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# **METIS NATION OF SASKATCHEWAN**

## **LEADERS SUMMIT**

**DAY ONE, SEPTEMBER 14, 2000**

**TRAVELODGE HOTEL: GALAXY A ROOM**

### **AGENDA**

9:00 a.m. Opening: Raising Flags, Anthem, Prayer: Senator Nora Ritchie

Chair Housekeeping: Rick Sawa - Opening Comments

9:15 a.m. Leaders Address: Clem Chartier, President MNS

10:00 a.m. Health Break

10:15 a.m. Tripartite Overview: Allan Morin, Provincial Treasurer

10:30 a.m. Northern Project: Ray Laliberte

11:15 a.m. Urban Governance: Dave McKay

12:00 p.m. Lunch Break: Provided

1:00 p.m. Metis Women of Saskatchewan: Mary Anne Gagnon

1:45 p.m. Metis Youth: Trevor Kennedy

2:30 p.m. Health Break

2:45 - 3:15 p.m. General Discussion

3:15 p.m. Affiliates Act: Ms. Kathy Hodgson-Smith / James Froh

5:00 p.m. Adjourn: Closing Prayer: Senator Nora Ritchie

7:30 p.m. - 12:00 a.m. Entertainment

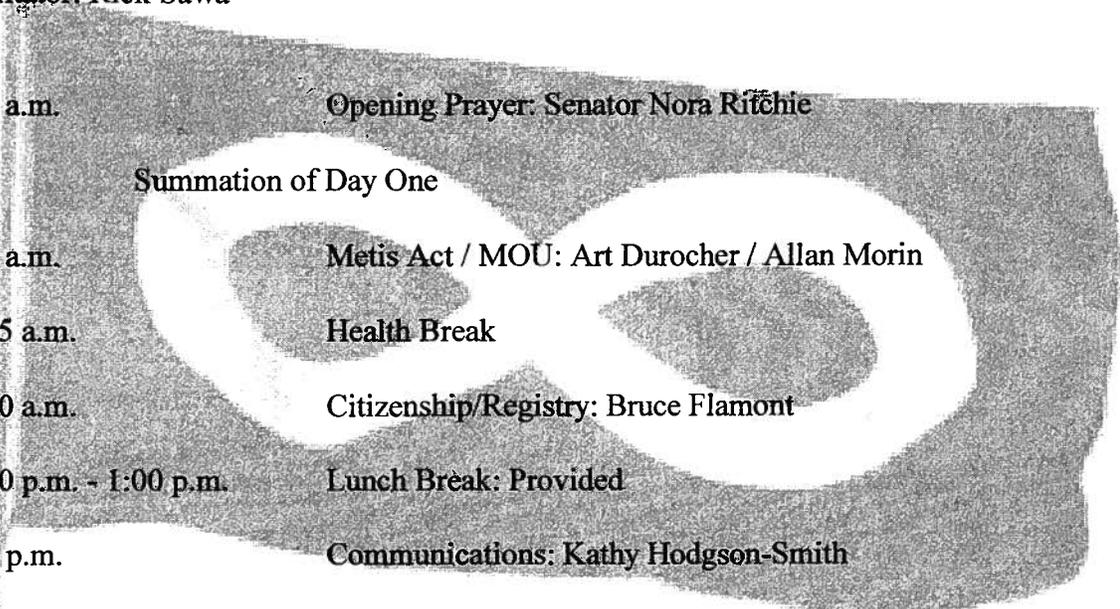
# **METIS NATION OF SASKATCHEWAN**

## **LEADERS SUMMIT**

**DAY TWO, SEPTEMBER 15, 2000  
TRAVELODGE HOTEL: GALAXY A ROOM**

### **AGENDA**

Facilitator: Rick Sawa

- 
- 9:00 a.m. Opening Prayer: Senator Nora Ritchie
- Summation of Day One
- 9:15 a.m. Metis Act / MOU: Art Durocher / Allan Morin
- 10:15 a.m. Health Break
- 10:30 a.m. Citizenship/Registry: Bruce Flamont
- 12:00 p.m. - 1:00 p.m. Lunch Break: Provided
- 1:00 p.m. Communications: Kathy Hodgson-Smith
- 2:30 p.m. Wrap Up: Allan Morin
- 3:00 p.m. Adjourn: Closing Prayer: Senator Nora Ritchie
- 3:30 p.m. - 5:30 p.m. PMC Meeting

**CONSTITUTION  
OF THE  
MÉTIS NATION OF SASKATCHEWAN**

*Adopted December 3, 1993*

*Amended June, 26, 1997 &  
Amended December 13, 1997*

# CONSTITUTION OF THE MÉTIS NATION OF SASKATCHEWAN

## PREAMBLE:

The Métis Nation and People are a distinct SOCIETY within the Aboriginal Peoples of Canada. The Métis are distinct from the Indians and Inuit and are the descendants of the historic Métis who evolved in what is now Western Canada and part of the northern United States, as a people with a common political will and consciousness.

Having experienced physical and political conflict and dispossession in the late 1800's, we are still engaged in a continuing struggle to rebuild our social case and revive our cultural heritage and pride. As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions. In order to achieve these objectives we are hereby reestablishing a strong and revitalized organization within the province of Saskatchewan, which must involve all sectors within our Society.

While pursuing these objectives within Saskatchewan, we are also committed to cooperating with the members of the Métis Nation in the rest of the Métis Homeland in order to develop a National Forum to represent our collective interests at the national and international levels.

## ARTICLE 1:            NAME OF ORGANIZATION

1.     The organization shall be known as the "Métis Nation of Saskatchewan".

## ARTICLE 2:            MÉTIS NATION LEGISLATIVE ASSEMBLY

1.     There shall be a Métis Nation Legislative Assembly which shall be the governing authority of the Métis Nation of Saskatchewan.
2.     The Métis Nation Legislative Assembly shall be composed of the Local Presidents, the Provincial Métis Council and four representatives of the Métis Women of Saskatchewan.
3.     The Métis Nation Legislative Assembly shall have the authority to enact legislation, regulations, rules, and resolutions governing the affairs and conduct of the Métis in Saskatchewan.
4.     The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative

Assembly. The assignment of portfolios shall be restricted to members of the Métis Legislative Assembly. (Amended June 16/97)

5. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall have the authority to appoint Commissions, Committees or other subsidiary bodies, where these are deemed necessary in order to effectively carry out the activities and functions of the Organization. In so doing the Assembly shall ensure equity of representation from the Youth, Women and Elders.
6. The Métis Nation Legislative Assembly shall meet at least twice a year.
7. Seventy-five members of the Métis Nation Legislative Assembly shall constitute a quorum.
8. Notice of any session of the Métis Nation Legislative Assembly shall require thirty days notice to the Local Presidents and Provincial Métis Council.
9. A person is disqualified from being a member of the Métis Nation Legislative Assembly when:
  - a) he/she dies or resigns
  - b) he/she is under sixteen (16) years of age.
10. All budgets shall be determined by the Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council.
11. The delegates to the Métis National Assembly of the Métis National Council shall be the Provincial Métis Council and the remainder shall be chosen from amongst the members of the Métis Nation Legislative Assembly, while the President shall form part of the Executive Council of the Métis National Council. This Constitution may be amended to take into account and reflect changes which may take place within the Métis National Council.

**ARTICLE 3:            PROVINCIAL MÉTIS COUNCIL**

1. The Provincial Métis Council shall be composed of the elected Regional Representatives, the Executive and one representative from the Métis Women of Saskatchewan for a total of Sixteen (16) Provincial Métis Council members.
2. The Provincial Métis Council shall form the cabinet and be responsible for the portfolios to be assigned and recommended by the President.
3. The Provincial Métis Council shall be responsible for ensuring that the affiliates, departments, programs and services covered by their portfolios are running

smoothly and have the necessary resources to enable them to operate effectively. In addition, they shall provide a report at each meeting of the Provincial Métis Council and each session of the Métis Nation Legislative Assembly or as requested by the President.

4. a) The Provincial Métis Council shall have the authority to appoint Commission, Committees or other subsidiary bodies, where these are deemed necessary in order to effectively carry out the activities and functions of the Organization and Métis Legislative Assembly directives.
- b) The Provincial Métis Council shall designate persons who may have signing authority for the purpose of conducting the affairs of the Organization, which shall include the Treasurer.
5. The Provincial Métis Council shall meet at least once every two months.
6. Nine members of the Provincial Métis Council shall constitute a quorum.
7. Notice of any meeting of the Provincial Métis Council shall be given at least seven days prior to such meeting.
8. The Provincial Métis Council shall provide written reports to the Métis Nation Legislative Assembly.
9. Elected Provincial Métis Council members and Presidents should not hold paid positions with the Métis Nation of Saskatchewan or any of the Affiliate Boards.
10. The Provincial Métis Council shall set the date and place for each Métis Nation Legislative Assembly sitting, provided no less than Thirty (30) days written notice is given to the President of each Local.

**ARTICLE 4: EXECUTIVE**

1. There shall be Four (4) Executive members of the Métis Nation Legislative Assembly who are elected province-wide.
2. The Executive shall be composed of the President, Vice-President, Secretary and Treasurer. (Amended December 13/97)
3. The term of office for the Executive shall be three years.
4. a) The President of the Métis Nation Legislative Assembly shall be the head of the Executive, and Chief political spokesperson for the Organization.

- b) The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification of the Métis Nation Legislative Assembly.
5. The Executive of the Métis Nation Legislative Assembly shall meet at least once per month and three members shall constitute a quorum.
6. The Executive shall provide written reports to the Métis Legislative Assembly.
7. Where a vacancy is created for any reason, including death or resignation, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members an interim Executive member, who shall serve until a by-election has been held and the vacancy filled.

**ARTICLE 5:            REGIONS**

1. There shall be Twelve (12) Regions as set out in Schedule A of this Constitution.
2. The Regions shall be governed by a Regional Council composed of the Presidents of the Locals within the respective Regions along with a regionally elected representative who shall be the Chairperson of the Regional Council, as well as the Region's Representative on the Provincial Métis Council of the Métis Nation Legislative Assembly.
3. The Regional Council shall have the responsibility of making all appointments to the Institutions and Affiliates at the Regional and Provincial levels. In the event that the Regional Representative is not so appointed, he/she shall be an ex-officio member of all Regional Institutions and Affiliates. (Amended June 26/97)
4. The Regional Council shall establish regional administrative offices.
5. The Regional Councils shall be responsible for programs and services decentralized to that level.
6. The Regional Councils shall enact a Constitution which is not inconsistent with this Constitution and such Regional Constitutions shall be registered with the Head Office.
7. The Regional Councils may incorporate with the appropriate government department.
8. The Regional Councils may seek the necessary finances and resources to carry out

its programs, services, objectives and duties, and where so requested the Provincial Métis Council shall assist in securing these necessary finances and resources.

9. The Regional Councils shall assist their Local Communities in preparing to assume Métis self-government, which includes land, where this is an objective.
10. The Regional Councils shall provide direction to their Representatives on the Provincial Métis Council with respect to all matters, including the aims, objectives and aspirations of the Organization, and for their respective Regions.  
(Amended June 26/97)
11. Where a vacancy is created for any reason, including death or resignation, the Regional Council shall elect from the members of the Council an interim Regional Representative, who shall serve until a by-election has been held and the vacancy filled.

**ARTICLE 6: URBAN COUNCILS**

1. The Métis Nation of Saskatchewan shall initiate, assist, support, assign, recommend, and facilitate the development, implementation, and establishment of Métis Urban Self-Government Councils in Saskatchewan.

**ARTICLE 6.1: NORTHWEST SASKATCHEWAN MÉTIS COUNCIL**

1. The Métis Nation of Saskatchewan shall assist, support, recommend and facilitate the Regions forming the North West Saskatchewan Métis Council to develop, establish and implement Métis governance for their Métis Communities.  
(Amended Dec.13/97)

**ARTICLE 7: LOCALS**

1. The Locals shall be the basic unit of the Organization in each community.
2. The Local shall be made up of at least nine members
3. New Locals can be admitted by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are met.

4. Locals can be dissolved by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are no longer met.
5. The Métis Nation Legislative Assembly shall adopt rules pertaining to the admission and dissolution of Locals.
6. Each Local shall be governed by an elected leadership as determined through the Constitution of the Local, which may include terms of one to three years and elections may be by ballot box or conducted at a General Assembly of the Local membership.
7. Any Métis who is sixteen years of age or over and is a member of the Local shall be entitled to vote or seek office.
8. Each Local shall be enact a Constitution which is not inconsistent with this Constitution, including the establishment of portfolios, committees or other bodies required to address community and other issues, and such Local Constitutions shall be registered with the Regional and Head Office of the Organization.
9. The Locals shall provide yearly up-dates of their membership to the Regional and Head Office, separating those members who are under sixteen years of age, from those sixteen and over.
10. The Locals shall be responsible to prepare the Communities for the assumption of Métis self-government, which includes land, where this is an objective
11. The Locals may incorporate with the appropriate government department.
12. The Locals may seek the necessary finances and resources to carry out their programs, services and objectives, and where so requested the Provincial Métis Council of the Métis Nation Legislative Assembly shall assist in securing these necessary finances and resources.

**ARTICLE 8:            ELECTIONS**

1. Any member who is sixteen years of age or older may vote or seek elected office within the Métis Nation of Saskatchewan.
2. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held on the date set by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council.

3. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held at least every three years.
4. The Executive of the Métis Nation Legislative Assembly shall be elected by the total membership at the Local polls by secret ballot.
5. Regional Representatives of the Provincial Métis Council shall be elected within their respective Regions through the establishing of a poll in each Local.
6. The Métis Nation Legislative Assembly shall enact, on a priority basis, an Elections Act, along with the necessary regulations and guidelines.
7.
  - a) A Métis Elections Commission composed of 3 Senators is empowered to oversee and conduct the general elections and by-elections of the Organization.
  - b) The terms of office of the Senators who sit on the Commission shall cease at the first session of the Métis Nation Legislative Assembly following the elections.
  - c) The Senators who sit on the Commission shall be appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate, for a term of not more than three years, and are eligible for re-appointment.
  - d) When the election or by-election date has been set and the election called by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council, the Commission shall have sole authority and responsibility to conduct the elections and shall be independent and answerable only to the Métis Nation Legislative Assembly.
  - e) The Commission shall appoint a Chief Electoral Officer and other required personnel.
  - f) The Commission shall be responsible for official recounts and appeals.
  - g) The decisions of the Commission shall be final and binding, subject to the right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.
  - h) The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commission members, along with the period

deemed necessary for the work of the Commission.

8. In the event of a vacancy on the Provincial Métis Council of the Métis Nation Legislative Assembly, a by-election shall be called within ninety (90) days from the date of vacancy.
9. When nominations close all candidates shall take a leave of absence for any elected position on the Provincial Métis Council of the Métis Nation Legislative Assembly or any salaried position with the Organization, or its subsidiary bodies. The Provincial Métis Council members and any person who has a salaried position with the Organization shall continue to receive their salary while they are on such leave of absence.
10. When nominations close and until candidates are unofficially elected, the Senators shall be solely responsible for conducting the affairs and activities of the Organization. The Senators shall receive remuneration for their work during this period.
11. The Provincial Métis Council members shall be on call and shall conduct business or represent the Organization from time to time as requested by the Senate. The Provincial Métis Council member shall receive expenses to compensate for travel as requested by the Senate.
12. All defeated or retiring candidates who were on the Provincial Métis Council prior to the election shall be entitled to and will receive their salary for two weeks after the election.
13. Any candidate who's election has been appealed under Section 7(f) and has been found guilty by the Métis Elections Commission of violating Section 9 shall forfeit such elected position with a right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.

**ARTICLE 9: METIS NATION OF SASKATCHEWAN HEAD OFFICE**

1. The Head Office shall be in Saskatoon.
2. The (12) Regional Offices of the Organization shall be accessible to our People and Leadership.

**ARTICLE 10: CITIZENSHIP**

1. 'Métis' means an Aboriginal person who self-identifies as Métis, who is distinct from Indian and Inuit, and:

- (i) is a descendant of those Métis who received or were entitled to receive land grants and/or Scrip under the provision of the *Manitoba Act, 1870* or the *Dominion Lands Act*, as enacted from time to time; or
  - (ii) a person of Aboriginal descent who is accepted by the Métis Nation and/or Métis Community. (Amended Dec. 13/97)
2. Any Métis who is a member of a duly registered Local is a member of the Métis Nation of Saskatchewan.
3.
  - a) A member shall only belong to one (1) Local.
  - b) A person shall reside in the Local for at least (6) months before he/she is eligible for membership in that Local. The Locals may make exceptions for educational and medical purposes.
4. Members shall be issued a membership card.
  - a) This card shall provide life-time membership in the Organization.
  - b) There shall be no fee for membership cards.
  - c) Membership cards shall be numbered and a register maintained by the Senate in the Head Office. Replacement cards shall retain original number.
  - d) Membership cards shall be issued by the President or Secretary of a duly registered Local upon completion of the designated form.
5. Where there is a dispute as to membership, a ruling shall be made by the Senate, with a final right of appeal to the Métis Nation Legislative Assembly the decision of which shall be final and binding.
6. The Métis Nation Legislative Assembly shall enact, on a priority basis, a Métis Citizenship Act. (Adopted November 14, 1997)

**ARTICLE 11: GENERAL ASSEMBLY**

1. A General Assembly, composed of member from the Locals, shall be convened by the Métis Nation Legislative Assembly every year.
2. The General Assembly shall provide a Forum whereby the members of the

Organization will receive information, review developments and provide guidance to the Métis Nation Legislative Assembly, and discuss, clarify, amend, vote on and ratify amendments to the Constitution.

**ARTICLE 12: SENATE, WOMEN AND YOUTH**

1. The Métis Nation Legislative Assembly shall make these items a priority, and shall involve the Senators, Women and Youth in the determination of their role and responsibilities within the Organization.
2. The Métis Women of Saskatchewan shall be designated (1) seat in the Provincial Métis Council and (4) seats in the Métis Nation Legislative Assembly. This provision shall cease to apply when women have achieved equitable representation in the Provincial Métis Council and Métis Nation Legislative Assembly.
3. That appointments to vacancies in the Métis Senate be made at area meetings; Further, that Senate appointments be for lifetime or until such time as the Senator is unable to fulfil his/her duties.
4. That the Senate be given the power to resolve disputes occurring in the Regions and Locals. Further, that decisions of the Senate shall be final and binding.
5. That the Senate be equally represented by male and female.

**ARTICLE 13: MÉTIS INDEPENDENCE**

1. Whereas the Métis are seeking self-government as a third order of government within Canada, the organization shall be non-secretariat and non-partisan.
2. The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis People and Nation, and shall swear an Oath of Allegiance prior to taking office.
3. The leadership shall be responsible and accountable to the Communities, as reflected by the Métis Nation Legislative Assembly, which is the Supreme Body for the Métis within Saskatchewan.
4. Members of the Organization are not precluded from joining political parties of the two other orders of government, being the federal and provincial levels of government.
5. Any Provincial Métis Council member of the Métis Nation Legislative Assembly who chooses to seek the nomination of any Provincial or Federal Political Party in

any provincial or federal election shall take a leave of absence from his/her position.

**ARTICLE 14: AFFILIATES**

1. a) The Métis Nation Legislative Assembly, on behalf of the Métis Nation of Saskatchewan, shall exercise all voting rights, powers, and duties of ownership in relation to the affiliates, based upon the recommendations of the Provincial Métis Council.
- b) Where not currently provided all affiliate Articles and By-laws shall be amended at the first reasonable opportunity to conform with this section.
2. The Provincial Métis Council members who is assigned a portfolio shall automatically sit as the Chairperson of the Affiliate(s) which falls under his/her portfolio.
3. A member who is an employee/staff person/ management of an Affiliate shall not be permitted to sit on any Affiliate Board.
4. All Affiliates shall have representation from the (12) Regions of the Organization, unless otherwise decided by the Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council.

**ARTICLE 14 (1): SECRETARIAT (Inserted June 26, 1997)**

1. A Secretariat shall be retained under the Non-Profit Corporations Act for the sole purpose of carrying out the administrative duties of the Métis Nation of Saskatchewan. (Inserted June 26/97)
2. The Secretariat shall be known as the Métis Nation of Saskatchewan Secretariat Incorporated. (Inserted June 26/97)
3. The Board of Directors of the Secretariate shall be the same members who are elected to the Provincial Métis Council. (Inserted June 26/97)

**ARTICLE 15: AMENDING FORMULA**

1. The Constitution shall only be amended by the majority of three quarters of the members of the Métis Nation Legislative Assembly and ratified by three quarters of the members of the General Assembly.
2. All proposed amendments to the Constitution must be registered with the Métis Nation of Saskatchewan Head Office thirty days prior to the sitting of the Métis

Nation Legislative Assembly where reasonable advance notice of the Legislative Assembly is provided. Where the minimum 30 days notice is provided under Article 2, Section 8, all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly. (Inserted June 26/97)

**ARTICLE 16:      IMPLEMENTATION**

1. The Constitution shall take effect upon its adoption by the General Assembly subject to amendments validly passed by three quarters of the Assembly present, and the conclusion of General Assembly. Upon the happening of these two conditions all previous By-laws of the Organization are repealed and this Constitution shall constitute the sole Constitution of the Organization, until otherwise determined by the Organization.

**MÉTIS NATION OF SASKATCHEWAN**  
**SENATE ACT**

**RATIFIED NOVEMBER 6, 1999**

*KHW  
dec 12/99*

## **ARTICLE ONE - TITLE**

1. This Act may be cited as "The Métis Nation of Saskatchewan Senate Act, 1999."

## **ARTICLE TWO - INTERPRETATION**

### **2. In this Act:**

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Senate Act.
- 2.2. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.
- 2.3. "Ordinarily Resident" shall mean the Region to which the person is registered as a member and the Region of the member's fixed home address to which whenever he/she is absent he/she has the intention of returning.
- 2.4. "Region" shall mean Regions as determined by the Métis Nation of Saskatchewan Constitution.
- 2.5. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.6. "Senator" shall mean a member of the Métis Nation of Saskatchewan Senate.

## **ARTICLE THREE - MANDATE AND POWERS OF THE SENATE**

### **3. The Senate shall:**

- 3.1. Act as the judicial arm of the Métis Nation of Saskatchewan and where provided in the Constitution, shall be available for consultation by the Métis Nation Legislative Assembly in fulfilling its mission under the Métis Nation of Saskatchewan Constitution;
- 3.2. Be subject to the authority of this Act and the Métis Nation Legislative Assembly.
- 3.3. Be represented by one Senator per Region and one Senator to be appointed by the Métis Women of Saskatchewan.
- 3.4. Designate one Senator as the Chairperson of the Senate.

## **ARTICLE FOUR - QUALIFICATIONS FOR A SENATOR**

### **4. A person is eligible for appointment to the Senate if he/she:**

- 4.1.1. Is a citizen of the Métis Nation of Saskatchewan.
- 4.1.2. Is appointed by the membership at an area meeting or

- 4.1.3. Is an appointee of the Métis Women of Saskatchewan, appointed by their general assembly.
- 4.1.4. Is ordinarily resident in the Region of appointment.
- 4.1.5. Is non-partisan.
- 4.1.6. Is non-political, including Federal, Provincial and Métis governments.
- 4.1.7. Is at least fifty-five (55) years of age.
- 4.1.8. Has not been convicted of an indictable offence within five (5) years of appointment to the Senate, and has exhausted all appeals.

## **ARTICLE FIVE - APPOINTMENT AND RATIFICATION OF SENATORS**

### **5. Senate appointments:**

- 5.1. Shall be made by the membership by a show of hands or by ballot at a duly called area meeting, or in the case of the Métis Women of Saskatchewan by their general assembly.
- 5.2. Shall be forwarded in writing to the President of the Provincial Métis Council and the Senate Chairperson by the official charged with recording the minutes of the meeting at which the appointment was made. The submission will include a copy of the minutes of the meeting, indicating the motion.
- 5.3. Forwarded to the President of the Provincial Métis Council and the Senate Chairperson shall be accompanied by a resume and biography of the Senator.
- 5.4. Shall be sworn in by the Senate at their next meeting, if the conditions under Section 4 of this Act are met.

## **ARTICLE SIX - TERM AND REMOVAL OF OFFICE**

### **6. In this Act:**

- 6.1. The term of office for a Senator shall be for life:
- 6.2. Notwithstanding Article 6.1, the term of office of a Senator shall terminate if a Senator is:
  - 6.2.1. Disqualified for violating any part of this Act or
  - 6.2.2. Is unable to fulfil his/her duties on a permanent basis.
- 6.3. The term of office for the Chairperson of the Senate shall be:
  - 6.3.1. For three years or until a written resignation is tabled at a Senate meeting.

6.3.2. Subject to reappointment by the Senate.

6.4. A Senator shall be removed from office by the Senate:

6.4.1. For being convicted of an indictable offence and all appeals are exhausted.

6.4.2. If he/she takes up residency outside of the province of Saskatchewan.

6.4.3. For actions unbecoming the stature of a Senator while holding office.

6.4.4. By voluntarily resigning in writing to the Chairperson of the Senate.

6.5. A Senator shall take a leave of absence from the office of the Senate for being charged with an indictable offence.

## **ARTICLE SEVEN - CODE OF ETHICS / STANDARDS OF CONDUCT**

7. Each Senator shall comply with the following Code of Ethics / Standards of Conduct:

- 7.1. Function as a collective unit representing, serving and protecting the best interest of the Métis people and the Constitution of the Métis Nation of Saskatchewan and shall not sit on any elected local position nor serve on any regional or provincial Affiliate board including urban councils and advisory committees.
- 7.2. Understand that the Senate shall be driven by consensus, and any decisions or actions by a Senator without the authorization and approval of the Senate body shall be deemed null and void and therefore have no force and effect upon the Senate as a whole.
- 7.3. Devote time, thought and study to the responsibilities of a Senator necessary to render effective credible service in the Senate.
- 7.4. Encourage full and open dialogue in all matters with other members of the Senate.
- 7.5. Remove themselves from any committee of the Senate if they are in conflict of interest in carrying out the duties of that committee, pursuant to the applicable legislation.

## **ARTICLE EIGHT - COMMITTEES OF THE SENATE**

8. Pursuant to this Act:

- 8.1. The Senate shall establish any such committees as are required by the Métis Nation of Saskatchewan Constitution or Legislation and as required to carry out the following duties:
  - 8.1.1. Mediation and Arbitration
  - 8.1.2. Veteran's Affairs

8.1.3. Central Registry and Citizenship Appeals

8.1.4. Regional and Local Disputes

8.1.5. Management of the Métis Nation of Saskatchewan during Election Period

8.1.6. Ceremonial Activities and Exchanges

8.1.6.1. Conducting Opening / Closing Prayers

8.1.6.2. Directing Swearing-In Ceremonies and Oaths

8.1.6.3. Presenting Awards and Gifts of Recognition

8.1.6.4. Displaying Métis Flags and Sashes.

8.2. The Senate shall appoint one Chairperson for each committee to serve as the spokesperson for that committee.

8.3. The Senate may delegate by resolution, the decision-making authority of any committee of the Senate to be the voice of the Senate and subject to ratification by Senate majority, unless otherwise provided in the Constitution or legislation.

## **ARTICLE NINE - QUORUM AND VOTING**

9. To conduct official Senate business:

9.1. A simple majority of the Senators will constitute a quorum.

9.2. A quorum must be present at a meeting of the Senate, or at any meeting of a committee of the Senate.

9.3. Decisions made by a quorum of the Senate binds all members of the Senate to the motions and resolutions passed.

## **ARTICLE TEN - FINANCES**

10. In order for the Senate to function:

10.1. Where fiscal resources are available, the Métis Nation of Saskatchewan, in accordance with the laws and regulations of the Métis Nation of Saskatchewan Treasury Board, shall provide financial resources to the Senate as required for the purposes of carrying out this Act.

10.2. Such resources shall be within the means available to the Métis Nation of Saskatchewan for such purposes.

- 10.3. The Chairperson of the Senate shall make formal written request to the Métis Nation of Saskatchewan Treasury Board for all expenditures of the Senate.
- 10.4. The Métis Nation of Saskatchewan shall actively pursue fiscal resources for the functions of the Senate.
- 10.5. Regions or Locals that require the involvement of the Senate to resolve disputes, will be responsible for Senate travel expenses and honorariums, until such time that the Métis Nation of Saskatchewan is able to provide resources to the Senate, as per Section 10.1 of this Act.
- 10.6. The Métis Nation of Saskatchewan will be responsible for travel expenses and honorariums for the Senate while conducting official Senate business, pursuant to this Act.

