



NATION

MÉTIS NATION GOVERNING ASSEMBLY
held March 9 and 10, 2013
DRAFT MINUTES

Minutes of the Métis Nation British Columbia Métis Nation Governing Assembly held March 9 and 10, 2013, Ellington Ballroom, Hilton Vancouver Airport Hotel, Richmond, BC.

OFFICIAL DELEGATES IN ATTENDANCE:

BOARD OF DIRECTORS:

Bruce Dumont, President and Chief Executive Officer
Annette Maurice, Vice-President
Susie Hooper, Northwest Regional Director, Secretary
Daniel Pitman, Thompson/Okanagan Regional Director, Treasurer
Kate Elliott, Metis Youth British Columbia (MYBC) Chairperson
Michelle Lavergne, Lower Mainland Regional Director
Clara Morin-Dal Col, Métis Women British Columbia Provincial Chairwoman
Brenda Nome, North Central Interim Regional Director
Dan Pope, Northeast Interim Regional Director
Lissa Smith, Vancouver Island Interim Regional Director
Marilynn Taylor, Kootenays Regional Director

REGIONAL REPRESENTATIVES:

Region 1 – Vancouver Island

Bill Bresser, Métis Nation Greater Victoria
Michael Dumont, North Island Métis Nation
June Graham, Mid Island Métis Nation
Ken McIvor, Miki'siw Métis Association
Jan Ovans, Cowichan Valley Métis Nation
Barb Rees, Powell River Métis Society

Region 2 – Lower Mainland

Ken Fisher, Nova Heritage Metis Association
Jim Middleton, Chilliwack Métis Association
Barry Mooney, North Fraser Metis Association
Lisa Shepherd, Golden Ears Métis Society

Region 3 – Thompson Okanagan

Melanie Allard, Two-River Métis Society
Leo Brazeau, Kelowna Métis Nation
Eldon Clairmont, Salmon Arm Métis Association
Marlene Cox-Bishop, South Okanagan
Similkameen Métis Association
Bev Hodgson, Merritt-Ashcroft
Métis Association
Dean Trumbley, Vernon District
Métis Association

Region 3 – Thompson Okanagan Cont'd.

Les Mitchell, Fraser Valley Metis Association
Danny Williamson, Boundary Local
Métis Association

Region 4 – Kootenays

Bob Adams, Nelson – West Local
Ed Delisle, North Columbia River
Metis Association
Wendy Favel, Cranbrook – Central Local
Myrt Servatius, Trail – South Local
Jean Sulzer, Elk Valley Metis Association

Region 5 – North Central

Gerald Bird, Salmon Arm Metis Association
Melissa Swears, Cariboo Chilcotin Métis
Association

Region 6 – North West

Sandra Conlon, North West BC Métis
Association

Region 7 – North East

Darlene Campbell, Moccasin Flats Métis Society
Sharon Payer, North East Métis Association
Sylvia Wiebe, Ft. Nelson Métis Society

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OTHERS IN ATTENDANCE:

Will Goodon, Speaker
Bill Bresser, Deputy Speaker

Dale Drown, Executive Director,
and MNGA Clerk
Tracey Thornhill, Executive Assistant

RECORDING SECRETARY:

Rae Ratslef, Raincoast Ventures Ltd.

DAY 1 – MARCH 9, 2013

1. GRAND ENTRY – FLAG PARTY

1.1 Metis National Anthem

Métis dancer Lisa Shepherd, fiddlers, veterans and dignitaries formed part of the Grand Entry Flag Procession. The Métis Anthem was played.

2. OPENING PRAYER

Senator Edkins offered an Opening Prayer in English. Senator Gladue offered an Opening Prayer in Cree.

3. WELCOMING AND OPENING COMMENTS

3.1 MNBC President Dumont

President Dumont acknowledged that the meeting was being held on Musqueam traditional territory, welcomed Metis leadership from the regions, and acknowledged all Metis dignitaries and friends of the Metis in attendance.

