



## Article VIII Amendment Frequently Asked Questions

Election Date is 1/14/2014



***Q: What is the Article VIII Amendment that I keep hearing about and what does it do?***

A: Article VIII defines the requirements for amending the Tribe's constitution. The proposed Article VIII amendment removes the federal government's process to amend the Tribe's Constitution, and replaces it with a 100% Tribal process. This new amendment process will grant greater protections to the People, ensuring that the People are involved in every future amendment to the Tribe's Constitution.

***Q: Why is there a federal process for our Constitution?***

A: The Tribe's Constitution is one of many tribal constitutions that were written during the Indian Reorganization Act era, when the federal government used the same template for many tribes' constitutions. All of these constitutions included federal oversight with the amendment process.

***Q: What went into creating this proposed amendment?***

A: The Constitution Committee, comprised of Gilbert Chapman, Phillip (Bub) Chapman, Betty Jack, Richard Jack (Chair), John LaBarge, Flo Ninham and William (Billy) Schuman, developed the proposed amendment over the course of a year. Part of the drafting process included six community meetings, where Tribal Members provided valuable input. Many of the ideas shared at the meetings were used to refine the amendment and to add increased protections for the People.

***Q: Will the Article VIII amendment give the Tribal Council more power over Tribal Members?***

A: No. Article VIII actually grants more protections to Tribal Members. These protections include – allowing the People to petition for constitutional amendments, requiring a public mailing be sent to all eligible voters, requiring at least three community meetings before an election, and requiring more Tribal Members (51%) to participate in the amendment election.

***Q: Does Article VIII allow Exclusion (Banishment)?***

A: No. Article VIII does not address exclusion or banishment. Article VIII only pertains to constitutional amendments by defining the amendment process.

***Q: What will happen if the amendment passes?***

A: All future amendments will use the new procedures found within the proposed language, including 100% Tribal process and increased protections for Tribal Members.

***Q: What happens to the Tribe's current Election Code?***

A: The Election Code will be revised to include the 100% Tribal process. The current process used to elect Tribal officials will largely remain the same.

However, there are plans to amend the Tribal Election Code to - more fully define the roles and responsibilities of the Election Board, allow for off-reservation absentee voting, allow for judicial review of Election Board decisions, a right of action in Tribal Court to dispute elections, and to restrict further amendments to the Election Code by requiring a referendum vote of the Tribal Members.

***Q: What will happen if the amendment does not pass?***

A: All future amendments will use the same process that currently exists, including requiring final approval by the federal government.

***Q: When is the election for the Article VIII amendment?***

A: Tuesday, January 14, 2014. Voting will be held at the William Wildcat, Sr. Community Center.

***Q: Who can I talk to if I have more questions?***

A: Contact Richard Jack – at the William Wildcat, Sr. Community Center at (715) 588-3303, or on his cell phone at (715) 892-8728.