#### **ARTICLE ELEVEN - RECORD KEEPING AND REPORTING PROCEDURES**

11. In this Act:

- 11.1. The Senate shall keep written minutes of all meetings.
- 11.2. The minutes of Senate meetings shall be held by the Chairperson of the Senate.
- 11.3. The Senate shall submit an annual written report to be tabled with the Métis Nation Legislative Assembly thirty days prior to the Assembly to be included in the Order of the Day.
- 11.4. Before any Senate hearing, all Métis involved shall be sent a registered letter informing them of the proposed hearing.
- 11.5. An application to the Senate must be made in writing by registered letter outlining in detail the grievance(s).
- 11.6. All decisions of the Senate shall be recorded and one copy shall be sent by registered letter to each of the provincial head office, regional office and the parties involved.

#### **ARTICLE TWELVE – GRANDFATHER CLAUSE**

12. In this Act:

- 12.1. All existing Senators are grandfathered to this Act and will continue to act as Senators until their terms have expired, pursuant to this Act.

## **ARTICLE THIRTEEN - ENACTMENT**

### **13. This Act:**

- 13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.**
- 13.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.**
- 13.3. Repeals all former Senate legislation.**
- 13.4. Has received ratification from the Métis Nation Legislative Assembly this 6th day of November, 1999.**

**MÉTIS NATION OF SASKATCHEWAN  
CITIZENSHIP ACT**

**RATIFIED NOVEMBER 6, 1999**

*khs  
dec 12/99*

## **ARTICLE ONE - TITLE**

1. This Act may be cited as "The Métis Nation of Saskatchewan Citizenship Act, 1999."

## **ARTICLE TWO - INTERPRETATION**

### **2. In this Act:**

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Citizenship Act.
- 2.2. "Appeals" shall mean any written objection by a person who has been rejected entry in the Métis Nation of Saskatchewan Central Registry or by a Métis Nation of Saskatchewan citizen who is objecting to the registration of any person to the Métis Nation of Saskatchewan Central Registry.
- 2.3. "Child" shall mean a child of a Métis citizen.
- 2.4. "Citizenship Appeal Board" shall mean the Métis Nation of Saskatchewan Citizenship Appeal Board.
- 2.5. "Membership" shall mean citizenship.
- 2.6. "Métis" shall mean a Métis citizen as defined by the Métis Nation of Saskatchewan Constitution.
- 2.7. "Métis community" shall mean the Locals as set out by the Constitution.
- 2.8. "Métis Local" shall mean a Métis Local listed in Schedule I of the Métis Nation of Saskatchewan Constitution.
- 2.9. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.
- 2.10. "Records" shall mean any records used to support an application for citizenship including historical records, church records, archival records, census records and oral history from Métis Elders.
- 2.11. "Registered" shall mean registered as a Métis under this Act.
- 2.12. "Registrar" shall mean the Registrar appointed by the Senate to administer the Central Registry.

## **ARTICLE THREE - COMMUNITY ACCEPTANCE**

### **3. In this Act:**

3.1. The Métis Nation of Saskatchewan shall accept a person as Métis if the person can produce records denoting the person as having Métis ancestry and is accepted by a Métis community and if the person complies with the following conditions:

3.1.1. The person normally resides within the community or jurisdiction of the Métis Nation of Saskatchewan; and

3.1.2. The person expressly held him/herself out to be Métis in the community or jurisdiction;

3.2. The authorized Métis Local must make its decision impartially and in good faith.

## **ARTICLE FOUR - REGISTRATION PROCESS**

### **4. In this Act:**

4.1. A person who wishes to be registered as a Métis may apply to a Métis Nation of Saskatchewan Local.

4.2. The Métis Nation of Saskatchewan Local President or Secretary must issue a card recognizing the person as Métis if they meet the requirements of this Act, but not before they are registered by the Registrar.

4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.

4.4. The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.

4.5. No person is obliged to apply for registration.

4.6. In the case of an application for registration, the applicant must provide historical and genealogical evidence, such as the records or documents of a government, church or community, including oral testimony from a Métis Elder reduced to writing, to show that the person is a descendant of a Métis.

4.7. The Registrar shall review applications for registration and shall register a person as a Métis only if:

4.7.1. The person is entitled to be registered as a Métis pursuant to this Act and

4.7.2. The application is properly made.

- 4.8. Following the coming into force of this Act, the Registrar shall establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as Métis.

## **ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY**

### **5. In this Act:**

- 5.1. A person who is registered as a Métis citizen may, at any time, voluntarily remove him/herself from the registry.
- 5.2. The Registrar shall remove a person who, by written request, declares that he or she no longer wishes to be registered as a Métis.
- 5.3. A person who has removed him/herself from the registry may re-apply for registration.

## **ARTICLE SIX – CENTRAL REGISTRY**

### **6. In this Act:**

- 6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation of Saskatchewan.
- 6.2. The following minimum information about a Métis citizen may be included in the Central Registry:
  - 6.2.1. The person's name;
  - 6.2.2. The person's address or place of residence;
  - 6.2.3. The person's date of birth;
  - 6.2.4. The person's marital status and the name of any spouse;
  - 6.2.5. The dates of any marriages;
  - 6.2.6. The names and dates of birth of any children of the person;
  - 6.2.7. The Local under which the person has applied for registration;
  - 6.2.8. The Mother's full name and date of birth;
  - 6.2.9. The Father's full name and date of birth;
  - 6.2.10. The other information submitted in support of the person's application for registration; and

- 6.2.11. Such genealogical information about the person as may exist.
- 6.3. The Registrar may collect and register additional demographic information about Métis citizens.
- 6.4. The Registrar shall treat the registry as confidential.
- 6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and technological safeguards that are reasonable and consistent with this Act.
- 6.6. The Registrar with the consent of the Provincial Métis Council may enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information without the consent of the registrant.
- 6.7. The process for registration shall be such that:
- 6.7.1. A person makes application to a Métis Local for citizenship by completing the Métis Nation of Saskatchewan Citizenship Application Form.
- 6.7.2. The President of the Métis Local submits the Citizenship Application Form to the Registrar for consideration and entry into the Registry.
- 6.7.3. The Registrar rejects or registers the person into the Registry and notifies the Métis Local President in writing of the decision.
- 6.7.4. In the event that the Registrar accepts the registration, the Registrar forwards a signed standardized Métis Nation of Saskatchewan Citizenship Card to the Métis Local President or Secretary who then issues the standardized Métis Nation of Saskatchewan Citizenship Card to the person.
- 6.7.5. The standardized Métis Nation of Saskatchewan Citizenship Cards shall be numbered consecutively following the Métis Local numbers.
- 6.7.6. Only the standardized Métis Nation of Saskatchewan Citizenship Cards shall be recognized as legitimate for the purposes of the Constitution and this Act.
- 6.7.7. The Provincial Métis Council will be responsible for the development of the Métis Nation of Saskatchewan Citizenship Application Form and the standardized Citizenship Card.

## **ARTICLE SEVEN - REGISTRY OFFICE**

7. A Registry Office shall be established, based on available fiscal resources.
- 7.1. The Registry Office shall consist of:

7.1.1. The Registrar and

7.1.2. The staff of the Registry Office.

7.2. The Registry Office

7.2.1. is separate and independent from the public service of the Métis Nation but the staff of the Registry Office shall be considered to be members of the public service for the purpose of employment benefits;

7.2.2. Shall act impartially and in good faith in the exercise of its functions; and

7.2.3. Is under the administrative direction of the Senate; and

7.2.4. Shall retain and provide copies of the standardized Métis Nation of Saskatchewan Citizenship Application Form and the standardized Métis Nation of Saskatchewan Citizenship Cards to Métis Local Presidents.

## **ARTICLE EIGHT - THE REGISTRAR**

8. The Registrar:

8.1.1. Shall be appointed and directed by the Senate.

8.1.2. Shall hold office for a term set by the Senate.

8.1.3. May be removed from office only by the Senate.

8.1.4. Shall report in writing to the Métis Nation Legislative Assembly and the Provincial Métis Council through the Senate.

8.1.5. Shall maintain the Central Registry.

8.1.6. Shall administer this Act.

8.1.7. Shall accept and review applications for citizenship submitted on the standardized Citizenship Application Form by a Métis Local President and decide whether a person is entitled to be registered pursuant to this Act.

8.1.8. Shall respond in writing to the Métis Local President on the decision of an application for citizenship.

8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this Act.

8.1.10. Shall forward Appeals to the Citizenship Appeal Board on the issue, pursuant to this Act.

- 8.1.11. Shall ensure that the relevant files are provided to the Citizenship Appeal Board in cases of appeal.
- 8.1.12. Shall ensure that a final report is written and filed on any appeal that comes before the Registrar or the Citizenship Appeal Board.
- 8.1.13. Shall manage the staff of the Registry Office.
- 8.1.14. Shall have a seal of office that may be reproduced by the Registrar in any manner and has the same effect whether it is manually applied or otherwise reproduced.
- 8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the Senate, within 60 days following the end of each calendar year.

## **ARTICLE NINE - CITIZENSHIP APPEAL BOARD**

9. The Citizenship Appeal Board shall:

- 9.1. Hear and resolve appeals from a decision of the Registrar.
- 9.2. Be composed of three Senators, appointed by the Métis Nation Legislative Assembly, for a term of three years but may be removed for cause by the Métis Nation Legislative Assembly. A Senator who is a member of the Citizenship Appeal Board and whose term has expired may be re-appointed.
- 9.3. Appoint one member of the Citizenship Appeal Board to be the Chairperson of the Citizenship Appeal Board.
- 9.4. Have an official seal, which shall be judicially noticed.
- 9.5. Shall have, in regards to attendance, swearing in and examination of witnesses, the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction, all such powers, rights and privileges as are vested in a superior court of record.
- 9.6. Shall be responsible for all citizenship appeals, the decision of which is subject only to appeal to the Métis Nation Legislative Assembly.
- 9.7. Shall conduct appeal hearings in accordance with such rules of procedures as are necessary and as are ratified by the Provincial Métis Council.
- 9.8. May appoint a person to inquire into and report on any matter before making a decision on it.
- 9.9. May sit and make a determination with a majority of members in attendance.

- 9.10. May make such orders and regulations as are necessary for the purpose of carrying out this Act, subject to ratification by the Provincial Métis Council.
- 9.11. Make recommendations to the Métis Nation Legislative Assembly in the event of final appeal by a person regarding registry.

## **ARTICLE TEN - CITIZENSHIP APPEALS**

10. The process for Appeals will be such that:

- 10.1. The Appellant bears the burden of proof.
- 10.2. Any person who has made application on the Métis Nation of Saskatchewan Citizenship Application Form to a Métis Local President and is denied registry by the Métis Local President is entitled to appeal this decision in writing to the Registrar within thirty (30) days of the President's decision.
- 10.3. Any person whose Citizenship Application Form has been forwarded by a Métis Local President to the Registrar and has been rejected in writing by the Registrar may appeal in writing to the Citizenship Appeal Board within thirty (30) days of the Registrar's decision.
- 10.4. Any person whose application has been rejected by the Citizenship Appeal Board may appeal in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding, complying with the requirements set out in the Métis Nation of Saskatchewan Legislative Assembly Act, and shall do so within thirty (30) days of the Citizenship Appeal Board's decision.
- 10.5. All appeals by a person regarding rejection of registration by the Local President or Registrar or Citizenship Appeals Board must include:
  - 10.5.1. The name and address of the person who has been rejected;
  - 10.5.2. The Local to which application was made;
  - 10.5.3. The evidence submitted as proof of Métis ancestry;
  - 10.5.4. Copies of all correspondence regarding the appeal;
  - 10.5.5. The signature of the person who has been rejected; and
  - 10.5.6. The date of submission of the appeal.
- 10.6. Any person whose registration is being objected to shall be given a reasonable opportunity to make representation in the case at each level, and shall receive copies of all correspondence regarding the appeal.

10.7. The decision of the Citizenship Appeal Board must be in writing, signed by the deciding members of the Citizenship Appeal Board, and forwarded to the affected parties within 14 days of the date of its decision.

10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Citizenship Appeal Board.

10.9. All appeals are confidential and shall be treated as such by all involved parties.

## **ARTICLE ELEVEN - FINANCES**

11. The remuneration and employment benefits of the Registrar, the staff of the Registry Office and the Citizenship Appeals Board shall be established by the Métis Nation of Saskatchewan Treasury Board, based on available fiscal resources.

## **ARTICLE TWELVE - GRANDFATHER CLAUSE**

12. In Grandfathering existing memberships:

12.1. Those members currently listed on the Métis Local Membership Lists will have two years from the date of the ratification of this Act, to make application for entry into the Central Registry. Once the two years has passed, those members who have not made proper application on the Métis Nation of Saskatchewan Citizenship Application Form, will automatically be removed from the system.

12.2. Only those members who have made proper application and have been entered into the Central Registry will receive the standardized Métis Nation of Saskatchewan Citizenship Card.

## **ARTICLE THIRTEEN - ENACTMENT**

13. This Act:

13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

13.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.

13.3. Repeals all former citizenship legislation.

13.4. Has received ratification on this 6th day of November, 1999.

**MÉTIS NATION OF SASKATCHEWAN  
ELECTION ACT**

**RATIFIED NOVEMBER 6, 1999**

*khs  
dec 12/99*

## **ARTICLE ONE - TITLE**

1. This Act may be cited as "The Métis Nation of Saskatchewan Election Act, 1999."

## **ARTICLE TWO - INTERPRETATION**

### **2. In this Act:**

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Election Act.
- 2.2. "Appeals" shall mean any Appeal of an election by an elector for an act seen to have breached this Election Act, including breach of the Code of Conduct, Conflict of Interest, Eligibility, and breach of Election Regulations.
- 2.3. "By-election" shall mean an election called to fill a vacancy within the Provincial Métis Council.
- 2.4. "Candidate" shall mean any individual who is nominated as a Candidate for the election.
- 2.5. "Chief Electoral Officer" shall mean the individual appointed by the Métis Elections Commission to carry out the duties set out in this Act.
- 2.6. "Commissioner" shall mean any Senator who is appointed by the Métis Nation Legislative Assembly to the Métis Elections Commission.
- 2.7. "Election" shall mean an election called by the Métis Nation Legislative Assembly to elect Executive Members or Regional Representatives.
- 2.8. "Election Officers" shall mean any individual appointed by the Métis Elections Commission to carry out the duties under this Act under the supervision of the Chief Electoral Officer.
- 2.9. "Elector" shall mean any citizen of the Métis Nation of Saskatchewan who is eligible to cast a ballot pursuant to the eligibility requirements of this Act.
- 2.10. "Electoral List" shall mean a list made pursuant to this Election Act naming those citizens entitled to cast a ballot at an election.
- 2.11. "Frivolous Court Action" shall mean any suit that is brought against the Métis Nation of Saskatchewan and dismissed by a Court of Law for having no basis in law or fact.
- 2.12. "Métis Elections Commission" shall mean the Métis Nation of Saskatchewan Métis Elections Commission.
- 2.13. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.

- 2.14. "Nominator" shall mean any citizen of the Métis Nation of Saskatchewan who under this Act is eligible to nominate a candidate for an election.
- 2.15. "Ordinarily Resident" shall mean the Region to which the elector is registered as a citizen and the Region of the citizen's fixed home address to which whenever he/she is absent he/she has the intention of returning.
- 2.16. "Poll Book" shall mean the list of names of citizens who have received ballots at an election pursuant to this Act.
- 2.17. "Polling Station" shall mean a place established in each Local where an elector casts his/her vote and which is set up pursuant to this Act.
- 2.18. "Region" shall mean regions as determined in the Métis Nation of Saskatchewan Constitution.
- 2.19. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.20. "Scrutineer" shall mean an elector who is authorized in writing to represent a candidate at a polling station pursuant to this Act.

### **ARTICLE THREE - MÉTIS NATION LEGISLATIVE ASSEMBLY**

#### **3. In this Act:**

- 3.1. The Métis Nation Legislative Assembly shall set the date for an election by Proclamation, at least once every three years, of the Executive and Regional Representatives, based upon the recommendation of the Provincial Métis Council.
  - 3.1.1. The Métis Nation Legislative Assembly is responsible to proclaim the date for an election at least sixty (60) days prior to election day to allow for the compilation of the electoral list.
  - 3.1.2. The Provincial Métis Council is hereby granted the authority to set the date for any by-elections as provided in the Constitution, that is within ninety (90) days of a vacancy occurring.
- 3.2. The Métis Nation Legislative Assembly, based on recommendations of the Senate, shall appoint three Senators to sit on the Métis Elections Commission.
- 3.3. The Métis Nation Legislative Assembly shall also appoint one Senator as alternate, in the event of death, illness, resignation or Conflict of Interest pursuant to this Act, to the Métis Elections Commission.
- 3.4. The Métis Nation Legislative Assembly has the final decision on any Appeals under this Act.

- 3.5. The Métis Nation Legislative Assembly has the responsibility to determine remuneration of the Métis Elections Commission.
- 3.6. All granting of new Citizenship Cards to the Métis Nation of Saskatchewan shall be suspended from the date of the close of the Electoral List until the day after the general election is held.
- 3.7. The Provincial Métis Council is hereby granted the authority to develop election regulations, pursuant to this Act.

#### **ARTICLE FOUR - MÉTIS ELECTIONS COMMISSION**

4. In this Act:

- 4.1. The Métis Elections Commission shall be composed of three members of the Senate, appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate.
- 4.2. The Métis Elections Commission Commissioners shall meet the requirements of the Code of Conduct pursuant to this Act.
- 4.3. The Métis Elections Commission shall have sole authority and responsibility to conduct elections or by-elections pursuant to this Act and shall be independent and answerable only to the Métis Nation Legislative Assembly.
- 4.4. The Métis Elections Commission shall set the dates for Revision to the Electoral List.
- 4.5. The Métis Elections Commission shall appoint a Chief Electoral Officer.
- 4.6. The Métis Elections Commission shall appoint the Local Returning Officers and Poll Clerks required to conduct an election, based on the recommendation of the Chief Electoral Officer.
- 4.7. The Métis Elections Commission shall be responsible for all election Appeals, the decision of which is final and binding, subject only to appeal to the Métis Nation Legislative Assembly.

#### **ARTICLE FIVE - CHIEF ELECTORAL OFFICER**

5. The Chief Electoral Officer shall:

- 5.1. Meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act.

- 5.2. Not have filed a Frivolous Court Action against the Métis Nation of Saskatchewan in the last three (3) years.
- 5.3. Not have been convicted of an indictable offence within five years (5) prior to the Election Proclamation.
- 5.4. Set, manage and conduct the election according to this Act.
- 5.5. Recommend to the Métis Elections Commission for appointment all election officers and other required personnel. The Chief Electoral Officer must only recommend election officers that meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act. Election officers can not have brought a Frivolous Court Action against the Métis Nation of Saskatchewan within the last three (3) years.
- 5.6. Guide and supervise election officers with respect to the conduct of the election.
- 5.7. Ensure that all election officers conduct their duties in compliance with this Act.
- 5.8. Prepare, print and distribute forms for use pursuant to this Act.
- 5.9. Publish the place and hours fixed for the nomination of Candidates and the date fixed for the closing of nominations.
- 5.10. Accept letters of withdrawal from candidates, nominations, letters of appointment for scrutineers and candidate's letters of leave of absence from Métis Nation of Saskatchewan and Métis Nation of Saskatchewan's Affiliate organizations and the one-hundred dollar (\$100.00) bonds submitted with nominations.
- 5.11. Compile and distribute to each polling station, a final Electoral List, pursuant to this Act, prior to the Election day.
- 5.12. Reconcile all ballots for both unofficial and official counts, and prepare an official election report for the Métis Elections Commission.
- 5.13. Publicly declare to be elected the candidate or candidates having the greatest number of votes.

## **ARTICLE SIX - ELIGIBILITY**

6. In order to participate in an election, the participant shall:
  - 6.1. Be a citizen of the Métis Nation of Saskatchewan.
  - 6.2. Be at least sixteen (16) years of age on the day of the election.
  - 6.3. Be a resident of Saskatchewan who has resided therein for at least six months prior to the date of the close of nominations.

- 6.4. In order to vote for a regional representative, have been a resident of Saskatchewan and ordinarily resident in the region for at least six months prior to the date of the close of nominations.

## **ARTICLE SEVEN - ELECTORS**

7. In order to cast a ballot in an election, an elector shall:
  - 7.1. Meet the requirements of Eligibility pursuant to this Act.
  - 7.2. Prior to the close of the Electoral List, transfer his/her citizenship to the Local where he/she is ordinarily resident.
  - 7.3. Be on the Electoral List on Election Day.
  - 7.4. Vote at the polling stations closest to where they are registered and ordinarily resident, pursuant to Article 7.2 of this Act. Electors may request of the Chief Electoral Officer that they be placed on the list of another polling station and such determinations shall be at the discretion of the Chief Electoral Officer. Adequate identification will have to be supplied by the elector to the election official, if such a request is made and a Declaration Form will have to be completed and signed.
  - 7.5. Meet the requirements of the Code of Conduct at the polling station in accordance with this Act.

## **ARTICLE EIGHT - ELECTORAL LIST**

8. The Electoral List shall:
  - 8.1. List all of the Electors eligible to vote in an election.
    - 8.1.1. The Electors shall be listed by Local.
  - 8.2. Be compiled by the Chief Electoral Officer from the most recent Local Citizenship Lists on file at the Métis Nation of Saskatchewan Office.
  - 8.3. Be revised only during a publicly announced revision period. The revision period shall be between the date of the Election Proclamation and thirty days prior to election day to a maximum period of thirty days.
  - 8.4. Upon provision of evidence to the satisfaction of the Chief Electoral Officer, of a legitimate error or omission, a citizen can have his/her name added to, or removed from the Electoral List during the revision period.
  - 8.5. Be posted in each polling station on Election Day.
  - 8.6. Be made available to the candidates.

## **ARTICLE NINE - NOMINATION OF CANDIDATES**

### **9. In this Act:**

**9.1. Any citizen of the Métis Nation of Saskatchewan is eligible to be nominated as a candidate if on the day his/her nomination papers are filed he/she:**

**9.1.1. Meets the requirements of Eligibility pursuant to this Act;**

**9.1.2. Has not filed a Frivolous Court Action against the Métis Nation of Saskatchewan within the last three (3) years;**

**9.1.3. Has not been convicted of an indictable offence within five years (5) prior to the Election Proclamation;**

**9.1.4. If seeking to be a candidate for Regional Representative, is ordinarily resident in the region for which he/she seeks nomination; and**

**9.1.5. Has not been charged with an indictable offence.**

**9.2. Any citizen of the Métis Nation of Saskatchewan is eligible to nominate a candidate if he/she meets the requirements of Eligibility pursuant to this Act;**

**9.3. All nominations for the Executive and the Regional Representatives of the Provincial Métis Council shall be submitted to the Chief Electoral Officer and shall include the following:**

**9.3.1. The signature of the nominator;**

**9.3.2. A letter of acceptance from the potential candidate;**

**9.3.3. A non-refundable bond of one-hundred dollars (\$100.00) which shall be deposited by the Chief Electoral Officer into the electoral fund; and**

**9.3.4. A minimum of five (5) additional individual citizens who shall attest their support of the nomination by signing the nomination form, and if nominating a candidate for Regional Representative, these citizens must be ordinarily resident within the region.**

**9.3.5. Any candidate who accepts a nomination for the Executive or for Regional Representative of the Provincial Métis Council must, if employed by the Métis Nation of Saskatchewan or any of its Affiliates, apply for a leave of absence from such employment at least thirty (30) days prior to the Election Date, effective on the date he/she files such nomination. All such applications for a leave of absence shall be granted. Proof of the leave of absence shall be tendered in writing to the Chief Electoral Officer along with the nomination and the candidate's letter of acceptance for the nomination.**

## **ARTICLE TEN - SCRUTINEERS**

### **10. Scrutineers shall:**

- 10.1. Meet the requirements of the Eligibility and Code of Conduct provisions pursuant to this Act.
- 10.2. Not have been convicted of an indictable offence within five (5) years prior to the Election Proclamation.
- 10.3. Present a letter of authorization from their respective Candidate for the purpose of identifying themselves at the polling station.
- 10.4. Have been appointed by their candidate to represent him/her at that polling station, and to observe the election procedures on his/her behalf. Only one Scrutineer per candidate may be present in the polling area at any one time.
- 10.5. Not impede, prevent, or otherwise interfere in any way with the free exercise of the elector's right to vote or in any way compel, induce or prevail on an elector to vote or to refrain from voting.

## **ARTICLE ELEVEN - SECRECY OF VOTING**

### **11. In this Act:**

- 11.1. Voting in the election shall be by secret ballot.
- 11.2. No person shall interfere or attempt to interfere with an elector who is marking his/her ballot or casting his/her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector at that polling station is about to vote or has voted.
- 11.3. Each election officer, candidate and scrutineer in attendance at a polling station or at the counting of the ballots shall assist in maintaining the secrecy of the voting and shall not communicate or attempt to communicate any information obtained at the polling place regarding which candidate an elector has voted for or is about to vote for.

## **ARTICLE TWELVE - CODE OF CONDUCT**

### **12. In this Act:**

- 12.1. No person shall disturb the peace and good order at a polling place or a place where election proceedings are underway.

- 12.2. The Chief Electoral Officer or his/her designate may cause to remove any person who is disrupting or otherwise interfering at a polling place or a place where election proceedings are underway.
- 12.3. No person shall unlawfully take down, cover up, mutilate, deface or alter an election proclamation, notice or other document required to conduct an election pursuant to this Act.

## **ARTICLE THIRTEEN - CONFLICT OF INTEREST**

### **13. In this Act:**

13.1. The Commissioners and the Chief Electoral Officer shall not be in a Conflict of Interest respecting their duties;

13.2. Conflict of Interest will exist when:

13.2.1. An immediate family member is a candidate or employee or official in the election. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with an election official.

13.2.2. Any close personal or business associate is a candidate or employee or official in the election.

13.3. In such a case where a Commissioner or Chief Electoral Officer are in Conflict of Interest, he/she will be required to:

13.3.1. Reveal his/her interest in or in connection to the candidate, employee or official;

13.3.2. Refrain from participating in substantive discussion other than to provide, on request, factual information;

13.3.3. Be absent while discussions concerning the candidate, employee or official in question are taking place. The record must reflect that the person in conflict was absent as specified.

## **ARTICLE FOURTEEN - FINANCES**

### **14. In this Act:**

14.1. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commissioners.

14.2. There shall be paid out of the General Fund such sums as are required to meet the monetary obligations of the Métis Nation of Saskatchewan under this Act and approved by the Métis Nation Legislative Assembly.

## **ARTICLE FIFTEEN - ASSUMPTION OF OFFICE**

15. The procedure for Assumption of Office shall be:

15.1. The newly elected Executive and the Regional Representatives of the Provincial Métis Council shall take office the day after election day, and must take an Oath of Office within thirty (30) days of the announcement of official election results.

## **ARTICLE SIXTEEN - VACANCY OF OFFICE**

16. In this Act:

16.1. An office of the Provincial Métis Council is considered vacant when a person who holds that office:

16.1.1. Dies;

16.1.2. Resigns in writing from his/her office; or

16.1.3. Is convicted of an indictable offence and has exhausted such appeals to any appeal courts; or

16.1.4. Ceases to qualify as a candidate by virtue of the membership or residency provisions referred to in Article Six - Eligibility hereof.

16.2. A member of the Provincial Metis Council shall take a leave of absence upon being charged of an indictable offence until the matter is dealt with.

## **ARTICLE SEVENTEEN - ENACTMENT**

17. This Act and Regulations:

17.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

17.2. Is binding upon all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.

17.3. Repeals all former election legislation and regulations.

17.4. Has received ratification by the Métis Nation Legislative Assembly on this 6<sup>th</sup> day of November, 1999.

**MÉTIS NATION OF SASKATCHEWAN  
LEGISLATIVE ASSEMBLY ACT**

**RATIFIED NOVEMBER 6, 1999**

*khw  
dec 12/99*

## **ARTICLE ONE - TITLE**

1. This Act may be cited as "The Métis Nation Legislative Assembly Act, 1999."

## **ARTICLE TWO - INTERPRETATION**

### **2. In this Act:**

- 2.1. "Act" shall mean the Métis Nation Legislative Assembly Act.
- 2.2. "Affiliates" shall mean those organizations and structures established by the Métis Nation of Saskatchewan to provide programs and services to and on behalf of the Métis of Saskatchewan.
- 2.3. "General Assembly" shall mean the meeting of the General Assembly as set out in the Constitution.
- 2.4. "Clerk" shall mean the Clerk of the Métis Nation Legislative Assembly.
- 2.5. "Conflict of Interest" shall exist when an immediate family member of a member of the Métis Nation Legislative Assembly is either an Appellant or a Respondent in an appeal before the Assembly. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with a member or any close personal or business associate.
- 2.6. "Deputy Speaker" shall mean the Deputy Speaker of the Métis Nation Legislative Assembly.
- 2.7. "Dumont Scout" shall mean the person responsible for the keeping of the peace at the Métis Nation Legislative Assembly, named in honour of Dumont's peacemakers historically called 'Scouts.'
- 2.8. "Executive" shall mean the Executive members of the Métis Nation Legislative Assembly/ Provincial Métis Council who are elected province-wide.
- 2.9. "Locals" shall mean the Métis Nation of Saskatchewan Locals as set out in the Constitution.
- 2.10. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation, as set out by the Constitution.
- 2.11. "Order of the Day" shall mean the compilation of documentation for members of the Métis Nation Legislative Assembly including the Agenda, Reports, Minutes, Appeal Documents, Draft Legislation, Motions and Constitutional Amendments to be tabled at the Métis Nation Legislative Assembly.

