

MCT Constitution Meeting
09-10-18
Fond du Lac Reservation

Discussion on delegate composition and selection (as reported back by each of the Reservations)

White Earth (WE)

(as reported by Lorna Lague)

- WE proposed having 10 delegates total; let each reservation pick up to 10 delegates
- Each reservation would pay their delegates way
- WE has 3 districts
 - o Would choose 2 delegates from each district, 1 delegate from the urban area, 1 from Leech Lake, 1 from the Iron Range, and 1 at large delegate
 - o Each district would meet to discuss delegates
 - Individuals would campaign for spots on the committee
 - Would be sworn in to represent that specific district
 - WE will likely provide pay for stipends and mileage
 - WE is going to fund full time positions for the project

Grand Portage (GP)

(as reported by Marcy McEntire)

- GP proposed having 20 delegates
- Will select delegates from each age group and across 5 categories
- 2 off reservation and 2 on reservation delegates from each age group or category
- Age groups:
 - o 1915-1945
 - o 1946-1964
 - o 1965-1979
 - o 1980-1994
 - o 1995-2000
- Will have meetings on the reservation of the age groups

Bois Forte (BF)

(as reported by Sidra Starkovich)

- BF proposes having 10 delegates
- Choosing delegates based upon an application process
- Would like representatives from each district and at large members
- 3 from Nett Lake, 3 from Vermilion, and 4 at large
- Would like to ensure a diverse array of delegates using requirements such as education, governmental work, traditional values
- Would like to explore stipends from the MCT and other sources to find funding
- Would like to incorporate youth

- Would like women to participate and make sure that there is equal representation between men and women

Fond du Lac (FDL)

(as reported by Tara Kimmel)

- FDL proposes having 3 delegates and 2 alternates based upon age groups
- Age groups:
 - o 18-30
 - o 30-55
 - o 55+
- FDL felt that there should be smaller groups of delegates, the more delegates the harder it is to draft and agree on a document
- Need odd number of delegates so that a majority vote could be accomplished

Mille Lacs (ML)

(as reported by Val Harrington)

- A lot of members live off the reservation, want to ensure that off-reservation members are included
- Need criteria for delegates, make sure they are committed to the process
- Need details to select delegates who would represent Band members
 - o Need to identify a timeline for selecting delegates

Leech Lake (LL)

(as reported by Farron Jackson)

- LL has 17 communities that are spread out a great distance, organizing the delegates would require a lot of travel and expense
- LL has 3 districts
- District 3 has the largest number of Band members and Minneapolis includes all 3 districts
- Takes a lot of leg work
- Trying to determine how many delegates LL would need

Dana Logan (GP)

- Every reservation should have the same number of delegates

Sharon Day (BF)

- There should be 9 or 11 delegates; a nomination should take place for 45 days and then elections should take place w/in a 30 day period after the nominations end
- Would like delegates from elderly, youth, on reservation, off reservation, a big part of the job is to inform the populace
- Need to utilize technology at urban areas/ Community Colleges/ emails/ facebook/ web page
- Need to ensure that there is an efficient process for distributing information

Irene Benjamin (ML)

- When we talk about Band member represented we should also be looking at the percentage of Band members from each reservation, small and large, delegates should be proportionate to population

Allen Roy (WE)

- We need to run this project like a campaign, need to have meetings and continue knocking on doors
- We will have problems if we
- We are looking to get something on a ballot and want to vote on something
 - o We can figure out how to get there as we go along
 - o Like to get it done as soon as possible
 - Would like to have it on the ballot a year from now, end of August
 - o We need 30% of eligible voters, to pass an amendment we need a majority of those voters
 - o 2nd track to explore under Article XIV of Reservation
- Discusses a number of different tracks to accomplish reform
 - o Delegation process
 - o Petition process

Sidra Starkovich (BF)

- Option to accomplish delegates
 - o 5 delegates for each tribe, each Band could select a team of members that work with the members, gather and disseminate information from each Band
 - o Ultimately the 5 delegates would report back to the delegate body
 - If a Band has a larger population they could select a larger team to ensure that Band member's voices are heard

Tina (FDL)

- Every reservation has elected officials and district representatives, it is their responsibility to hold meetings at their district, the elected officials and reps should be in charge of organizing their district
- Membership needs to be heard and educated

Irene Benjamin (ML)

- We have band members who have expertise on constitution, would like those band members to direct constitutional education, have each reservation host the band members with expertise on the constitution, worried that delegates will be selected who only learned about the constitution last year

Wally Storbakken

- The TEC is currently like the Senate w/ 2 delegates from each reservation
- Can create problems
 - o Representatives from the small reservations

- 4 smallest reservations comprise only 30% of the population
- Under our current system, 4 reservations have 8 votes to represent 30% of the people
- Has led to problems for us as a Tribe
- 200 years ago, believes there were historians who helped direct decision making
- US constitutional convention
 - 60 or 70 delegates invited, 50 or 60 showed up, and 3 wrote the US Constitution
- There is an optimal size of a working group that will get things done, if you make the group too large they will never get anything done
 - 5 to 7 people
 - Doesn't mean once they generate ideas they will vote on it
 - Delegate authority to create a document and keep authority to vote on a proposal
- Discussed tyranny of the minority, Nelson Act was a result of such tyranny, when a small group of people get to terrorize a larger group of people, when the Nelson Act came through the smaller Bands got together to give larger payments to each of their members
- Tyranny of the minority has happened on the TEC for years
- Need a working group, how about 2 delegates, 2 from WE, 2 from LL, and 1 each of the other 4 reservations
- Delegates from larger and smaller reservations would need to come to a consensus to get work done
- Delegates are not making the final decision, they are coming up with a proposal, when you propose something you can determine the outcome by what you propose

