

Adopted April 13, 1918

**CONSTITUTION**  
**OF THE**  
**RED LAKE BAND OF CHIPPEWA INDIANS**

The members of the Red Lake Band of Chippewa Indians of the State of Minnesota, in Council assembled this 13th day of April, 1918, at Red Lake Agency, Minnesota, in order to form a perfect union do ordain and establish the following constitution:

**ARTICLE 1.** This organization shall be known as the General Council of the Red Lake Band of Chippewa Indians, and its principal place of business be at the Red Lake Agency.

**ARTICLE 2.** This organization shall confer full and complete authority to the several Chiefs of the Red Lake Indian Reservation to call a meeting and each Chief shall have power to appoint five members from their band or other bands, the Chiefs together with their appointees shall constitute the Council of the Red Lake Band of Minnesota Chippewa Indians. They shall have power to fill vacancies in their councils temporarily.

**ARTICLE 3.** The chairman appointed by the Council shall have no vote.

**ARTICLE 4.** The Secretary, and the Treasurer appointed by this Council shall have right to vote.

(**ARTICLE 5.** This organization and Council shall not in any way interfere with the provisions of the Constitution of the General Council of the Minnesota Chippewas.)

**ARTICLE 5.** Modified to read as follows:

This Organization and Council shall not recognize the General Council of the Minnesota Chippewas, as a medium for the transaction of their tribal property business and affairs, August 27, 1918.

**ARTICLE 6.** This Council shall have the right and authority to decide in disputes as to Chiefs.

**ARTICLE 7.** This Council shall respect and give proper consideration to petitions that may be placed before them by any member of the Red Lake Band.

**ARTICLE 8.** This Council shall have authority to modify or add provisions to this constitution by a two-thirds vote.

**ARTICLE 9.** The majority vote in this Council shall govern.

**ARTICLE 10.** The funds collected on account of this Council shall be properly accounted for, from source received, and as expended, which shall be expended as proved by the Council.

(Signed)

**OTTO THUNDER,  
PETER GRAVES,  
P.H. BEAULIEU,  
JOSEPH GRAVES  
Committee on Constitution.**

We, the undersigned, Chairman and Secretary, do hereby certify that the above Constitution was duly adopted by the Red Lake Band of Indians, duly assembled in session at the Red Lake Council Hall, Red Lake Agency, Minnesota, this 13th day of April, AD 1918.

(Signed)

**J.B. JOURDAIN, Chairman.  
OTTO THUNDER, Secretary.**

Ponemah, Minnesota, April 14, 1918.

We, the undersigned, Chairman and Secretary of the local Indian Council of the Community known as the Cross Lake Indians of the Red Lake Reservation, do hereby certify that the said local council have this 14th day of April, 1918, in council assembled, adopted the foregoing Constitution to govern the General Council of the Red Lake Band of Chippewa Indians of the Red Lake Agency.

(Signed)

**SPENCER WHITE FEATHER, Chairman.  
ALVA BURNS, Secretary.**

Red Lake Indian Council

Seal  
1918

Adopted October 15, 1958

**REVISED CONSTITUTION AND BYLAWS  
OF THE  
RED LAKE BAND OF CHIPPEWA INDIANS  
MINNESOTA**

**PREAMBLE**

We, the members of the Red Lake Band of Chippewa Indians in order to promote justice, insure tranquility, encourage the general welfare, safeguard our interests and secure the blessings of freedom and liberty for ourselves and for our posterity, do hereby amend and revise our tribal Constitution and organize a Red Lake Tribal Council as the basic organization of the Band, and we do ordain and establish this Constitution and set of Bylaws as the rules for its deliberation.

**ARTICLE I**

The name of this organization shall be the Red Lake Band of Chippewa Indians.

**ARTICLE II**

The jurisdiction of this organization shall extend to all land on the Red Lake Reservation in the State of Minnesota and to such other lands as may be acquired by or in behalf of said Band and added thereto under the laws of the United States.

**ARTICLE III MEMBERSHIP**

**Section 1.** The membership of the organization shall consist of:

- (a) All persons of Red Lake Chippewa Indian blood who are duly enrolled members of the Band on the date this revised Constitution and Bylaws is approved.
- (b) The Tribal Council shall have the power to adopt ordinances subject to review of the Secretary of the Interior, or his/her duly authorized representative, governing loss of membership and future enrollment of members of the Band.

## ARTICLE IV GOVERNING BODY

**Section 1.** The governing body of the Red Lake Band of Chippewa Indians shall be the Tribal Council and shall consist of 8 district representatives and 3 officers.

