UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CONSTITUTION AND BYLAWS OF THE MINNESOTA CHIPPEWA TRIBE MINNESOTA

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CONSTITUTION OF THE MINNESOTA CHIPPEWA TRIBE

PREAMBLE

We, the Minnesota Chippewa Tribe, consisting of the Chippewa Indians of Minnesota under the Consolidated Chippewa Agency, in order to form a representative Chippewa tribal organization, maintain and establish justice for our Tribe, and to conserve and develop our tribal resources and common property; to promote the general welfare of ourselves and descendants, do establish and adopt this constitution for the Chippewa Indians of Minnesota under the Consolidated Chippewa Agency in accordance with such privilege granted the Indians by the United States under an existing law.

Article I—Organization and Purpose

Section 1. The Chippewa Indians of Minnesota under the Consolidated Chippewa Agency are hereby organized as a tribe under Section 16 of the Act of June 18, 1934 (48 Stat. 984).

Sec. 2. The name of this tribal organization shall be "The Minnesota Chippewa Tribe."

Sec. 3. The purpose and function of this organization shall be to conserve and develop tribal resources and to promote the conservation and development of individual Indian trust property; to promote the general welfare of the members of the tribe; to preserve and maintain justice for its members and otherwise exercise all powers granted and provided the Indians, and take advantage of the privileges afforded by the Act of June 18, 1934 (48 Stat. 984) and acts amendatory thereof or supplemental thereto, and all the purposes expressed in the preamble hereof.

Sec. 4. The Tribe shall cooperate with the United States in its program of economic and social development of the Tribe or in any matters tending to promote the welfare of the Minnesota Chippewa Tribe of Indians.

Article II—Representation and Membership

Section 1. This constitution for representation shall apply to the White Earth, Leech Lake, Fond du Lac, Bois Fort (Nett Lake), and Grand Portage Reservations, and the nonremoval Mille Lac Band of Chippewa Indians.

Sec. 2. All the Chippewa Indians duly registered on the approved rolls of any of the above reservations or bands of Indians as recognized by the United States 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, are members of this Tribal organiza-

tion: *Provided, however*, That the governing body of the tribe may make necessary corrections in the rolls subject to the approval of the Secretary of the Interior.

SEC. 3. The governing body of the tribe shall have power to make rules governing the qualifications required for enrollment in the tribe of descendants of members of the tribe, which descendants are not on the approved rolls of the tribe at the time of the ratification and approval of such rules. These rules shall not be effective until ratified by the Tribal Delegates at the annual or any special meeting of such 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.

SEC. 4. The governing body shall have power to decide applications for membership according to the ratified rules, but no decision shall be effective until ratified by the Tribal Delegates at their annual or special meeting.

ARTICLE III—GOVERNING BODY

SECTION 1. The government and management of the affairs of the tribe under this constitution shall be vested in a Tribal Executive Committee, said committee to be composed of not more than two members from each reservation and the band mentioned in Article II, Section 1, which shall include tribal officers, who shall be chosen by ballot by the Tribal Delegates as herein provided.

SEC. 2. The Tribal Executive Committee shall supervise and make such rules as it deems advisable governing the conduct of all elections concerning tribal matters not inconsistent with law or regulations of the Secretary of the Interior or Commissioner of Indian Affairs. It shall designate the time and dates such elections shall be held and further designate the districts or communities where elections are to be held for the election of Tribal Delegates.

ARTICLE IV—ORGANIZATION OF TRIBAL DELEGATES AND TRIBAL EXECUTIVE COMMITTEE

SECTION 1. Tribal Delegates, numbering not more than two from any designated district or community, shall be chosen by each community at an annual election to be held on the first Monday in May of each year, unless another date shall be designated by the Tribal Executive Committee. Such Tribal Delegates shall meet at the Village of Cass Lake, Cass County, Minn., within 15 days of their election, such date to be fixed within said time by the Tribal Executive Committee. Such Tribal Delegates shall act until their successors have been elected, and shall be subject to call for special meetings by the Tribal Executive Committee. Any vacancy in the Tribal Delegates shall be filled by the community from which the delegate was elected.