Marcia McEntire (GP)

- Has different issues than other Bands, figure out delegate process
- We need to get started and go back to the original question, how do we figure out delegates
- We are a small reservation and we count, we have retained 99% of our reservation and we have taken good care of it
- Will be equally weighted with everyone else
- Votes apportioned on population is based upon subjugation
- Propose a compromise, have 2 delegates from each reservation and a proportional element that would be suitable for everyone
 - Need to get process going for identifying delegates

Dan Haculack (FDL)

- Notes a lack of participation, we can't focus on
- We have 1 constitution and we are 1 people
 - We need to think about the entire Anishinaabe people representing all 6 Bands
 - We need to work to get more people involved
 - We have 100 people here we need about 14,000 to vote on an amendment
 - Less than 1% of what we need to vote
 - If you are going to be a delegate, you need to take it seriously and step up for the next generation

Margaret Rousseau (WE)

- Believe same number of delegates should come from each reservation
- Been to 6 of the 7 meeting
- Heard same things come out at each one
- Heard same concerns about constitution and on our reservations
- We have a like mind and like thinking
- If we can come up to agree that we have the same number, we all have the same issues on our reservations
- Let's come up with a delegation to do something
 - o Let's get the delegates picked by the next TEC meeting

Lynn Olson (FDL)

- need to take the selection of delegates back to the individual reservations, when we start this we need to start w/ the interpretations, we need people that know the constitution that have attended the meetings and have a working knowledge of the document

Member from FDL

- We need to pick a number of delegates and leave it to the reservations to pick their delegates
- Have been on the constitutional convention road for a while and now we need to get the ball rolling

Irene Benjamin

- Proposed we pick 2 delegates

Lorna Lague

- recommendation is to have 10 delegates from each reservation, motion on the floor that by the next TEC meeting each reservation select 10 delegates, from WE, GP, and BF agree, one side of FDL agrees
- BF proposed 5 delegates and 5 alternates
- Suggested that motions are made and seconded

Kevin Dupuis

- What is a delegate and what is someone who represents
- Define what a delegate is and find out who someone represents
- Secretarial election is 30% of those entitled to vote
- What are duties and responsibilities of delegates

Gary (FDL)

- There are 100 people here, each one could be a delegate
 - o Nothing has happened in 25 years

Question on what happens if we choose delegates here?

- Kevin, didn't know we were going to choose delegates out a room tonight
 - o Instead we were going to establish the delegate process

Lorna Lague proposes again for 5 delegates and 5 alternates

Comments that each reservation figures out how they disseminate information, each have 2 delegates

Raymond Auginaush (WE)

- We are debating on a constitution
- 1 big Band coming together w/ 2 little Bands
- 3 tribes are sitting there not saying anything
- Only thing we are going to make this work is set it and do it or we sit here and get nothing accomplished
- We either deal w/ the proposal or not
- We have been doing the constitution for 30 years

Burny Tibbets (BF)

- Getting too caught up in the number
- We have to define what a delegate is
- For those to reach out w/ all the membership, if you think 2 from each reservation is enough it's not going to work
- What do delegates do?
 - o Has to be an election of some sort, they will push their delegate

Raymond Auginaush

- Constitution has divided us for years, lets come to a conclusion, it's time to sit together

Dana Logan

- Don't need to reinvent the wheel on what is a delegate
- NCAI has their model of how they delegates come together, they represent us all, it works well
- We don't have to argue or pick through what we want to use
- We can take that model, once you get started and know how many people are working on this, we can take

Sidra Starkovich (BF)

- Delegate is someone who attends or communicates the ideas of or acts on behalf of an organization or a meeting or conference between organizations, which may be at the same level or involved in a common field of work or interest

Deb (FDL)

- What are the characteristics of a delegate, do they have integrity? It doesn't matter the number, it matters the process,

Wally Storbakken

- If the number is the same number of representatives, it's not good for LL or WE

- If we have the same number, the four reservations could always have 2/3rds of the vote, those 4 can do anything

FDL member

- The band members are going to be voting on the constitution, the delegates are going to be there to educate and gather feedback from the Band members
- Delegates get the people together to figure out a way to do this
- Forget about elections, we have found that those don't work

WE member

- People are the ones who have to decide
- Delegates will get information together, compile what the people are going to vote on, let's get it moving

Sharon Day (BF)

- Process for selecting delegates
 - o Can do it by nomination
 - Only gets us to educational piece
 - If we are going to educate our people, we could hire someone to do that
 - Do a public campaign the same way the US government does a census

Wabaan Benasii (ML)

- Lives in the urban area, we need people who will help now, get past the numbers, we have women and children sleeping in the streets with no one to help

Marcy McEntire (GP)

- Need to resolve some issues
 - o What is a delegate – a person sent or authorized to represent others
 - o Nelson Act and felons were brought about by the constitution, shows why we need to change this

What about those off the reservation and for the descendants?

- Those are the ones that need to get involved

Judy (FDL)

- We are all Indian people here, we need the Constitution fixed

Tina (FDL)

- If we went by an application process, who are the experts are on our constitution?

Barb Brodeen (BF)

- Each reservation should be responsible for how they pick their delegates

Irene Benjamin (ML)

- There are experts who have been working on the constitution for 20+ years

Millie Holmes (BF)

- We need to incorporate people with real life experience

Proposal that we raise hands to determine the number of delegates, each reservation will decide

Number would be 10 and goes back to each reservation to determine how to select the delegates

Vote on 10 delegates to be picked by the reservation, reservation will determine how to select the delegates

There are 51 standing up for 10 delegates from each reservation

There were 8 that stood up as opposed (some abstained by not standing up)