

RESOLUTION NO: _____

**SEPARATION OF POWERS AMENDMENT
REQUEST FOR SECRETARIAL ELECTION**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, and

WHEREAS, the Board of Directors decided to convene a constitutional convention and adopted a formal plan of action for the purpose of considering amendments to the Tribe's Constitution; and

WHEREAS, according to the Project Plan adopted by the Board of Directors, a committee comprised of members from all election units was selected to develop proposed amendments to the Tribe's constitution to improve and strengthen the Sault Ste. Marie Tribe's government and sovereignty; and

WHEREAS, the Board of Directors accepted the installation of members to the Constitutional Convention Committee on January 31, 2006; and

WHEREAS, in accordance with the Project Plan, the constitutional convention committee met with the membership over the course of twenty-four (24) months, received membership input and direction, and submitted a comprehensive Constitutional Amendment to the Board of Directors to submit to the voters of the Tribe; and

WHEREAS, the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians, Government Article X, states: "This constitution and bylaws may be amended by a majority vote of the eligible voters of the Tribe voting at an election called for that purpose by the Secretary of Interior, provided that at least thirty (30) percent of the entitled to vote shall vote in such election, but no amendment shall become effective until it shall have been approved by the Secretary of Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon the receipt of a resolution passed by a majority of the board of directors, the chairperson having the right to vote thereon;" and

WHEREAS, it is the desire and intent of the Board of Directors that a Secretarial Election be held for the purpose of amending the Constitution of the Tribe.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article X of the Tribe's Constitution, the Board of Directors hereby submits the following Constitutional Amendment, attached hereto as Attachment A, to the Secretary of Interior and hereby requests a Secretarial election in accordance with requirements under federal law.

BE IT FURTHER RESOLVED, that the Board of Directors shall repopulate and appoint Members to the Constitutional Convention Committee of the Sault Ste. Marie Tribe of Chippewa Indians within sixty (60) days of the approval of this resolution.

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BE IT FURTHER RESOLVED, that the Constitutional Convention Committee is hereby authorized to address any questions, concerns or objections to the proposed Amendment to the Constitution by the Secretary of Interior and respond thereto on behalf of the Tribe.

BE IT FURTHER RESOLVED, that the Constitutional Convention Committee shall only exercise the authority to address questions, concerns or objections to the proposed Amendment to the Constitution by the Secretary of Interior and shall not deviate from the scope of issues raised by the Secretary of Interior through technical review.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby appoints the Members of the Constitutional Convention Committee to serve as the Election Board under 25 CFR § 81.8(a), to exercise their independent judgment in conformance with Federal law, and to exercise the full and unfettered authority of the Tribe in all of their decisions, with no future need for authorization or approval from this Board on this matter, but with the requirement that they make such reports to this Board of Directors as may be required by the Secretary of Interior to achieve the desired intent of this resolution

BE IT FINALLY RESOLVED, that within thirty (30) days of receiving a technical review, the Constitutional Convention Committee shall make the required changes and shall submit a final document to the Secretary of Interior for the purpose of Amending the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians

C E R T I F I C A T I O N

We, the undersigned, as Chairman and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians