

**TRIBAL CONSTITUTION  
INTERPRETATION NO. 9-95  
WAS RECIDED BY THE  
TRIBAL EXECUTIVE COMMITTEE  
ON AUGUST 8, 1996.**

**TRIBAL CONSTITUTION  
INTERPRETATION NO. 9-95**

- WHEREAS, Article XIV of the Revised Constitution of the Minnesota Chippewa Tribe provides for a referendum process with regard to Reservation Business Committee resolutions or ordinances; and
- WHEREAS, Article XIV is silent on several issues, and further interpretation is needed concerning the circumstances in which the referendum process can be used; and
- WHEREAS, The Minnesota Chippewa Tribal Executive Committee is the governing body of The Minnesota Chippewa Tribe and has the authority to interpret the Tribal Constitution; and
- WHEREAS, There are certain responsibilities that are so fundamental to the operation and continuation of self-government that they cannot be affected by referendum; and
- WHEREAS, The Tribal Executive Committee has interpreted the Tribal Constitution so as to provide some guidance with regard to the use of the referendum process.

NOW THEREFORE BE IT RESOLVED, that Article XIV, Section 2, of the Revised Constitution of the Minnesota Chippewa Tribe is hereby interpreted as follows:

1. The right of reservation voters to petition for a referendum is limited to resolutions or ordinances of a Reservation Business Committee which have been finally enacted by the Committee.
2. The right of reservation voters to petition for a referendum is limited to legislative enactments by the Reservation Business Committee, and does not extend to the exercise of administrative and executive power of the Committee
3. The right of reservation voters to petition for a referendum does not extend to emergency enactments passed for the preservation of the public peace, health, and safety.
4. The right of reservation voters to petition for a referendum does not extend to enactments or appropriations necessary for the expenses, maintenance, and support of the reservation government and its institutions.

We do hereby certify that the foregoing Constitutional Interpretation was duly presented and acted upon by a vote of 9 For, 0 Against, 2 Absent, at a Regular Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held on May 19, 1995, at Duluth, Minnesota.

Norman W. Deschampe, President  
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Peter J. Defoe, Secretary  
THE MINNESOTA CHIPPEWA TRIBE

