

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 6/13/23 Time: 6 PM

Facilitator: Carol J.

Present: Raymond B., Wally S. Julie H-C., Rita E., Marcie M., Michaa A.

OLD BUSINESS:

1. Grand Council Bylaws

NEW BUSINESS

1. Discussion about Individual Bands determining their criteria.

2. ALTERNATIVE LANGUAGE IF SOME BANDS WANT LINEAL DESCENT AND OTHERS WANT BLOOD QUANTUM

Section 2. 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 members of the Minnesota Chippewa Tribe as of the date of the ratification and approval of this Amended Revised Minnesota Chippewa Tribe Constitution.

Section 3 New membership into the Minnesota Chippewa Tribe after the date of ratification and approval of this Amended Revised Minnesota Chippewa Tribe Constitution.

(a) No person shall be a member of the MCT unless they are a descendant of an enrolled Minnesota Chippewa Tribe member of the Minnesota Chippewa Indian blood and has an ancestor whose names appear on the Basic Membership Roll; and

(b) Meets the requirement of one of the following membership criteria selected by the Minnesota Chippewa Tribe Band they are applying to for membership:

1. Lineal descent

(a) A lineal descendant is a direct descendant of a person in a direct line of blood relationship following an individual, starting from his children, grandchildren, and great-grandchildren.

2. 32-15 resolution criteria

(a) Persons born after July 3, 1961, must possess at least one quarter (1/4) degree Minnesota Chippewa Indian blood.

(b) Persons seeking enrollment may include all verified federally recognized Anishinaabe/Ojibway/ Chippewa to meet the 1/4 Blood Quantum.

3. Safeguards needed. Hire an outside neutral source; protection for people. Resolutions should be used to amend the Constitution. Focus on a solution. What can we come together on? Enrollment should be out of the hands of MCT.

4. A safeguard in the current Constitution is that the Secretary of the Interior does the appeals, but when this went to them, they put the appeal process back into the lap of the Bands. Possibly an Enrollment Appeal Committee.

5. We should celebrate the birth of a baby as a citizen of the Tribe. Be proud of it, no secrecy. We also need to know who is being turned away. Announce the new citizens at the Grand Council meeting.

6. Michaa recommends that the delegation include Sandy Lake in the amended or revised Constitution. They have a PowerPoint presentation on where to put Sandy Lake in the Document. Ask the question Should Sandy Lake be a seventh Band? Mille Lacs' decision not to include Sandy Lake is political. Mille Lacs are more Wisconsin than Minnesota Chippewa. At the last convention, delegates voted not to include Sandy Lake in the amended Constitution.

7. Suggestion- Oversight of restoring 64 delegates and Grand Council to sandwich the TEC. Those 64 delegates meet the day before the TEC meeting.

8. TEC cannot use a resolution or waivers to remove the Secretary of the Interior. It takes 2/3 of TEC to ask for a Secretarial Election to amend the Constitution. 25 CFR 81.

9. TEC sabotages our process by expecting us to engage in all these side issues.

10. Structure shall include Local Constitutions and an Alliance with a mechanism to expand and accept other reservations, including US and Canada. You don't have to be a citizen of the US to be in our Alliance.

11. Sandy Lake educates all the reservations on their effort to become federally recognized. The Fond du Lac Band owns trust land within Sandy Lake, and they offered

to take over the care of the Dam. The Sandy Lake Band process stalled because they said Sandy Lake is under MCT Mille Lacs Band.

