

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 5/16/23 Time: 6 PM

Facilitator: Carol J.

Present: Julie H-C., Rita E., Wally S., Raymond B.

OLD BUSINESS:

1. Constitution Alliance-continue to Firm-up Alliance

NEW BUSINESS

1. Compared the 1936 Constitution to the 1964 Constitution **See Below**
2. Mille Lacs Band sent a Declaration document. It was very well done and although we will not use it to amend the Alliance. It was sent to the Education Committee for their use as an introduction of the Standardized Education Project
3. Discussed 30% quantum and the July 13, 2020 memorandum letter by Phil B. to the TEC.
4. Waiver 25 CFR Part 1-Applicability of Rules of the Bureau of Indian Affairs.
1.2 Applicability of regulations and reserved authority of the Secretary of the Interior.
Waiver of 30%
5. Removal of the Secretary of the Interior.

Actions:

Next meeting: 5/23/2023 at 6 PM

The Constitution Alliance is the Supreme Law of the nation and provides the fundamental laws and principles which govern its operation. The bylaws rules by which the group is to function.

*****Denotes the Secretary of the Interior language in Article**

<p>In 1935, Congress amended the regulations for elections under the IRA and <u>added a requirement</u> of a Tribal quorum of “30 percent of adult members.” This was in addition to the simple majority vote of adult voters, then described as age 21.</p>	
<p>1936 Origin Constitution Amended in 1963 Election</p>	<p>The 1964 MCT Constitution Amended in 1972 Election</p> <ul style="list-style-type: none"> • Implement ¼ degree of blood quantum • Create the RBC • Remove Charters • Change the term of office from 1 year to 4 years.
<p>Adult (21 +) tribal Population?</p> <p>1528 For <u>544 Against</u> 2072</p>	<p>Adult (18+) tribal Population?</p> <p>1761 For <u>1295 Against</u> 3056</p>
<p>Preamble</p>	<p>Removed the Consolidated Chippewa Agency Language.</p>
<p>Article I Organization and purpose</p>	<p>Unchanged</p>
<p>Article II Membership***</p>	
<p>“duly registered on the approved rolls of any of the above reservations”</p>	<p>Tribal Roll: April 14, 1941</p>

<p style="text-align: center;">Descendancy</p> <p>Sec. 2. All the Chippewa Indians duly registered...on the approved rolls members of this Tribal Organization...</p> <p>Sec. 3. The governing body...shall have the power to make rules Governing the qualifications required for enrollment... These rules shall not be effective until ratified by the Tribal Delegates...and approved by the Secretary of the Interior...No person shall be enrolled as a member of the tribe unless he is a descendant of a member of the tribe.</p> <p>There is no definition of what a descendant means.</p>	<p style="text-align: center;">1/4 Blood Quantum</p> <p>Sec. a. All persons of MN. Chippewa Indian blood whose name on the annuity roll of April 14, 1941...known as the basic membership roll...</p> <p>Sec. b. All children of MN. Chippewa blood born between April 14, 1941, the date of annuity roll, and July 3, 1961, the date of approval of membership ordinance by the Area Director, to a parent...on the basic membership roll...</p> <p>Added Sec 5. Nothing...to deprive any descendant of MCT...right to ...any benefits...claims against US Govt....</p>
Appeal of Enrollment Decisions	
<p>There was no mention of the appeal process.</p>	<p>Any person who has been rejected for enrollment as a member of the MCT shall have the right to appeal within 60 days from the date of written notice of rejection the Secretary of the Interior from the decision of TEC.</p>
<p>Article III Governing Body***</p> <ul style="list-style-type: none"> • Vested in TEC, two members form each reservation and the band mentioned in Article II. • Officers chosen by ballot of the Tribal Delegates. 	<p>Article III Governing Body*** Add RBC. Both the TEC and RBC were elected.</p>
<p>Article IV Organization of Tribal Delegates and TEC</p> <ul style="list-style-type: none"> • Organized as, and named the Minnesota Chippewa Tribe • Tribal Delegates, not more than two from any district or community, shall be chosen by annual election. They Act until their successors are elected. 	<p>Article IV Tribal Elections</p> <p>(There was no Article in the 1936 constitution dealing with Elections)</p>

<ul style="list-style-type: none"> • Tribal delegates selected two from tribal membership to comprise the TEC. • Tribal delegates selected from TEC, the officers. • TEC elects or appoints all other officers and committees. 	
Article V Powers of the TEC***	Article V Authorities of TEC*** Expanded.
Article VI TEC	Article VI Authorities of the RBC*** Added Authorities of RBC
Article VII Meetings of the TEC	Removed Meeting of TEC Article VII Moved Duration of Tribal Constitution here.
Article VIII Voting Privilege	Removed voting privilege Article VIII Moved Majority Vote here
Article IX Duration of Tribal Constitution	Moved to Article VI Article IX Added Bonding or Tribal Officials***
Article X Equal Representation <ul style="list-style-type: none"> • All districts or communities-equal representation of not more than two delegates. • All districts or communities-equal representation of not more than two TEC members. 	Removed Equal Protection Article X Moved Vacancies here and added Removal***
Article XI Local Organization	Removed Local Organization Article XI Moved Ratification here***.
Article XII Majority Vote	Moved to Article VIII Article XII Moved Amendment here***
Article XIII Qualifications	Removed Qualifications Article XIII Added Rights of Members, which did not include Equal Representation.
Article XIV Expenditure of Tribal Funds***	Removed Expenditure of Tribal Funds*** Article XIV Moved Referendum here.
Article XV Vacancies in TEC	Moved to Article X Article XV Added Manner of Review (of Ordinances and Resolutions)***

Article XVI Quorum (which included Roberts' Rules in meetings)	Removed Quorum
Article XVII Ratification***	Moved to Article XI
Article XVIII Amendment (Included 30 % of entitled to vote)***	Moved to Article XII