The President discussed the importance of the governance of the Metis Nation. He advised that during the MNGA there would be a great deal of important work to accomplish, and noted his confidence in the ability of the Metis leaders present to make decisions that would affect positive changes to pave the way for Metis youth and future youth for tomorrow.

President Dumont referenced recent court decisions in *Daniels* and *MMF*; MNBC's signing of a Memorandum of Understanding (MOU) with Kwantlen College; and stabilization of the MNBC's financial situation. He spoke on efforts to increase MNBC's operational efficiency; rebuild its internal capacity; and retain a new youth director; and on its activities relating to governance; partnerships; strategic planning; community surveys; regional sessions; and communications.

3.2 MNBC Vice President Maurice

Vice President Maurice welcomed delegates to the meeting, and commented on the viability and strength of the MNBC Board of Directors.

4. ACCEPTANCE OF SPEAKER AND DEPUTY SPEAKER

It was MOVED (Annette Maurice) and SECONDED (Sylvia Wiebe)

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA), in accordance with Article 5.1 of the MNGA Act, appoint Will Goodon as the Speaker for the 2013 and 2014 MNGAs.

CARRIED UNANIMOUSLY (MNGA1301-01)

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It was MOVED (Annette Maurice) and SECONDED (Les Mitchell)

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA), in accordance with Article 5.1 of the MNGA Act, appoint Bill Bresser as the Deputy Speaker for the 2013 and 2014 MNGAs.

CARRIED UNANIMOUSLY (MNGA1301-02)

5. **OFFICIAL BUSINESS OF THE MNGA 2013 CALLED TO ORDER BY THE SPEAKER**
Speaker Goodon called to order the Official Business of the 2013 Métis Nation Governing Assembly scheduled March 9 and 10, 2013 on Day 1 – March 9, 2013 at 9:28 a.m.
6. **ROLL CALL – QUORUM ANNOUNCED**
MNGA Clerk Drown referenced MNGA Act Article 4.2.2, which states that the procedure for taking roll call votes is to call the names of the delegates alphabetically, and to have each person indicate orally his/her vote. MNGA Clerk Drown then conducted Roll Call and confirmed that **38** official voting delegates were in attendance. Quorum was set at **20**.
7. **ACCEPTANCE OF MNGA DRAFT AGENDA**
Related materials distributed in the MNGA 2013 Agenda package: Draft Agenda of the Métis Nation British Columbia Governing Assembly scheduled March 9 and 10, 2013.

It was MOVED (Lisa Shepherd) and SECONDED (Annette Maurice)

That the Agenda for the Métis Nation British Columbia Métis Nation Governing Assembly scheduled March 9 and 10, 2013 be accepted with the following amendments:

- a) Items 12.6 and 12.7, switch the titles
- b) Item 15, replace “AGM 2012” with “AGM 2013”.

CARRIED UNANIMOUSLY (MNGA1301-03)

8. ITERIM REGIONAL VACANCY APPOINTMENTS

8.1 Vancouver Island

In response to concerns raised, President Dumont informed that interim appointments were being proposed as not all positions were filled during the September 2012 election, and it was difficult to obtain funding for a by-election in such a short time frame.

Confirmation was provided that the Region 1 Council had determined in its past meetings to recommend the acceptance of Lissa Smith as the Interim Regional Director by motion and documentation.

Point of Order

In response to a Point of Order, Speaker Goodon advised that each delegate would have an opportunity to speak a maximum of one time on each motion under debate. The Speaker set precedent that one supplemental would be allowed.

Clarification was offered that proposed appointments would be interim until a by-election could be held later in the year, on a date yet to be set. MNGA Clerk Drown advised that if proposed Electoral Act changes were accepted later in the MNGA, and were accepted at the Annual General Meeting (AGM) in September 2013, a by-election would be held thereafter.

In response to questions, it was clarified that there was no candidate for Region 1 Director in the last election, and that Lissa Smith had run for the position of MNBC Vice President.

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Comments were offered in support of the MNGA having the ultimate authority to make interim appointments. MNGA Clerk Drown confirmed that all proper documentation has been filed for the interim appointments being brought forward.

