

CLEM CHARTIER, B.A., L.L.B.
ABORIGINAL AFFAIRS CONSULTING AND ADVISORY SERVICES

December 23, 1988.

Dear Metis Member: *JOHN B. BOUCHER*

In our struggle to achieve Metis rights and self-determination, we have once again reached another important stage. The Annual Assembly to be held on January 6 & 7, 1989 is extremely important because it will determine the direction that we will be taking over the next few years. We have to insure that this direction is one of great vision and strength. This Assembly will also set the stage for the elections which will be taking place after the Assembly.

It is critical, therefore, that those who have devoted so much of their time and energy into getting us where we are today, make a special attempt to attend the Assembly. It is unfortunate, once again, that many of our supporters will have to make their own arrangements to attend. The Organization is only in a position to provide assistance for one car from each Local, along with 1 hotel room for each small Local and 2 hotel rooms for each large Local. Meals will be provided for Assembly participants through a buffet and banquet arrangement.

The Assembly is open to participation and voting by all members of the Organization, who are Metis and members in good standing of their Local. If you can attend, please insure that you are on the Local membership list. Hopefully, you will be able to arrange to attend as part of your Local's delegation.

I propose to put forward a resolution at the Assembly which will call for the Elections to be held on Saturday, February 25, 1989. This resolution will also provide for the opening of nominations on Monday, January 9, 1989 and the closing of nominations on Saturday, January 21, 1989. I believe it is crucial that our elections be held as soon as possible so that we can move ahead as quickly as possible on all of the issues currently facing our People.

For your information I have included a copy of the Assembly Notice and an article I wrote for the New Breed explaining the current MSS structure and by-laws. These two documents may be of some assistance to you in preparing for the Assembly.

I hope that you can make it for the Annual Assembly. In addition, I will be announcing my candidacy for the position of President and will be contacting you for the purpose of soliciting your support.

Have a restful and Festive Christmas Season.

Yours for Metis Self-Determination

Clem Chartier

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ORGANIZATIONAL CHANGES METIS SOCIETY OF SASKATCHEWAN

By Clem Chartier

With the decision of the 1987 Annual Assembly which made provision for a Metis only organization and a Metis Constitution Committee, changes to the past by-laws of the Organization were made at the February 20, 1988 Metis Constitution Conference. These changes included the change of name from AMNSIS to the Metis Society of Saskatchewan, along with providing for a Metis only membership. These changes are also reflected in the Articles of Incorporation of the Organization. Other significant changes were also made. They are as follows:

A. ARTICLES

1. The Articles provide for the membership of all Metis, including those under 16 years of age. However, only those Metis 16 years of age and over have the right to vote.

2. The Articles make provision for the Ballot Box system: one-person - one-vote. Prior to this, the past two elections were not technically/legally legitimate.

3. The Articles also make provision for the definition of Metis as a distinct Aboriginal People. This definition is as follows:

A Metis is a person of Aboriginal ancestry, who:

- a) is accepted as a Metis by the Metis community,
- b) has traditionally held himself/herself out to be a Metis,
- c) has been recognized by the community-at-large as a Metis.

All Locals and Areas must use this definition in order to conform to the MSS Articles and By-laws. This criteria of membership makes it possible for Aboriginal Peoples known as Non-status Indians to voluntarily join, however, they do so as Metis, not as Non-status Indians.

B. BY-LAWS

1. Because it was impossible to conduct a thorough consultation process, provision was made in the By-laws for a continuation of the Constitution process. By-law No. 19 provides for a continuing political process whereby a Constitution Commission to be established at the Annual Assembly shall travel throughout the province in order to get the views of the membership. Provision is also made for the convening of a Metis Constitution Conference within two years of February 20, 1988. At that Conference, which must be held before February 20, 1990, amendments can be made by a vote of 50% plus one of the delegates.

This process will enable the membership at the Local level to have an opportunity in deciding how their Organization should be governed: what structure and authority should be attached to the political structure.

2. The previous AMNSIS structure was changed by By-law No. 7. It now provides for a Provincial Metis Council composed of elected representatives from 12 Regions (Areas) and a President to be elected province-wide. This would therefore be a 13 member Council, as opposed to the past 15 member Board.