- 2.12. "Provincial Métis Council" shall mean the Regional Representatives, the Executive, and one representative from the Métis Women of Saskatchewan.
- 2.13. "Regions" shall mean the Métis Nation of Saskatchewan Regions as set out in the Constitution.
- 2.14. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.15. "Speaker" shall mean the Speaker of the Métis Nation Legislative Assembly.

### **ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY**

#### **3. In this Act:**

##### **3.1. The Métis Nation Legislative Assembly shall be composed of:**

3.1.1. The Provincial Métis Council ;

3.1.2. The Presidents of duly registered Locals of the Métis Nation of Saskatchewan; and

3.1.3. Four Representatives of the Métis Women of Saskatchewan.

3.2. In the event, that a Local President is unable to attend the Métis Nation Legislative Assembly, and has taken a leave of absence from his/her office as President, the Vice President may attend as Acting President. In order to make amendment to the list of members of the Métis Nation Legislative Assembly, the Local President must submit a written appointment to the Clerk of the Legislative Assembly to have the Vice President listed as a legitimate member of the Legislative Assembly for Voting and Quorum purposes.

### **ARTICLE FOUR - VOTING AND QUORUM**

#### **4. In this Act:**

4.1. Seventy-five (75) members of the Métis Nation Legislative Assembly constitutes a quorum of the Métis Nation Legislative Assembly.

4.2. The members shall be identified through a Roll Call registry at the Opening of the Legislative Assembly. The Roll Call will be used to determine quorum and voting.

4.3. Resolutions, ratification and appointments shall be made by a simple majority of the Roll Call, quorum being the minimum.

- 4.4. Constitutional amendments shall require seventy-five percent (75%) of the members of the Roll Call, quorum being the minimum.
- 4.5. Any decision ratified by the Métis Nation Legislative Assembly shall be binding on all Métis Nation of Saskatchewan citizens, subsidiary bodies and Affiliates.

#### **ARTICLE FIVE - SPEAKER OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY**

**5. The Speaker and Deputy Speaker will:**

- 5.1. Be appointed by the Provincial Métis Council and ratified by the Métis Nation Legislative Assembly.
  - 5.1.1. The term of appointment for the Speaker or Deputy Speaker will be for two years subject to re-appointment.
  - 5.1.2. Appointments for Speaker and Deputy Speaker may be made from within or outside the Métis Nation Legislative Assembly.
- 5.2. Be responsible for the procedures, rules, debates and decorum of the Legislative Assembly.
- 5.3. Receive the list of members and seating arrangements of the Legislative Assembly from the Clerk as established by the Roll Call.
- 5.4. Approve all participation in debates and voting.
- 5.5. Secure a written record of the Legislative Assembly and certify the minutes.
- 5.6. Require Dumont's Scout to expel for the remainder of the day any member or observer from the Legislative Assembly for failing to follow the ruling of the Speaker.
- 5.7. Ensure that only Legislative Assembly members are seated in the Assembly with all other observers seated in designated areas.
- 5.8. Approve all documentation to be circulated to Legislative Assembly members.
- 5.9. Also hold the seats of Chairperson and Co-chairperson of the Annual General Assembly.

#### **ARTICLE SIX - CLERK**

**6. The Clerk of the Métis Nation Legislative Assembly will:**

- 6.1. Be the Chief Executive Officer of the Métis Nation of Saskatchewan.
- 6.2. Be responsible for compiling the necessary documentation for the Order of the Day.

- 6.3. Be responsible for the agenda of the Métis Nation Legislative Assembly as directed by the Provincial Métis Council.
- 6.4. Obtain and hold a certified copy of the minutes from the Speaker of the Métis Nation Legislative Assembly.
- 6.5. Provide the certified minutes of the Métis Nation Legislative Assembly to the members of the Métis Nation Legislative Assembly.
- 6.6. Secure, by contract, an independent person or agency to duly record the minutes and procedures of the Métis Nation Legislative Assembly.
- 6.7. In the case of Appeals to the Métis Nation Legislative Assembly, verify that the Appellant has met the legislative and regulatory requirements for Appeal, and if so, forward the Appeal to the Provincial Métis Council for their consideration as an addition to the Agenda.
- 6.8. Be responsible for notifying the Appellant and Respondent of the status and decision regarding the request for Appeal to the Métis Nation Legislative Assembly.
- 6.9. Ensure that the necessary staff are in place for the running of the Assembly and may appoint a Deputy Clerk to assist in carrying out these duties.
- 6.10. Also hold the seat as Clerk at the Annual General Assembly.

## **ARTICLE SEVEN - SENATE**

### **7. The Senate will:**

- 7.1. Have a Ceremonial Role in the Métis Nation Legislative Assembly by:
  - 7.1.1. Giving Opening and Closing Prayers
  - 7.1.2. Swearing-In any new members
- 7.2. Table a report to the Métis Nation Legislative Assembly, including recommendations on any Appeals or Disputes, by submitting a written report to the Clerk prior to the thirty day deadline of the Métis Nation Legislative Assembly to be compiled in the Order of the Day.
- 7.3. Be available to the Métis Nation Legislative Assembly for clarification on any recommendations.
- 7.4. Be available to the Métis Nation Legislative Assembly for advice and direction as required.

## **ARTICLE EIGHT- DUMONT'S SCOUT**

8. In this Act:

- 8.1. Dumont's Scout will be appointed by the Provincial Métis Council to maintain order and procedure during the Assembly.

## **ARTICLE NINE - REPORTING**

9. With the exception of sittings of the Metis Nation Legislative Assembly to conduct special business, the following written reports will be tabled at the Métis Nation Legislative Assembly and included in the Order of the Day:

- 9.1. Executive Reports;
- 9.2. Regional Representative Reports;
- 9.3. Métis Women of Saskatchewan Report;
- 9.4. Ministerial Reports, including, where applicable, Affiliate reports and audits;
- 9.5. Senate Report;
- 9.6. Provincial Métis Youth Council Report; and
- 9.7. Any other reports required by the Constitution or Legislation.

## **ARTICLE TEN- MINUTES**

10. In this Act:

10.1. The Minutes of the Métis Nation Legislative Assembly will be:

10.1.1. Contracted out to an independent person or agency.

10.1.2. Forwarded to the Clerk of the Legislative Assembly.

10.1.3. The Minutes of the last Métis Nation Legislative Assembly will be included in the Order of the Day.

## **ARTICLE ELEVEN - LEGISLATION**

11. In this Act:

11.1. New Legislation:

11.1.1. Will be tabled with the Clerk as per Constitutional and legislative requirements and included in the Order of the Day.

11.1.2. May be tabled only by the members of the Metis Nation Legislative Assembly.

11.1.3. Be ratified by the Métis Nation Legislative Assembly.

11.1.4. Be given a date upon which it will come into force.

11.2. Legislative Amendments will:

11.2.1. Be tabled by a member of the Métis Nation Legislative Assembly with the Clerk at least thirty (30) days in advance of the Assembly and included in the Order of the Day.

11.2.2. Be ratified by the Métis Nation Legislative Assembly.

11.2.3. Be given a date upon which it will come into force.

11.3. The President of the Métis Nation Legislative Assembly shall cause a certified copy of the Act and of any amendments made to it to be deposited in:

11.3.1. The legislative record of the Métis Nation Legislative Assembly held by the Secretary of the Métis Nation Legislative Assembly and situated in the Métis Nation of Saskatchewan's head office;

11.3.2. The regional offices of the Métis Nation of Saskatchewan; and

11.3.3. Such other places as the President considers necessary.

## **ARTICLE TWELVE - CONSTITUTION**

12. Constitutional Amendments will:

12.1. Be forwarded to the Clerk according to Constitutional requirements and be included in the Order of the Day, if one of the two following conditions are met:

12.1.1. Include approval by the Provincial Métis Council by virtue of signatures or resolution attached to the proposed constitutional amendment; or

12.1.2. Include approval by five (5) members of the Métis Nation Legislative Assembly by virtue of signatures attached to the proposed constitutional amendment.

## ARTICLE THIRTEEN - APPEALS

### 13. By this Act:

- 13.1. A person may Appeal to the Métis Nation Legislative Assembly on citizenship, provided they have fulfilled the legislative requirements of the citizenship appeal process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Citizenship Appeal Board.
- 13.2. A person may Appeal to the Métis Nation Legislative Assembly on an election, provided they have fulfilled the legislative requirements of the election appeals process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Métis Election Commission.
- 13.3. The Métis Nation Legislative Assembly shall have the right to determine how it will deal with such Appeals, by either:
  - 13.3.1. Adoption of the ruling of the Métis Election Commission or the Citizenship Appeal Board; or
  - 13.3.2. Hear arguments based on the findings of fact by the Métis Election Commission or the Citizenship Appeal Board.
- 13.4. Where the Assembly chooses to hear arguments, the following procedure will be followed:
  - 13.4.1. The Appellant and Respondent will be each given five (5) minutes to present their argument and two (2) minutes each to reply.
  - 13.4.2. The Métis Nation Legislative Assembly will then render a decision through resolution.
- 13.5. Where a member of the Métis Nation Legislative Assembly is in a situation of conflict of interest on the matter at hand, the member must remove him/herself from the appeal process at the Assembly by declaring the conflict and refraining from debating and voting while the conflict remains.

## ARTICLE FOURTEEN - PROCLAMATIONS

### 14. The Métis Nation Legislative Assembly is responsible to proclaim:

- 14.1. The date of the next Métis Nation of Saskatchewan election, as set out in the Election Act.
- 14.2. Holidays and days of commemoration, such as Louis Riel Day.

## **ARTICLE FIFTEEN - AFFILIATES**

### **15. In this Act:**

- 15.1. As per Article 14. 1. A of the Métis Nation of Saskatchewan Constitution, the Métis Nation Legislative Assembly, on behalf of the Métis Nation of Saskatchewan, shall exercise all voting rights, powers, and duties of ownership in relation to the affiliates, based upon the recommendation of the Provincial Métis Council.**
- 15.2. The Affiliates will be responsible to submit an annual report including the audit to the Métis Nation Legislative Assembly through their Minister.**

## **ARTICLE SIXTEEN - ENACTMENT**

### **16. This Act:**

- 16.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.**
- 16.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.**
- 16.3. Has received ratification by the Métis Nation Legislative Assembly this 6<sup>th</sup> day of November, 1999.**

AN ACT RESPECTING THE INHERENT RIGHT OF THE METIS WITHIN SASKATCHEWAN  
TO HUNT, FISH, TRAP, GATHER AND CONSERVE WILDLIFE.

SHORT TITLE

1. This Act may be cited as the Metis Wildlife And Conservation Act.

DEFINITIONS

2. In this Act:

- (a) "Metis" means an Aboriginal person as set out in section 35(2) of the *Constitution Act, 1982*, and as defined in the Constitution of the Metis Nation of Saskatchewan;
- (b) "person" means a Metis person;
- (c) "licence" means a licence issued under the authority of this Act or the regulations thereunder;
- (d) "Minister" means the member of the Provincial Metis Council to whom the administration of this Act is assigned;
- (e) "open season" means that period of time as set out in the regulations during which wildlife can be legally hunted;
- (f) "traffic" means to sell, buy or barter;
- (g) "wildlife" includes fish, an animal with a backbone which is wild by nature or a bird of any species, including its eggs;
- (h) "wildlife guardian" means any person appointed or authorized by the Minister to enforce this Act and the regulations thereunder;
- (i) "tribunal" means a tribunal composed of Elders and members of the Local where the person violating the Act or regulations is normally resident, and includes a sentencing circle where the practice is adopted;
- (j) "adult" means a person sixteen years of age and older;
- (k) "Elder" means a well respected person appointed by the Local;
- (l) "Local" has the same meaning as contained in the Constitution of the Metis Nation of Saskatchewan;
- (m) "firearm" includes a bow;

## PROPERTY IN WILDLIFE

The property in all wildlife within the province is vested in the Creator. Once lawfully hunted, fished, trapped, gathered or taken the property vests in the hunter, fisherperson, trapper, gatherer or taker. Any unlawfully hunted, fished, trapped, gathered or taken wildlife vests in the Minister who shall dispose of it as set out in the regulations.

## ADMINISTRATION

4. The Minister may appoint a director to administer the provisions of the Act and regulations.

## LICENCES

5. The Minister or those acting under the authority of the Minister may issue or revoke any licence provided for by this Act or the regulations.
6. The Minister may delegate the issuing of licences to each of the Locals of the Metis Nation of Saskatchewan.
7. The Locals which assume that administrative responsibility shall follow and adhere to the guidelines and standards set by the Minister.
8. Every person who has a licence shall, upon request by a wildlife guardian immediately produce it, along with their Metis membership card for examination.

## PROHIBITIONS, OFFENCES, PROSECUTIONS AND PENALTIES

9. No person shall hunt, fish, trap, or take wildlife in a closed season.
10. No person shall hunt, fish, trap, or take wildlife without a valid licence.
11. No person shall hunt, trap or take wildlife in a wildlife refuge or preserve, as established by the province of Saskatchewan or the government of Canada and in existence as of the date of the passage of this Act.
12. No person shall hunt within 500 yards of a building, or in any manner or vicinity that endangers the public.
13. No person shall hunt or fish with the aid of an artificial light.
14. No person shall traffic in wildlife.

- No person under the age of sixteen shall hunt without a parent, or under the supervision of an adult.
- No person shall hunt, fish, trap or take wildlife while intoxicated or under the influence of drugs or alcohol.
17. No person shall discharge of firearm across a highway or road.
  18. No person shall interfere with a wildlife guardian in the discharge of his/her duty.
  19. Any person who violates this Act or the regulations shall be brought before a tribunal, which may incorporate a sentencing circle in its determination of a penalty in the event of a conviction.
  20. Any person convicted by a tribunal shall have a right to appeal to the Metis Senate of the Metis Nation of Saskatchewan, whose decision shall be final and binding.
  21. Any person convicted of an offence under the Act or its regulations shall be required to do community service of a type and duration imposed by the tribunal.
  22. Upon a second or subsequent conviction, the tribunal may suspend the right of the person to secure a licence for a specified period of time, but for no more than one year, in addition to mandatory community service.
  23. Any person refusing to comply with the decision of the tribunal, or appeal decision shall not be eligible for a licence for a period of one year.

#### MINISTERIAL RESPONSIBILITIES

24. The Minister, subject to direction for the Legislative Assembly and the Provincial Metis Council, shall perform the following duties:
  - (a) Provide annual reports to the Legislative Assembly;
  - (b) Prepare draft legislation or amendments for presentation to the Legislative Assembly;
  - (c) Prepare regulations for adoption by the Provincial Metis Council;
  - (d) Prepare policy papers and guidelines for ratification by the Provincial Metis Council;
  - (e) Provide liaison with federal and provincial government departments dealing with wildlife matters;

- (f) Provide liaison with Metis governments or organizations dealing with wildlife matters;
- (g) Generally perform those duties required for carrying out the provisions of the Act and regulations.

#### POWER TO MAKE REGULATIONS

15. The Provincial Metis Council may make regulations:
- (a) respecting the protection, management, regulations and use of any wildlife or habitat;
  - (b) respecting the disposal of wildlife unlawfully hunted, fished, trapped, gathered or taken;
  - (c) prescribing species of wildlife to be protected;
  - (d) respecting the issuing of licences;
  - (e) respecting the hunting, fishing, trapping and taking of wildlife during open season;
  - (f) respecting the means of fishing;
  - (g) respecting the gathering of eggs;
  - (h) authorizing persons to act on behalf of the Minister in the issue of any licence subject to any terms and conditions that the Minister may prescribe;
  - (i) regulating hunters, the number of hunters, and the manner of hunting at any time and in any area;
  - (j) prescribing the wearing apparel to be worn by hunters;
  - (k) regulating the prohibiting the use of certain vehicles or aircraft in any area for any purpose related to the hunting of wildlife;
  - (l) setting the price for licences;
  - (m) respecting cooperation between the provincial government and the Metis Nation of Saskatchewan with respect to wildlife;
  - (n) setting seasons for hunting, taking or trapping wildlife;
  - (o) setting seasons for fishing;
  - (p) setting the number of big game animals which can be taken by a hunter within a season;
  - (q) setting the number of fish and migratory birds which can be taken on a daily basis;

(r) respecting any other matters relating to wildlife.

#### EXCEPTION

6. Wildlife not covered by this Act or regulations are not prohibited from being hunted, trapped or taken by Metis persons.
27. This Act, regulations, policies and guidelines thereunder shall not be interpreted as extinguishing, infringing or abrogating any Aboriginal right or title of Metis, and are purely of a regulatory nature.

#### AMENDMENTS

28. This Act may be amended, repealed or otherwise dealt with by the Legislative Assembly of the Metis Nation of Saskatchewan.

#### COMING INTO FORCE

29. The Act comes into force upon ratification by the Legislative Assembly of the Metis Nation of Saskatchewan.

**NORTHERN PROJECT: GOVERNANCE OPTIONS PAPER**

**“OTIPIMSUAK”**

**NORTHERN PROJECT COMMITTEE  
NORTH WEST SASKATCHEWAN  
METIS NATION OF SASKATCHEWAN - TRIPARTITE PROCESS  
MARCH 31, 1998**

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## **1. INTRODUCTION**

This paper will build upon the work and Options Paper developed last fiscal year and will only reflect changes required based on the consultations, and internal developments from this fiscal year.

The Northern Project began on April 1, 1996, and has continued into fiscal year 1997/98. During this fiscal year, the objective was to further develop the options paper dealing with potential models or structures of governance for the Metis people and communities of North West Saskatchewan. This paper explores the different potential options and models, ranging from Metis-specific government to public regional government, and accommodations between those two options which were used for the consultation process and then outline what the citizens of the communities of Northwest Saskatchewan have expressed to date.

## **2. OBJECTIVE OF THE NORTHERN PROJECT**

The objective of the Northern Project is to develop an options paper on models and structures of governance for the Metis communities of Northwest Saskatchewan. The intention is to then enter into negotiations for the implementation of the preferred model(s) and/or structures of Metis governance as expressed by the Metis during the consultation process (as well as views expressed by non-Metis residents). Before setting out the results of the community consultations, the following section will deal with what is currently in place with respect to the Metis of Northwest Saskatchewan and governance.

## **3. EXISTING INFRASTRUCTURE AND INSTITUTIONS**

### **A. Federal government**

Under s.91 of the *Constitution Act, 1867* the federal government's powers or areas of jurisdiction are set out. In most of our communities we have the RCMP and post-offices which are part of the federal government. Also, most of our communities interface in one way or another with other federal government services or programs such as Human Resources

Development Canada (Manpower, EI Benefits, Old Age Security/Pension, family allowance), GST, Community Futures and so forth.

However, due to the issue of jurisdiction under s.91(24), our Metis communities do not receive other services which go to the Treaty Indians within northwest Saskatchewan. Such services include: non-insured health care, education allowances, housing and so forth.

#### **B. Provincial government**

Provincial powers or areas of jurisdiction are found under s.92 of the *Constitution Act, 1867*. In the absence of a resolution on the issue of which level of government has the required constitutional authority to deal with the Metis, as citizens of the province, our communities are mostly affected by provincial areas of jurisdiction. This includes the legislation which sets up our municipal governments. Other areas of provincial jurisdiction include justice, corrections, social services, taxation, education, health, resource and environment management, fire suppression, land tenure and so forth.

It must be noted that these areas of provincial jurisdiction affect the Metis as regular citizens of the province, and not as Metis or Aboriginal peoples.

#### **C. Municipal government**

Under the authority of provincial legislation, the Metis communities of Northwest Saskatchewan, like other communities in northern Saskatchewan, and unlike other Saskatchewan communities, are governed through the *Northern Municipalities Act*. The north with its unique geography and diverse demography has always been treated different than its southern counterpart. While the northern municipal councils are elected through the same process as southern municipal councils, they have differing responsibilities.

Southern municipalities are governed by Urban and Rural Municipalities Acts which set out their respective jurisdictions and responsibilities. The scope and jurisdiction for southern municipalities are clearly set out, therefore they have no difficulty in dealing with their communities. As well, the southern rural area has a well established legislated infrastructure, both urban and rural, which is not in place in the north.

In the north we also have the Northern Lights School Division which has jurisdiction in terms of setting mill rates and taxation. They do not have a say with respect to development.

In terms of jurisdiction, northern municipalities are responsible for the collection of taxes on behalf of the municipality and school divisions, maintenance of infrastructure, creation of employment, economic development and passing bylaws which are of a provincial nature and do not fall under the criminal code or under federal responsibility.

As the municipal councils only have jurisdiction for their respective communities, there is no capacity, but for the Northern Lights School Division, to collect taxes, and other revenue from the rest of the northern land base. The closest thing to a rural municipalities boundary, is the Fur Conservation Blocks which were created for other purposes.

In terms of collective activity, the municipalities have organized themselves under the name, "North West Saskatchewan Municipalities Association". They have further organized themselves by forming the New North organization which includes municipalities from the rest of the north.

#### **D. Metis Nation of Saskatchewan**

The MNS has its own political structure based on its declaration of self-government and adoption of a Constitution in December 1993. However, the MNS as a political/governmental body has retained the incorporation of its administrative arm, the Metis Nation of Saskatchewan Inc. for the purposes of carrying on the administrative and legal affairs of the political/governmental body.

The MNS also has a number of institutions which are separately incorporated under the *Non-Profit Corporations Act*, which administer a wide range of programs and services for the Metis within Saskatchewan. These include the Gabriel Dumont Institute, Dumont Technical Institute, and Gabriel Dumont College which provide education and training, Metis Employment and Training Saskatchewan Incorporated (METSI) which provides training and employment, Saskatchewan Native Economic Development Corporation (Snedco) which provides economic development assistance, Metis Addictions Council of Saskatchewan Incorporated (Macsi) which deals with health issues, Metis Family and Community Justice (MFCJS) and so forth.

The MNS is also responsible for and does engage in political activism, including participation in constitutional negotiations, tripartite and bilateral processes and general advocacy. For example the MNS has signed a number of arrangements with the province, including a Partnership Agreement with Saskatchewan Environment and Resource

Management (SERM), and MOUs with the Departments of Intergovernmental and Aboriginal Affairs, Economic Development, Health and Social Services.

The Constitution of the MNS also provides for a Metis Nation Legislative Assembly made up of all the MNS Local Presidents, the Provincial Metis Council and four representatives of Metis Women of Saskatchewan. To date, the Metis Nation Legislative Assembly has passed the *Metis Wildlife and Conservation Act* which came into force in July 1994. Several other Acts have been introduced and are at various stages from debate to awaiting a date upon which to come into force.

#### **E. MNS Locals/Regions**

As the Local/Regional units of the MNS, the Locals and Regions are responsible for carrying out political activities at those two levels. Each Region generally has representation on the provincial Affiliates, so they are directly involved in the activities of those Affiliates. Also, at the Regional level, the Locals are currently involved in the delivery of training and employment through an infrastructure established during the 5 year Pathways to Success program. This program, based on a three year Regional Bilateral Agreement between HRDC and the MNS, has currently finished year 2 of an expanded 3 year initiative, and is the subject of devolution from the federal government to the Metis of Saskatchewan, through the MNS and METSI. Each of the 12 MNS Regions negotiated program and funding arrangements with METSI for the purpose of delivering the training and employment services at the Regional/Local level.

As well, through the joint efforts of the 2 Northern Regions, in the 1980s a Northwest Metis Development Corporation was established. Although it was struggling to survive, the Corporation now has a relatively stable existence and is involved in a number of initiatives, including a major joint-venture in catering at McClean Lake under a subsidiary, "Northern Metis Site Services Inc., and N.W.M. Wholesale Suppliers Incorporated. The Northwest Metis Development Corporation is actively seeking other business opportunities, and in the fall of 1997, for example, entered into a joint venture with Precision Steel of Prince Albert, with a view to getting contracts in northern mines.

Through the process of addressing Metis governance, these two Northern Regions have collectively established a regional organization, the "North West Saskatchewan Metis Council" under the Constitution of the MNS. The respective Regions will retain their roles, mandates and functions as previously, however, for certain purposes of collective action or projects,

such as the Northern Project, they have agreed to act jointly under the larger regional body. Further, this newly created body is the mirror image of the North West Saskatchewan Municipality Association, so that on-going dialogue and co-operative action will be made easier.

For the purposes of carrying out the administrative and legal affairs of the Council, the two Regions have incorporated the "North West Saskatchewan Metis Council Secretariat Inc." under Saskatchewan's *Non-Profit Corporations Act*.

#### **4. EXISTING MODELS OF ABORIGINAL GOVERNANCE WITHIN CANADA**

In order to better understand the potential for governance and Metis in Northwest Saskatchewan, models of existing Aboriginal initiatives were provided to the communities. These are:

##### **A. Metis Settlements in Alberta**

In northern Alberta there are eight Metis Settlements with a combined area of 1.25 million acres of land. This is the only collective Metis land base in Canada. The communities are: Buffalo Lake, East Prairie, Elizabeth, Fishing Lake, Gift Lake, Kikino, Paddle Prairie, and Peavine. Approximately one tenth of the Metis population of the province are involved with the Settlements.

The Settlement lands were originally set aside in 1939 by provincial legislation. In 1991, The Alberta Metis Settlements Accord was signed which provided the following:

- a) **Settlement Land** - Title of the Settlement land was transferred from the Province to the Metis and held collectively by the Metis Settlements General Council. The Settlements have basic ownership rights on their land which are protected by the Alberta Constitution.
- b) **Settlement Government** - A system of government was established where the people of each Settlement have a say over local affairs. Elected Settlement Councils are the governing authority for the community. Each Settlement has a five person elected council with the basic powers of a local government as well as jurisdiction over membership, land management, hunting, fishing, trapping and other areas of traditional pursuit.

- c) **Settlement Resources** - The Settlements and the province jointly manage oil and gas development in the Settlements. This also includes other subsurface resource development. The Settlements can ensure that oil and gas development are consistent with their goals. The basic idea is that the province does not provide a right to explore or extract petroleum or gas until the Settlement and the resource company have signed a "Resource Development Agreement". This Agreement sets out the terms and conditions and may include the establishment of a royalty on top of the province's base royalty.

Some feel that the Alberta legislation only changes the Metis Settlements into regular rural municipalities and therefore isn't a real self-government agreement. Another concern is that there is no plan for the creation of new Settlements which may give the Alberta government the false impression the issue of Metis land is closed.

However, from the foregoing, it is clear that The Alberta-Settlements Accord brings *local* self-government to the eight Settlements and provides the resources to improve the economic level of the communities. Through negotiations, the Alberta government and Alberta Federation of Metis Settlements agreed to a finance package covering a seventeen year period. The Settlements are now responsible for the coordination of programs and services for their members.

#### **B. Walpole Island Band**

Walpole Island is an example of self-government which is possible under existing legislation for Indian Bands and Reserves. In 1959 the Walpole Island Band began to administer its revenue funds. In 1961, the Band assumed responsibility for its own welfare programs and in 1964 requested the transfer of day-to-day administrative responsibilities to the Band. By 1987, the Band administered programs in public works, education, economic development, health, welfare, police and fire protection, recreation, tourism, housing and research.

#### **C. The Cree-Naskapi (of Quebec) Act, 1984**

The *Cree-Naskapi Act* was passed by Parliament in 1984 and is an example of community specific legislation based on a municipal model. The Act provides local government for eight Cree Bands and the one Naskapi Band covered by the 1975 and 1978 James Bay and Northern Quebec Agreements. In the *Cree-Naskapi Act* the federal and provincial

governments continue to have their usual jurisdiction and powers over resource development. The Act replaces the *Indian Act* for the purposes of "municipal" government and land management for the Indian Bands concerned, and allows a greater degree of self-management and control.

The *Cree-Naskapi Act* contains 218 provisions dealing with local government, band elections, meetings and referenda of bands, subsurface resource rights, disposition and registration of rights to certain lands, land cession by bands, wills and estates of Cree and Naskapi Indians, exemption from tax and seizure of property, policing and administration of justice.

#### **D. The *Sechelt Indian Band Self-Government Act*, 1986**

The Sechelt Band consists of 33 reserves on the Sechelt Peninsula in British Columbia. Enabling legislation which allowed the Band to move toward self-government was passed in May 1986.

Rather than wait for legislative or constitutional developments at the national level, the Sechelt Band took the initiative to negotiate legislation to replace the *Indian Act* for the Sechelt Band alone. The Act provides that a Sechelt Band Constitution approved in a Band referendum, and meeting certain legislative requirements, oversees the powers and structures of the local government.

