TRIBAL CONSTITUTION
INTERPRETATION NO. 5-84
WAS RECINDED BY THE
TRIBAL EXECUTIVE COMMITTEE
ON NOVEMBER 7, 1996.

TRIBAL CONSTITUTION
INTERPRETATION NO. 5-84

WHEREAS, the Tribal Executive Committee of The Minnesota Chippewa Tribe did in Tribal Constitution Interpretation No. 1-80 find that the Tribal Executive Committee has the authority to make final interpretations of the Constitution of The Minnesota Chippewa Tribe; and

WHEREAS, the Fond du Lac Band has through its elected government requested the Tribal Executive Committee interpret Article VIII – Majority Vote which provides:

Section 1: at all elections held under this Constitution, the majority of eligible votes cast shall rule, unless otherwise provided by and act of Congress.

The questions to be decided are whether “majority of eligible votes cast” means a number greater than the total or if it means a preponderant quantity or share?

NOW THEREFORE, The Tribal Executive Committee opinion of Article VIII – Majority Vote, is that it means the preponderant quantity or share of votes. This means when there are more than two candidates for an office in an election, that the candidate receiving the most votes will have received the majority of votes cast as required under the provisions of Article VIII.

This opinion is consistent with the interpretations applied to Article VIII of the Constitution by the Tribal Executive Committee in past elections.

The Tribal Executive Committee has the authority under Article V – Tribal Elections, of the Constitution of The Minnesota Chippewa Tribe to adopt a uniform election ordinance to provide for primary elections when there are more than two candidates for an office and to provide that the two candidates receiving the most votes cast in the primary, shall then run in a general election for that office. The candidate then receiving the most votes would also receive over half of the total. Until such time as the Tribal Executive Committee decides to adopt a uniform election ordinance that provides for primary elections, majority vote shall mean the greater share of votes received.

We do hereby certify that the foregoing Constitutional Interpretation was duly presented and acted upon by a vote of 8 for, 4 against, * at a Special Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held on March 12 & 13, 1984, at Cass Lake, Minnesota.

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison, Sr., Secretary
THE MINNESOTA CHIPPEWA TRIBE

* Roll Call Vote
The HERONISSA CHIPPEWA TRIBAL EXECUTIVE COMMITTEE
REGULAR MEETING
The Heronissas Chippewa Tribal Executive Committee met in regular session under the leadership of Donald D. White at 2:00 p.m. on March 13, 1984 at the Reservation Office. The meeting was attended by the following: Donald D. White, Chief; Harry White, Secretary; and John M. Black, Treasurer.

Call to order: Donald D. White, Chief, called the meeting to order at 2:00 p.m. with the Pledge of Allegiance.

Minutes: The minutes of the last meeting were read and approved by the members present.

New Business: Following the approval of the minutes, the members present discussed and approved the following items:

1. Adoption of the Tribal Constitution and By-laws
2. Appointment of a Committee to Review the Tribal Constitution and By-laws
3. Approval of the 1984 Budget

Adjournment: Donald D. White, Chief, adjourned the meeting at 3:00 p.m.

Respectfully submitted,
Donald D. White, Chief
AMERICAN INDIAN FIREFIGHTERS ASSOCIATION, Leonard Thompson

Leonard Thompson addressed the Committee with concerns he had regarding racism within the Minneapolis Fire Department. Leonard will be asking the individual reservations for financial assistance to hire an attorney to help him sue the City of Minneapolis.

NATIONAL INDIAN GAMING COMMISSION, Tom Foley

Mr. Foley gave a report on National Gaming issues. He feels that the 105th Congress will try to pass a lot of legislation related to gaming issues.

LEGAL, James Hamilton

Land Ordinance being redrafted.

Discussion regarding primaries for elections.

Motion by Robert Peacock approving primaries for elections. Seconded by David Matrious. 8 For, 0 Against. Carried.

Discussion regarding Interpretation 5-84 - Majority vote.

Motion by Clint Landgren rescinding Interpretation 5-84. Seconded by Robert Peacock. 8 For, 0 Against. Carried.

Discussion regarding Election Ordinance #5.

Motion by Eli Hunt rescinding Election Ordinance #5. Seconded by Clint Landgren. 8 For, 0 Against. Carried.

Motion by Eli Hunt adopting Election Ordinance #6 (amending #4 allowing primaries and no protests.) Seconded by Clint Landgren. 8 For, 0 Against. Carried.

Eli said Leech Lake would reset the dates of the election in order to comply with Ordinance #6. December 19 as the Primary and January 19 as the Leech Lake election date.

Motion by Peter Defoe stating that all future elections have to follow Ordinance #6. Seconded by Eli Hunt. 8 For, 0 Against. Carried.