**Section 2.** In addition to the governing body there shall be an Advisory Council composed of 7 Hereditary Chiefs of the Band. The 7 Chiefs shall serve in an advisory capacity to the Tribal Council and shall continue in office until the office is vacated by voluntary resignation or by death. Successor Chiefs shall then be chosen by the governing body of majority vote in accordance with Tribal tradition and in the terms of this Constitution.

**Section 3.** In addition to the 8 district Representative the Band, as a whole, shall elect a Chairman, Secretary and Treasurer who shall elected by popular vote regardless of district.

**Section 4.** The Tribal Council shall have authority to regulate its own procedures; to appoint subordinate committees, delegates, boards, tribal officials and employees not otherwise provided for in this Constitution and Bylaws and to provide their tenure and duties; provided, that any delegation of authority described in this Constitution and Bylaws shall be granted only by written resolution or ordinance and shall be withdrawn in the same manner.

**Section 5.** The Tribal Council shall have the power to redistrict the Red Lake Reservation and to apportion the representatives, subject to vote of the people, whenever such action is deemed advisable by the Tribal Council.

## ARTICLE V NOMINATIONS AND ELECTIONS

**Section 1.** All elections shall be by secret ballot and a majority vote shall rule where there are only two candidates or where there is a simple yes or no vote on any question or referendum. IN elections where there are more than two candidates for any one office, the candidate in the election receiving the most votes or a plurality of votes, shall be elected. 1/

**Section 2.**

(a) Any enrolled member of the Band 18 years of age and over shall be entitled to vote in any election. 2/

(b) All eligible resident voters shall register with the district of their residence at the time of election. All eligible nonresident voters shall register with the district of their former residence or affiliation.

**Section 3.** Absentee ballots shall be furnished to eligible nonresident members upon their request to the Tribal Council Secretary, provided that all such ballots shall be returned to the Secretary on or before the date of the election in order that the ballots may be counted.

**Section 4.** Not less than 30 days nor more than 60 days after the date this amendment becomes

effective an election of council persons and officers shall be held. The first election shall be held under the supervision of the elected Constitutional Committee and the Superintendent, who shall set the date, designate the polling places, appoint the election boards, and provide the rules and regulations for the conduct of the election. All subsequent elections shall be held under the supervision of the Tribal Council who shall enact an ordinance to provide the rules and regulations under which elections shall be held.

#### **Section 5.**

(a) A qualified voter to be eligible to become a candidate as district representative or an officer shall be 25 years of age or over.

(b) An otherwise eligible candidate to run as a district representative, beginning in the year 1980, shall have been a bona fide resident of the district s/he is to represent for a period of one year next preceding the election date. An otherwise eligible candidate to run as an officer, beginning in the year 1982, shall have been a bona fide resident of the Red Lake Indian Reservation for a period of one year next preceding the election date. 3/ Anyone who has been removed for any reason from the Tribal Council, shall be ineligible to become a candidate in any Tribal Election. Anyone who has been convicted or is under indictment for a criminal felony offense shall be ineligible to become a candidate in any Tribal Election. 4/

#### **Section 6.**

(a) The reservation shall consist of 4 districts and shall have representation as follows:

Red Lake	2 representatives
Redby	2 representatives
Little Rock	2 representatives
Ponemah	2 representatives

(b) Votes for candidates for district representatives shall be confined to the eligible voters of the district the candidate is to represent. Votes for officers shall be on a reservation-wide or at large basis.

(c) The 4 districts are described as follows:

Little Rock: All territory west of Fuller Creek and north on the reservation and east to the range line between range 34 and 35 W.

Red Lake: From a line due south of the east side of Fuller Creek and extending east to Shemehgun Creek.

Redby: From the east side of Shemehgun Creek extending east to the reservation boundary and north to Battle River.

Ponemah: All territory beginning from Battle River between the North and South Lakes and north of the lakes east from the range line lying between range 34 and 35 W.

**Section 7.** The successful candidates in the first election shall hold office as follows:

(a) The successful district representative from each district in the first election receiving the largest number of votes shall hold office for 4 years, or until their successors are elected. All successful candidates for officers shall hold office for 4 years or until their successors are elected.

(b) The other successful district representatives receiving the second largest vote in the first election shall hold office for 2 years, or until their successors are elected.

(c) All successful candidates in all succeeding elections shall hold office for 4 years.

(d) After the first election all succeeding elections of the governing body shall be held during the month of May in even numbered years.

## **ARTICLE VI GOVERNMENTAL AUTHORITIES**

**Section 1.** The Tribal Council, or its authorized officers or delegates, on behalf of the Red Lake Band of Chippewa Indians shall have the sole right and authority to represent the Band and to negotiate with the Federal, State and local governments and with private persons and to make decisions not contrary to this Constitution and Bylaws or with existing Federal laws.