There are several points which make the Sechelt case unique. For example, the Sechelt lands are located near the city of Vancouver which requires more land to deal with its rapidly growing population. As a result, large portions of Sechelt land have been developed and leased to approximately 500 non-Aboriginal residents. The income from the leases is substantial and provides a large portion of the Band's economic base (\$300,000 per year in 1986). This has made the community fairly stable and productive and experiencing less severe socio-economic problems.

But not everyone was happy with the Sechelt Act. The Sechelt Band was criticized by other Indian groups for negotiating on its own as it was felt such movement undermined the constitutional process. The opposition was so wide spread that the Band withdrew its membership from various provincial and national organizations. Finally, some believed the Sechelt Act was only a step above the *Indian Act* and could not be referred to as self-government.

## **5. PROPOSED GOVERNANCE OPTIONS DISCUSSED.**

The following options were discussed at community consultations which took place with the Metis Nation Locals, the Municipal Councils and with the general public.

### **A. Phases:**

#### **a) Long term**

While exploring ways and means to proceed on the implementation of Metis governance or governance involving Metis under the Northern Project, it is important to keep in sight the long term objectives and aspirations of the Metis.

This includes keeping open the option of pursuing Metis self-government or self-determination through the re-opening of the constitutional process within Canada, as well as the developments at the international level where the right of self-determination for Indigenous peoples is being addressed both by the United Nations globally and by the Organization of American States for the Americas specifically.

Almost weekly there is some reference about re-opening the constitutional dialogue, particularly with respect to Quebec and the ever present threat of separation. However, the vast majority of Premiers are opposed to engaging in such constitutional debates. Based on the current political climate, the chances of having constitutional negotiations, particularly at the level of the Charlottetown Round of 1992 are very remote. In fact, the federal government and provinces are concentrating their efforts at making arrangements between those levels of government based on non-constitutional initiatives. For example, the federal government is currently engaged in devolving areas such as social housing and training to the provinces. However, even such non-constitutional arrangements have been affecting Aboriginal peoples and organizations.

At the international level, Canada at the October 1996 Inter-Sessional Working Group of the Human Rights Commission of the United Nations in Geneva, Switzerland in addressing the Draft Declaration on the Rights of Indigenous Peoples made its position on the right of self-determination official. Canada's Deputy Ambassador stated:

**Mr. Chairman, I wish to state at this point that the Government of Canada accepts a right of self-determination for indigenous peoples which respects the political, constitutional and territorial integrity of**

democratic states. In that context, exercise of the right involves negotiations between states and the various indigenous peoples within those states to determine the political status of the indigenous peoples involved, and the means of pursuing their economic, social and cultural development. These negotiations must reflect the jurisdictions and competence of governments and must take account of the different needs, circumstances and aspirations of the indigenous peoples involved.

This right of self-determination is intended to promote harmonious arrangements for self-government within sovereign and independent states. Consistent with international law, the right shall not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states, possessed of a government representative of the whole people belonging to the territory, without distinction as to race, creed or colour. It will be important for the Declaration to reflect these principles clearly.

While this statement by Canada falls far short of the sovereignty position taken by a number of Aboriginal peoples, nations, or governments within Canada, it essentially accords with the position consistently stated by the representatives of the Metis Nation at various constitutional and non-constitutional forums, both nationally and internationally. Essentially, while the Metis people seek self-determination as a people, it is accepted that such expression must be within the constitutional framework of the state of Canada. However, that being said, it must also be understood, that such expression is based on the constitutional recognition of the right of the Metis people to a land and resource base, coupled with the inherent right of self-government as two of the major pillars for Metis existence within the Canadian state.

As can be seen from the section dealing with the federal government's inherent right of self-government policy, their international position is clearly based on that national policy. For the Metis, it certainly does not go far enough to meet the international right of self-determination, but is nevertheless a good start as an international commitment. While waiting for these political and constitutional developments to unfold, interim measures have to be undertaken, including initiatives such as the Northern Project.

As part of the long term process, the litigation launched by the filing of the Statement of Claim on March 1, 1994 is a key component. As seen above, the current position of the federal government is that Metis Aboriginal rights and title in northwest Saskatchewan have been extinguished. The

objective of the litigation is to get a judicial ruling that the Metis in law and fact continue to have existing Aboriginal title and rights in Northwest Saskatchewan. Certainly, the Turnor Lake fishing case (*R. v. Morin and Daigneault* [1998] 1 C.N.L.R. 182 – Sask Q.B.) is helpful to the land Aboriginal title litigation by finding that the Metis of northwest Saskatchewan continue to have an existing Aboriginal right to fish (which would also apply to hunting), and that the acceptance of land or money scrip did not extinguish that right.

In the event that the litigation is successful and the courts rule that Metis continue to have existing Aboriginal title and rights in Northwest Saskatchewan, the federal government will be approached to accept for negotiations under the Comprehensive Claims Process and Policy an Aboriginal title claim by the Metis of Northwest Saskatchewan. The result of this claim would then be a Treaty or a Modern Land Claim Agreement which would be deemed to be a Treaty for the purposes of s.35(1) of the *Constitution Act, 1982*.

As part of this litigation and long term initiative, the issue of s.91(24), federal jurisdiction and responsibility, must be resolved. This issue is being addressed in both the Statement of Claim filed on March 1, 1994, as well as the Maurice Statement of Claim filed May 1996 and the hunting cases currently being litigated.

#### **b) Short term**

While pursuing our long term goals, it is essential that the Metis of Northwest Saskatchewan deal with everyday problems and needs. The existing federal inherent right of self-government policy and the tripartite and bilateral processes, along with the current MOUs and Partnership Agreements with the province, provide the vehicles by which this can be done. In particular, the Northern Project provides a good opportunity to move ahead in areas which are “do-able”. The bilateral approach with the provincial Saskatchewan Environment Resource Management (SERM) department offers the potential to be involved in hunting, trapping, fishing, gathering and forestry activities, including enforcement.

Candidates for the short term, tripartite, bilateral and other processes include:

- Resource sector (forestry, mining, hunting, trapping, fishing, wildrice harvesting, etc.)
- Ownership in NorSask FMA (Forest Management Agreement) or stand alone FMA with the Metis and province

- Community based lands
- Northern Fur Conservation Areas (Fur Blocks)
- Economic development
- Housing
- Health
- Education
- Justice
- Training and employment
- Social services/family services
- Resource revenue sharing
- Etc.

While pursuing our land rights in the courts and in the constitutional process, an elected provincial government representative, the Honourable J. Crofford, publicly stated in 1995 at Palmbere and Regina that while they do not support our land claim court action, that they are prepared to look at community based lands. Basically, that the province is willing to respond to Metis land issues by expanding the existing community or Village/Town boundaries (municipal boundaries) as part of the process dealing with the implementation of Metis governance.

The above list also just addresses those sectors which appear to be "do-able" and does not exclude other sectors which could also be addressed in the tripartite process negotiations which are scheduled to begin in April 1998. That list of "do-ables" is only for example and subject matters can be added or deleted.

## **B. Sectors**

In pursuing the implementation of the inherent right of self-government in the tripartite process, a number of sectors can be addressed, although the federal government's inherent right policy will have to be taken into account, especially the matter of governance off and on a land base. The critical question in this process for Northwestern Saskatchewan is whether our Metis communities can be deemed "land bases" for the purpose of the inherent right of self-government policy's governmental framework and areas/subject matters of jurisdiction.

Again, for purposes of discussion, the following are sectors which are proposed for Metis governance. The list is subject to addition or deletion:

- Forestry
- Traditional resource use and harvesting activities
- Mining

- Education
- Health
- Housing
- Resource management
- Environment
- Economic Development
- Policing
- Justice
- Corrections
- Training and Employment
- Social Services
- Etc.

### C. Metis governance or Public governance

Over the years, especially during the constitutional talks during the 1980s and early 1990s, the Metis, as represented nationally by the Metis National Council (MNC), have been pursuing an explicit recognition of the inherent right of self-government, both on and off a land base. While an explicit amendment has not been achieved, both the federal government and the Saskatchewan government are on record as recognizing that the inherent right of the Aboriginal peoples of Canada is already contained in s.35(1) of the *Constitution Act, 1982*. That, as seen above, is the fundamental basis upon which the federal inherent right of self-government policy is grounded.

For the purposes of the implementation of the inherent right of self-government, the policy provides the option for pursuing Aboriginal specific governance, or public governance. Under Aboriginal specific governance, in our case, Metis governance, the governmental structures and jurisdiction would be based on Metis laws and institutions. Under public governance, all persons residing in Metis communities would have equal rights and participation based on laws which are not Metis-specific. Such is the current situation in northwest Saskatchewan, where the Metis are a majority population, governed by provincial legislation.

#### a) Metis governance

Under Metis governance, the laws and institutions would be Metis specific. The citizens of Metis governments however, do not have to necessarily be limited to Metis persons. All persons living within a Metis community and under Metis jurisdiction/government could be citizens, and benefit from all services provided by the Metis government. This is particularly true of

other Aboriginal peoples who live in Metis communities, as well as non-Aboriginal persons who have lived in Metis communities for a long period of time, some married into the Metis community, others not, but who are never-the-less viewed as being part of the community.

Based on Metis governance, and as seen above with respect to citizens, issues such as who can be a voter or candidate in Metis government elections will have to be addressed. Again, this can range from Metis only voters and candidates to including all citizens residing in Metis communities and governed by Metis laws. While they may not be Metis, they would only be able to govern according to Metis laws, under Metis self-government. In terms of voting and candidates, as is done with respect to the mining industry, voting and candidate eligibility could be subject to a residency clause so that non-community persons who are only in the community for a short period of time would not be eligible to vote or seek office. These and other options remain open for discussion and final determination.

The jurisdiction or powers of Metis government would have to be worked out. What areas of jurisdiction would people want under Metis government? As seen from the list under "sectors" above, there is a wide range of powers to select from, some of which are not listed. Suggestions or decisions will have to be made on this question as the consultations and negotiations move forward.

If Metis governance is the preferred option, serious dialogue will have to take place with respect to non-Metis residents. As seen above, there may be merit in addressing long-term residents, those married into the community and those who are only resident for a short period of time based on job transfers, and so forth. In any event, their rights and responsibilities will have to be clearly set out and guaranteed.

#### **b) Public governance**

This form of government is what we currently have in place in Northwestern Saskatchewan under the provincial government's municipalities legislation. Many Metis in other parts of this province, and in other provinces, do not have even this limited form of governance. The reason we have this in place now is because the Metis form the vast majority of the population in our communities in the Northwest.

An example of public government is the recent Nunavut Land Claim Settlement in the Eastern Arctic with the Inuit people. As part of the Agreement, the Inuit and federal government agreed that the Northwest Territories would be divided into two. Both halves would continue under

public government. However, under the Agreement the Inuit are guaranteed a number of seats so that if they ever become a minority they will still be represented in government. However, due to climatic and other conditions, it is not viewed that they will become a minority for a very long time, if ever.

Another example of public government, where the Aboriginal people were a majority, is the situation in what became known as the province of Manitoba in 1870. The Metis, under Louis Riel, negotiated the entry of Manitoba into Confederation as a province. At that time the Metis formed about 80 - 90 per cent of the population. However, within months, the Metis became a minority and subsequently lost control of the government. No guaranteed Metis representation in the provincial legislature had been provided. Based on past history and the current arrangement for the Inuit, does public government offer an alternative to the Metis of northwest Saskatchewan? This question will have to be answered in the continuing consultation and negotiations process.

Under public government, arrangements would essentially be put in place where Northwest Saskatchewan communities would gain the status of "municipal-plus" entities, likely under provincial legislation. The other major difference is that the geographic area or territory of jurisdiction (municipal boundaries) could be expanded under the concept of "community based lands" mentioned above, which could also be done under Metis governance. In this connection, many Metis respondents have stated that they would like to see their municipal powers extend to the entire Fur Blocks, so that they would have a larger tax base and influence over the developments taking place on those lands. This they see as being similar to rural municipalities in the south. The question that keeps being asked is "why do the people in the south have this opportunity, while we in the north only have influence in our communities?"

If the choice is to pursue public governance, rather than Metis governance, the major issue will be which sectors of government services would the communities want to have jurisdiction or co-jurisdiction over. It is likely that the sectors identified for Metis governance would also apply directly to public governance. Again, public government would essentially be an expansion in jurisdiction of what is already in place. However, there is no guarantee that the Metis will always be the majority population in the existing communities, and if the preferred option is public government, there may be a need to arrange for guaranteed Metis-specific seats when the Metis become a minority population.

### **c) Pursue both Metis and Public Governance**

Another option that people may want to consider is to pursue "community based land" upon which new Metis communities could be built, and subsequently be governed by Metis-specific governments. This of course would be more difficult, but could be possible once it is established that Metis have existing Aboriginal title to the lands in Northwest Saskatchewan. Under that situation, a modern land claim settlement or Treaty would have to be concluded, and new Metis communities could be established.

Another option is for Metis families and communities to return to their traditional homes, such as was done by the Metis of Sapwagamik. A further option, is to look at the potential of dividing existing Metis communities. There may be a part of the community that solely has a Metis population, and may want to have it turned into a Metis specific community with Metis-specific government.

Where the option is to pursue Metis specific governance under any of the above options, or other proposed options, the remaining population of the existing communities could then decide if they want to continue with the municipal government as currently in place, or seek enhanced powers as outlined under public governance above.

### **D. Regional and Local governance**

The Metis communities of Northwest Saskatchewan, from Green Lake north to La Loche and surrounding communities, as represented in the March 1, 1994 Statement of Claim on land rights, form an historic Metis community which has a history of interaction and cooperation. This is also evidenced by the current initiative under the Northern Project.

While we are addressing governance at the community level, we must also examine if there are areas of jurisdiction we would like to see carried out at the regional level for all of Northwest Saskatchewan. Do we want a regional government, as well as individual community-based Metis governments or public governments?

While our people always press for local decision-making and control, there has also been a history of working at the regional or area level in order to act together to accomplish our objectives as a group. This is evidenced by the MNS Regions (North West Saskatchewan Metis Council) and the Northwest Saskatchewan Municipalities Association (NWSMA) structures.

In setting up Metis governance in Northwest Saskatchewan, we may also want to entertain establishing a Regional Metis Government, which could be composed of the elected Leaders of each of our communities. The mandate of the Regional Government would have to come from the communities, and not the other way around.

This could involve shared jurisdiction on all matters, or could be limited to only certain matters. That is, some matters may be solely within local community jurisdiction. One example of shared jurisdiction could be hunting or harvesting rights (hunting, trapping, fishing, and gathering). Because our people have common understandings and concerns with respect to traditional resource use, it may be useful to have a law or laws, rules and regulations, and so forth developed at the Regional level, but enforced at the Local/community level.

If there is a desire to create a Regional Government, there will be a need to examine each subject matter of jurisdiction/sectors and determine what role if any the Regional Government would play.

#### **E. Provincial and National Governance**

As citizens of the Metis Nation, we must also take into account our participation and role in the larger affairs of our people throughout our Homeland. While our Nation is now divided by provincial/territorial boundaries and the United States/Canada border, there are common provincial, national and international interests which we must continue to be involved with.

Both the Metis Nation of Saskatchewan (MNS) and the Metis National Council (MNC) are also pursuing Metis self-government. As Metis communities in northwest Saskatchewan, we are directly involved in the MNS and its activities and governance. The MNS in December 1993 declared Metis self-government by adopting a new Constitution. The affairs of the MNS are now governed by a Metis Nation Legislative Assembly composed of all the Local Presidents, the Provincial Metis Council (4 Executive and 12 Area Directors) and 4 representatives of Metis Women of Saskatchewan. The Provincial Metis Council (PMC) acts as the Cabinet of the Metis Nation Legislative Assembly, with various PMC members being appointed to different ministries.

The Metis Nation Legislative Assembly has passed one piece of legislation to date, the *Metis Wildlife and Conservation Act* in July 1994 and the PMC, as Cabinet, passed the Regulations thereunder. Other pieces of legislation are at various stages in the Metis Nation Legislative Assembly.

The objective of the MNS is to someday be recognized as one of three orders of government in Canada's Constitution as the government of the Metis within Saskatchewan. As potential Regional Government and Community Governments, we have to work out our involvement in that overall Metis government within Saskatchewan.

The same holds true for our Nation as a whole. The MNC has also been exploring the creation of a Metis Parliament which will address the issues of the Metis Nation at the national level. At the present time, the Board of Governors of the MNC is composed of the Presidents of the provincial Affiliates (Metis Nation of Ontario, Manitoba Metis Federation, MNS, Metis Nation of Alberta and Metis Provincial Council of B.C.) and an MNC President elected by the MNC General Assembly. That Assembly is made up of elected representatives from the provincial Affiliates. In our case, the members of the PMC are the only eligible delegates to the MNC General Assembly. In this way, it is ensured that only community based representatives, based on the principle of one-person, one-vote, are speaking on Metis issues. All MNC Affiliate leaders are now elected on the basis of one-person, one-vote, so the entire Metis leadership is therefore one of the most democratically-grassroots based and representative leadership.

It is also important to note that the MNC is also engaged in international issues, and has received consultative status with the United Nations so that the Metis can address, not only issues confronting Indigenous peoples worldwide, but Metis-specific issues as well.

#### **F. Guaranteed representation in public governments**

With the recognition and entrenchment of the rights of Aboriginal peoples in Canada's Constitution, it can now truly be said that we are part of Canada. While we are still engaged in working out the details of how we will fit in the overall governing of Canada, as one of three orders of government, the other two being the federal and provincial governments, we at least know we are an integral part of overall governance in Canada.

However, while we are one of three orders of government, our jurisdiction and mandate are generally limited to our respective Aboriginal peoples, in our case, Metis. That being so, we still have the right to participate in the other two orders of government. We can vote in both federal and provincial elections. We can also seek office as candidates. However, because we are a numerical minority within Canada, and with very few exceptions, do not control the outcome of the votes as Aboriginal peoples, we are generally not adequately represented in Parliament or the

Legislatures. In cases where we are elected, it is generally as a member of a Party, and not as a representative of an Aboriginal people.

Because of our unique constitutional and historic relationship with the rest of Canada, it is imperative that our interests, as Aboriginal peoples, be adequately represented. In this sense, the Aboriginal peoples who desire it should be accommodated on the basis of guaranteed representation in the public institutions of the federal and provincial governments. One of the major reasons being to ensure that the actions of the other two levels of government do not adversely, by intention or otherwise, affect the Aboriginal order of governance. Another major reason is that there needs to be a medium whereby the Aboriginal order of government is kept fully informed of developments taking place with the other two orders of government, and vice-versa.

The only way to achieve this, is by guaranteed representation. The Metis at various times in the past have made this known to different Parliamentary Hearings and to the Royal Commission on Aboriginal Peoples (RCAP). Essentially, the Metis, through their representative institutions, would make direct appointments to fill the designated seat or seats in Parliament (House of Commons and Senate) and the Legislature. As such, the Metis representative would be accountable and responsible to the Metis, not to a Party. It would also be imperative that the persons sitting in such guaranteed seat(s) must have a right to vote.

The same would hold true for guaranteed seats in various federal and provincial boards, commissions, crown corporations and other governmental institutions.

#### **G. Financing of Metis or public governance**

Once it is determined which option or options the Metis of Northwest Saskatchewan wish to pursue, the issue of financing that government will have to take place.

At the current time, the provincial government is primarily responsible for financing the activities being undertaken by the municipal governments, and the provision of services such as health care, social services, justice, education, highways, and so forth. The federal government provides certain services as well, such as the post-office, old age security, and employment insurance (EI) benefits.

These services are provided by governments, which in turn collect revenues by taxation (income tax, goods and services tax (gst), etc). Some of these taxes are collected by municipal governments, such as

involved in the enumeration of Metis dialogue believe and insist that it is the responsibility of the federal government to provide for such an enumeration, with the provinces of Manitoba and Alberta in 1994 stating that the federal government must pay 100% of the costs. The province of Saskatchewan at that time said they were prepared to pay part of the cost, but not 50%, which position was changed in the summer of 1997.

As a consequence, an enumeration project is underway in Saskatchewan, with some final details yet to be arranged. A contract has been awarded by the MNS to a third party to carry out the enumeration. It is important to also note that the pilot does not include a registry. It is anticipated that the enumeration will be completed on March 31, 1999.

However, for our purposes, the enumeration required in Northwest Saskatchewan goes beyond that which is required for the rest of the province. For northwest Saskatchewan, it would have been good if such an enumeration could proceed in one of two ways: a Metis specific enumeration or an enumeration of all citizens in Northwest Saskatchewan, with a sub-registry for Metis.

**a) Enumeration and registry for Metis citizens only**

There is a need to determine how many Metis there are in Northwest Saskatchewan in order to determine the costs of Metis governance, and to determine who the beneficiaries of such government programs and services will be, along with who the voters are.

In this connection, while the enumeration could be conducted outside the province-wide or nation-wide Metis enumeration, it would be desirable to have a consistent criteria for Metis eligibility, as well as a standard form so that the Northwest Saskatchewan enumeration would be an integral part of a larger enumeration which would take place at a later date. As well, the criteria for Metis must be consistent throughout the Metis Nation/Homeland.

With the enumeration now about to take place throughout Saskatchewan, it may be feasible to accommodate some flexibility so that the needs of the northwest Saskatchewan Metis are accommodated.

**b) Enumerate all citizens in Northwest Saskatchewan**

As the options of governance we are exploring will in one way or another, because of current circumstances, involve non-Metis, it may be desirable

to do an enumeration of all the residents of Northwest Saskatchewan. The enumeration form can be developed in such a way that the Metis citizens could be identified, and a companion Metis specific registry developed and maintained.

The Metis specific registry would then be used for Metis specific purposes, such as MNS and MNC elections, Metis specific programs, exercise of Metis Aboriginal rights to hunt, trap and fish, and referendums on Metis specific questions/issues.

## **6. RESULTS OF THE COMMUNITY CONSULTATIONS.**

As the work of the Northern Project unfolded, it became very clear that the issue of Metis governance, while enjoying broad support as a principle, right or assertion, required substantive and extended discussion with respect to specifics. Nevertheless, there is still a significant number of community residents who do not fully understand Metis governance, and are suspicious of the movement towards Metis governance. Many of those people view this as a unilateral move without government consent or involvement, as do not want to jeopardize the services they receive from the federal and provincial governments.

To date, there has not been sufficient time to allay these fears, nor to fully explore the options or models of what may eventually emerge in terms of the Metis of North West Saskatchewan and governance.

At all of the consultation forums, which included meetings with municipal governments and the public (which were open to all citizens of the community), along with Metis Locals, there was a general consensus for pursuing Metis governance. However, it was also clear that further dialogue and consultations were required as to how this eventual Metis governance would emerge and what it would look like. Hence, most participants wanted further and on-going discussions. Furthermore, while the turnout for the consultations were relatively good, as compared to other meetings, there is still a need to reach those citizens who do not traditionally or generally attend such meetings. In this connection, it was agreed that future consultations and descriptions of Metis governance should be conducted by use of local radio and T.V., where those services exist.

It is also important to note that many community residents have not attended the consultations. It is also important to note that most of the negative reaction, as stated above has come from persons who have not taken the time or opportunity to attend the consultations. Nevertheless,

their concerns have been relayed by various mediums to the project participants.

While the consultations focused on governance and the Metis, at many of the consultations, the forums were also taken advantage of by citizens to lodge complaints about how existing governments are not working, and outlining problems facing individuals and communities. Some of this criticism was also aimed at Metis institutions and municipal governments.

There was also some difficulty analyzing the potential for Metis governance as the only official policy addressing the matter is the 1995 federal policy on the implementation of the inherent right of self-government. The absence of a similar provincial policy, although we are told one is currently being worked on, hindered the dialogue with respect to potential arrangements based on existing policies which would enable meaningful options and models. A further obstacle was the lack of direct dialogue with federal and provincial officials during, and as part of, the consultation process, thereby precluding discussions about what the real potential for devolution of programs and services actually may exist.

In this connection, there was a small step in that direction, when the TMC met with the Northern Project Committee in January 1998 at La Loche. Besides having a need for direct dialogue as stated above, there is a need to have government involvement in the process more visible so that there is a comfort level for those individuals who fear that their services will be affected if they participate in this process.

In any event, the consultations did produce some concrete results which can be built upon over the next several years as the Northern Project, or a new initiative on Metis governance and the people and communities of North West Saskatchewan, moves forward.

#### **A. General consensus.**

There was a general consensus by the communities (municipal governments and MNS Locals) and community citizens (Metis and non-Metis) of North West Saskatchewan in support of continuing the dialogue and negotiations in the direction of developing and implementing Metis governance, as opposed to public government. However, there was also a general consensus that more information, dialogue and meetings must take place in order to work out the structures, arrangements and scope of Metis governance, especially the issues of devolution, land rights, hunting, trapping and fishing, employment, financing and citizenship rights.

## **B. Incremental Approach Supported**

Because of the need to further define Metis governance, to agree on what services should be devolved, to address land and harvesting practices/rights, citizenship rights, employment and financing, there was general support for approaching Metis governance on an incremental basis, which would see existing local municipal governments, in partnership with Metis Locals, evolve into Local Metis Community Governments.

It was further agreed that these Local Metis Community Governments would form a Metis Regional Government for North West Saskatchewan. This incremental approach, which includes the following sections, is accepted as an "interim" option, while moving to the full achievement of Metis self-government.

## **C. Citizenship Rights**

There was also substantial support for the proposition that non-Metis citizens of the North West Saskatchewan Metis communities, both Aboriginal and non-Aboriginal, must enjoy equal rights and benefits under Metis governance. This was felt strongly, especially for those who have been long time residents, and/or married into or by other means integrated into the Metis community. With respect to non-Metis residents who are short-term or transient, it was felt that they may not be accorded the same citizenship rights as permanent or long-term non-Metis residents, such as the right to hold public office. This issue must still be addressed in the on-going process.

## **D. Land and Resource Base**

A continuing strong sentiment was expressed for the need for an adequate land and resource base, along with the right to exercise traditional resource use activities, such as hunting, trapping, fishing and gathering. There was an equally strong sentiment that the communities of northwest Saskatchewan must become involved quickly with resource management, especially with respect to the hunting and fishing rights of the Metis confirmed by the courts in 1996 and 1997. Initial meetings in this connection have taken place with SERM on a bilateral basis, with the expected outcome being a Partnership Agreement which will address Metis involvement in resource management and conservation.

There was also a continued expression of real concern with respect to the exploitation of resources, such as mining, forestry and oil and gas

exploration without any meaningful involvement by the Metis and Metis communities. It was hoped that the recent dialogue with SERM on the Partnership Agreement and the dialogue on revenue sharing with the province might go some ways to addressing these concerns.

Through the joint efforts of the North West Saskatchewan Metis Council and the North West Saskatchewan Municipalities Association a Land and Resources Committee was set up, and beginning to address some of these issues, particularly with respect to forestry and a proposed Forest Management Agreement (FMA). It is expected that these initiatives will continue, some of which dovetail with the Northern Project.

a) In this connection, there was a general consensus that while awaiting the outcome of the land claims litigation that the communities follow-up and engage in the "community based lands" concept offered by the province of Saskatchewan, by exploring that option as a potential or feasible approach to acquiring an expanded community land base. This was generally acceptable for all communities, except for Green Lake which will continue pursuing the return of the 12 townships, as their land and resource base.

b) In terms of hunting, trapping, fishing and gathering, along with other uses of natural resources, there was general agreement that the communities of North West Saskatchewan pursue a Partnership Agreement with SERM which will enable the Metis of North West Saskatchewan to become a partner in areas of mutual concern and agreement including policy and regulation making, management and enforcement. To date three meetings have taken place. They will resume again shortly. Those discussions were temporarily suspended while the province was consulting with Aboriginal peoples in January and February 1998 with respect to the issue of night-hunting. It is anticipated that a Partnership Agreement will be concluded later this year.

This Agreement could include (combined with the above described community land base), the exercise of "co-jurisdiction" with the province of those lands and resources which fall outside community based lands, but which fall within the community's or group of communities' fur block. It could be stated that the boundaries provided by the fur blocks are similar to the boundaries of the rural municipalities in southern Saskatchewan.