Actions:

Next meeting: 6/20/2023 at 6 PM

Articles in the Amended Revised Constitution of MCT Constitution the Grand Council will have oversight of when the Secretary of the Interior is removed.	
<p style="text-align: center;">Article V-Authority of the <u>TEC</u></p> <ol style="list-style-type: none"> 1. Subject to the approval of the Grand Council, Employment of legal counsel <ol style="list-style-type: none"> a. Choice of counsel b. Fixing the Fee for the council. 2. The Grand Council shall be advised of appropriation Estimates or Federal Projects, except those for individual reservations. 3. Subject to the approval of the Grand Council, The TEC shall prepare annual budgets, requesting advancements to the control of the Tribe of any money deposited to the credit of the Tribe in the US Treasury. 4. Except for the powers of RBC, and subject to the approval of the Grand Council <ol style="list-style-type: none"> a. Manage, lease, permits, or otherwise deal with tribal land, interests in lands, or other tribal assets; b. Engage in any business that furthers the economic well-being of members of the Tribe; c. to borrow money from the Federal Govt. or other sources and to direct the use of such 	<p style="text-align: center;">Article VI-Authority of the <u>RBC</u></p> <ol style="list-style-type: none"> 1. The Grand Council shall be advised of appropriation Estimates or Federal Projects, except those for individual reservations. 2. Subject to the approval of the Grand Council <ol style="list-style-type: none"> a. Engage in any business that furthers the economic well-being of members. b. to borrow money from the Federal Govt. or other sources and to direct the use of such

<p>funds for productive purposes, or loan the money thus borrowed to RBC of the reservations and to pledge chattel [assets, personal possessions, except real estate, that can be used for collateral] or income due or to become due.</p> <p>5. Subject to the review of the Grand Council, the TEC may by ordinances levy licenses or fees on non-members or non-tribal organizations doing business on two or more reservations.</p>	<p>funds for productive purposes, or loan the money thus borrowed to members of the Reservation and to pledge or assign Reservation chattel [assets, personal possessions, except real estate, that can be used for collateral] or income due or to become due.</p> <p>3. Subject to the review of the Grand Council the RBC may by ordinances that levy licenses or fees on non-members or non-tribal organizations doing business solely within their Reservations.</p>
<p><u>Article IX-Bonding of Tribal Officials</u></p> <p>a. Bonds shall be furnished by a responsible bonding company and shall be acceptable to the Grand Council.</p>	
<p><u>Article X-Vacancies & Removal;</u></p> <p><u>Section 2.</u> The Reservation Business Committee by a two-thirds (2/3) vote of its members shall remove any officer or member of the committee for the following causes:</p> <p>(a) Malfeasance in the handling of tribal affairs. (b) Dereliction or neglect of duty. (d) Conviction of a felony in any county, State, or Federal court while serving on the RBC. (e) Refusal to comply with any provisions of the Constitution and Bylaws of the Tribe.</p> <p>The removal shall be in accordance with the procedures set forth in Section 3 of this Article.</p> <p><u>Section 3.</u> Any member of the reservation from which the RBC members is elected may prefer charges against a member or members of the RBC by written notice and with signatures of no less than 20% of the resident eligible voters of said reservation stating the causes for removal noted in Section 2 of Article X. ...</p>	

Section 4.

When the TEC finds any of its members guilty of any of the causes in Section 2 of this Article, it shall in writing censor the TEC member member...present the censure to the RBC from which the TEC member is elected. The RBC shall thereupon consider such censure in the manner prescribed in Section 3. of this Article.

Section 5. IF THE RBC FAILS TO ACT by a petition supported by the signatures provided in Sections 3 and 4 of this Article, the reservation membership may, of no less than 20% of the resident eligible voters, appeal to the **Grand Council**. If the **Grand Council** deems the charges substantial, the **Grand Council** shall call an election for the purpose of placing the matter before the Reservation electorate for their final decision.

Article XV-Manner of Review

1. Any resolution or ordinance enacted by the TEC which by the terms of the Constitution and bylaws is subject to the reviewed by the **Grand Council** and shall be presented to the **Grand Council** who shall within ~~ten (10)~~ thirty (30) days approved or disapproved of it.

a. If the **Grand Council** approves any ordinance or resolution, it shall become effective.

2. Any resolution or ordinance enacted by the RBC, which by the terms of the Constitution and bylaws is subject to reviewed by the **Grand Council**, shall be governed by the procedures set forth in Section 1 of this Article.