By-law No. 8 makes provision for a 5 person Executive composed of the President who is elected province-wide, along with 4 additional executive to be elected by the members of the Provincial Metis Council from amongst their members.

3. By-law No. 5 makes provision for the recognition of the Locals as the basic units of the Organization. Each Local must enact by-laws which are not inconsistent with the Provincial Organization's by-laws and such by-laws have to be registered with the Head Office of the Organization. Each Local is also responsible to keep up-to-date membership lists, separating those members under 16 from the rest of the membership, and each year forward a copy to the Head Office.

The Locals can incorporate if they so choose and may seek the necessary finances to carry out their programs. Where so requested the Provincial Metis Council shall assist in the securing of those finances.

4. By-law No. 6 provides for 12 Regions from the former 11 Areas. These Regions are to be governed by a Regional Council composed of the Local Presidents, along with the Regional Representative. The Regional Councils may incorporate and establish Regional Administrative Offices. The Regional Councils shall provide direction to the Regional Representative.

5. By-law No. 17 enables the Organization to decentralize funds to an incorporated Regional Council on the basis of a written contract.

6. By-law No. 14 provides that a Senate of Elders shall be established through the on-going process as provided in By-law No. 19. This is to be a priority of the Provincial Metis Council and must involve the Elders directly as to the role that such a Senate should have.

7. By-law No. 12 provides for the continued use of the Ballot Box system for the election of the Organization's Provincial Metis Council. The Regional Representatives shall be elected within their own Regions (Areas), while the President is elected province-wide.

Provision is also made for a Metis Elections Commission composed of three members who shall run the elections. These 3 persons are to be appointed by the Annual Assembly. Once the election date has been set, the Elections Commission shall assume complete authority with respect to the conducting of the election. In this way, the elections should be fair and impartial. Provision is also made that all candidates, upon the filing of their nomination papers, shall take a leave of absence without pay from any elected or salaried position with the Organization and any of its Affiliates. This should ensure a fairer process for those candidates who are not working for the Organization.

8. By-law No. 15 makes provision for the financial accountability of the Leadership through the appointment of an Auditor-General by the General Assembly. This person shall have total access to the financial records of the Organization and will make Annual Reports to the membership at the Annual Assembly. The Auditor-General shall be directly responsible to the General Assembly and not to the Provincial Metis Council.

9. By-law No. 13 provides that the Head Office shall be in a location as decided upon by the General Assembly. However, in the event that the Head Office is not located in Northern Saskatchewan, a Sub-Office shall be established in the North. This Sub-Office would be responsible for working on northern issues such as trapping, commercial fishing, land and resource ownership and us, along with monitoring of government policies and initiatives which may negatively affect the North.

10. While the By-laws continue to make provision for the General Assembly (Annual Assembly) and Special Meetings, a new by-law change provides for a Leaders Summit to be held on an annual basis. By virtue of By-law No. 11, this Leaders Summit, composed of the Members of the Provincial Metis Council and the Presidents of each Local, must be convened within the first 60 days of each year. This Summit will enable the entire Leadership of the Organization to review the past year's activities and map out a plan of action and strategies for the new year.

PROPOSED CHANGES TO BE INTRODUCED AT THE GENERAL ASSEMBLY IN JANUARY

ARTICLES:

It is proposed that the Articles be amended to make it possible to retain the delegate system for the General Assembly (Annual Assembly). However all members 16 and over, retain the right to vote in all elections.

Because of the way the Articles are presently worded, we cannot use the delegate system (which has been in place for the past Assemblies). This basically means that any member in good standing has the right to attend and vote at the General Assemblies and Special Meetings. While this may be desirable, it also leads to the possibility of unfair representation.

In addition, we cannot use the General Assembly notice procedures of the past and as currently contained in our By-laws. In order to meet the requirements of the Non-Profit Corporations Act, we must give notice through the major newspapers within Saskatchewan, for a period of three weeks preceding the Assembly. This also means that the past procedure for proposing amendments to the by-laws and articles cannot be used. In order to make amendments, notice must be given in the newspapers in the same manner as the notice of the meeting.

BY-LAWS:

1. There has never been a quorum established for the General Assemblies. Whether it is based on a delegate system or on the basis of being open to the total membership, it is necessary to have a set figure which will make our Assemblies legal according to the Act. It is being proposed that the quorum be 250 persons who represent at least 50% of the Locals.