It is anticipated that the Agreement could incorporate certain aspects of the *Metis Wildlife and Conservation Act* adopted by the Metis Nation Legislative Assembly. More particularly, it could include a licensing

scheme, seasons, bag limits, and management, conservation and enforcement generally.

c) With respect to forestry, there was also a continued expressed concern with respect to Metis exclusion from the current forest management agreement (FMA) covering the forests of northwest Saskatchewan, and the desire to have a Metis community specific FMA. In this connection, negotiations for such an FMA have been pursued by a Committee established by the NWSMC/MNSMA as set out above. While this initiative could take place solely with the province, the federal government could nevertheless be involved by assisting the Metis to purchase their fair share of the existing FMA.

d) There was also a recognition to take into account the Indian Reserves in North West Saskatchewan which also fall within the respective Fur Blocks, and some of whose citizens live in Metis communities. Several Indian people have participated in the consultations, especially where the Metis community and Indian Reserve are side by side, like at Turnor Lake. It was felt that it would probably make sense to involve the Indian Reserve Community in any co-jurisdiction in the Fur Block outside the Reserve and Metis communities. There was also some suggestion that the Indian Reserve communities should be approached to explore regional Aboriginal governance for North West Saskatchewan, as the Metis and Indian communities (Aboriginal community) form about 85-90% of the population. Initial dialogue has taken place, but nothing formal has yet developed. This is an area which should be given higher priority in the coming year.

#### **E. Devolution**

There was also continued agreement that the Metis communities engage in negotiations with respect to devolution of programs and services from both the federal and provincial governments. In this connection, while it was felt that some initiatives were Metis specific, using the current devolution of training and employment from the federal government to the Metis Nation of Saskatchewan as an example, there was agreement that, again, as an interim measure, the potential for enhanced jurisdiction at the local government level be pursued. It should be noted that it was also identified that devolution must also take place with respect to programs and services provided by the MNS (Metis government).

While supporting devolution, it was also recognized that governance structures must be addressed. In this connection, there was a general

sentiment, expressed by the leadership of the municipal governments and the MNS Locals, that a move towards combining the two authorities be pursued immediately. In this way, the devolution of programs and services would be to a single community and/or regional authority, not to any one of them specifically.

#### **F. Metis Governance**

There was substantial discussion about what happens to the current relationship with the MNS as currently constituted. As seen above, as part of the move towards Metis governance in North West Saskatchewan, a new regional body was established. This in no way alters the current framework of the MNS as constituted under its Constitution, it is complimentary. However, it may be a significant step on the road to Metis regional government, and to potential reform within the MNS structure itself.

As also seen earlier, the municipalities and locals of North West Saskatchewan now have complimentary regional bodies which have the organizational capacity and structure to interface more easily. Both have an Executive which will enable them to dialogue on a more consistent and formal basis, especially on the Northern Project and their Partnership Agreement. In this connection, they also have a Land and Resources Committee, and are in the process of setting up other committees. They are also jointly pursuing a Partnership Agreement with SERM and an MOU with Social Services. It is likely that MOUs will be pursued with other provincial government departments.

Further, as there is a general consensus that the two authorities at the local community level will begin to form a merger into one single unit of community government authority, the MNS will have to be closely consulted as to the particular form which that single governmental authority will take. This is especially so as non-Metis residents will be involved in the new single authority. As the Metis of North West Saskatchewan are also part of the larger Metis Nation in Western Canada the Metis National Council will also be impacted, and must therefore be consulted and/or involved.

#### **G. Legislative Provisions**

a) As the Metis locals and municipalities move towards a merger, there will be a requirement for provincial legislative change to reflect those developments. As a minimum, the provincial government will have to

amend its Northern Municipalities Act to take these potential new developments into account. At the very least, the Northern Municipalities Act would still be required to deal with northern communities not subject to the Northern Project arrangements.

With respect to northwest Saskatchewan, the province could pass a special or specific act dealing with local and regional governance in Northwest Saskatchewan: a Northwest Saskatchewan Regional Government Act (which may or may not include the term "Metis" before "Government"). The Regional government would solely be able to exercise jurisdiction assigned to it by consent of the local governments, along with jurisdiction outside the local government boundaries in order to exercise sole and/or co-jurisdiction with the province over all matters, including forestry, mining, resource exploration, tourism, traditional resource use, and so forth. Once we get closer to this stage, the required legislative mechanisms will have to be explored.

b) The MNS would also have to amend its Constitution to provide for the developments in Northwest Saskatchewan, as is likely the case for self-government developments in other regions or in the urban settings. It should be noted that the Metis Nation Legislative Assembly at its November 1997 sitting amended the Constitution to provide for creation of the North West Saskatchewan Metis Council and Metis governance. Alternatively, the Metis Nation Legislative Assembly (MNLA) could pass the required legislation. This will have to be examined, especially where non-Metis citizens are involved under Metis governance in the Metis communities. This becomes even more pronounced in a situation where a non-Metis is elected as Head (Mayor, President, etc) of the local community government. Such elected person may not be eligible to sit in the Metis Nation Legislative Assembly, so provision would have to be made for an alternate Metis member of the local community government to serve as that community government's representative in the MNLA.

c) As the Metis National Council (MNC), the national body for the Metis Nation/Homeland, is also working on a Constitution for the government of the people of the Metis Nation, it is important that such Constitution take into account the potential developments in North Western Saskatchewan which may also take place in other parts of the Metis Homeland.

#### **H. Enumeration**

In order to know how many persons are going to be affected by these developments, and for other administrative and program purposes, it is necessary to undertake an enumeration of all residents of the Metis communities of North West Saskatchewan. This enumeration will

determine who are Metis, who are non-Metis, and of the non-Metis, who are Indian persons (Status and Non-Status) and who are non-Aboriginal. Of those who are non-Metis, the enumeration will also indicate those who are long term or permanent community members, those married into the community and those who are part of the transient workforce. There are other potential uses for the enumeration, including the identification of those who are Metis for the purposes of Metis specific programs and services, voting rights in the MNS elections, and for the exercise of Metis hunting, fishing, trapping and gathering rights.

As the MNS, through the tripartite process already has a province-wide enumeration in place, an enumeration as suggested here may not be possible. Alternatively, that part of the enumeration targeted for northwest Saskatchewan could be tailored to meet the above identified scenario through a collaborative approach between the Contractor hired by the MNS and the Northern Project. It would of course only be possible if the Northern Project provided the necessary fiscal or human resources so as not to alter the current contract and methodology.

#### **I. Financing**

In order to have meaningful self-government, the fiscal resources necessary to fulfill governmental functions is a prerequisite. In this connection, the devolution of programs and services from the federal and provincial governments must have the necessary fiscal budgets attached and guaranteed for the long term. This would also apply to devolution from the MNS, which ultimately means secure financing from the federal and/or provincial governments.

The ability for local governments and the regional government to raise revenue by taxation and other accepted governmental means must also be addressed and provided for, along with an extended tax base.

This must be coupled with negotiated transfer payments and arrangements for resource revenue sharing, sharing of royalty payments, and transfer of shares in crown corporations which have a revenue generating capacity. As noted above, the Metis of northwest Saskatchewan are involved in the Northern Dialogue which while not addressing resource revenue sharing per se, was nevertheless an outcome of a push to deal with revenue sharing. The outcome of this dialogue, ie., whether it will take the form of revenue sharing yet remains to be determined.

As progress takes place on devolution and governance agreements/arrangements, there will be a need to develop a paper dealing with financing.

## **7. CONCLUSION**

While we have now completed a second year of consultations within the Northern Project, there is still a great distance to travel in coming to grips with the breath and scope of what the potential for Metis governance is. To date the consultations have been primarily between the MNS Local Leaders and the Municipal Government Leaders, coupled with consultations in the communities. While not expanding its scope and influence as quickly as would be desirable, the consultations to date have proven to be a most helpful step in dealing with governance and the Metis communities of North West Saskatchewan.

Given the complexities of the topic involved and the diverse communities of interest, the consultations in the eyes of the Committee have been successful to date, although the process is not yet complete.

However, while engaging in further consultation, there is a need to undertake concrete and practical measures and set in place visible arrangements so that the citizens of the Metis communities of the Northwest Saskatchewan can see that governments and Metis leaders are moving beyond rhetoric. In this connection, the work of the Land and Resources Committee on the issue of forestry and the proposed FMA have been helpful. As well, the meetings with SERM on the proposed Partnership Agreement and with the Department of Social Services on the MOU on Social Development have been helpful. However, we need more visibility of federal and provincial government officials in our consultations, and visible meetings of the TMC in our communities. Alternatively, visible meetings of our Northern Project Committee, with government officials would be most helpful.

The Northern Project under the Tripartite Process is seen as offering an opportunity to achieve practical results, while fulfilling the Metis people's aspirations for the recognition and enjoyment of Metis rights, including self-government and a voice, influence and control over what is happening in and around their communities.

On the whole, the Northern Project has been accepted as a positive step.

Northern Project - Blueprint for Devolution

May 10, 1999

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# 1. Executive Summary

## Northern Project Mission Statement

*The Métis Nation of Saskatchewan, working through the MNS Locals of North West Saskatchewan will work together in partnership with the North West Saskatchewan Municipalities for the purposes of implementing the inherent right of self-government, securing a land and resource base, along with harvesting rights (hunting, trapping, fishing and gathering), and the devolution of programs and services to our communities. The above objectives will be pursued on the basis of unity, equality, and dedication.*

*Protocol Agreement, February 23, 1996*

The Northern Project was created in 1996 as the result of a historic decision by municipal and Métis leaders in northwestern Saskatchewan (North West) to embark on a process seeking Métis governance in North West Saskatchewan. Since its inception in 1996, the Northern Project has undertaken a number of strategies and initiatives designed to educate the residents of the North West communities about the mission and goals of the Northern Project. As well, the Northern Project articulated and implemented strategies to forge collaborations with the business community and all relevant provincial and federal government departments.

The main purpose of the *Blueprint* is to provide a direction and a focus to the development of the Northern Project. The *Blueprint* articulates a cohesive development strategy to the communities in North West Saskatchewan, and to the people of Saskatchewan in general.

The following pages provide an overview of the seven goals, and their objectives, that will guide the Northern Project through the process of devolution.

### Goal 1 Northern Project Self-Governance

#### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Identify a Working Model for Métis Self Governance.
- Objective 2: Consult with Communities on the Desirable Features of Métis Self Governance
- Objective 3: Design a Working Model of North West Métis Self-Governance.
- Objective 4: Achieve North West Métis Participation in Provincial Legislative Task Forces.

#### Long Term Objectives Beyond March 31/2001

- Objective 5: Obtain Political Acceptance of the North West Métis Self-Governance Model.
- Objective 6: Identify the Range of Federal, Provincial and MNS Government Programs and Services Available for Devolution to Northern Métis Community Residents.
- Objective 7: Implement the NW Métis Self-Governance Model on a Regional Basis.

## **Goal 2 Removal of Barriers to Land Transfer to NorthWest Métis Control and Ownership**

### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Identify a Process to Achieve Consideration of the Needs of Aboriginal, Specifically Métis, Communities That Are Impacted by Existing Federal/ Provincial Acts and Legislation and Accords.
- Objective 2: Educate North West Community Residents on Issues of Traditional Land Use, Land Ownership and Empowerment.
- Objective 3: Create Partnerships with SERM.
- Objective 4: Achieve an Integrated Land Management System.

### Long Term Objectives Beyond March 31/2001

- Objective 5: Achieve Significant Changes to the Provincial and Federal Acts and Accords For The Purpose of Meeting North West Métis Economic Development Objectives.
- Objective 6: Increase Métis Community Land Bases Through Provincial Legislation Similar to the Alberta Métis Settlement Act.

## **Goal 3 Northern Project Committee Organizational Development**

### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Implement a Northern Project Committee (NPC) Organizational Development and Education.
- Objective 2: Strengthen the Partnerships Between the North West Saskatchewan Municipalities Association and the North West Saskatchewan Métis Councils.
- Objective 3: Increase the Visibility of the Northern Project Partnership.
- Objective 4: Lobby for the Creation of a Political Leaders Forum as a Method of Discussing Critical Political Issues Concerning the Northern Project.
- Objective 5: Ongoing Liaison with Métis, Provincial and Federal Government Departments.
- Objective 6: Develop the Capacity of the Northern Project Committee for the Implementation of the Blueprint for Devolution.

## **Goal 4 Devolution of Economic Development Programs and Services**

### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Achieve Full Participation in the Tripartite Economic Development Subcommittee.
- Objective 2: Establish a Northern Project Working Committee for Economic Development in North West Saskatchewan.
- Objective 3: Achieve Control over a Portion of the Province's Northern Development Fund.
- Objective 4: Achieve Maximum Benefit from the Northern Strategy on Economic Development.
- Objective 5: Obtain Agreement in Principle to Devolve Government Programs and Services to a Future North West Métis Regional Government.

## **Goal 5 Devolution of Education, Training and Employment**

### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Create an Education, Training and Employment Devolution Model Based on the Process Used by METSI to Become an Agency for Education, Training and Employment.
- Objective 2: Establish an Education, Training and Employment Partnership with MNS Affiliates.
- Objective 3: Develop the Northern Project Working Committee for Education, Training and Employment That is Specific to North West Saskatchewan.
- Objective 4: Prepare ETE Strategies That Will Enable North West Residents to Become Economically Independent by Utilizing Regional Resources in a Sustainable Fashion.

### Long Term Objectives Beyond March 31/2001

- Objective 5: Obtain Agreement in Principle to Devolve Government Programs and Services to a Future North West Métis Regional Government.
- Objective 6: Determine the Personnel Requirements for the Devolution of Provincial and Federal Programs and Services to Métis-based Delivery.
- Objective 7: Analyze the Current Availability and the Future Training Needs of a Métis Work Force That Could Take Over the Government's Program and Service Delivery.
- Objective 8: Develop a Devolution Training Plan for a Métis Work Force That Will Take Over the Program Delivery.
- Objective 9: Implement the Devolution Training Plan.

## **Goal 6 Public Education, Consultation and Communication**

### Short Term Objectives April 1/1999 - March 31/2001

- Objective 1: Develop and Distribute Comprehensive Educational Materials Regarding the Vision and Development Process of the Northern Project.
- Objective 2: Co-ordinate Northern Project Public Education Initiatives with Consultations Regarding the Models for Métis Self-governance.
- Objective 3: Provide Opportunities for All Levels of Government, and the Northern Project, to Jointly Communicate with the Public in North West Saskatchewan about the Northern Project Vision and Processes.
- Objective 4: Provide a Mechanism for Continuous Receiving, Reviewing and Implementation of the Input Received from the Public.

## **Goal 7 Restoring Community and Social Cohesion**

### Short Term Objectives April 1/1999 - March 31/2001

#### HOUSING

- Objective 1: Increase North West Communities' Input into the Decision Making Process for Subsidized Rental Housing Units.

## Northern Project Blueprint for Devolution

- Objective 2: Initiate Negotiations to Provide Occupants of Rental Houses with Ownership of Their Homes.
- Objective 3: Negotiate a Transfer of Resources Needed to Obtain Jurisdiction Over Subsidized Housing Programs.

### HEALTH

- Objective 1: Build Towards Establishing Full Partnerships with Existing Public Health Organizations.
- Objective 2: Take on an Increased Role In, and Responsibility For, Health Issues That Directly Affect Métis in North West Saskatchewan, Especially Elder Care.
- Objective 3: Gather and Record Traditional Health Care Knowledge among North West Métis Elders.

### JUSTICE

- Objective 1: Achieve a Representation by Northern Project Leaders on the Métis Tripartite Justice Subcommittee.
- Objective 2: Negotiate the Decentralization of the Métis Family Services to Facilitate Northern Project Authority over Justice Administration.

### SOCIAL SERVICES

- Objective 1: Establish a Working Relationship between North West Métis and Saskatchewan Social Services Through a Memorandum of Understanding (MOU).
- Objective 2: Create and Implement a Workplan Under the MOU.

### Long Term Objectives Beyond March 31/2001

### JUSTICE

- Objective 3: Design a Métis Community Justice System That Can Administer Justice Without Tearing Communities Apart.
- Objective 4: Negotiate a Devolution Process for Justice and Correctional Services.

## 2. An Overview of the Northern Project

The Northern Project was created in 1996 as the result of a historic decision by municipal and Métis leaders in northwestern Saskatchewan (North West) to embark on a process seeking Métis governance in North West Saskatchewan. A Protocol Agreement signed February 23, 1996 between The North West Saskatchewan Municipalities and The Métis Nation of Saskatchewan identified in its Mission Statement the following:

*The Métis Nation of Saskatchewan, working through the MNS Locals of North West Saskatchewan will work together in partnership with the North West Saskatchewan Municipalities for the purposes of implementing the inherent right of self-government, securing a land and resource base, along with harvesting rights (hunting, trapping, fishing and gathering), and the devolution of programs and services to our communities. The above objectives will be pursued on the basis of unity, equality, and dedication.*

*Protocol Agreement, February 23, 1996*

This Protocol Agreement speaks directly to the Mission of the Northern Project, and provides a base understanding between the two parties on critical Partnership Agreement issues such as a willingness to cooperate; the intent of Métis people to obtain a land base and self-government; the municipal interests of Métis people; the Métis land claim filed March 1, 1994; the participation of the Government of Canada to assist in the implementation of Métis self-government; the willingness of entering into discussions regarding land and resources; the implementation of a Métis Act; the legitimate role of each party; and the common objectives of each party.

Since its inception in 1996, the Northern Project has undertaken a number of strategies and initiatives designed to educate the residents of the North West communities about the mission and goals of the Northern Project. As well, the Northern Project articulated and implemented strategies to forge collaborations with the business community and all relevant provincial and federal government departments.

The 1998 - 1999 Tripartite Northern Project work plan identified a need to continue consultations on models of governance, and to develop a blueprint for negotiating and implementing a sustainable devolution of programs and services from the Federal and Provincial governments and the Métis Nation of Saskatchewan.

The first two quarters of the 1998 - 1999 fiscal year encompassed continuing discussions and community education on the Northern Project. Based on a recognition that issues of Métis governance are relatively new and complex to all people of North West Saskatchewan, a continued effort has been made to develop informational strategies that convey the intent of the partnership to all citizens who will be affected by a change in governance structure.

### 3. The Purpose of the Northern Project Blue Print for Devolution

#### Blueprint Design

The Northern Project Blueprint For Devolution (*Blueprint*) is regarded by all Northern Project leaders as the next critical step in advancing towards the overall mission of the Northern Project Protocol Agreement, signed in 1996.

The main purpose of the *Blueprint* is to provide a direction and a focus to the development of the Northern Project. In essence, the *Blueprint* articulates a cohesive development strategy to the communities in North West Saskatchewan, and to the people of Saskatchewan in general.

There are seven major target areas, or **GOALS**, contained in the *Blueprint*. They are:

- Self-Governance,
- Removal of Barriers to Land Transfer to North West Métis control and ownership
- Northern Project Committee Organizational Development
- Devolution of Economic Development Programs and Services
- Devolution of Education, Training and Employment
- Public Education, Consultation and Communication

For each goal, the *Blueprint* details a number of strategic **OBJECTIVES** which are, wherever appropriate, categorized as either:

- short-term objectives (up to 2 years), or
- long-term objectives (up to 5 years) objectives.

#### Blueprint Implementation

The *Blueprint* goals and objectives address the general questions of “what is important to the NPC..?” and “..what needs to be accomplished..?”, respectively. As such, the *Blueprint* stakes out the boundaries for any future concrete activities that need to be taken to accomplish the objectives.

These concrete activities need to be identified in specific **WORKPLANS** that relate to each goal and objective in such a way that actions, responsibilities, budgets, anticipated outcomes and timelines are clearly identified. These workplans will not duplicate future Tripartite workplans, but rather provide an additional, and more detailed, planning tool for all parties involved.

As well, the inter-relationships between the parties to the Tripartite process will be described in these workplans. Specific attention will be paid to the dynamic progression from the current relationships, through transitional periods, towards full partnerships in the implementation of the *Blueprint* goals and objectives.

## Goal 1 Northern Project Self-Governance

Over the next 5 years, develop and implement a model of Self-Governance that meets the needs of the people of North West Saskatchewan, and the Provincial and Federal Governments.

### Background

The selection of a Métis governance model continues to be a critical condition for devolution of federal, provincial and Métis government programs and services. Several possible Aboriginal governance models have already been investigated and documented, including those in Otipimsuak.

As the number of Aboriginal self-governance models grows in Canada, the options become more diverse. The Northern Project faces a

very difficult task in the selection of the most viable self-governance option for all North West people.

Approved in the 1998-1999 work plan was the need to identify which level of government provides the services or programs under discussion, where both are offering such services, and the extent to which devolution from both would be possible.

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### Short Term Objectives April 1/1999 - March 31/2001

#### **Objective 1: Identify a Working Model for Métis Self Governance.**

The governance models outlined in Otipimsuak, and other governance models documented in previous research initiatives throughout Canada, will provide a concrete basis for the Selection of the governance option.

#### **Objective 2: Consult with Communities on the Desirable Features of Métis Self Governance.**

The Northern Project Committee (NPC) will design and implement a strategy of consultations to carry the information on the governance model selected to the residents of North West communities. These consultations will provide an opportunity for public participation in the design of the model for Métis self-governance.

The NPC will compile comments and recommendations obtained from the public consultations and finalize the model of governance required.

**Objective 3: Design a Working Model of North West Métis Self-Governance.**

By bringing together the community input and the researched governance options, the NPC will design a working model of North West Métis governance that meets the needs of the people of North West Saskatchewan.

**Objective 4: Achieve North West Métis Participation in Provincial Legislative Task Forces.**

The NPC will negotiate participation in provincial task forces that are currently analyzing a variety of legislative issues.

These Task Forces include (but would not be limited to):

- Municipal Legislative Task Force
- Education Task Force
- Forestry Task Force
- Tourism Task Force
- Water Management Task Force
- Land Management Advisory Councils

NPC participation in these Task Forces will not jeopardize the Northern Project devolution process ( i.e. the devolution process must not be put on hold while the provincial Task Forces are doing their work).

The NPC will advocate for Métis people's participation on these task forces, and will emphasize the need for a transition from provincial control to Métis control in Métis communities.

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**Long Term Objectives Beyond March 31/2001**

**Objective 5: Obtain Political Acceptance of the North West Métis Self-Governance Model.**

The NPC will establish a *Task Force for Implementation* based on a membership selection process and mandate as determined by the NPC.

The *Task Force for Implementation* will begin the process of negotiating a provincial and federal political review of the North West Métis self- governance model, with the aim to achieve approval by the Métis Nation of Saskatchewan, and the Federal and Provincial Governments.

**Objective 6: Identify the Range of Federal, Provincial and MNS Government Programs and Services Available for Devolution to North West Métis Community Residents.**

The *Task Force for Implementation* will request that the various levels of governments, as listed above, collaborate fully in the creation of an inventory that will include information on the following (partial list):

- current programming dollars spent in northern communities;
- human resources required for the delivery of programs and services;
- Métis people currently involved in programs and service delivery;
- tasks involved in program delivery;
- skill requirements for program delivery;
- administrative dollars spent on the delivery of programs and services by the various government departments;
- evaluation of expenditures currently required by government departments on target programs and services.

**Objective 7: Implement the North West Métis Self-Governance Model on a Regional Basis.**

The selected and approved governance model will be implemented in a smaller region within the Northern Project geographic area. A region including four target communities will be selected as a test site for the governance model.

The processes of implementation will be documented, and formative evaluations will be compiled and reviewed by the NPC.

## **Goal 2 Removal of Barriers to Land Transfer to NW Métis Control and Ownership**

Over the next 5 years, achieve substantial progress in the discussions dealing with land transfer issues affecting the potential for self-determination of the Métis in NW Saskatchewan.

### **Background**

Community ownership of land in the name of the North West Métis communities is a burning issue. The existing communities are a result of dramatic changes in the way of life for the Métis communities, imposed on the Métis through outside rules and legislation. What needs to happen is to get people back onto their land base. This will enable the Métis communities to take full advantage of the

opportunities which the envisioned devolution processes regarding governance, economic development, and employment, training and education, all described in this Blueprint, will create.

The principle of **sharing** of a land base and of the below surface and above surface resources is a fundamental principle.

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### **Short Term Objectives April 1/1999 - March 31/2001**

#### **Objective 1: Identify a Process to Achieve Consideration of the Needs of Aboriginal, Specifically Métis, Communities That Are Impacted by Existing Federal/ Provincial Acts and Legislation and Accords.**

The Canada-Provincial Harmonization Accord on the Environment can be explored as a potential model for the process that will give Aboriginal issues and concerns recognition in the Acts.

#### **Objective 2: Educate North West Community Residents on Issues of Traditional Land Use, Land Ownership and Empowerment.**

Many North West residents are not aware of the past political and socio-economic circumstances that brought about their current situation in terms of lack of control over the Métis homeland. Similarly, the knowledge and skills related to traditional land use are being lost. The communities will require education about these circumstances; this education will be delivered through a number of media, e.g. newsletters, pamphlets, town hall meetings etc.

**Objective 3: Create Partnerships with SERM.**

The potential development of a Memorandum of Understanding with SERM will be pursued. The MOU would outline an agreement for the shared jurisdiction over land resources available in North West Saskatchewan.

**Objective 4: Achieve an Integrated Land Management System.**

Achieve ownership status with the province or Crown corporations on sub-surface and above surface rights, in the short-term. From a longer term perspective, constitutional ownership will be negotiated.

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**Long Term Objectives Beyond March 31/2001**

**Objective 5: Achieve Significant Changes to the Provincial and Federal Acts and Accords For The Purpose of Meeting Impact on North West Métis Economic Development Objectives.**

Examples of Provincial and Federal Acts that affect the right for economic self-determination include, but are not limited to:

- Fish and Wildlife Act
- Forestry Act
- Lands Act
- Saskatchewan Environmental Management Protection Act
- Canadian Environmental Assessment Act
- Water Management Act
- Northern Municipalities Act
- Renewable Resources Act
- 1930 Natural Resources Transfer Agreement
- Mining Act and Regulations
- Migratory Birds Convention Act
- Corporations Act

**Objective 6: Increase Métis Community Land Bases Through Provincial Legislation Similar to the Alberta Métis Settlement Act.**

There is virtually no Métis community- based land under control of North West Saskatchewan Métis. The 1938 Alberta Métis Settlement Act can provide an relevant framework for the implementation of provincial legislation that addresses this community land base deficiency.

### **Goal 3 Northern Project Committee Organizational Development**

Over the next 2 years, the Northern Project Committee will seek to strengthen the Protocol Agreement partnership internally and externally.

#### **Background**

NP Leaders need to be unified in their understanding and interpretation of the Protocol Agreement, in order to work together on a vision for the Northern Project, and on setting a direction, and planning practical results.

The roles and responsibilities of the various participants in the Protocol Agreement vis-a-vis each other, and of the Northern Project leaders in relation to other Métis, Provincial and Federal governments, need to be better understood, and made more visible to the public at large.

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#### **Short Term Objectives April 1/1999 - March 31/2001**

##### **Objective 1: Implement a Northern Project Committee Organizational Development and Education Process.**

NPC members will regularly meet to discuss updates on the vision, goals and objectives of the Northern Project. At this time, progress of the Northern Project work can be evaluated. NPC members will discuss the creation, administration, implementation and evaluation of Tripartite work plans, budgets, cash flows and deliverables of the Northern Project process. A Tripartite technician will participate in NPC meetings as required.

##### **Objective 2: Strengthen the Partnerships Between the North West Saskatchewan Municipalities Association and the North West Saskatchewan Métis Councils.**

The partnership between the North West Saskatchewan Municipalities Association and the North West Saskatchewan Métis Council will continue to be strengthened under the Protocol Agreement.

All operating funds are generated through the MNS Tripartite Process. The municipalities can assist the development of the Northern Project with in-kind contributions such as facilities, human resources, equipment as well as strategic planning.

**Objective 3: Increase the Visibility of the Northern Project Partnership.**

The partnership established through the Protocol Agreement is not visible enough to the public. This creates questions about municipal involvement, as well as how the public will benefit from this partnership.

The public education and consultation objectives identified in Goal 6 will address these issues in a coordinated process.

**Objective 4: Lobby for the Creation of a Political Leaders Forum as a Method of Discussing Critical Political Issues Concerning the Northern Project.**

Existing gaps in the political process do not allow critical issues identified by the Northern Project to be addressed by a suitable Tripartite political leaders forum. An adequate forum is needed that will seek solutions to the needs and concerns of involved parties.

A Tripartite Political Leaders' Forum should include:

- ▶ the MNS Minister of Intergovernmental Affairs
- ▶ the Co-chairs of the North West Leaders' Forum
- ▶ the Federal Interlocutor for Métis and Non-status Indians,
- ▶ the Minister of Saskatchewan Intergovernmental and Aboriginal Affairs

The North West Leaders Forum currently includes the MNS Local Presidents, Municipal Mayors, and MNS Area Directors.

**Objective 5: Ongoing Liaison with Métis, Provincial and Federal Government Departments.**

The NPC will develop a set of principles outlining the Northern Project's relationship to, and participation in, existing government strategies and programs.

NPC representatives will be selected to participate in other Tripartite subcommittees. This will involve attending meetings, participating in subcommittee plans where appropriate, and reporting to the NPC.

The NPC will produce three quarterly reports and a combined fourth quarter / final report on Northern Project activity according to deadlines required by the MNS Tripartite Unit.