SEC. 2. The Tribal Delegates shall select from the tribal membership two persons from each reservation and the band mentioned in Article II, Section 1, hereof, who shall compose the Tribal Executive Committee. Such Tribal Delegates shall also choose from said Tribal Executive Committee the following officers, to wit: a Tribal

president, a Tribal vice-president, a Tribal secretary, and a Tribal treasurer. The Tribal Executive Committee shall elect or appoint all other officers and committees, as may be necessary.

SEC. 3. The members of the Tribal Executive Committee selected, shall meet and take office on the first Monday of the month following their election.

ARTICLE V—POWERS OF THE TRIBAL EXECUTIVE COMMITTEE

SECTION 1. The Tribal Executive Committee shall manage all the business and affairs of the Tribe, including all matters incident to the welfare of said Tribe and shall make all necessary rules and regulations not inconsistent with law for the management of the business and guidance of the officers, employees, and agents of the Tribe.

SEC. 2. The Tribal Executive Committee shall have power to administer the tribal lands of the Minnesota Chippewa Tribe for the benefit of all the tribe, and to assign such land to reservation or community organizations for public uses, or, under rules which shall be subject to review by the Secretary of the Interior, to individual members of the tribe for as long as they shall use the land but for no longer than their natural lives.

SEC. 3. The Tribal Executive Committee shall have the power to negotiate with the Federal, State, and local Governments, on behalf of the tribe and to advise and consult with representatives of the Interior Department on all activities of the Department that may affect the Minnesota Chippewa Indians.

SEC. 4. The Tribal Executive Committee shall have power to employ legal counsel for the protection and advancement of the rights of the Minnesota Chippewa Tribe and its members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

SEC. 5. The Tribal Executive Committee shall have the power to prevent the sale, disposition, lease, or encumbrance of tribal land interests in lands or other tribal assets without the consent of the tribe.

SEC. 6. The Tribal Executive Committee shall have the power to confer with the Secretary of the Interior upon all appropriation estimates or Federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and Congress.

SEC. 7. The Tribal Executive Committee shall have power to organize and to charter associations of tribal members for economic purposes which are not chartered under Federal or State law, and to regulate the activities of such associations.

SEC. 8. The Tribal Executive Committee shall have no power to interfere with the management of the Red Lake Reservation or to exercise any control over the funds and other property exclusively owned by the Red Lake Band of Chippewa Indians.

SEC. 9. The Tribal Executive Committee may exercise such powers as in the future may be delegated to the Tribe by the Secretary of the Interior or by any person or agency.

SEC. 10. Any rights and powers heretofore vested in the Minnesota Chippewa Tribe but not expressly referred to in this Con-

stitution shall not be abridged by this Article but may be exercised by the people of the Minnesota Chippewa Tribe through the adoption of appropriate bylaws and constitutional amendments.

Article VI—Tribal Executive Committee

Section 1. The following members and officers of the Tribal Executive Committee appointed to lead the Tribe during the preparation of this constitution shall call and hold the first elections for tribal delegates, and shall serve until the first Tribal Executive Committee is formed under this constitution:

TRIBAL EXECUTIVE COMMITTEE

White Earth—John Broker, William Anywaush
Leech Lake—Ed Wilson, Jacob J. Munnell
Fond du Lac—Henry LaPrairie, Joseph LaPrairie
Bois Fort—Charles Bowness, Peter Smith
Grand Portage—James Scott, Mike Flatt
Mille Lac—Fred Sam, William Nickaboine

THE TRIBAL OFFICERS

John Broker, Tribal President
Henry LaPrairie, Tribal Secretary
Ed. Wilson, Tribal Vice President
Jacob J. Munnell, Tribal Treasurer

Article VII—Meetings of the Tribal Executive Committee

Section 1. Regular meetings of the Tribal Executive Committee shall be held once in every 3 months beginning on the first Monday in June of each year and on such other days of any month as may be designated for that purpose.

Article VIII—Voting Privilege

Section 1. Every member of the tribe, male or female, who has attained the age of 21 years shall be qualified to vote in any election under this constitution.

Article IX—Duration of Tribal Constitution

Section 1. The period of duration of this Tribal Constitution shall be perpetual or until revoked by lawful means as provided in the Act of June 18, 1934 (48 Stat. 984).

Article X—Equal Representation

Section 1. All districts or communities shall have equal representation of not more than two delegates.