It was MOVED (Bruce Dumont) and SECONDED (Sylvia Wiebe)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Lissa Smith as Interim Region 1 Director, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED (MNGA1301-04)

(1 delegate voting in the negative.)

It was MOVED (Clara Morin-Dal Col) and SECONDED (Lisa Shepherd)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Barbara Toombs as Interim Region 1 Women's Representative, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED (MNGA1301-05)

(1 delegate voting in the negative.)

8.2 Thompson-Okanagan

It was MOVED (Kate Elliott) and SECONDED (Lisa Shepherd)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Shaughn Davoren as Interim Region 3 Youth Representative, with full voting powers in the region, for a term effective March 9, 2013 to December 15, 2013.

CARRIED UNANIMOUSLY (MNGA1301-06)

(1 delegate abstaining from the vote.)

8.3 North Central

It was MOVED (Bruce Dumont) and SECONDED (Dan Williamson)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Brenda Nome as Interim Region 5 Director, with full voting powers in the region, for a term effective March 9, 2013 to December 15, 2013.

CARRIED UNANIMOUSLY (MNGA1301-07)

(1 delegate abstaining from the vote.)

8.4 North West

It was MOVED (Clara Morin-Dal Col) and SECONDED (Annette Maurice)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Alicia Fernando as the Interim Region 6 Women's Representative, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED (MNGA1301-08)

(1 delegate voting in the negative.)

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It was MOVED (Kate Elliott) and SECONDED (Susie Hooper)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Ian Conlon as Interim Region 6 Youth Representative, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED UNANIMOUSLY (MNGA1301-09)

8.5 North East

Metis Youth British Columbia (MYBC) Chairperson Elliott advised that all paperwork had not yet been submitted for the Interim Youth Representative for the North East. As such, the appointment would not be brought before the MNGA at this time.

In response to a query, it was clarified that Daniel Pope did not run in the election the prior fall as his paperwork had not been filed on time.

It was MOVED (Bruce Dumont) and SECONDED (Annette Maurice)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Daniel Pope as Interim Region 7 Director, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED (MNGA1301-10)

(1 delegate voting in the negative.)

It was MOVED (Clara Morin-Dal Col) and SECONDED (Daniel Pope)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Sharon Payou as Interim Region 7 Women's Representative, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

RULED INVALID BY THE SPEAKER

Point of Order

In response to a Point of Order, the Speaker ruled the prior motion invalid given that the seconder, an interim appointee, had not yet been sworn in. It was clarified that until interim appointees were sworn in, they were unable to participate in the MNGA voting process.

It was MOVED (Clara Morin-Dal Col) and SECONDED (Sylvia Wiebe)

That the Métis Nation British Columbia (MNBC) Métis Nation Governing Assembly, pursuant to the provisions of Article 46 of the MNBC Constitution, appoint Sharon Payou as Interim Region 7 Women's Representative, with full voting powers in the region, effective March 9, 2013 to December 15, 2013.

CARRIED UNANIMOUSLY (MNGA1301-11)

A delegate commented on the importance of both Roberts Rules or Order and Parliamentary Procedure being generally respected in debate. The Speaker cautioned that any personal comments in debate would be disallowed, and discussed the right of all delegates to a voice and a vote.

9. NEW MNGA MEMBERS FOR ACCEPTANCE

9.1 Regional Interim Appointments

Region 1 Senator Edkins swore in: Interim Region 7 Director Daniel Pope; Interim Region 1 Director Lissa Smith; Interim Region 5 Director Brenda Nome; and Interim Region 3 Youth Representative Shaughn Davoren.

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It was noted that interim appointees who were not in attendance at the MNGA would be sworn in at a future Board meeting in person or via teleconference as possible.

10. REVIEW AND ACCEPTANCE OF 2012 MNGA DRAFT MINUTES

Related materials distributed in the MNGA 2013 Agenda package: Draft Minutes of the Métis Nation British Columbia Metis Nation General Assembly held March 10 and 11, 2012.