The NPC will correspond in writing to the Federal and Provincial line departments inviting representatives to a round table session that will develop devolution proposals for the Northern Project.

**Objective 5 cont'd**

The NPC will make arrangements for the inclusion of two Métis youth representatives and two Métis women at NPC meetings. These new representatives will be members of existing organizations established with the Métis Nation of Saskatchewan.

The NPC will explore the Northern Project's relationship to Saskatchewan's Northern Strategy. This exploration will seek to increase involvement by the Northern Project, and to encourage the Federal Government to become an active partner as well.

**Objective 6: Develop the Capacity of the Northern Project Committee for the Implementation of the Blueprint for Devolution.**

The successful implementation of the goals and objectives of the Blueprint for Devolution requires the creation of a suitable knowledge base and technology infrastructure. It will be necessary to identify staffing requirements, staff training needs, office and computer/communication technology requirements and other capacity related aspects. The NPC will work with its Federal and Provincial partners to lever funding for this process.

## Goal 4 Devolution of Economic Development Programs and Services

Over the next 5 years, the basis for the devolution of economic development programs and services will be provided. This devolution will occur from federal, provincial and Métis government institutions to North West institutions in accordance with the Acts, policies and regulations developed in the model for self-governance.

### Background

The 1998 - 1999 Northern Project Work Plan deliverables under economic development indicated a need for a strategic plan for a devolution process as well as a realistic timetable for it.

A Northern Project working group has been established to focus in this area..

*Forestry* has proven to be the area where the Northern Project has focused its efforts and has achieved success. As well, much time and effort has been spent developing a *tourism* strategy that will stimulate the economy in

North West Saskatchewan.

The primary focus in economic development over the next two years will remain in forestry and tourism. Other possible programs or initiatives can be explored through Northern Project involvement in the Tripartite Economic Development Subcommittee and a proposed NW Economic Development Committee.

Plans for the devolution of the Federal Community Futures programs and the Provincial CREDOs have not been implemented at this time. Through the Protocol Agreement, the municipalities can provide program and service information to the Northern Project as required.

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### Short Term Objectives April 1/1999 - March 31/2001

#### **Objective 1: Achieve Full Participation in the Tripartite Economic Development Subcommittee.**

The Northern Project will participate in the Tripartite Economic Development Subcommittee. A representative will be selected who can attend meetings as required and report the discussions to the Northern Project Committee. This participation will provide access for the Northern Project to Federal and Provincial partners from Western Economic Diversification, Aboriginal Business Canada, Sask Economic and Cooperative Development, Tripartite, and Métis women's perspectives in this sector.

**Objective 2: Establish a Northern Project Working Committee for Economic Development in North West Saskatchewan.**

The economic development needs of North West Métis communities will be examined and addressed through appropriate strategies devised by the *NP Working Committee for Economic Development* through a North West specific Economic Development Committee. This North West committee could be comprised of representatives from the Northern Project, SNEDCO, CCDF, municipally-based CREDOs, the provincial Northern Fund, and Community Futures.

**Objective 3: Achieve Control over a Portion of the Province's Northern Development Fund.**

Northern Development Fund allocations to North West Métis communities needs to improve. Having a portion of the fund under the jurisdiction of the North West Saskatchewan Métis Council and the North West Saskatchewan Municipalities Association will ensure a quantitative and qualitative improvement in the funding of viable economic and business development projects that are important to the North West Métis communities.

**Objective 4: Achieve Maximum Benefit from the Northern Strategy on Economic Development.**

The Northern Strategy on Economic Development is focused on the exploration of the economic development opportunities in Saskatchewan's north and, based on this opportunities assessment, the development of economic development proposals directed to the federal and provincial governments.

Through its Métis participation in the Northern Strategy Development Board, the Northern Project will seek to sharpen the focus of the Northern Strategy governance on the economic development issues facing North West communities.

**Objective 5: Obtain Agreement in Principle to Devolve Government Programs and Services to a Future North West Métis Regional Government.**

Negotiations with all government organizations affected by the devolution of programs and services will need to be conducted. The collaboration of all affected departments will be sought.

## Goal 5 Devolution of Education, Training and Employment

Over the next 5 years, the foundation for the devolution of education, training and employment programs and services will be provided. This devolution will occur from federal, provincial and Métis government institutions to Northern Leaders, in accordance with the Acts, policies and regulations developed in the model for self-governance.

### **Background**

The Northern Project has focused on governance and economic development initiatives, and is now in a position to formally identify its needs in education, training and employment initiatives.

A Northern Project working group has been established to focus in this area.

The following objectives identify the process of

achieving devolution of Federal, Provincial and Métis Nation programs to support the new governance model, as well as to create education, training and employment opportunities for North West Métis people that will be working within the economic development initiatives.

GDI/DTI have already agreed to transfer responsibilities to a future NW Métis regional education, training and employment centre.

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### Short Term Objectives April 1/1999 - March 31/2001

#### **Objective 1: Create an Education/Training and Employment Devolution Model based on the Process Used by METSI to Become an Agency for Education, Training and Employment (ETE).**

The Northern Project will build a relationship with the Métis Nation Affiliate METSI to examine the process used to devolve training and employment funds from HRDC. METSI will be used as a devolution model, with an emphasis placed on potential areas of improvement to the process. Insights can be gained on each step of the process from the negotiation of the agreement, the drafting of the agreement, the contribution agreement, implementation, monitoring, evaluation, and resulting future agreements. This information can be applied to Northern Project devolution agreements with the Federal and Provincial Governments.

#### **Objective 2: Establish an Education, Training and Employment Partnership with MNS Affiliates.**

The Northern Project will establish a partnership to identify a devolution process with MNS Affiliates Gabriel Dumont Institute and Dumont Technical Institute, as well as the provincially-

funded Northlands College.

Discussions will focus on merging the two existing employment and training boards of MNS Northern Region III and Methy Pathways to reduce duplication of services.

**Objective 3: Develop the Northern Project Working Committee for Education, Training and Employment That is Specific to North West Saskatchewan.**

The education, training and employment needs of North West Métis communities will be examined and addressed through appropriate strategies devised by the *NP Working Committee for Education, Training and Employment* through a North West specific . This North West committee, acting as a Northern Labour Market Group, could be comprised of representatives from the Northern Project, METSI, GDI, DTI, provincial institutions such as Northlands Regional College and SIAST, federal institutions such as HRDC, and potentially other private and public sectors.

**Objective 4: Prepare ETE Strategies That Will Enable North West Residents to Become Economically Independent by Utilizing Regional Resources in a Sustainable Fashion.**

The Northern Project will identify and report on specific Education, Training and Employment (ETE) needs in forestry and tourism specifically, and overall economic development needs in general. Employment and entrepreneurial skills of residents in the North West communities will be assessed. Appropriate training opportunities will be created, such as an Economic Development Officers Training Program, Entrepreneur/Small Business Program, and others.

The concepts of sustainable development regarding the depletion of non-renewable resources should be explored.

The Northern Project will develop training plans based on its community assessments, information gained from the METSI devolution model, the Regional Bilateral Agreement between the MNS and the Federal Government, and existing Métis Nation and Provincial institutions that can act as delivery agents.

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**Long Term Objectives Beyond March 31/2001**

**Objective 5: Obtain Agreement in Principle to Devolve Government Programs and Services to a Future North West Métis Regional Government.**

Negotiations with all government organizations affected by the devolution of programs and services will need to be conducted. The collaboration of all affected departments will be sought.

**Objective 6: Determine the Personnel Requirements for the Devolution of Provincial and Federal Program and Services to Métis-based Delivery.**

In partnership with all relevant government agencies, the personnel requirements for the devolution of provincial and federal program and services to Métis-based delivery will be listed and assessed.

**Objective 7: Analyze the Current Availability and the Future Training Needs of a Métis Work Force That Could Take Over the Government's Program and Service Delivery.**

In partnership with all relevant government agencies, the NPC will undertake an assessment of the how prepared the existing North West Métis labour force is for the devolution of government programs and services.

**Objective 8: Develop a Devolution Training Plan for a Métis Work Force That Will Take Over the Program Delivery.**

A long term plan of the Northern Project is to achieve a "one-window" model of ETE that will exist in the form of a North West Training Center. Through this Center, funds can be devolved to support programs that directly address regional needs.

The activities undertaken throughout the first two years of the blueprint time table will firmly establish a devolution process for Education, Training and Employment.

**Objective 9: Implement the Devolution Training Plan.**

The results of the previous analysis, as well as the training plan, will be presented to all relevant levels of government and their departments.

A pilot project on program and service devolution will be negotiated.

## **Goal 6 Public Education, Consultation and Communication**

Over the next 2 years, develop and implement a strategy for education and communication with the residents in NW communities, and providing avenues for public consultation and processing the feedback from the public.

### **Background**

The work of the NPC is directly related to providing the Métis of NW Saskatchewan with an opportunity to determine their own destiny.

This empowerment can only be accomplished if the residents of the NW communities fully

understand the purpose and direction of the Northern Project, and how they will be affected by the process of implementing Métis self-governance in the region. This requires educational initiatives, consultation processes and feedback mechanisms.

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### **Short Term Objectives April 1/1999 - March 31/2001**

#### **Objective 1: Develop and Distribute Comprehensive Educational Materials Regarding the Vision and Development Process of the Northern Project.**

The NPC will develop a variety of media for the education of community residents about the vision and developmental process of the Northern Project. The media will consist of printed and audio-visual materials that will be sensitive to the various literacy standards and accessibility concerns that exist in North West communities.

As well, existing media forums such as Missinipi Radio and New Breed Magazine will be accessed to provide information to the public. An informational video on the Northern Project will be produced in 1999 by the University of Saskatchewan Audio Visual Services.

#### **Objective 2: Co-ordinate Northern Project Public Education Initiatives with Consultations Regarding the Models for Métis Self-Governance.**

As NPC consults with community residents on the various models for self-governance, the Northern Project and its history, overall vision and blueprint for devolution will be presented to the participants.

**Objective 3: Provide Opportunities for All Levels of Government, and the Northern Project, to Jointly Communicate with the Public in North West Communities in Saskatchewan about the Northern Project Vision and Processes.**

The NPC will strive to convince various levels of government to collaborate in joint public education and consultation events. These events will make the tripartite nature of the Northern Project transparent to the community residents, promote the vision of the Northern Project, and obtain feedback from the community residents.

**Objective 4 : Provide a Mechanism for Continuous Receiving, Reviewing and Implementation of the Input Received from the Public.**

The empowerment of the residents in North West communities requires a mechanism for encouraging continuous feedback (suggestions, comments, criticism). Residents will need to know how and when to communicate with the NPC, and how their input is evaluated and considered. A combination of telephone, fax, e-mail communication, suggestion boxes and community meetings will enable this feedback to reach the NPC.

## Goal 7 Restoring Community and Social Cohesion

Over the next 2 years, activities need to be focused on the renewal of the functioning of the community and the family units, in order to reduce social break-downs and restore self-confidence of the North West Métis community.

### Background

The current socio-economic conditions in the North West communities negatively impact on the cohesion of the communities and families in this region. Without suitable initiatives in the social sectors of the communities, the sustainability of these communities is severely threatened. This Goal 7 addresses the need for

the Northern Project to act on four interrelated fronts: housing, community health, social services and justice. Addressing these four pillars of community cohesion through the objectives described below will allow North West communities to embark on a path towards restoring community harmony.

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Short Term Objectives April 1/1999 - March 31/2001

### HOUSING

#### **Objective 1: Increase North West Communities' Input into the Decision Making Process for Subsidized Rental Housing Units.**

At present, subsidized rental housing delivery is undertaken by Municipal Services and appointed boards. The Northern Project will focus on making changes to the decision-making process in place at present, so that local housing-related decisions are made by locally appointed people.

#### **Objective 2: Initiate Negotiations to Provide Occupants of Rental Houses with Ownership of Their Homes.**

Enabling current renters of subsidized rental housing to obtain ownership, where desired, of their homes will require the involvement of SaskHousing, and financial institutions. On behalf of the renters, the Northern Project will initiate relevant discussions and negotiations.

**Objective 3: Negotiate a Transfer of Resources Needed to Obtain Jurisdiction Over Subsidized Housing Programs.**

Congruent with the Blueprint's goals and objectives related to the devolution of government services to North West Metis communities, the NP is expressing a need for assuming control over subsidized housing programs affecting residents in North West communities.

## HEALTH

**Objective 1: Build Towards Establishing Full Partnerships with Existing Public Health Organizations.**

The existing organizational public health infrastructure includes the Keewatin-Yatke Health District and MACSI, the latter focusing on addiction induced health issues. Increased participation of North West residents in the planning and delivery of public health services is envisioned, in particular through the future elections, rather than appointments, of regional Health District board members.

**Objective 2: Take on an Increased Role In, and Responsibility For, Health Issues That Directly Affect Métis in North West Saskatchewan, Especially Elder Care.**

Health services to elders include health care, but in addition to that also involves issues such as transportation, and housing. The population of elder residents in the North West communities faces a lack of adequate services in these areas. Any gaps need to be identified and addressed as soon as possible.

All of the health initiatives will be closely coordinated with the proposed Tripartite Two-Year Workplan, which also considers, on a broader scope, Métis specific initiatives in health development.

**Objective 3: Gather and Record Traditional Health Care Knowledge among North West Métis Elders.**

Recent reliance on more modern institution-based approaches to health care has eroded traditional knowledge of more traditional approaches to health care. This traditional system of prevention and treatment of health problems is an important part of the region's heritage, and needs to be preserved. Through the use of interviews and audio/visual recordings, this knowledge will be recorded and distributed to North West communities.

## JUSTICE

### **Objective 1: Achieve a Representation by a Northern Project Leader on the Métis Tripartite Justice Sub-Committee.**

The high incidences of crime in North West communities, combined with the inadequacies of the existing justice system, make the design and implementation of a community-based justice system an important issue for the Northern Project. Representation on the Tripartite Justice Subcommittee can communicate the urgency of the development of effective Métis justice strategies to the provincial and federal governments.

### **Objective 2: Negotiate the Decentralization of the Métis Family and Community Justice Services to Facilitate Northern Project Authority over Justice Administration.**

Becoming more involved in the existing Métis run justice institutions is an objective that complements those outlined in Objective 1 above.

## SOCIAL SERVICES

### **Objective 1: Establish a Working Relationship between North West Métis and Saskatchewan Social Services Through a Memorandum of Understanding (MOU).**

The MOU will provide the foundation for a better coordination of, and ultimate transfer of responsibility for, the delivery of social service programs in North West communities. The partners in the MOU will be the North West Saskatchewan Municipalities Association, the North West Saskatchewan Metis Council and Social Services.

### **Objective 2: Create and Implement a Workplan Under the MOU.**

The workplan will provide specific timelines, budgets etc. for the devolution of social service programs, such as the Saskatchewan Assistance Program, among others.

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Long Term Objectives Beyond March 31/2001

**JUSTICE**

**Objective 3: Design a Métis Community Justice System That Can Administer Justice Without Tearing Communities Apart.**

Arising out of Objective 1 above, and with a longer term focus, the Northern Project leaders have their sight on the development of a truly community-based justice system that is fair, just, transparent, but also sensitive to the fragility of the community and family environments that characterize North West communities.

**Objective 4: Negotiate a Devolution Process for Justice and Correctional Services.**

Within the spirit of (Justice) Objective 3 above, appropriate negotiations will be held that will facilitate the implementation of the Métis Community Justice System.

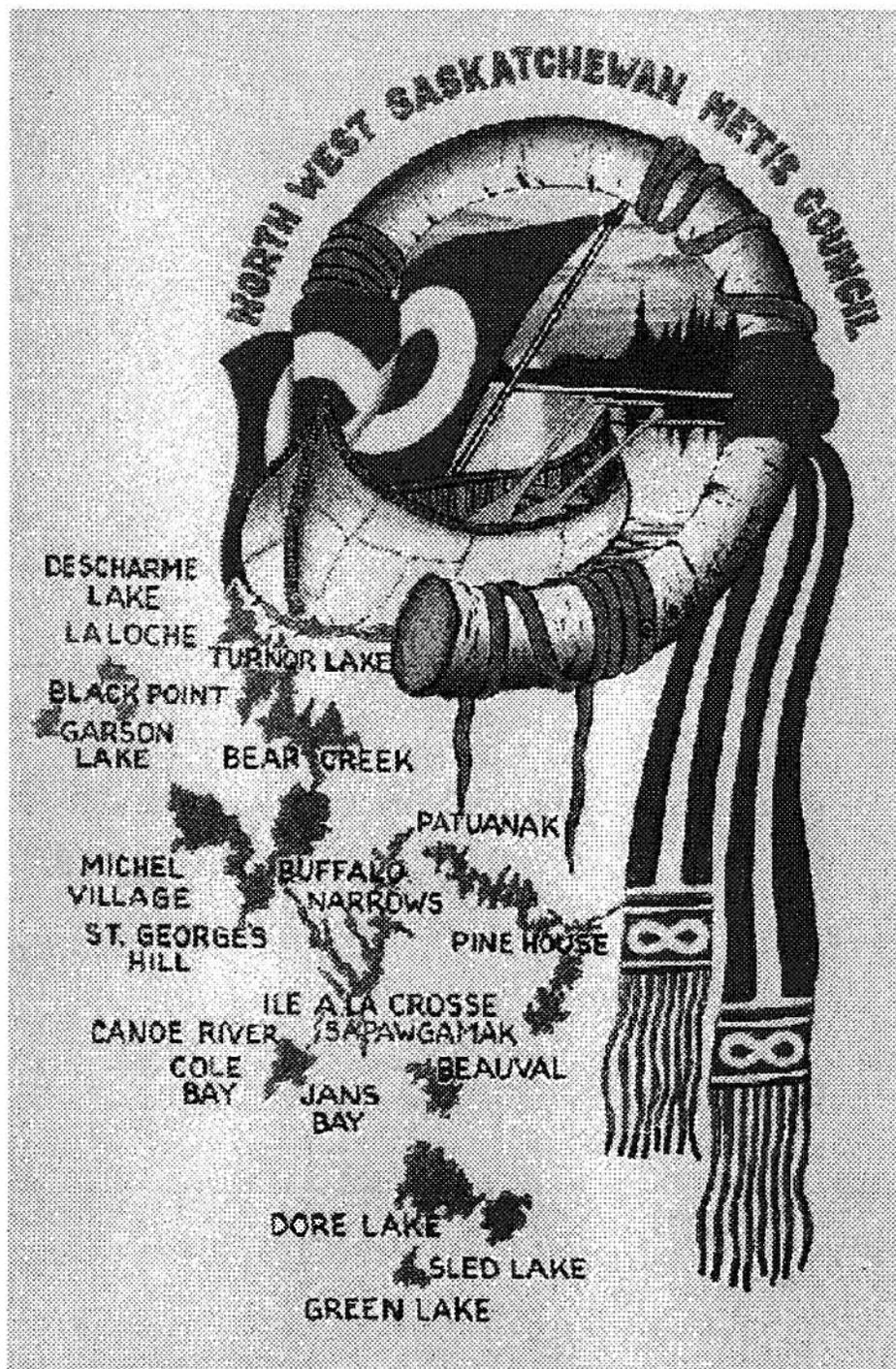
## Northern Project Introduction

- For the purpose of implementing the inherent right of self-government, securing a land and resource base, along with harvesting rights (hunting, trapping, fishing, and gathering) and the devolution of programs and services to our communities. The above will be pursued on the basis of unity equality, and dedication.
- The Metis of North West Saskatchewan have always been self-governing. In the adoption of outside laws and foreign policy of governance, we have experienced problems. We are currently working under a municipal model of governance. The Northern Project is mandated to explore the development of a governance model that would reflect our aspirations for a return to self-governance.
- There are initiatives currently underway in North West Saskatchewan to address both governance issues and the devolution of programs and services to the region. The Northern Project is a balanced approach, a simultaneous approach to governance in North West Saskatchewan.
- A Northern Project Committee was struck including two representatives each from the Locals and Municipal Governments from the Clearwater Clear Lake Metis Region and Northern Region III, two Senators, two Metis Women, and a PMC member.
- The Committee is a Joint Committee, co-chaired by Max Morin (NWSMA) and Philip Chatier/Armand Murray (NWSMC).
- The Committee is accountable to the Leaders Forum which is composed of all the Mayors and Local Presidents of North West Saskatchewan.
- A close working relationship would be held with the MNS Tripartite Unit.
- The Committee was mandated to analyze the existing programs and services available in Northern Saskatchewan and then propose to Tripartite partners which could be successfully devolved to Northern Metis.
- It was also necessary to determine what economic initiatives could further the Metis governance process.
- The committee was to hold community and government consultations to gather the necessary information and make recommendations to the Leaders Forum. Community consultations were held in August of 1997. Government consultations were held from September - December 1997.
- Work towards a partnership Agreement with SERM on a bilateral basis which will address

- Move towards meaningful involvement of the Metis with respect to the exploitation of resources, such as mining, forestry and oil and gas exploration.
- This agreement defines the relationship between the Metis Nation of Saskatchewan (MNS) on behalf of NWSMC, and the North West Saskatchewan Municipalities (NWSMA) and deals with issues of common concern.

## Northern Project Introduction

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File: NW Sask Metis Council.jpg

PROPOSED METIS  
WOMEN'S  
PERSPECTIVE'S  
STRATEGIC WORKPLAN

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METIS WOMEN OF SASKATCHEWAN

MNS - TRIPARTITE 2000-2001  
WORKPLAN

# METIS WOMEN'S PERSPECTIVES

TRIPARTITE WORKPLAN 2000-2001

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## INTRODUCTION

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The Metis women have accepted the MNS-Tripartite - Metis Women's Perspective's, 2000-2002 Workplan, however, has developed a draft strategic workplan on behalf of the Metis women's perspectives. The Metis women have acknowledged, and will begin to assist women at the community level better understand the Tripartite process and workplan. The Metis women believe in building of partnerships based on mutual respect, trust, and understanding of differing economic and social values and aspirations of all Metis people. The Metis women are committed to community enhancement that is consistent with diverse needs and interest.

The Metis women will seek further direction from Metis women on how to continue to build and be involved on the dialogue that is taken place with the Tripartite process. The Metis women will go to their perspective regions to consult, educate and update on the proposed Metis Women's Perspective's Strategic 2000-2001, Workplan, in coordination with the Tripartite Unit.

The Metis women will continue to assist in identifying and prioritizing its needs and capacities through their workplan. The Metis women will enhance their knowledge with other initiatives happening with the Tripartite workplan, such as; Northern Project, Urban Governance, and others. The Chairpersons of these initiatives will be invited to present to the women to help them better understand their processes. The Metis women will participate at any Metis Nation Legislative Assembly's.

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## DELIVERABLES

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### **Quarter 1      April 1, 2000 to June 30, 2000**

- meet as the Metis Women's Perspectives to discuss TMC Workplan and budget
- attend meetings of TMC governance initiatives
- appoint a representative to attend meetings of the stand alone Task Forces for Economic Development and Justice throughout the year as scheduled
- discuss communication and evaluation strategy
- continue of participation and consultations of the governance initiatives meetings

- develop a strategy of the roles and responsibilities of each governance initiatives for the Metis Women's Perspectives

**Quarter 2 July 1, 2000 to September 30, 2000**

- meet as the Metis Women's Perspectives to discuss TMC governance initiatives
- attend meetings of TMC governance initiatives
- develop communication and evaluation strategy
- discuss education tool for community consultations

**Quarter 3 October 1, 2000 to December 31, 2000**

- meet as the Metis Women's Perspectives to discuss TMC governance initiatives
- attend meetings of TMC governance initiatives
- develop education tool
- begin community consultation strategy

**Quarter 4 January 1, 2001 to March 31, 2001**

- meet as the Metis Women's Perspectives to discuss TMC governance initiatives
- attend meetings of TMC governance initiatives
- on-going community consultations
- develop a Metis Women's Perspectives Workplan for the Tripartite Workplan 2001-2003

**Q 4 - January 1 - March 31, 2001**

- The women will come together to look at the past Metis Women's Perspective's Workplan and discuss the 2001-2002 Tripartite Workplan.
- The Metis women will present their final activity report to the Tripartite Unit, they will then present to the TMC.
- On-going participation on sub-committees - provide input into their committees workplan.
- Develop a Metis Women's Perspective's Tripartite 2001-2002 Workplan.

**Q 4 - January 1 - March 31, 2000**  
**Metis Women's Workplan**

**Q 3 - October 1 - December 31, 2000**

- The Metis women will conduct community consultations in all twelve regions; they will use the buddy system. This process will help women to feel more comfortable providing information and reporting on the Tripartite Initiatives - Metis Women's. The communication strategy will be used to address the women. Women will also discuss "How are we included in policy and how does it effect us and our children. i.e.: Justice, Family and Social Services. The women from the community consultations will assist in furthering our communication strategy and give feedback on the Tripartite initiatives.
- A report will be composed of the findings from the community consultations.
- The on-going evaluation will continue in this quarter, this evaluation will assist in the next quarter when developing our 2001-2002 workplan.
- The on-going participation on Tripartite sub-committees will take place.
- On-going reports will continue in the NewBreed Magazine.
- The Metis women will continue to enhance the working tool to further educate women at the local level. The discussion of the evaluation will take place. The discussion will include; measure of successes, accountably, report processes, and items as they may arise.
- The communication strategy will be updated to take back into regions and with reports.

**Q 3 - October 1 - December 31, 2000**

**Metis Women's Workplan**

The Metis women will continue to work on the empowerment, self-esteem, and other goals as they may arise. The Metis women will continue to enhance the working tool to further educate women at the local level. The discussion of the evaluation will take place. The discussion will include; measure of successes, accountably, report processes, and items as they may arise. The communication strategy will be updated to take back into our regions and with our reports.

**Q 2 - July 1 - September 30, 2000**

- The Metis women's executive will meet to have discussions regarding follow-up and the quarter two activities.
- The Metis women will come together to brain storm on how to better be involved with MUCSI, and to discuss how Metis women are being addressed through the MUCSI Training and Employment initiatives in the urban centres. And how the Metis women may assist in the areas of training and employment. The Metis women will participate in the MUCSI conference, on Governance in the Urban Centres.
- Will also continue to build on the working tool to educate women on the tripartite workplan, and how we can better assist women in the involvement of this initiative.
- The on-going internal evaluation.
- The reporting process in the NewBreed Magazine.
- The on-going communication strategy will continue to take place.

**Q 2 - July 1 - September 30, 2000**

**Metis women's workplan**

The Metis women will develop a plan of action on how to access dollars for a women's training program on understanding of governance. The women will look at history - past v.s. present!

The women will continue on their long-term workplan on equity and participation at the community level. Will also continue to build on the working tool to educate women on tripartite workplan and how we can better assist women in the involvement of this initiative. The Metis women will discuss and develop a "Buddy System", and do some role-playing. i.e.: given reports, board meetings, and other's that will assist the women to go into their communities. Note: there will be a video camera, this activity will assist women on how they can improve their communication skills.

## 1 - April 1 - June 30, 2000

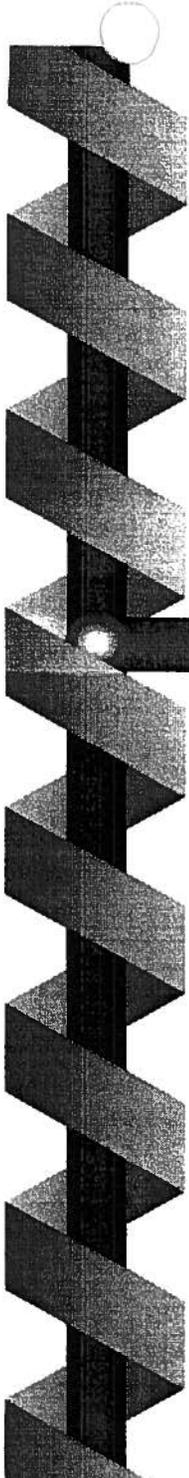
- Metis women's executive will meet April 15 and 16th to discuss the draft strategic women's perspective's workplan, the Northern Project Blueprint and other business as it may arise.
- The Metis Women's Perspective's - Sub-Committee will come together to review and hear from the Co-Chair and Technical person on the process and updates on the Northern Project, April 29th, in the City of Saskatoon. This process will assist women in the education process and better understand this initiative.
- There will be an evaluation that will take place with the Metis women on how they understand the Tripartite initiatives. This process will be internal, and will assist on the measures of success, accountability and reporting process @ follow-up with motions and recommendations. This evaluation will be shared with the Tripartite Unit.
- The Metis Women Perspective's Chair will participate in the TMC meeting in the middle of June.
- The Metis women will provide their quarterly report on the Tripartite Women's Perspective's, they will also submit it to the NewBreed Magazine.
- The Metis women will draft a form to assist women on their reporting system on the Tripartite initiatives and other activities. A draft communication strategy will be developed to better assist with the workplan.
- The women have delegated the chair of the women's perspective's to sit on the Provincial Governance Sub-Committee, and two other to be observers. The two women are from rural and an urban centre. The role of their participation is to report to all women better understand and have update activities on this new initiative. The Metis women have decided to keep the same women on the sub-committee's to assist with the on-going activities and understanding of them.
- The Metis women will discuss the development of a working tool to educate women; this working tool then can be used in the community for all Metis women to use. It will focus on enhancing women's involvement and may relate it to other areas as they go along.