Sec. 2. All reservations shall have equal representation of not more than two members in the Tribal Executive Committee, including officers.

Article XI—Local Organization

Section 1. Each reservation and district or community may govern itself in local matters in accordance with its customs and may obtain, if it so desires, from the Tribal Executive Committee a charter setting forth its organization and powers.

Article XII—Majority Vote

Section 1. At all elections held under this constitution, the majority of eligible votes cast shall rule, unless otherwise provided by an Act of Congress.

Article XIII—Qualifications

Section 1. Each reservation and district shall be the sole judge of the qualifications of its own members and delegates.

Sec. 2. The Tribal Delegates shall be the sole judge of the qualifications of the members of the Tribal Executive Committee.

Article XIV—Expenditure of Tribal Funds

Section 1. No compensation shall be paid to any member of the Tribal Executive Committee, including Tribal Officers, or any other person, from tribal funds under the control of the United States, except upon a resolution stating the amount of compensation and the nature of services rendered, or to be rendered, and said resolution shall be of no effect until approved by the Secretary of the Interior.

Sec. 2. The Tribal Executive Committee shall have the right to expend funds of the Tribe within its control or any funds entrusted to its care and make proper accounting therefor.

Sec. 3. The Tribal Executive Committee shall require of any person, charged by the Tribe with responsibility for the custody of any of its funds or property, to give bond for the faithful performance of his official duties. Such bond shall be furnished by a responsible bonding company and shall be acceptable to the Tribal Executive Committee and to the Commissioner of Indian Affairs and the cost thereof shall be paid by the tribe.

Article XV—Vacancies in Tribal Executive Committee

Section 1. Any vacancy in the Tribal Executive Committee shall be filled by the Indians from the reservation on which the vacancy occurs by election under such rules as the Tribal Executive Committee shall prescribe.

Sec. 2. Any Tribal Executive Committeeman may be removed, after notice and an opportunity to be heard, by a two-thirds vote of the Tribal Executive Committee for repeated unjustified absence from the meetings of the Tribal Executive Committee or for a conviction of crime.

Article XVI—Quorum

Section 1. Seven members of the Tribal Executive Committee shall constitute a quorum, and Roberts' Rules shall govern its meetings.

Article XVII—Ratification

Section 1. This constitution and the bylaws shall not become operative until ratified at a special election by a majority vote of the adult members of the Minnesota Chippewa Tribe, voting at a special election called by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote, and until it has been approved by the Secretary of the Interior.

Article XVIII—Amendment

Section 1. This constitution may be revoked by Act of Congress or amended or revoked by a majority vote of the qualified voters of the Tribe voting at an election called for that purpose by the Secretary of the Interior if at least 30 percent of those entitled to vote shall vote. No amendment shall be effective until approved by the Secretary of the Interior. It shall be the duty of the Secretary to call an election when requested by two-thirds of the Tribal Executive Committee.

BYLAWS

Article I—Determination of Membership

In the determination of membership under Article II, Section 2, of the constitution, the Government annuity rolls, as such rolls may be corrected under this Constitution, shall be used to determine the enrollment status in the Tribe and the same shall be conclusive, the said rolls being the Government official register of the recognized members of the Tribe.

Article II—Meetings

Section 1. Notice shall be given by the Tribal secretary of the date of all meetings or elections of the Tribe, Tribal Executive Committee, and Tribal Delegates by mailing a notice thereof to the Indians in each designated district or community, to Tribal Executive Committeemen and Tribal Delegates, as the case may be, not less than 15 days preceding the date of the proposed meeting.

In the case of special meetings designated for emergency matters pertaining to the Tribe, or those of special importance, warranting immediate action of said Tribe, the Tribal president may waive the 15 days clause herein provided.

Sec. 2. The Tribal president shall call a special meeting of the Tribe, Tribal Delegates, or Tribal Executive Committee upon a written request of at least one-third of the Tribal Executive Committee or by resolution adopted by the Tribal Executive Committee at any meeting of said Committee.

SEC. 3. The Tribal president shall also call a special meeting of the Tribal Executive Committee when matters of special importance pertaining to the Tribe arise for which he deems advisable the said Committee should meet.

SEC. 4. The notices of the time, place, and purpose of all such special meetings, pursuant to request and call, shall be issued in the manner provided in Article II, section 1, hereof.