It was MOVED (Barry Mooney) and SECONDED (Leo Brazeau)

That the Minutes of the Métis Nation British Columbia Métis Nation Governing Assembly held March 10 and 11, 2012 be adopted with the following amendments:

- a) Page 1, Region 2, add “Barry Mooney” to the list of those present
- b) Page 1, Region 2, correct reference to “Fraser Valley Metis Association”
- c) Page 1, Region 3, correct the spelling of “Melanie Allard”
- d) Page 1, Region 3, add “Ken Fisher” to the list of those present
- e) Page 2, Item 3.1, bullet 1, replace “Dale Pope” with “Dan Pope”
- f) Throughout, correct references to BC Metis Assembly of Natural Resources (BCMANR), and a Metis Consultation Project Team (MCPT).

CARRIED UNANIMOUSLY (MNGA1301-12)

(1 delegate abstaining from the vote.)

11. MNBC REPORTS

On-table package of Metis Nation British Columbia Reports submitted to the 2013 MNGA:

- *Vice President, submitted by Vice President Annette Maurice*
- *Treasurer, submitted by Treasurer Daniel Pitman*
- *Northwest Region Directors Report (Sept/12 to Mar/13), submitted by North West Region Director Susie Hooper, Minister for Education*
- *Region Director Thompson Okanagan (October 1, 2012 – March 1, 2013), submitted by Region Director Daniel Pitman*
- *Kootenay Region Director Minister Responsible for Registry, submitted by Region Director Marilynn Taylor*
- *Ministry of Economic Development, submitted by Interim Director Dan Pope, Minister Responsible*
- *Vancouver Island – Interim Region Director’s Report, submitted by Interim Director Lissa Smith, BSW*
- *Sport Report, submitted by Kate Elliott, Minister Responsible*
- *Veterans Report, submitted by Lissa Smith, Minister Responsible*
- *North East – Interim Regional Director, submitted by Interim Region Director Dan Pope*
- *Senate Report, submitted by Senate Clerk Bill Thibeault*
- *Lower Mainland Regional Director’s Report, submitted by Regional Director Michelle Lavergne, Minister for Employment & Training*
- *Health Highlights, submitted by Interim Regional Director Lissa Smith, Minister Responsible, and MNBC Director of Health Tanya Davoren*
- *Conference Call with MWBC and report, submitted by Provincial Women’s Chair Clara Morin Dal Cal.*

MNGA Clerk Drown indicated that Article 9 of the MNGA Act specifies the reports to be included in the Orders of the Day.

President Dumont indicated that the Metis National Council (MNC) had recently reorganized and is moving forward to sign a Metis Nation Accord with Canada within the next several months.

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The MNC's 30th Annual General Assembly (AGA) will be held March 22-23, 2013 in Vancouver, BC. The Board of Governors had extended the MNC President's term, which expired December 10, 2102, until the 31st AGM to be held in December 2013 to elect the President.

President Dumont shared that he serves as the MNC Minister of Health, noting that this portfolio had its funding cut the prior year. Funding is currently being sought for a health staff position, and a joint proposal for \$800,000 is being developed with the Metis Nation of Alberta (MNA) and the Metis Nation of Ontario (MNO). The President also serves as MNC Minister for Culture Heritage and Language, but had been unable to attend any major events across the homeland during the prior year – other than Batoche – due to lack of funding.

It was noted that President Dumont serves as the MNBC Minister for Natural Resources and works closely with the British Columbia Metis Assembly of Natural Resources (BCMANR), on an agenda that has moved forward substantively in the past year with engagement with many proponents and industry.

In response to a question, President Dumont indicated there had been one meeting of the MNC Board of Governors since the prior June 2012, and confirmed that he would endeavour to provide more regular updates on Board of Governors activities on the website. He also encouraged delegates to read the MNC President's monthly newsletter for information.

Vice President Maurice referred delegates to her written report. She discussed her attendance at various functions since her election the prior fall, including regional information sessions, the Metis Rights Panel, and Off Reserve Aboriginal Action Plan (ORAAP) meetings. The Vice President also serves as MNBC Minister Responsible for Seniors, and Justice.

