

Penobscot Nation Constitution Committee

Minutes of October 27, 2016 Meeting

Participating: Phillip Attean, Mark Chavaree, Sherrie Mitchell, Henry Sockbeson (via Skype), Jill Tompkins, Charlene Virgilio

Others who indicated interest in serving on Committee but not in attendance: Theodore Mitchell (absent due to injury), Awendala Dana, Lisa Montgomery, June Sapiel

The meeting started at 6:20 p.m.. Jill provided refreshments and binders of background materials

Meeting opened with Jill offering a prayer. Each person in attendance then introduced him or herself and mentioned any prior Constitution Committee involvement. Henry mentioned being interested in exploring how the scaling back of the powers of municipalities in the State of Maine may have had an effect on the Penobscot Nation under the Settlement Act. Sherrie mentioned wanting to include provisions to protect Mother Earth. She also expressed the opinion that it is important to delineate the roles and responsibilities of the Chief and Vice-Chief. Charlene expressed that we should be using technology to reach as many tribal members as we can to involve in the process. Discussion was had about approaching Tribal Council for other volunteers and it was thought someone (Charlene) could reach out to Pam Cunningham and/or Maulian Dana, especially for their cultural perspective.

Committee Agreements

- It was agreed that we set a target date for completion. The general consensus was that it would probably not be enough time to get the work done by the June 2017 General Meeting. The group agreed it was best not to rush, and instead take the time needed to come up with a good document. Charlene suggested that the Public Hearing be called a Talking Circle Public Hearing and that it be held in conjunction with Community Days in August 2017. We would then ask the Chief ("with the advice and consent of the Tribal Council") call a General Meeting to consider adoption of the proposed Constitution.
- The group agreed that we could refer to the 1993 draft and see if there were sections we wanted to keep but we were not bound to it.
- After discussion it was agreed that the Committee would be open to anyone who wanted to participate at any time however, we did need a core group to keep the work moving ahead.
- It was agreed that the Committee would be involved in reviewing the proposals for the Constitution and tribal court code drafting services which are due **November 30, 2016**. Sherrie mentioned that she would recuse herself if she submitted a proposal.

- It was agreed that **we would meet on the second (2nd) and fourth (4th) Tuesday of each month from 6 to 7:30 p.m.** The next meetings are on **November 8, 2016, November 22, 2016, December 13, 2016 and December 27, 2016.**
- There was consensus that we should address each branch of government at a time: executive, legislative and judicial.
- Agreement was reached that the Constitution should be as simple as possible and speak in broad terms (not "getting into the weeds"). It was also agreed that as the Committee became aware of tribal laws that were needed or needed amendment that it would take note of them and include the recommendations along with the Constitution.
- It was agreed that the Committee would share documents via Dropbox and work off of one document through a program like Google Docs.
- Committee agreed it wanted to reach out as much as it can to the entire Tribe and that as draft sections were being finalized they would be published for comment on the tribal website. Special outreach to the tribal elders was emphasized (Jill suggested holding a dinner for them.)
- Henry suggested and the group agreed that it should look to other tribes where their constitutions were working well. It was also mentioned that we should reach out to Jonathan Taylor and others who worked on the Harvard Project on American Indian Economic Development for suggestions and Jill suggested looking at recipients of the Honoring Nations Award.
- Charlene agreed to bring her computer to take notes at future meetings. She would then email the notes to Mark who would make them into meeting minutes. Jill agreed to continue to facilitate the meetings (provide space, materials, etc.)
- Between now and the next meeting on **November 8, 2016**, the Committee members agreed to look for the constitutions of tribes that seem to be functioning well and to share them with the Committee.

Meeting adjourned at 8:40 p.m.