## Q 1 - April 1 - June 30, 2000 Metis Women's Workplan

The Metis women will continue to brainstorm on how to get women involved at the local level. The women will develop a long-term workplan on equity and participation. This maybe developed through a pamphlet or other ways such as, the NewBreed Magazine. When the board, executive and community consultation for Metis women take place, we will designate time workshops on empowerment, self-esteem, how to chair a meeting, and other as they may arise.

The Metis women will draft a form to assist women on their reporting system on the Tripartite initiatives and other activities.

The Metis women will discuss the development of a working tool to educate women; this working tool then can be used in the community for all Metis women to use. It will focus on enhancing women's involvement and may relate it to other areas as they go along.

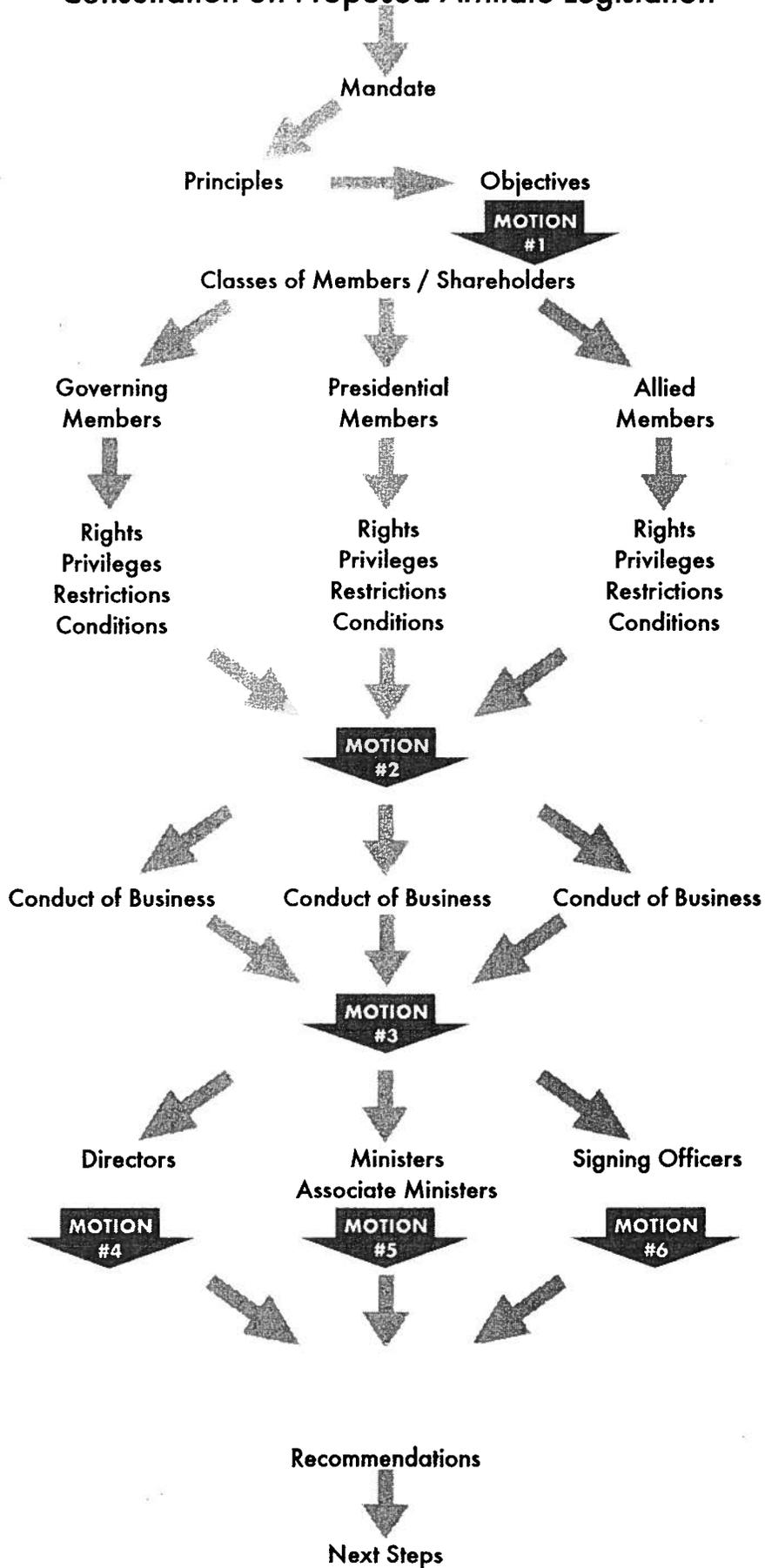


# **Metis Nation of Saskatchewan**

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## **Consultation on Proposed Affiliate Legislation**

# Consultation on Proposed Affiliate Legislation



# Metis Nation of Saskatchewan

## Consultation on Proposed Affiliate Legislation

1

## Mandate

- We are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions.  
(MNS Constitution Preamble )

2

## Mandate

- In order to achieve these objectives, we are hereby reestablishing a strong and revitalized organization within the province of Saskatchewan, which must involve all sectors within our society.  
(MNS Constitution Preamble )

3

## Mandate

- The Metis Nation Legislative Assembly , on behalf of the Metis Nation of Saskatchewan, shall exercise all voting rights, powers and duties of ownership in relation to the Affiliates, based upon the recommendation of the Provincial Metis Council.  
(MNS Constitution Article 14:1a)

4

## Mandate

- The MNS tripartite process initiated an organizational review of all Affiliates in 1995. It was completed in 1997, with numerous conclusions and recommendations.
- At the December 1998 MNLA, the Internal Governance Committee was mandated to deal with emerging governance issues within the Nation.

5

## Mandate

- At the November 1999 MNLA, the Internal Governance Committee was mandated to develop, for consideration at the next Special Sitting of the MNLA, four pieces of legislation: Affiliate Act; Taxation Act; Family Services Act; and Education Act.

6

## Mandate

- The Internal Governance Committee designed this consultation to ensure that the proposed Affiliate Act:
  - meets the mandate of the Constitution;
  - acknowledges current Affiliate practices;
  - presents a workable legislative framework;
  - outlines the overall principles and general terms and conditions of an Affiliate Act.

7

## Consultation on Proposed Affiliate Legislation

### Principles and Objectives

8

## Principles

- MNS Affiliates have been built on Metis values such as trust, integrity, fairness, democracy and accountability;
- Affiliates exist as a result of the Metis Nation's continuing struggle to rebuild our families and communities;
- Affiliates provide services and programs to meet the needs of Metis Nation citizens and to revive our cultural heritage and pride; 9

## Principles

- The development of governance includes the development of capacity within the Metis Nation to address the needs of the citizens as they arise;
- All Agreements between Affiliates and other legal entities should reflect our emergence as a self-governing Metis Nation;

10

## Principles

- All Agreements between Affiliates and other legal entities should advance the movement of the Metis Nation of Saskatchewan toward self-government.
- All Agreements shall ensure the authority of the Metis Nation to design and adapt programs and services to meet the needs of Metis Nation citizens.

11

## Objectives

- To provide the first steps towards the development of Metis Nation governance that is more adaptive and responsive to strengthening Metis communities;
- To support the concept of decentralized decision making to the community while centralizing specific Affiliate administrative and financial services;

12

## Objectives

- To govern Affiliate strategic planning, policy development and continuous networking within the Metis Nation;
- To support the concept of Metis Nation Self-Government and Devolution of programs and services wherever possible;
- To recognize the success of Affiliates and promote success at every opportunity;

13

## Objectives

- To promote, advocate, strengthen and support Affiliates.
- To maintain a balanced approach between rights and programs and services.

14

## MOTION #1

- To adopt the Principles and Objectives of the proposed legislation as presented / amended.

15

## Consultation on Proposed Affiliate Legislation

Classes of Members

16

## Classes of Members

- Affiliates shall have three classes of Members/Shareholders, namely Governing, Presidential and Allied.
- Governing Member/Shareholder
  - Governing member shall be the MNLA.

17

## Classes of Members

- Presidential Member/Shareholder
  - Presidential member shall be the President of the Metis Nation Legislative Assembly.
  - Currently, the Presidential member has the power to appoint and remove Ministers and Associate Ministers.
  - Ministers and Associate Ministers shall be Directors.

18

## Classes of Members

- Allied Members/Shareholders
  - Allied members shall be the 12 Regional Councils.
  - Currently, Allied members have the power to appoint and remove their respective Directors.

19

## Governing Member

- Shall have the following rights and privileges:
  - attend, participate and vote at all regular and special meetings of the MNLA;
  - submit resolutions and vote on all resolutions, questions and matters arising at regular and special meetings of the MNLA;
  - special resolution is required to establish, amend and dissolve Affiliate Articles of Incorporation.

20

## Governing Member

- Shall have the following restrictions and conditions:
  - subject to the MNS Constitution;
  - subject to the terms of existing MNS legislation;
  - limited to governing authority, not appointment or removal of Ministers, Associate Ministers and Directors or day-to-day policy and management authority of an Affiliate.

21

## Presidential Member

- Shall have the following rights and privileges:
  - appoint and remove Ministers and Associate Ministers;
  - all funding contracts, financial agreements, terms of reference and memoranda of understanding shall be signed by the President and the Minister, or their designates.

22

## Presidential Member

- Shall have the following restrictions and conditions:
  - subject to the MNS Constitution;
  - subject to the terms of existing MNS legislation;

23

## Allied Members

- Shall have the following rights and privileges:
  - Appoint and remove their respective Directors.
- Shall have the following restrictions and conditions:
  - subject to the MNS Constitution;
  - subject to the terms of existing MNS legislation;

24

## MOTION # 2

- To accept the Classes of Members/  
Shareholders as presented / amended.
- To accept the rights, privileges, restrictions,  
conditions of the members / shareholders as  
presented / amended.

25

## Consultation of Proposed Affiliate Legislation

Conduct of Business

26

## Conduct of Business

- **Governing Member**
  - subject to the MNS Constitution and existing legislation;
  - Special resolutions shall mean any resolution of the MNLA equivalent to a constitutional amendment;
  - Directors are entitled to receive notice of, to attend and be heard at every meeting of the members/shareholders of the Affiliate.

27

## Conduct of Business

- **Presidential Member**
  - Subject to the MNS Constitution and existing legislation;

28

## Conduct of Business

- Allied Members
  - Subject to the Constitutions of the MNS and Regional Councils and existing MNS legislation;
  - Regional Representatives must submit in writing to the Minister and the President of the MNLA, all appointments and removals of Directors of any Affiliate, including a copy of the official record of the resolution of the Regional Council.

29

## MOTION # 3

- To accept the conduct of business of each Class of Members/ Shareholders as presented / amended.

30

## Consultation on Proposed Affiliate Legislation

Directors

31

## Directors

- Term of Office
  - Two (2) year terms to a maximum of three (3) consecutive terms;
  - Staggered terms of office shall be:
    - From September 1 to December 31 in even numbered years for the following Regions :
      - ER2, ER2A, NR2, WR2, WR2A
    - From September 1 to December 31 in odd numbered years for the following Regions :
      - ER1, ER3, NR1, NR3, WR1, WR1A, WR3

32

## Directors

- Rights and Privileges:
  - All Affiliates will secure liability insurance for the Affiliate Board of Directors.

33

## Directors

- Required Qualifications:
  - Shall be at least 18 years of age;
  - Shall be bondable;
  - Shall be subject to candidacy criteria and conflict of interest guidelines as set out in the MNS Elections Act;
  - Shall not be an employee of an Affiliate.

34

## Directors

- The Office is considered vacant when the Director:
  - Dies;
  - Resigns in writing;
  - Misses three (3) consecutive meetings without board approval;
  - Ceases to meet the qualifications of a Director;
  - Removed by those same members authorized to appoint Directors.

35

## Directors

- Powers and Duties
  - Exercise due diligence to achieve the Affiliates mission in an ethical and prudent manner;
  - Manage Affiliate assets in an effective, ethical and prudent manner;
  - Provide accountability and linkage to the community;
  - Advocate on behalf of Metis communities who the Affiliate serves;

36

## Directors

- Powers and Duties continued
  - Establish Board policy statements that define how the Affiliate will conduct operations;
  - Select, appoint, remove and review performance of Affiliate Executive Directors;
  - Approve annual Affiliate operating budgets.
  - Before launching any legal actions, directors will inform and consult Presidential Member.

37

## Directors

- Conflict of Interest
  - Directors must not be in a position of Conflict of Interest;
  - Conflict of Interest guidelines shall be developed and maintained for all Affiliate Directors and Officers in accordance with Article 13 of the MNS Elections Act.

38

## Directors

- Code of Ethics/Standards of Conduct
  - A Director shall comply with a Code of Ethics/Standards of Conduct;
  - A Code of Ethics/Standards of Conduct shall be developed and maintained for all Affiliate Directors and Officers using Article 7 of the MNS Senate Act as its model.

39

## MOTION # 4

- To accept the rights, privileges, restrictions and conditions for Directors as presented / amended.

40

## Consultation on Proposed Affiliate Legislation

Ministers  
and  
Associate Ministers

41

## Ministers & Associate Ministers

- Term of Office
  - Indeterminate, at the pleasure of the President.
- Powers and Duties
  - In addition to the powers and duties of a Director:
    - The Minister shall be the Chair and the Associate Minister shall be the Vice-Chair of the Affiliate;
    - The Minister or Associate Minister shall provide a written Affiliate report at meetings of the PMC and the MNLA and as requested by the President;

42

## Ministers & Associate Ministers

- Powers and Duties continued
  - The Minister shall receive written confirmation and required documentation for all appointments of Directors;
  - The Minister shall exercise veto powers over board motions and resolutions for a period of up to 4 months..

43

## MOTION # 5

- To accept the rights, privileges, restrictions and conditions for Ministers as presented / amended.

44

## Consultation on Proposed Affiliate Legislation

### Signing Officers

45

## Signing Officers

- All Directors with signing authority shall be bonded;
- Any appointments, changes or removals of Affiliate signing authorities shall be reported in writing by the Minister to the MNS Treasurer.

46

## MOTION # 6

- To accept the rights, privileges, restrictions and conditions for Signing Officers as presented / amended.

47

## Consultation on Proposed Affiliate Legislation

Recommendations  
for  
Consideration

48

## Recommendations

- Single-window Approach to Public Service Functions and other Professional Services such as: Auditing; Employee Payroll Service; Employee Benefits and Insurance; and Capital Investments

49

## Recommendations

- Payroll service to be developed by the Metis Nation of Saskatchewan for all Affiliates.
- Establish a Metis Nation Public Service Department responsible for human resource management and services for all Affiliate employees.

50

## Recommendations

- Establish MNS auditing and other financial services for all Affiliates.
- Establish a Metis Nation insurance and benefit plan for all employees of the Metis Nation Affiliates.
- Establish a MNS property management corporation to hold all capital and real assets of Metis Nation Affiliates.

51

## Recommendations

- Establish MNS income support plans for Metis citizens. (ie: Employment Insurance, SAP, PTA)
- Establish MNS labour and access to information legislation.
- Establish administrative capacity to provide policy and legal departments.

52

## Consultation on Proposed Affiliate Legislation

### Next Steps

53

### Next Steps

- Preparation of a Draft Affiliate Act based on the Motions of the June 2000 Metis Nation Legislative Assembly Consultation.

54

## Next Steps

- Call for a Leaders Summit and Existing Boards to a Review of a Draft Affiliate Act, developed as a result of this consultation.
  - Proposed for Fall 2000
  - Coordinated by the MNS and Affiliate Executive Directors
  - Scheduled to coincide with the fall Board Meetings of the Affiliates

55

## Next Steps

- Revise draft Affiliate Act as a result of the consultation with the Leaders and Boards.
- Present to the Provincial Metis Council.
  - Proposed for Winter of 2000.

56

## Next Steps

- Revise Draft Affiliate Act as a result of the consultation with the Provincial Metis Council.
- Present Final Draft Affiliate Act to Metis Nation Legislative Assembly for consideration and ratification.
  - Proposed for Spring 2001.

57

## Next Steps

- Grandmothering:
  - Upon enactment of the Affiliate Act, all Affiliates will have until the next scheduled MNLA to make amendments of its Articles of Incorporation and Bylaws and to submit amendments to the PMC for recommendation to the MNLA;
  - Once ratified by the MNLA, all appropriate amendments must be filed with the appropriate government agencies.

58

## Next Steps

- Development of Work plan and Timeframe for Implementation
  - To be undertaken by the MNS and Affiliate Executive Directors and presented to the Internal Governance Committee.
  - To be tabled at the next Metis Nation Legislative Assembly.

59

**DRAFT: FOR DISCUSSION**

**PURPOSES ONLY**

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN:**

**HER MAJESTY THE QUEEN IN RIGHT OF SASKATCHEWAN,  
as represented by the Minister of Intergovernmental and Aboriginal Affairs**

**AND:**

**THE METIS NATION OF SASKATCHEWAN,  
as represented by the President of the Metis Nation of Saskatchewan**

**(Hereinafter "the Parties")**

**I PREAMBLE**

**WHEREAS** the Parties wish to foster a co-operative partnership to develop and implement strategic initiatives in Saskatchewan that will strengthen the participation of Metis individuals and communities in the provincial economy, promote social equity and enhance and strengthen Metis governance of Metis institutions and Metis communities.

**WHEREAS** the Parties agree that federal jurisdiction under Section 91(24) of the *Constitution Act, 1867* and the obligations of the federal government pursuant to that section, includes obligations to the Metis; and

**WHEREAS** the Parties agree that all activities, initiatives and discussions undertaken pursuant to this Memorandum of Understanding will be based on the Parties mutual desire to achieve practical results that improve the lives of Metis people. The Parties agree that all activities, initiatives and discussions undertaken pursuant to this Memorandum of Understanding will not be based upon the Parties views of the existing Aboriginal rights of the Metis.

**NOW THEREFORE** the Parties agree to work toward the realization of the vision and goals described below and the joint development and implementation of the strategic initiatives listed herein.

**II PURPOSE**

2.1 This Memorandum of Understanding is to implement the Process clause of the Metis Act through the bilateral process described in section 7.1.

- 2.2 Where the Parties consider it appropriate, they may enter into agreements that reflect the discussions resulting from the bilateral process mentioned in section 2.1.

### **III VISION**

- 3.1 The Metis are full participants in the provincial economy, and are equal members of Saskatchewan society with the capacity of governance over their own communities and culture, and with constitutional rights as one of the Aboriginal Peoples of Canada.

### **IV GOALS**

- 4.1 The Parties agree to develop initiatives to foster the achievement of goals which include, but are not limited to, the following:
- (a) Full Metis representation in the provincial economy via economic opportunities, business involvement, participation as employers and a representative workforce.
  - (b) Social equity through improved individual and community well-being.
  - © Enhanced and strengthened Metis governance of Metis communities and Metis institutions.
  - (d) Secured federal acceptance of its responsibilities to Metis people.
  - (e) Respect for Metis culture and rights.

### **V PRINCIPLES**

- 5.1 The Parties agree to base all initiatives undertaken pursuant to this Memorandum of Understanding on the following principles:
- (a) Mutual respect;
  - (b) Practical, timely, meaningful and sustainable responses to needs, in order to foster self-reliance;
  - © Involvement of Metis in decision-making and the design and delivery of services;
  - (d) Fairness and equity;
  - (e) Partnership, cooperation, and collaboration among all key interest holders;
  - (f) Openness, accountability and affordability;
  - (g) Foster federal acceptance of its obligations to Metis people; and
  - (h) Co-operation and capacity building.

## **VI INITIATIVES**

- 6.1 **Capacity Building:** The Parties agree to work towards the devolution of programs and services to Metis Communities and Metis institutions. The Parties agree to undertake the necessary preparatory and planning work with respect to the development of a framework for the devolution of programs and services. This may include the identification of priorities, the identification of appropriate Metis service institutions, the development of program and policy guidelines, and the securing of necessary mandates and resources.
- 6.2 **Governance:** The Parties agree to continue building a Metis capacity for governance of Metis communities and Metis institutions. This "made in Saskatchewan" approach will respect federal and provincial jurisdiction and will build on existing and successful models and experiences, such as the Gabriel Dumont Institute, the Dumont Technical Institute, and the Metis Addictions Council.
- 6.3 **Land:** The Parties agree to co-operate in identifying opportunities to improve Metis access to lands and developing economic opportunities for Metis people with respect to land based activities including, but not limited to, Metis farms and farming, forestry and mining. The Parties further agree to identify and develop appropriate cultural initiatives related to the traditional Metis gathering places.
- 6.4 **Harvesting:** The Parties agree to work to improve economic development and harvesting opportunities, consistent with sustainable management practices, for Metis people in Saskatchewan's resource and other sectors. This may include improving opportunities in first level production activities, subsistence living, as well as value added activities. The Parties further agree to work towards full and integral Metis involvement in resource management and economic development related decisions.

## **VII FORUM**

- 7.1 This Memorandum of Understanding will be implemented through the Metis Nation of Saskatchewan - Government of Saskatchewan *Bilateral Process Agreement*.
- 7.2 In the event the bilateral process referred to in section 7.1 ceases to exist, the Parties agree to fulfill the terms of this Memorandum of Understanding through some other mutually agreed upon forum.

## **VIII NO LEGAL OBLIGATIONS CREATED**

- 8.1 This Memorandum of Understanding is not intended to create legal rights or legally enforceable obligations on the part of either party.

8.2 This Memorandum of Understanding does not abrogate or derogate from the existing Aboriginal rights of the Metis, one of the Aboriginal peoples of Canada, as protected by Section 35(1) of the *Constitution Act, 1982*.

SIGNED BY THE PARTIES this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

For The Crown in Right of Saskatchewan

\_\_\_\_\_  
Jack Hillson, Minister of Intergovernmental  
and Aboriginal Affairs

For the Metis Nation of Saskatchewan

\_\_\_\_\_

# BILL

No.            of 2000

## **An Act to recognize contributions of the Metis and to deal with certain Metis institutions**

(Assented to            , 2000)

**WHEREAS** the existing Aboriginal rights of Metis people are protected pursuant to section 35 of the *Constitution Act, 1982*;

**AND WHEREAS** the Government of Saskatchewan wishes to work in partnership with the Government of Canada and the Metis people to promote and strengthen the capacity for Metis governance of Metis institutions and communities;

**AND WHEREAS**, pursuant to section 14.1 of *The Interpretation Act, 1995*, nothing in this Act is to be construed as abrogating or derogating from the existing Aboriginal rights of Metis people mentioned in section 35 of the *Constitution Act, 1982*;

**AND WHEREAS** nothing in this Act is to be construed as altering or affecting the position of the Government of Saskatchewan that legislative authority in relation to Metis people rests with the Government of Canada pursuant to section 91(24) of the *Constitution Act, 1867*;

**THEREFORE HER MAJESTY**, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

### **PART I Short Title**

#### **Short title**

**1** This Act may be cited as *The Metis Act*.

### **PART II Recognition of Metis Contributions**

#### **Recognition of Metis contributions**

**2** The purpose of this Part is to recognize the contributions of the Metis people to the development and prosperity of Canada, including:

- (a) the rich and enduring history of the Metis people;
- (b) the cultural distinctiveness of the Metis communities and traditional ways of life of Metis people;
- (c) the importance of the languages of the Metis people to Canada's culture and heritage;
- (d) the distinctive culture and cultural legacy of the Metis people, as symbolized by the Metis flag, the Metis sash, the Red River cart, the fiddle and the Red River jig;
- (e) the significance of the Metis farms and the Batoche historic site;
- (f) the honourable and invaluable service of the Metis veterans during the two World Wars and the Korean War and in many peace-keeping missions around the world;
- (g) the importance of Metis entrepreneurs to Canada's economy, beginning in the 18th Century with the historic involvement of the Metis in the North West fur trade;
- (h) the leadership role of Metis institutions in providing education, social and health services to Metis people, and the contribution of those institutions to the delivery of those services; and
- (i) the important contribution of the Metis Nation of Saskatchewan in representing the needs and aspirations of the Metis people.

### PART III Bilateral Process

#### **Bilateral process**

3(1) The Government of Saskatchewan and the Metis Nation of Saskatchewan will work together through a bilateral process to address issues that are important to the Metis people including the following:

- (a) capacity building;
- (b) land;
- (c) harvesting;
- (d) governance.

(2) Where the Government of Saskatchewan and the Metis Nation of Saskatchewan consider it appropriate, they may enter into agreements that reflect the discussions resulting from the bilateral process mentioned in subsection (1).

### PART IV

## **The Metis Nation of Saskatchewan Secretariat Inc.**

### **Interpretation of Part**

#### **4 In this Part:**

- (a) **“corporation”** means the Metis Nation of Saskatchewan Secretariat Inc. established pursuant to section 5;
- (b) **“director”** means, except in clause 18(5)(b), a director of the corporation;
- (c) **“Director”** means the Director within the meaning of *The Non-profit Corporations Act, 1995*.

### **MNS Secretariat Inc. established**

5(1) The Metis Nation of Saskatchewan Secretariat Inc. is established as a body corporate pursuant to this Act.

(2) The objects of the corporation include serving as the agent by which the policies and programs of the Metis Nation of Saskatchewan may be carried out and administered.

### **Powers**

6 Subject to this Act, the corporation has the capacity, rights, powers and privileges of a natural person.

### **Members**

7 The members of the corporation are the elected members of the Metis Nation Legislative Assembly of the Metis Nation of Saskatchewan.

### **Board of directors**

8(1) The board of directors consists of those persons who are members of the corporation and who are also members of the Provincial Metis Council.

(2) The board of directors shall direct and manage the activities and affairs of the corporation either by resolution or by bylaw.

### **Bylaws**

9 The corporation shall make bylaws for the government and proper administration of its activities, affairs, property and interests.

### **Seal**

10 The corporation shall execute all instruments relating to real property:

- (a) under its seal; and
- (b) in accordance with any procedure that the bylaws of the corporation may provide.

### **Special meetings**

11(1) If a petition requesting the holding of a special meeting, signed by at least 250 Metis individuals of Saskatchewan, is delivered to the board of directors, the board of directors shall hold a special meeting with the Metis people of Saskatchewan to discuss any matter stated in the petition respecting the operation of the corporation.

(2) The board of directors shall cause a notice of the meeting mentioned in subsection (1) to be published:

- (a) at least seven days before the day of the meeting; and
- (b) in at least two newspapers having general circulation in Saskatchewan.

### **Records**

12 The corporation shall maintain, at its head office or at any other place in Saskatchewan designated in the bylaws, the following:

- (a) the bylaws of the corporation and all amendments to them;
- (b) the minutes of meetings and resolutions of:
  - (i) the directors;
  - (ii) any committee of the corporation; and
  - (iii) any meeting held pursuant to section 11;
- (c) copies of all notices published pursuant to subsection 11(2);
- (d) the audited financial statements of the corporation.

### **Access to records**

13 Any Metis individual of Saskatchewan, or his or her agent, and any other person may examine the records mentioned in section 12 during the usual business hours of the corporation and may make copies on payment of a reasonable fee to the corporation.

### **Filing**

14 The corporation shall file the following with the Director within 90 days after the end of each fiscal year of the corporation:

- (a) a notice of the names and addresses of the directors;

(b) a notice of any change in the head office of the corporation, with complete mailing address;

(c) the audited financial statements of the corporation for the fiscal year ended.

#### **Fiscal year**

15 The fiscal year of the corporation is the period prescribed in the bylaws of the corporation.

#### **Audit**

16(1) The corporation shall appoint a duly qualified auditor who shall audit the records, accounts and financial statements of the corporation:

(a) annually; and

(b) at any other time that the corporation may direct.

(2) An auditor appointed pursuant to subsection (1) must be independent of the corporation, its members, directors, officers and employees.

(3) For the purposes of subsection (2), independence is to be determined in accordance with the rules set out in subsection 148(2) of *The Non-profit Corporations Act, 1995*.

(4) Sections 156 to 158 of *The Non-profit Corporations Act, 1995* apply, with any necessary modification, to the corporation, its members, directors, officers and employees.

#### **Application of *The Non-profit Corporations Act, 1995***

17(1) Any Metis individual of Saskatchewan or any creditor of the corporation may exercise the powers of a member or a security holder, as the case may be, pursuant to sections 214 to 220 of *The Non-profit Corporations Act, 1995*, and those provisions apply, with any necessary modification, to the corporation, its members, directors, officers and employees.

(2) For the purposes of this section, any Metis individual of Saskatchewan is deemed to have the status of a member within the meaning of *The Non-profit Corporations Act, 1995*.