Treasurer Pitman referred delegates to his written report provided in the MNGA Agenda package.

Region 4 Director Taylor indicated that she attended meetings in her region, and noted the region's interest in holding a governance meeting, which the MNBC President would be invited to attend. She informed that Trail Metis had raised funds for its Louis Riel Celebration and to aid in the pursuit of the Metis inherent rights agenda. To this end, she announced the donation of \$1,000 from the Trail Metis to the BCMANR Defence Fund.

12. PROPOSED RESOLUTIONS

Related materials distributed in the MNGA 2013 Agenda package:

- *Metis Nation British Columbia Constitution, revised September 30, 2012*
- *Metis Nation British Columbia Metis Nation Governing Assembly Act, revised September 30, 2012*
- *Metis Nation British Columbia Electoral Act, revised September 2010*
- *Metis Nation British Columbia Natural Resource Act, revised September 2010*
- *Metis Nation British Columbia Veterans Act, revised September 2010*
- *Metis Nation British Columbia Senate Act, revised September 2010.*

In response to a delegate's concern regarding the short timeframe that there had been to review proposed resolutions, discussion ensued on the subject of appropriate notification. Article 4.7 of the MNGA Act refers to resolutions having to be submitted at least 45 days prior to the AGM, and in the 2010 MNGA minutes the Clerk referred to a 30-day precedent for distributing resolutions in order to allow sufficient time for delegates to obtain feedback from their communities.

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MNGA Clerk Drown acknowledged that the proposed Resolutions had been distributed later than what would have been preferred. However, nothing in the legislation requires notice, other than the 45 days specified in advance of an AGM. Any citizen is able to attend an AGM and as such, there is a greater notification period.

MNGA Act Article 6.5 speaks to the need to provide the MNGA draft minutes at least 14 days prior to the MNGA. As such, it was proposed that at least 30 days notice be required for any subjects requiring dialogue with citizens of the Nation. For the purpose of this MNGA, it was suggested that delegates would be considering legislation that would be brought to the AGM later in the year for final approval and that as such, it was not necessary to defer consideration of the Resolutions at this time.

Request for Action (01)

It was requested that a Resolution be brought forward to the 2014 MNGA to address the loophole around the notification period for Resolutions.

12.1 Resolution 01 – MNBC Constitution Proposed Change – Election Timing

Related materials distributed in the MNGA 2013 Agenda package: Resolution #1 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Constitution, submitted February 8, 2013.

It was MOVED (Lissa Smith) and SECONDED (Michelle Lavergne)

WHEREAS:

1. Article 42 of the Metis Nation British Columbia (“MNBC”) Constitution defines the timing of MNBC elections such that a MNBC general election shall be held once every four (4) years.
2. The current definition of the timing of the MNBC election is vague and indefinite and may leave a doubt as to the required time within which the MNBC election must be held.
3. It is expedient to have a clearly defined time within which the MNBC election will be held.

THEREFORE BE IT RESOLVED THAT:

4. Article 42 of the MNBC Constitution be amended to add the words “on any date within 6 months prior to the 4th year anniversary” so that Article 42 shall read as follows:
“42. Elections for the MNBC shall be held once every four (4) years on any date within 6 months prior to the 4th year anniversary.”

CARRIED (MNGA1301-13)

(1 delegate voting in the negative; 2 delegates absent at the vote.)

12.2 Resolution 02 – MNBC Constitution Proposed Change – Election Timing

Related materials distributed in the MNGA 2013 Agenda package: Resolution #2 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Constitution, submitted February 8, 2013.

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In consideration of Resolution 02, discussion ensued on:

- Changing the wording supports communities whose presidents may be elected annually
- Clarification that “MNBC” refers to the Board
- Current wording indicates that the MNGA table is open to Presidents/Vice Presidents having been elected at least every two years.