**Section 2.** To employ legal counsel, subject to the approval of the Secretary of the Interior, or his/her duly representative, as long as such approval is required by Federal law.

**Section 3.** To regulate and license where permitted by law all business and professional activities conducted upon the reservation, provided that any assessment upon nonmembers trading or residing within the jurisdiction of the Band shall be subject to review of the Secretary of the Interior, or his/her duly authorized representatives, where required by law.

**Section 4.** To enact ordinances to remove from the reservation persons not legally entitled to reside thereon and whose presence may be injurious to the peace, happiness or welfare of the members of the band, subject to the review of the Secretary of the Interior, or his/her duly authorized representative.

**Section 5.** To enact ordinances, subject to the review of the Secretary of the Interior, or his/her duly authorized representative, governing conduct of the members of the Band and Indians from other

tribes on the reservation, providing for the maintenance of law and order and the administration of justice by establishing a police force and a tribal court and defining their powers and duties; and regulating the inheritance of property of the members of the Band except trust land.

## **ARTICLE VII BUSINESS AUTHORITIES**

The Tribal Council of the Red Lake Band shall exercise the following powers, subject to any limitations imposed by this Constitution and Bylaws or the laws and regulations of the Federal Governments:

### **Section 1.**

(a) To administer any funds within the control of the Band; to make expenditures from available funds for tribal purposes, including salaries and expenses of tribal officials or employees. All expenditures of tribal funds under the control of the Tribal Council shall be authorized by resolution duly enacted by the Tribal Council in legal session and the amounts so expended shall be a matter of public record to the members of the Band at all reasonable time.

(b) The Tribal Council of the Red Lake Band shall prepare annual budget requests for the advancement to the control of the Band such money as now or may hereafter be deposited to the credit of the Band in the United States Treasury or which may hereafter be appropriated for the use of the Band.

(c) To deposit to the credit of the Red Lake Band of Chippewa Indians tribal funds without limitation on the amount in any account, in any approved National or State Bank whose deposits are insured by an agency of the Federal Government; or with a bonded disbursing officer of the United States whenever the conditions prescribed by the Secretary of the Interior or his/her authorized representative in connection with such advances require the advance to be so deposited.

### **Section 2.**

(a) To manage, lease or otherwise deal with tribal lands and tribal resources in accordance with existing Federal laws.

(b) No action shall be taken by or on behalf of the Red Lake Band of Chippewa Indians which conflicts with regulations authorized pursuant to Section 6 of the Act of June 18, 1934 (48 Stat. 984), or in any way operates to destroy or injure tribal grazing land, timber or other natural resources.

(c) All reservation land shall remain tribal property and shall neither be sold nor divided by allotment.

**Section 3.** To engage in any business that will further the economic well-being of the members

of the Red Lake Band.

## **ARTICLE VIII FUTURE AND RESERVED POWERS**

**Section 1.** The Tribal Council of the Red Lake Band of Chippewa Indians may exercise such future powers as may in the future be granted to the Council by members of the Red Lake Band or the Secretary of the Interior or by any other duly authorized official or agency of the Federal Government.

**Section 2.** Any right of power heretofore vested in the Red Lake Band of Chippewa Indians, but not expressly referred to in this Constitution and Bylaws, shall remain in the Band, but may be exercised by the Red Lake Band of Chippewa Indians through the adoption of appropriate constitutional amendment if that be the wishes of the people,

## **ARTICLE IX MANNER OF REVIEW**

**Section 1.** Any resolution or ordinance which by the terms of this Constitution is subject to review by the Secretary of the Interior shall within 10 days of its enactment be presented to the Superintendent of the Minnesota Agency who shall within 10 days after its receipt by him/her approve or disapprove it.

**Section 2.** If the Superintendent approves any resolution or ordinance, it shall thereupon become effective, but the Superintendent shall transmit the enactment bearing his/her endorsement to the Secretary of the Interior, who may, within 90 days of the date of its enactment rescind the resolution or ordinance for any cause by notifying the Red Lake Tribal Council of his/her veto.

**Section 3.** If the Superintendent disapproves any resolution or ordinance, he/she shall within 10 days after its receipt by him/her advise the Red Lake Tribal Council of his/her reasons therefor, and if these reasons appear to the Council insufficient, it may by vote of the majority of all members, refer the resolution or ordinance to the Secretary of the Interior, and if approved by him/her in writing it shall become effective.

## **ARTICLE X REFERENDUM AND RECALL**

**Section 1.** Upon receipt of a petition by 25 percent of the eligible voters, or by an affirmative vote of 8 members of the Tribal Council, any enacted or proposed resolution or ordinance of the Tribal Council shall be submitted to a referendum of the eligible voters of the Red Lake Band. The majority of the voters cast in such referendum shall be conclusive and binding on the Tribal Council. The Tribal Council shall call such referendum and prescribe the manner of conducting the vote.