SEC. 5. The Tribal president who shall act as chairman of the Tribal Executive Committee shall preside at all meetings of the Tribal Delegates and Tribal Executive Committee and shall cast the deciding vote in all cases of a tie.

SEC. 6. A quorum for the Tribal Delegates shall be, for the election of Tribal officers and Tribal Executive Committeemen, at least two-thirds of the total number of the delegates; the same portion shall be required of such delegates to transact any other business coming properly before them.

SEC. 7. No business shall receive final action at any meeting, annual, regular, or special, unless a quorum of Tribal Delegates or the Tribal Executive Committee be present, but at any meeting where a quorum is present, the majority vote of the members present shall decide all questions.

SEC. 8. The order of business at any meeting so far as possible shall be:

(1) Calling of roll.
(2) Proof of notice of meeting.
(3) Reading and disposal of all unapproved minutes.
(4) Reports of officers and committees.
(5) Election of Executive Committeemen.
(6) Unfinished business.
(7) New business.
(8) Adjournment.

ARTICLE III—TERM OF OFFICE AND COMPENSATION

SEC. 1. Tribal Executive Committeemen who shall be elected by the Tribal Delegates in annual meetings assembled shall serve for one (1) year and until their successors shall have been elected and qualified.

SEC. 2. Compensation, other than as provided in Article XIV of the Constitution, if any, to the Tribal Executive Committee and officers, shall be determined by the members of the Tribal Executive Committee at any meeting of the said committee.

ARTICLE IV—DUTIES AND POWERS OF OFFICERS

SECTION 1. The president shall:

(1) Preside over all meetings of the Tribe, Tribal Delegates, and of the Tribal Executive Committee.
(2) Sign as Tribal president, with the Tribal secretary, all notes, leases, deeds, and conveyances of real estate and contracts.

SEC. 2. In the absence or disability of the Tribal president, the vice president shall preside and perform the duties of the president.

SEC. 3. The Tribal secretary shall:

(1) Keep a complete record of the meetings of the Tribal Delegates and the Tribal Executive Committee.
(2) Sign as secretary, with the president, all notes, deeds, and other instruments.
(3) Be the custodian of all property of the Tribe.
(4) Keep a complete record of all business of the Tribal Executive Committee. Make and submit at the annual meeting of the members, a complete and detailed report of the current year's business and shall submit such other reports as shall be required.
(5) Serve all notices required for meetings or elections.
(6) Perform such other duties as may be required of him by the Tribe or Tribal Executive Committee.

SEC. 4. The treasurer shall receive all funds of the Tribe entrusted to it, deposit same in a depository selected by the Tribal Executive Committee, and disburse same only on vouchers signed by the Tribal president and the Tribal secretary.

ARTICLE V—RECORDS AND AUDITS

SECTION 1. Ample records and an accounting system shall be maintained and such reports as may be required by the Tribal Executive Committee shall be made showing the condition of every enterprise promoted and maintained by the Minnesota Chippewa Tribe.

SEC. 2. The Tribal Executive Committee may examine all accounts at any time or at any meeting, and shall have the books of the Tribe audited at least once a year, such audit to take place during the 30 days preceding the first Monday in June of each year and the report of the audit shall be made to the Tribe.

ARTICLE VI—MISCELLANEOUS

SECTION 1. The fiscal year of the Tribe shall begin on the first Monday in June of each year.

SEC. 2. The names of the Tribal Delegates elected under Article IV of the Constitution shall be submitted to the Tribal secretary prior to the meeting of the Tribal Delegates.

SEC. 3. These bylaws may be amended in the same manner as the Constitution.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved May 22, 1936, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the Minnesota Chippewa Tribe and were on the 20th day of June, duly ratified, by a vote of 1,528 for and 544 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the

Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

EDWARD M. WILSON,
Chairman of Election Board.
SELAM FAIRBANKS,
Secretary of the Election Board.

M. L. BURNS,
Superintendent in charge of the Agency.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Minnesota Chippewa Tribe.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or Bylaws are hereby declared inapplicable to the Minnesota Chippewa Tribe.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended July 20, 1936.

WILLIAM ZIMMERMAN, Jr.,
Acting Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C., *July 24, 1936.*

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