It was MOVED (Lissa Smith) and SECONDED (Michelle Lavergne)

WHEREAS:

1. Article 43 of the Metis Nation British Columbia (“MNBC”) Constitution requires that members of the Metis Nation Governing Assembly (“MNGA”) who are not also members of the MNBC shall be subject to an election every two (2) years.
2. That definition may be construed as vague and indefinite.
3. It is expedient to ensure that a member of the MNGA who is not also a member of the MNBC be subject to the electoral process at least every two (2) years.

THEREFORE BE IT RESOLVED THAT:

4. Article 43 of the MNBC Constitution be amended to add the words “at least” before the words “every two (2) years” so that Article 43 shall read as follows:

“43. Elections for the Métis Nation Governing Assembly who are not also Members of the MNBC shall be held at least every two (2) years.”

CARRIED UNANIMOUSLY (MNGA1301-14)

(4 delegates abstaining from the vote)

Point of Order

In response to a Point of Order, the Speaker confirmed that unless a delegate is present at the MNGA table their vote would not be counted in the vote, and they would be deemed to be absent.

12.3 Resolution 03 – MNBC Constitution Proposed Change – Community Compliance

Related materials distributed in the MNGA 2013 Agenda package: Resolution #3 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Constitution, submitted February 8, 2013.

In consideration of Resolution 03, discussion ensued on:

- Suggestion that the Resolution is out of order as it is intended to discipline communities that take an assertive stand
- Clarification of the intention to insert new Article 59 and renumber remaining articles
- Concern that the Resolution is lengthy, wordy, convoluted and lacks definition for phrases used
- Legislation should be more clearly drafted
- There is need for a defined process to remove communities, that is similar in terms of level of scrutiny that applications to become a community must go through
- The MNGA accepts communities and must be able to remove them
- Agreement with the concept but not as presently worded

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- Clarification that the Resolution would allow the MNBC Board to bring forward a recommendation to the MNGA for actual decision
- Concern that the Resolution takes some of the autonomy from the community, and provides powers without a procedure
- Intent of the Resolution to protect the interest of the community members
- Ability to make further amendments to the Constitution at future MNGAs as needed
- Recommendation to commit Resolution 03 to Committee for clarification
- Potential for committees to be effective, as evidenced by the innovative Adoption Legislation previously brought forward by committee and approved
- Confirmation that the MNBC Governance Committee has worked on this Resolution
- Concern that commitment to Committee would result in unnecessary delay
- Need to consider financial implications of referring items to Committee given the difficulty of securing resources to support committees in their work
- The proposed Resolution allows six months for Presidents to consult
- Concern that there are some communities that receive funding from the MNBC but will not participate in MNBC processes, and there is need to have a mechanism to address their community members' concerns
- The Resolution is not seeking ability to dissolve communities, but provides a mechanism to bring forward concerns to the MNGA for consideration
- Support for the proposed amendment which speaks more clearly to the original intent of the Resolution as a mechanism of last resort with full awareness that there would be need to bring the recommendation back to the MNGA
- Opposition to legislation being drafted and amended "on the fly"
- Clarification that the intent of the Resolution is not to stifle communities that may speak against the MNBC, but to address the removal of communities that are unwilling to engage.

Point of Order

In response to a Point of Order, the Speaker ruled that a motion to Commit the Main Motion to Committee was in order.

Point of Order

In response to a Point of Order, the Speaker clarified that once a Motion has been Moved and Seconded it belongs to the MNGA as a whole which can then Move and Second a Motion to Amend. The Motion to Amend is then voted on prior to the Main Motion being considered.

Point of Order

In response to a Point of Order, the Speaker clarified that if Question were called on the Motion to Amend it would be voted on before a Motion to Table could be introduced.

Point of Information

In response to a Point of Information, the Speaker clarified that an abstention vote does not count either for or against a motion, but does count for the purpose of establishing Quorum.

