

BUILDING A TRIBAL MEMBER DRIVEN UNIFIED FUTURE



Aaron - Thank you for your dedication to Indian education and strengthening tribal nations across the country!
Sally Jewell
2015

Aaron A. Payment, MPA
Tribal Chairperson
Representing All Members
Everywhere

Ahneen, Boozo, Negee:

For the last several months, I have provided updates of how I have been working hard to represent our interests as a tribe at the highest level in the U.S. government by meeting with the President, his cabinet members, and members of Congress. As a fellow voting Sault Tribe member, I ask, "What do **some** board members have to show for themselves? What new initiatives have they introduced? What long awaited reforms have they propelled forward? While some board members are excellent representatives as evidenced by their meetings with the members and advocating policy level improvements, others appear content to gripe, protest vote and stymie any progress we would otherwise make as a tribe. In January, I outlined a series of reforms that I believe the members want and expect to move forward. These are as follows:

Tribal Legislation:

- Tribal Referendum to include a Tribal Promise to Raise Elder Dividend to 10% of Net Revenue of all Gaming Expansion Projects;
- Negotiate to extend the State Tax Agreement to all Members in Michigan;
- Establish a Mackinac Island Elder Subcommittee;
- Re-Open Enrollment;
- Immediately commit a level of services expansion for the Western End of our Service Area.

Constitutional Amendments to:

- Establish a Unit 6 "At Large" Election Unit ~ necessary to Consolidate and Enhance;
- Add the Mackinac Band to our Historical Bands;
- Establish a Separation Powers into an Executive, Legislative and Judicial Branches;
- Set Term Limits for the Chairperson and Board of Directors

Most of these items are those whereby I intend the Members will get to decide via referendum or Constitutional amendment. It is no longer sufficient to make excuses but time to act. Thus, I have drafted tribal legislation with timetables to initiate some effort that you can measure and decide if your elected officials are — in fact— representing your interests.

RE-OPEN SAULT TRIBE ROLLS

WHEREAS, according to our *Anishinabe Biimaadziwiin*, we recognize our blood relatives as an extension of ourselves; and

WHEREAS, the Tribal Board of Directors previously voted to close the rolls temporarily, re-opening the rolls over 10 years ago for a brief period of time and then reclosed the rolls;

WHEREAS, it was never intended to permanently close the rolls such that the 10-year roll closure is outside of the bounds of what the Board intended and has created a hardship for those who have brothers, sisters, mothers, father, children, grandparents, uncles, aunts, and other immediate family members, who are enrolled while they wait to enroll;

NOW, THEREFORE, BE IT RESOLVED, that the *Sault Tribe Board of Directors* hereby refers to the Special Needs and Enrollment Committee the question of re-opening the rolls and directs that they come back to the Board of Directors within 30 days with a recommendation of any legal reason(s) why the rolls should remain closed; .

BE IT FURTHER RESOLVED, that after the expiration of the 30 days and upon report of the Special Need and Enrollment Committee to the Board of Director and Sault Tribe Membership, if there is no legal reason to maintain a roll closure, the rolls shall re-open for those who are otherwise eligible.

ESTABLISH A UNIT 6 ~ AT LARGE ELECTION UNIT

WHEREAS, the creation of a Unit 6 ~ At Large Election Unit necessitates an Constitutional Amendment; and

WHEREAS, the Tribal Board of Directors has contemplated the creation of a Unit 6 ~ At Large Election Unit — in one form or another — for well over a decade such that it is time to have something to show for this effort;

NOW, THEREFORE, BE IT RESOLVED, that the *Sault Tribe Board of Directors* hereby directs that the creation of a unit 6 ~ At Large Election Unit Constitutional Amendment shall be prepared for Board consideration by no later than the May 5, 2015, meeting of the Sault Tribe Board of Directors.

ADD THE MACKINAC BAND AS ONE OF THE SEVEN HISTORICAL BANDS

WHEREAS, the addition of the name the Mackinac Band as an historical band to the Sault Tribe Constitution bringing the current "six historical bands" to "seven historical bands" necessitates an Constitutional Amendment; and

WHEREAS, the Tribal Board of Directors has contemplated the addition of the name the Mackinac Band as an historical band to the Sault Tribe Constitution — in one form or another — for well over a decade such that it is time to have something to show for this effort;

NOW, THEREFORE, BE IT RESOLVED, that the *Sault Tribe Board of Directors* hereby directs that the creation of an Amendment to add the name of the Mackinac Band to the Sault Tribe Constitution as one of the "seven historical bands" shall be prepared for Board consideration by no later than the June 9, 2015, meeting of the Sault Tribe Board of Directors.