2. In order to enable the membership to address the issue of the Organization's political structure, a proposed change to by-law No. 7 is being put forward. This proposal simply states that there be 11 Areas, along with a President to be elected province-wide. Members or Locals wishing to make amendments to the By-laws with respect to the structure can do so on the basis of this proposed amendment.

For the purposes of this particular Assembly the By-laws can be amended by a simple majority (50% plus 1), while the Articles may only be amended by a 2/3 vote. These provisions are contained in the Non-Profit Corporations Act.

Notice Of Annual Meeting Of Members Of The Metis Society Of Saskatchewan Inc.

January 6 and 7, 1989
Bessborough Hotel
Saskatoon, Saskatchewan
(registration on January 5th)

TAKE NOTICE that a General Assembly (Annual Meeting) of the members of the Metis Society of Saskatchewan Inc. will be held on the 6th and 7th days of January, 1989 at 9:00 a.m. in the Adam Ballroom of the Bessborough Hotel at 601 Spadina Avenue East, Saskatoon, Saskatchewan. Registration for the Annual Meeting will be on January 5th, 1989 between 5:00 p.m. and 8:00 p.m. The Annual Meeting will be for the following purposes:

Regular Business

1. To receive and consider the financial statements of the Corporation for the year ending March 31, 1988.
2. To appoint auditors of the Corporation and to authorize the Directors to fix their remuneration.

Special Business

1. To confirm the location of the head office of the Corporation to be at Regina, Saskatchewan.
2. To pass the following resolution to amend the Articles of the Corporation, as follows, for the purposes of amending the Articles of the Corporation, namely:

Clause 3 of the Articles as amended by the Certificate of Amendment dated October 13, 1988 shall be deleted and the following shall be substituted in its place and stead, namely:

"There shall be three classes of membership as follows:

- (a) Delegate Members, composed of delegates elected from the Locals of the Corporation and members of the Provincial Metis Council all as set forth in the Bylaws. The Delegate Members shall have the exclusive right to vote at all annual and special meetings of the Corporation;
- (b) Regular Members, composed of Metis persons 16 years of age and over. Regular members shall only be entitled to elect members to the Provincial Metis Council;
- (c) Natural Members, composed of Metis persons under the age of 16. Natural members shall not be entitled to vote at meetings of the Corporation."

3. To consider and if deemed advisable, to confirm the following amendments to the Bylaws of the Corporation, namely:

(a) Bylaw No. 6, paragraph 10(a) shall be repealed and the following shall be substituted in its place and stead:

"There shall be 11 regions as set out in Schedule A of these Bylaws."

(b) Bylaw 7 shall be amended by repealing paragraph 1 thereof and substituting in its place and stead the following:

"There shall be an elected Provincial Metis Council, being the board of directors of the Corporation, who shall manage the activities and affairs of the Corporation."

(c) Bylaw 7 shall be amended by repealing paragraph 2 hereof and substituting in its place and stead the following:

"The Provincial Metis Council shall be composed of the elected Regional Representatives and a President elected province-wide."

(d) Bylaw No. 9 shall be amended as follows:

(i) By adding the following paragraph to be identified as paragraph 7:

"The quorum for a meeting of the General Assembly being the annual meeting of the Corporation, shall be 250 Delegates of the Corporation providing at least one Delegate is present from no less than 50% of the Locals of the Corporation."

(e) Schedule A to the Bylaws, being a map of Saskatchewan showing 12 regions, shall be substituted with a new Schedule A identical to the map showing 11 regions as they existed prior to February 20, 1988.

A copy of the present Bylaws and Articles may be obtained at 806 Victoria Avenue, Regina, Saskatchewan, S4N 0R6, or from the President of any Local.

Qualification to Attend Meeting

The membership of the Metis Society of Saskatchewan Inc. consists of Metis only, who are members in good standing of a Local. Each Metis person wishing to attend the General Assembly shall ensure that their name is on the list of members to be submitted by their Local no later than December 31st, 1988.

DATED this 8th day of December, 1988.

BOARD OF DIRECTORS

For further details and information, please contact the Metis Society of Saskatchewan at 525-6721 in Regina.