino, stores, and restaurants. For profit-making entities, the audits there would be one list for income and another list for expenditures.
23. Some topics in the Central Council document can be combined.
24. Raymond asked if there were any assurances from TEC, either in an oral statement, resolution, or some other document, that whatever document we come up with, and there's a valid election, they won't stand in our way. None of the drafting committee has heard anything or seen anything. Carol offered to speak with Cheryl E.

25. Clair stated Sally said they had gotten something back from the Secretary of Interior stating the election was on hold.
26. We should devise our transition plan.
27. The petition process requires 20%, but the RBC has the right not to accept it. When we have a transitional plan, we should keep ourselves separate, then go to TEC and tell them the plan. Clair said they weren't going to give it up. We need the education committee to educate.
28. Leach Lake is working on their local constitution and asked if others were. Fond du Lac has their first meeting on October 12th, 2023
29. The Bureau's clientele is TEC and RBC, not the people. The BIA is supposed to represent us. The Bureau structure will change when the power is back in the people.

Next Meeting: 10/17/23 at 6 PM