TRIBAL CITIZENS' EQUAL PROTECTIONS VOTER REGISTRATION REFERENDUM

WHEREAS, *Article VIII – the Bill of Rights*, section of the *Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians* reads:

"All members of the *Sault Ste. Marie Tribe of Chippewa Indians* shall be accorded equal protections of the law under this constitution. No member shall be denied any of the rights or guarantees enjoyed by citizens under the *Constitution of the United States...*"; and

WHEREAS, *Article VII – the Powers of the Board of Directors* section of the *Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians* reads:

"The board of directors shall exercise the following powers, subject to any limitations imposed by the laws of the United States..."; and

WHEREAS, the *Fourteenth Amendment* of the *U.S. Constitution* provides equal protections under the law and prohibits the enactment of separatist laws or dual standard laws that treat subclasses of citizens differently with respect to exercising our rights and liberties as U.S. Citizens such as voting.; and

WHEREAS, the *Article V – the Nominations and Elections* section of the *Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians* reads:

Sec. (1): A four year intervals beginning four years from the year of adoption of this constitution, the board of directors shall cause to be made a census and voter registration of the membership within each unit and shall publish no less than three (3) months in advance of the next general election the results thereof; and

Sec. (5): In any general election called pursuant to this constitution, each eligible voter shall vote within the unit of residence. Voters residing outside of any unit shall register not less than three months prior to any election and vote in the unit of their choice; and

WHEREAS, the current *Chapter 10: Election Code* does not comport with the above Sault Tribe Constitutional requirements with respect to voter registration by creating a separate and unequal apartied-like voter registration system and therefore violates the *Fourteenth Amendment* of the *U.S. Constitution*. The current code reads:

10.109 Registration of Voters:
(1) Any Member, eighteen (18) years of age or older on the date of the election as determined in section 10.105 shall be eligible to register to participate as a voter in tribal elections
(4) Resident Members shall automatically be registered within the election unit in which they maintain residency. Non-resident members shall select the election unit in which they will participate for election purposes...;
(5) Once a Member has Registered, the Member's registration status is permanent and shall not change...;
(6) A resident member who loses their resident members status by moving out of an election unit must register...;
(7) In order to be eligible to participate as a voter in an upcoming election, the Member must be Registered at least ninety (90) days prior to the election.

Only Registered voters shall receive ballots;

NOW, THEREFORE, BE IT RESOLVED, that the *Sault Tribe Board of Directors* hereby establishes equal protections of voter registration for Tribal Citizens under *U.S. Constitution*, the *Constitution of the Sault Ste. Marie Tribe of Chippewa Indians* and all subordinate laws; and

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors, amends Chapter 10 – Election Code, to read:

10.109 Registration of Voters:
(1) Any Member, eighteen (18) years of age or older on the date of the election as determined in section 10.105 shall be eligible to vote in tribal elections;
(4) Resident Members shall automatically be registered within the election unit in which they maintain residency. Non-resident members shall be deemed automatically registered to vote in Tribal Chairperson and Referenda

votes and may choose to register to vote in the election unit in which they will participate for Unit election purposes...;

BE IT FURTHER RESOLVED, that election code numbering and re-sequencing shall be adjust to accommodate the above changes; and

BE IT FINALLY RESOLVED, that the aforementioned changes shall be scheduled for a Referenda vote of the Tribal Members within 60 days upon approval of this referendum and shall pose the following question:

"DO YOU APPROVE OR DISAPPROVE OF SAULT TRIBE CITIZENS' EQUAL PROTECTIONS OF VOTER REGISTRATION?"

_____ APPROVE
_____ DISAPPROVE

ESTABLISH A THREE BRANCH SEPARATION OF POWERS

WHEREAS, the creation of a Three Branch Separation of Powers necessitates an Constitutional Amendment; and

WHEREAS, the Tribal Board of Directors has contemplated the creation of a Three Branch Separation of Powers - in one form or another - for well over a decade such that it is time to have something to show for this effort;

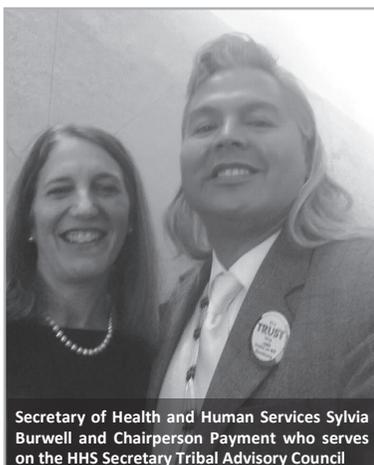
NOW, THEREFORE, BE IT RESOLVED, that the *Sault Tribe Board of Directors* hereby directs that the creation of a Three Branch Separation of Powers Constitutional Amendment shall be prepared for Board consideration by no later than the July 7, 2015, meeting of the Sault Tribe Board of Directors.

We have a lot of work to do. The petty bickering and use of board reports to make excuses has gotten old and transparent. A few board members will undoubtedly take issue with this up front approach. Still others do an excellent job representing you. Watch closely to see who makes excuses and who follows though.

Happy Spring! I look forward to outdoor running and the many activities our beautiful summer will bring.

Chi McGwitch, Negee!

Aaron



Secretary of Health and Human Services Sylvia Burwell and Chairperson Payment who serves on the HHS Secretary Tribal Advisory Council