**Section 2.** The Tribal Council shall enact an ordinance which shall prescribe regulations, charges and reasons for removal or recall of a district representative or officer. The grounds for removal, right of petition and other factors shall be carefully framed to protect the interest of the Red Lake Band.



**Section 3.** The Tribal Council by an affirmative vote of the majority shall appoint a replacement to fill any vacancy of a district representative or officer, caused by removal, death or resignation, provided the term of the replacement shall not extend beyond the next regular election regardless of the length of the unexpired term.

## **ARTICLE XI ADOPTION AND AMENDMENT**

**Section 1.** This revised Constitution and Bylaws when adopted by a majority vote of the qualified voters of the Red Lake Band of Chippewa Indians of the Red Lake Reservation, voting at special election called and supervised by the elected Constitutional Committee and the Superintendent, shall be submitted to the Secretary of the Interior and shall be in force and effect from the date of such approval, provided at least 25 percent of those entitled to vote shall vote.

**Section 2.**

(a) This Constitution and Bylaws may be amended by a majority of the qualified voters of the Red Lake Band at an election called for that purpose, provided, that at least 25 percent of the Band entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

(b) It shall be the duty of the Tribal Council to call such election on any proposed amendment upon receipt of a petition signed by 25 percent of the qualified voters of the Band, or the Tribal Council may call such an election by an affirmative vote of eight members of the Tribal Council.

## **BYLAWS**

### **ARTICLE I TRIBAL COUNCIL**

**Section 1.** A regular monthly meeting of the governing body shall be set by the Tribal Council. The Chairman shall call all special meetings.

**Section 2.** A quorum shall consist of 6 members and no business shall be conducted in the absence of a quorum.

**Section 3.** The Tribal Council shall cause to be installed, maintained and audited a complete and detailed accounting system.

**Section 4.** All Officers and employees of the Council responsible for the safety of the property and money shall be bonded in an amount sufficient to insure the Band from loss.

**Section 5.** The newly elected district representative and Officers shall be installed in office at the first regular meeting of the Tribal Council after certificates of their election have been issued.

## **ARTICLE II DUTIES OF OFFICERS**

**Section 1.** Chairman. He/she shall preside at all regular and special meetings. He/she shall vote only in the case of a tie. He/she shall see that all resolutions and ordinances of the Tribal Council are carried into effect. He shall exercise general supervision of all other officers and employees and see that their respective duties are performed.

**Section 2.** Secretary. He/she shall keep the minutes at the principal office of the Tribal Council of all meetings of the Tribal Council. He/she shall keep the tribal roll, showing all changes therein as required by this Constitution or ordinances duly approved by the Tribal Council. He/she shall attend to all correspondence, distribution of tribal information or other duties incidental to his/her office including the reproduction of minutes, resolutions and ordinances and see to their distribution within the deadlines, if there be deadlines.

**Section 3.** Treasurer. He/she shall keep and maintain adequate and correct accounts of the properties and business transactions of the Tribal Council. He/she shall have care and custody of the funds and valuables of the Tribal Council and deposit same in the name of and to the credit of the Red Lake Band with such depositors as the Tribal Council may direct and which are acceptable to the Area Director. Disburse funds of the Tribal Council as may be ordered by the Tribal Council, taking proper signed invoices, vouchers or other recordable data. Render to the Tribal Council a monthly statement and report of all his/her transactions as Treasurer and render also an annual financial statement in the form and with the detail required by the Tribal Council.

## **CERTIFICATE OF ADOPTION**

The attached revised Constitution and Bylaws was submitted for ratification to the adult members of the Red Lake Band of Chippewa Indians in Minnesota, and was on October 14, 1958, ratified by a vote of 443 for, and 113 against, in an election in which at least twenty-five percent (25%) of those entitled to vote cast their ballots.

Dated: October 15, 1958  
at Minnesota Agency  
Bemidji, Minnesota

**Red Lake Tribal Constitutional Committee**

(Signed) Dan Needham, Sr.

**Dan Needham Sr., Chairman**

(Signed) Adolph Lussier

**Adolph Lussier**

(Signed) Roger A. Jourdain

**Roger A. Jourdain**

(Signed) Andrew L. Sigana

**Andrew L. Sigana**

(Signed) Louis F. Stately

**Louis F. Stately**

(Signed) Byron L. Graves

**Byron L. Graves**

(Signed) Tom Cain

**Tom Cain**

(Signed) W.W. Palmer

**Superintendent, Minnesota Agency**