#### **Subsidiaries**

18(1) The corporation may, by bylaw, establish any subsidiary it considers necessary to carrying out its objects.

(2) In a bylaw made pursuant to subsection (1), the corporation shall:

(a) name the first members of the subsidiary and their term of office; and

(b) prescribe how members, other than the first members, are to be appointed or elected.

(3) Every subsidiary established pursuant to this section is a body corporate and has the

capacity, rights, powers and privileges of a natural person.

(4) Sections 8 to 17 apply, with any necessary modification, to every subsidiary established pursuant to this section.

(5) The corporation shall file a notice with the Director within 30 days after establishing a subsidiary pursuant to this section, specifying:

- (a) the name of the subsidiary;
- (b) the names and addresses of the directors of the subsidiary;
- (c) the head office of the subsidiary, with complete mailing address; and
- (d) the fiscal year of the subsidiary

**PART V**  
**Coming into Force**

**Coming into force**

**19** This Act comes into force on assent.



September 5, 2000

Hon. Ralph Goodale  
Federal Interlocutor for Métis  
House of Commons  
Parliament Hill  
Ottawa, Ontario

Dear Minister Goodale:

In follow-up to our discussion at Batoche in regard to the role and importance of the MNS Senate, we are pleased to forward for your attention the following governance proposal. As you can see from the proposal, the Senate since 1991 has played an important function as part of the governing structure of the MNS. In particular, the Senate has served a very important quasi-judicial role in settling Local and Regional disputes, citizenship/membership issues, and election appeals. This service has greatly reduced the potential for biased political interference.

As the MNS develops its internal governance system, the Senate's role will become even more important. Unfortunately, the MNS does not have an adequate resource base to fund the work of the Senate. As a consequence, the Senate relies too heavily upon the MNS treasury board for its financing, which is very minor, except for elections and the occasional Senate meetings. In order for the Senate to be able to freely operate under its constitutional and legislative mandates, having at least a minimal operating budget under their administration would be preferable.

Funding from your Secretariat will certainly be most helpful in assisting us to enable the Senate to more effectively carry out its responsibilities. While the MNS would still be financially accountable for resources received, the Senate would have its own account, which they would administer and then provide financial reports to the MNS treasury board.

Yours sincerely

Clem Chartier  
President

c.c.: MNS Senate

**METIS NATION OF SASKATCHEWAN**

**GOVERNANCE PROPOSAL  
REGARDING THE METIS NATION OF  
SASKATCHEWAN SENATE**

**Submitted to the Honourable Ralph Goodale**

September 2000

# **Metis Nation of Saskatchewan Senate**

## **Governance Funding Proposal**

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### ***Introduction***

The Metis Nation of Saskatchewan Senate (Senate) was established in September of 1991 in an aim to provide Elders an opportunity to guide the governance activities of the elected leadership along with the responsibility to provide the needed historical understandings and experience to the development of Metis culture. They were to provide advice and consultation on important matters to the Metis Nation. The roles and responsibilities of the Senate were further considered in the Metis Nation of Saskatchewan Constitution in December 1993, providing the Senate with the quasi-judicial role of dispute resolution at the regional and local level. The work of the Senate was always recognized and continues to be recognized as an integral part of the governance of the Metis Nation and the institutions that are developed therefrom. Further, as the Metis Nation of Saskatchewan undertakes to govern its citizens through the development of legislation, the role of the Senate is recognized as the desire of all of the people to honour our history and traditions and the values imbedded in each. Their experience and knowledge has proved a necessary light in a sometimes-darkened journey.

### ***Roles and Responsibilities – Past Governance***

In its earliest stages, the Metis Nation of Saskatchewan Senate worked in the capacity of advisor to the Metis Nation and its leadership. This function was performed at local, provincial and national levels, and the Senate was recognized as having the mandate to help define the visions and mission of the governing body. Clearly, the Senate perceived their role as guardian of the Metis Nation of Saskatchewan Constitution and to speak always on behalf of the people on matters of governance. As the structure of the Senate was such that each of the twelve Metis Nation of Saskatchewan regions should appoint one Senator, with one representative from the Metis Women of Saskatchewan,

these lifelong appointments were meant to bring consistency to the inevitable growth and change of the governance structures.

The Senate is responsible for the swearing-in of the members of the Metis Nation Legislative Assembly (Executive, Area Directors, Local Presidents); for initiating laws respecting decorations, medals of honour or other commemorative honours of the Metis Nation; and for resolving internal disputes among members of the Legislative Assembly and any of the Locals and Regional structures or Women's representative bodies within the Metis Nation of Saskatchewan. Their role expanded to include the undertaking of all ceremonial activities, including opening and closing prayers, flag ceremonies and the playing of the anthem. Further, they were mandated to oversee the election process and serve in that capacity as the Metis Elections Commission and the Appeals Commission, as required. The quality of service of the Senate to the Metis Nation, its government and its citizens, is recognized by again expanding roles and responsibilities. In this regard, the Metis Nation of Saskatchewan seeks to establish permanent governance funds to ensure this work can be sustained in all existing and future development of the nation.

### ***Roles and Responsibilities – Present Governance***

Currently, the Metis Nation of Saskatchewan Senate receives its authority from a variety of sources, recognized formally in the Metis Nation of Saskatchewan Constitution (See Appendix 1) of 1993 in Article 12 - Senate Women and Youth. Article 12:4 states that *the Senate is given the power to resolve disputes occurring in the Regions and Locals. Further, that decisions of the Senate shall be final and binding.* The Constitution also identifies the role of the Senate in regards to matters of elections. *A Metis Elections Commission composed of 3 Senators is empowered to oversee and conduct the general elections and by-elections of the Organization. ( Article 8: 7, 10, 11, 13 - Elections.)* Finally, the role of the Senate is set out in regards to matters of citizenship. The Constitution also sets out that members of the Metis Nation of Saskatchewan shall be issued free of charge a lifetime membership card. *Membership cards shall be numbered and a register maintained by the Senate in the Head Office.... Where there is a dispute as to membership, a ruling shall be made by the Senate, with a final right of*

*appeal to the Metis Nation Legislative Assembly the decision of which shall be final and binding. (Article 10 : 4, 5 - Citizenship)*

Through activities of the Metis Nation of Saskatchewan Internal Governance Committee, a number of pieces of legislation have been drafted and ratified by the Metis Nation Legislative Assembly, namely the *Metis Nation Legislative Assembly Act; Senate Act, Citizenship Act and Election Act*. The *Senate Act, 1999*, (See Appendix 2) formalized the mandate and powers of the Senate. The *Act* identified the past roles and responsibilities, as well as formalizing their role in matters affecting Veterans. The role of the Senate in respect to citizenship is elaborated through legislation. The *Citizenship Act, 1999* (See Appendix 3) sets out the responsibility for citizenship to rest with the Senate, including the implementation of the registry process and any determinations that arise from this process, including appeals. The Senate will oversee the work of the Registry Office that will be housed in the Metis Nation of Saskatchewan Head Office in Saskatoon, including the appointment of a Registrar. The *Election Act, 1999* (See Appendix 4), which identifies the minimum requirements of an election process, sets out the provision of a Metis Elections Commission that will be responsible for the entire process, including the establishment of an Electoral List, the appointment of the Chief Electoral Officer and any appeals that arise therefrom. Finally, the role of the Senate is set out in the *Metis Nation Legislative Assembly Act, 1999*, (See Appendix 5) setting out the advisory role to the formal governing body. The Senate will: *have a Ceremonial Role....Table a report to the MNLA, including recommendations on any Appeals or Disputes....Be available ... for clarification on any recommendations....[and] for advice and direction as required (Article 7: 1-4 - Senate).*

The Metis Nation of Saskatchewan legislation clearly sets out the leadership role that the Senate has been given in the governance of the Metis Nation of Saskatchewan, a role that allows for all grievances to be heard and to be dealt with in a fair and expedient manner. The leadership is further provided with a sound second thought and sound judgement process through access to a formal committee of our Elders through the Senate process. The role of the Senate in the continued development of the Metis in Saskatchewan cannot be stressed enough. The wisdom and patience of the Senators can only strengthen the future for all, both within the Metis Nation and within the country of citizens with whom we co-exist in Canada. The Senate provides an opportunity for all

Canadians to access our proud past, to be comforted by the knowledge that the future will indeed be grounded in the past and that the development of the Metis governance will be premised upon the courage and pride and respect that our Elders have shown over history and amidst great struggle.

### ***Roles and Responsibilities – Future Governance***

Other Metis Nation of Saskatchewan legislation, such as the *Metis Wildlife and Conservation Act*, while currently dormant at the decision of the Legislative Assembly, sets out clearly an additional provision for the role of the Senate in the overseeing of any disputes on these important matters, as well.

### ***Requirements for Sustained and Meaningful Activity***

The Metis Nation of Saskatchewan receives core funding from Heritage Canada that only addresses certain and specific functions. No specific funds are identified for the development of the Metis Nation of Saskatchewan Senate, nor to maintain the roles and responsibilities that are currently devolved to them. In order to achieve the status of being fully operational, a governance fund is required. The mandate and function of the Senate is an initiative of the Metis Nation of Saskatchewan in keeping with Federal Government policies, including the *Implementation of the Inherent Right to Self-Government (1996)* and the recommendations of the Royal Commission on Aboriginal Peoples, in regards to the Metis. The Senate enhances the accountability of Metis government in Saskatchewan, maintaining an ability to ensure accountability of elected officials for recourse by the citizens through the Senate. The Senate, in its quasi-judicial role ensures also that there is timely resolution to any grievances that may arise. The Senate acts as a form of ombudsman for Metis in Saskatchewan. Although the Metis Nation of Saskatchewan has provided funds as required to support the important work of the Senate, the funds are severely limited and have not covered the expenses incurred nor the completion of tasks to the satisfaction of the Senate. The Metis Nation of Saskatchewan Senate requires specific funds identified to carry out the mandates that are now so clearly defined.

## ***Budget Requirements***

### **Senate - General**

|                                       |                     |
|---------------------------------------|---------------------|
| Meetings - Quarterly                  | \$20,000.00         |
| Appeals / Dispute Resolution          | \$15,000.00         |
| Travel & Per Diem to Attend Functions | \$10,000.00         |
| Phone / Fax                           | \$5,000.00          |
| Office Equipment / Supplies           | \$5,000.00          |
| Senate Staff (Wages & MERC)           | \$45,000.00         |
| <b>Subtotal</b>                       | <b>\$100,000.00</b> |

### **Citizenship Responsibilities**

|                                      |                     |
|--------------------------------------|---------------------|
| Registrar (@ \$40,000 & MERC)        | \$46,000.00         |
| Registry Staff (2 @ \$30,000 & MERC) | \$69,000.00         |
| Travel                               | \$15,000.00         |
| Phone / Fax                          | \$10,000.00         |
| Office Supplies                      | \$5,000.00          |
| Equipment Rental                     | \$3,000.00          |
| Printing                             | \$10,000.00         |
| Storage Facilities                   | \$5,000.00          |
| Postage                              | \$5,000.00          |
| Appeals Process                      | \$5,000.00          |
| <b>Subtotal</b>                      | <b>\$173,000.00</b> |

**Total Budget Request**                      **\$273,000.00**

## Metis Nation of Saskatchewan Youth Council Inc.

### Guiding Principals

- ∞ Operate in partnership with Metis Nation of Saskatchewan and Metis National Youth Advisory Council and its provincial affiliates.
- ∞ Non-political group.
- ∞ To operationalize the “Metis Nation of Saskatchewan Youth Council statement of purpose.”

## “Statement of Purpose”

- ∞ Metis Nation of Saskatchewan Youth Council looks towards the empowerment of all youth in the province of Saskatchewan and from across the Metis homeland.

## “Statement of Purpose”

- ∞ Looks to promote and achieve active youth participation in the future of our great Metis Nation as a whole.
- ∞ Therefore we declare.....

## Metis Nation of Saskatchewan Youth Council

- ∞ To establish a democratic mandated and self-sufficient Metis Youth secretariat to promote the interests and aspirations of all Metis youth within the Metis Nation of Saskatchewan.
- ∞ To encourage full participation in Saskatchewan and the homeland.

## Metis Nation of Saskatchewan Youth Council

- ∞ Promote and foster “grassroots” Metis youth initiatives.
- ∞ Advocate issues, concerns, and problems facing Metis youth today.
- ∞ Unite for the betterment of our Nation at a local, Regional, Provincial, and National level.

## Metis Nation of Saskatchewan Youth Council

- ∞ Establish effective means of communication for Metis Youth in our province and across the Homeland.
- ∞ Advocate for Metis Youth input, insight, and participation to ensure successful Youth programming.
- ∞ Promote closer relations and support structures.

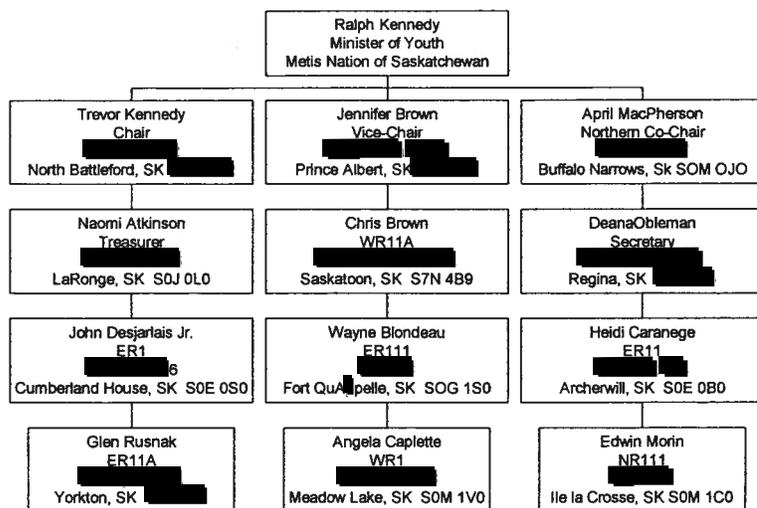
## Metis Nation of Saskatchewan Youth Council

- ∞ Advocate for the education and training needs of Metis Youth.
- ∞ Promote the history, values, culture, language, and traditions to create awareness for our proud heritage.

# Metis Nation of Saskatchewan Youth

- ∞ To work with all Metis governing and local bodies.
- ∞ Promote and Advocate for stronger communications that benefit the Metis Youth.
- ∞ Ensure Metis Youth play a role in the continuation of our Strong Metis Nation.

## Board of Directors



## MNS & MNSYC ROLE

- ∞ Metis Nation of Saskatchewan Youth Council is made up of
- ∞ One youth from each of our Twelve Regions.
- ∞ And its citizens who are between the ages of 16 and 29.
- ∞ As well our Minister of Youth from the Metis Nation of Saskatchewan.

## Membership

- ∞ **The Membership is comprised of Aboriginal people known as “METIS”**
- ∞ A Metis is a person who:
  - ∞ 1.) Self-Declares
  - ∞ 2.) Is of Metis Ancestry
  - ∞ 3.) Is accepted by the Metis Community

## Definition of Metis

The definition has not been established and is still pending.

## Elected Representation

- ∞ Comprised of 12 Metis Youth, one from each of the 12 Regions in the Metis Nation of Saskatchewan.
- ∞ Each youth is elected by Regional Youth Councils.
- ∞ Or appointed by the Regional Area Director.

## Meetings

- ∞ Quarterly Meetings as a full Provincial Board.
- ∞ Once a month for the Provincial Executive.
- ∞ Area Directors are welcome to attend any meeting of their choice.
- ∞ Notice of Meetings.
- ∞ Minutes of Previous meeting sent to Representatives.
- ∞ Special Meetings.

## Meetings

- ∞ Executive Meetings.
- ∞ Quorum.
- ∞ Half plus one of the elected/appointed council members.
- ∞ And shall constitute quorum in order to conduct the business of the council.

## Roles

- ∞ The Executive consists of:
- ∞ Chairman.
- ∞ Vice-Chair.
- ∞ Northern Co-Chair.
- ∞ Secretary.
- ∞ Treasurer.
- ∞ Minister of Youth.

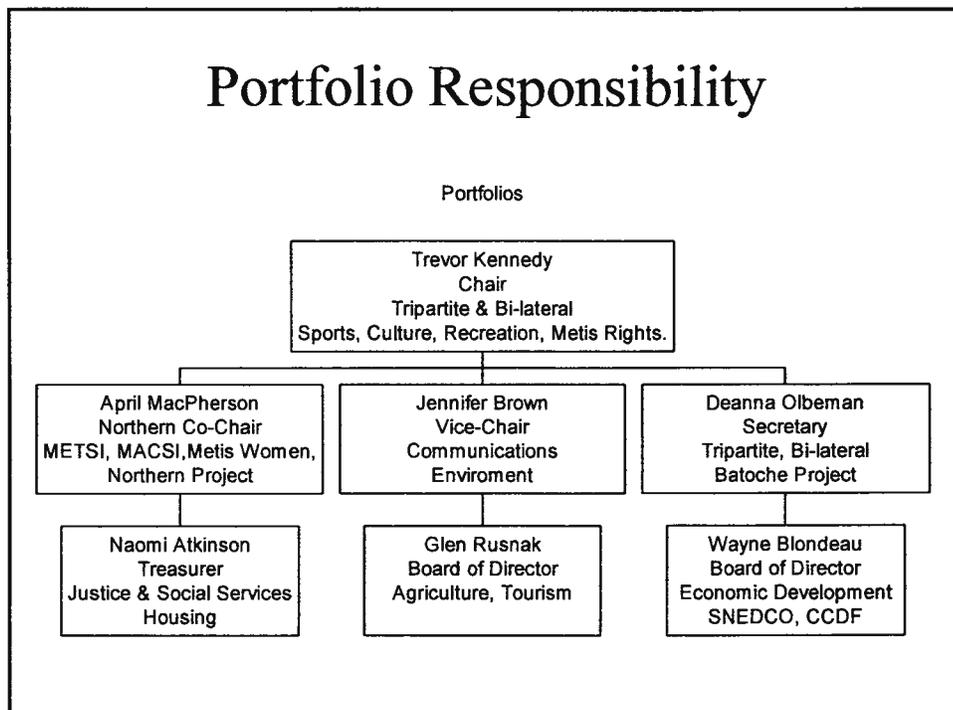
## Affiliates

- ∞ The MNLA on behalf of the Metis Nation of Saskatchewan, shall exercise all powers and duties of the ownership based upon the recommendations of the council.
- ∞ Portfolios are assigned to Youth Reps on the council and automatically serve as Youth Ministers for that portfolio.
- ∞ Metis Youth of Saskatchewan can get involved by contacting the Regional Youth Representative.

## Affiliates

- ∞ The Metis Nation of Saskatchewan Youth Council is now seeking assistance from other affiliates from the Metis Nation of Saskatchewan for Provincial Youth Initiatives.
- ∞ Support would lead our youth to full involvement within the Metis Nation.

## Portfolio Responsibility



## MNLA MOTIONS

At the November 5,6,& 7, 1999 MNLA in North Battleford Saskatchewan the following motions were passed.

∞ Motion # 19 Article 12

- ∞ That the Provincial Metis Youth Council shall be designated one seat on the Provincial Metis Council and four seats at the Metis Nation Legislative Assembly.

## MNLA MOTIONS

∞ Motion 20 Article 3

- ∞ That the Provincial Metis Council shall be composed of the elected regional Representatives, the Executive, one representative from the Metis Women of Saskatchewan, and one representative of the Provincial Metis Youth Council for a total of 18 Provincial Metis Council Members.

## MNLA MOTIONS

### ∞ Motion 21

∞ Article 2, be amended to included 4 Metis Youth Representatives, that the Metis Nation Legislative Assembly shall be comprised of the Local Presidents, the Provincial Metis Council, 4 representatives from the Metis Women of Saskatchewan and 4 representatives from the Provincial Metis Youth Council.

## **Urban Governance: A New Model for Urban Governance in Métis Country**

A presentation by Dave McKay to the Métis Nation of Saskatchewan Leaders' Summit  
September 14, 2000

### **MÉTIS PEOPLE LIVE IN AN URBANISED WORLD**

*"A majority of Saskatchewan Métis people now live in urban centres. Métis governance structures should reflect this reality."*

Métis governance structures are based on a union model. Representation is by region rather than population. This model does not correspond to modern Métis demographics. Today, Saskatoon, Regina, the Battlefords and Prince Albert are the major Métis population centres.

*"Urban Métis governance is fractured. Métis people need to speak to urban governments with a unified voice."*

No comprehensive plan exists to provide governance and services for urban Métis people. A plan is needed to develop:

- democratic governance in urban centres
- appropriate services for urban Métis people

### **Urban Governance: Providing Services For Métis People**

*"Métis services should parallel those provided by municipal government."*

#### **Key Service Areas**

- Housing      • Health
- Economic Development   • Employment
- Education   • Recreation   • Culture
- Social/Political Affairs   • Communications

## **Services 1. Providing Housing for Métis People - Eliminating Homelessness**

*"Previous programs, which provided significant housing units for Métis people in urban centres, should be revived."*

### **Housing Needs**

- Family units
- Seniors units
- Youth/student housing
- Special care facilities

### **Building Equity for Métis people**

*"Housing programs designed to provide people with equity in their own homes have not delivered on this promise. Acknowledging the equity that exists in social housing could change the economic complexion of the urban Métis community."*

### **Special Housing Needs**

#### **After care homes**

*"Places are needed where people who come out of treatment can be stabilised before going back into the community."*

#### **Seniors care facilities**

*"Seniors housing in Regina is full to capacity. Similar facilities do not exist in Saskatoon, Prince Albert, or North Battleford. Parity is needed between cities."*

#### **Disabled housing**

*"No housing facilities for Métis people with special needs are available."*

#### **Building coalitions for social housing**

*"Métis urban councils can play a role in building coalitions with government and non-governmental agencies and organisation involved in social housing."*

***An overview of Métis housing needs is required, as part of an overall urban development plan.***

## **Services 2. Taking Charge of Economic Development Opportunities**

*"We need to take advantage of every possible means to stimulate Métis economic development in urban centres."*

### **Attracting funds for economic development**

An urban Métis economic development initiative can use existing development structures to create stimuli for Métis economic development e.g. SNEDCO, CCDF, etc.

### **Métis business and professional association**

*"An organisation is needed to network Métis professionals and entrepreneurs."*

Operating like a service club, it can help:

- identify development opportunities
- provide contacts and support for entrepreneurs
- develop a cadre of people to participate in boards, REDAs, etc.

## **Economic Development**

### **Métis small business loans association**

*" Many Métis people want to be self-employed. SBLAs can help them start small businesses."*

### **Job Registry**

*"An effective way to direct employers to qualified Métis workers is needed."*

***An overview of Métis economic development options is required, as part of an overall urban development plan.***

### **Services 3. Social and Political Affairs: Taking Our Role in the Urban Community**

*"Métis people need to take the initiative if they want to have full representation in urban affairs."*

#### **Taking positions on municipal and NGO boards**

*"In order to take a fuller role in community life, Métis people should take part in local government boards, service clubs, and organisations."*

#### **Communications: Strengthening Our Identity**

*"Good communications inside and outside the Métis community is part of strengthening the Métis identity. We need to create an atmosphere where people want to be identified as Métis."*

##### **Internal communications strategies**

- Newsletter • Certificates of recognition, patches, etc.
- Regular meetings with affiliate heads

##### **External communications strategies**

- Media relations • Public relations • Community participation

***An overview of Métis social and political affairs opportunities is required, as part of an overall urban development plan.***

### **Services 4. Health and Social Services: Healing and Prevention**

*"Métis people can play a larger role in providing their own health care services."*

#### **Developing a relationship with District Health Boards**

- Collaborating with health districts on service provision for Métis people.
- Developing a base of information and reporting on Métis health needs.

### **All forms of development contribute to better health**

- Better housing, education and employment foster better health.
- Understanding Métis family and justice needs is part of a health care strategy.
- Services are needed in areas such as addictions (including gambling), programs for teenage prostitutes, Métis foster home development, Métis social services programs, etc.

***An overview of Métis health and social services options is required, as part of an overall urban development plan.***

### **Services 5. Education, Training and Employment Services**

***"Opportunities exist to create more and better educational programs for youth and adults."***

- Collaboration with Métis and non-Métis educational institutions
- Creating pre-schools for Métis children (Madeline Dumont model)
- Developing relationships with schools and school boards (K-12)
- Collaboration with METSI, GDI, DTI

***An overview of Métis educational, training and employment opportunities is required, as part of an overall urban development plan.***

### **Services 6. Cultural and Recreation Services**

#### **Programs to strengthen Métis culture**

- Metchif language programs
- Classes in Métis culture
- Culturally-based daycare and preschools.

### **Recreation: Getting our people involved**

- Work with municipalities to increase Métis access to recreational services (pool passes, etc.)
- Work with municipal agencies and organisations to expand recreational programs for Métis seniors and people of all ages.

***An overview of Métis cultural and recreational opportunities is required, as part of an overall urban development plan.***

### **New Structures for Métis Urban Governance**

*“Existing Métis political and governance structures do not meet the needs of today’s urban Métis community. There is no effective organisational plan in place to help meet these needs.”*

#### **Appropriate Political Models for Today’s Urban Métis**

*“Métis people in the city need governance structures that parallel municipal governments.”*

#### **Urban Governance Models**

##### **Urban Councils**

- Urban Métis people need a unified voice to represent them within their cities on city related matters.
- A ward system would be used to elect representatives to Métis urban councils, based on neighbourhood population figures.
- The area director would play a role equivalent to a mayor.
- Urban Métis locals can continue to play a role in the MNS structure.

##### **Local agencies**

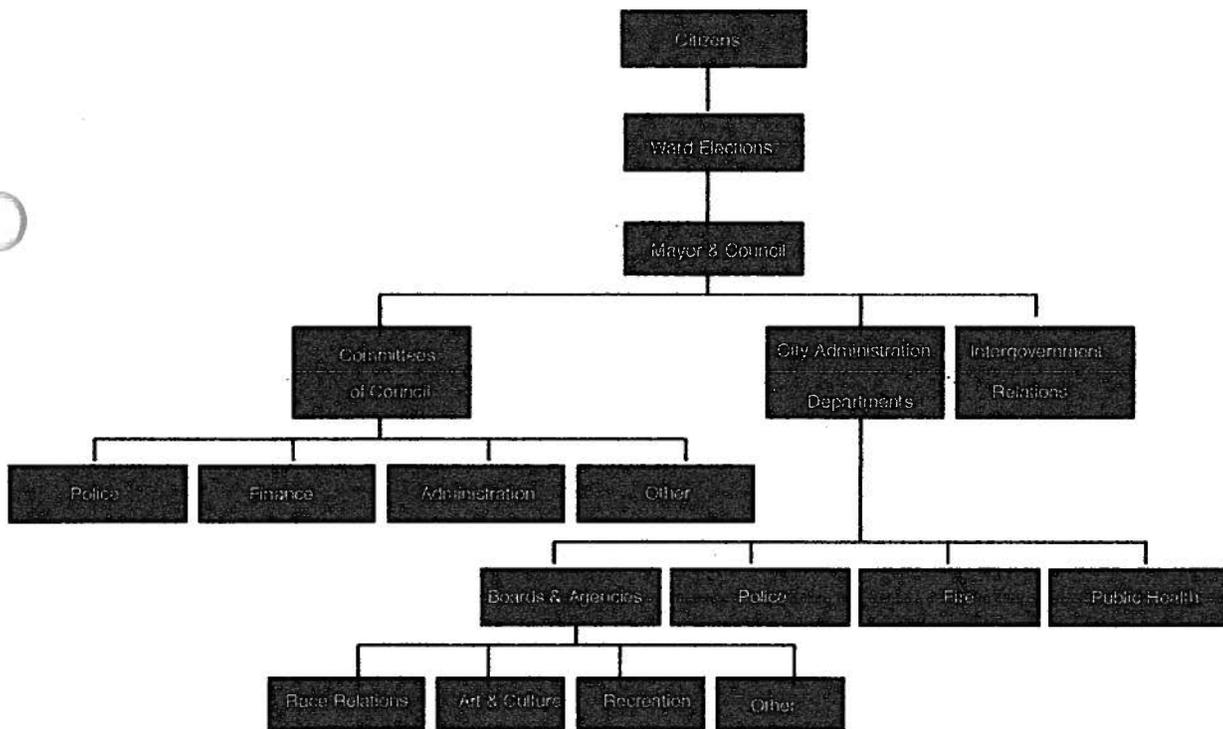
- Local agencies responsible for service provision would be affiliated with provincial agencies such as GDI, METSI, etc.

### Collaboration of Métis Urban Councils

- Urban Métis councils would collaborate:
  - through regular joint meetings
  - in developing strategies for media and public relations
  - in producing newsletters

***An overview of urban governance models is required, as part of an overall development plan.***

### Municipal Services: Organisational Chart



**Métis Urban Councils:  
Regina, Saskatoon, North Battleford, Prince Albert**