Main Motion

It was MOVED (Michelle Lavergne) and SECONDED (Annette Maurice)

WHEREAS:

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1. The Metis Nation British Columbia (“MNBC”) Constitution is the supreme law of and for the Metis Nation pursuant to which the MNBC represents and governs the Metis Citizens of British Columbia.
2. The MNBC and Communities as defined in Article 55 and Sub-Articles thereto enter into agreements known as a Community Governance Charter that define their relationship pursuant to Article 57 of the MNBC Constitution.
3. Community Governance Charters include provisions that require certain actions by and on behalf of the Communities that comply with or are in agreement with the MNBC Constitution, Legislation and/or Policy.
4. The failure to comply with the terms of the MNBC Constitution, Legislation, Community Governance Charter agreements and/or MNBC Policy may be detrimental to the MNBC its Citizens or the governance of the Métis Nation.
5. The MNBC Constitution does not provide a procedure pursuant to which the MNBC may take appropriate action in the event a Community does not comply with the terms of its Community Governance Charter or the provisions of the MNBC Constitution.
6. It is necessary for the MNBC Constitution to be amended to include an Article providing Constitutional authority to the MNBC to take such action as may be necessary to require Community compliance with the terms of its Community Governance Charter and/or the MNBC Constitution.

THEREFORE BE IT RESOLVED THAT:

7. The MNBC Constitution be amended to provide Article 59 as follows:

“59. In the event that a Community is in contravention of the terms of its Community Governance Charter or of the provisions of the MNBC Constitution, the MNBC, after taking such reasonable and appropriate actions in order to bring the Community into compliance with the Community Governance Charter or MNBC Constitution as the case may be, and, in the event the Community, in the discretion of the MNBC, remains or continues to be non-compliant, the MNBC shall make such recommendations to the MNGA as may be deemed appropriate, with the effect of dissolving that community’s Community Governance Charter and affiliation with the MNBC.”

8. And the balance of the following Articles be amended accordingly.

Motion to Commit the Main Motion to Committee

It was MOVED (Bill Bresser) and SECONDED (Ken Fisher)

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA) commit the Main Motion on Resolution 03 to a Committee yet to be established that involves members of the MNGA and Metis Nation British Columbia staff to address issues raised during original discussion.

DEFEATED

DRAFT

Motion to Amend the Main Motion

It was MOVED (Sylvia Wiebe) and SECONDED (Ken Fisher)

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA) amend the Main Motion by renaming Article 59 as Article 59.2, and inserting into the main motion the following:

“59.1 In the event that the community is in contravention of the terms of its Community Governance Charter or of the provisions of the MNBC Constitution, the MNBC will do all within its ability to assist the community to come into compliance within the Community Governance Charter and/or MNBC Constitution as the case may be.”

CARRIED UNANIMOUSLY (MNGA1301-15)

(5 delegates abstaining from the vote.)

On the main motion as amended:

“59.1 In the event that a Community is in contravention of the terms of its Community Governance Charter or of the provisions of the MNBC Constitution, the MNBC will do all within its ability to assist the community to come into compliance within the Community Governance Charter and/or MNBC Constitution as the case may be and, in the event the Community, in the discretion of the MNBC, remains or continues to be non-compliant, the MNBC shall make such recommendations to the MNGA as may be deemed appropriate, with the effect of dissolving that community’s Community Governance Charter and affiliation with the MNBC.”

Question was then called on the Main Motion as amended and it was

CARRIED (MNGA1301-16)

(7 delegates voting in the negative; 3 delegates abstaining from the vote.)

12.4 Resolution 04 – MNBC Electoral Act Proposed Change

Related materials distributed in the MNGA 2013 Agenda package: Resolution #4 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Electoral Act, submitted February 8, 2013.

In consideration of Resolution 04, discussion ensued on:

- Support for the Resolution, which deals with an issue of voter intimidation
- Support for the Resolution, which works in favour of remote communities
- Mail in ballot will give all citizens an opportunity to voice their vote in a timely manner
- Suggestion to refer the Resolution to committee
- The Act specifies that the cut off time for ballots will be the designated election day
- Likelihood that there would be a minimum of 21 days for ballots to be mailed in
- Mail in ballots will cut costs for future elections
- Concern that mail in voting will affect the integrity of the elections
- Interest in exploring the potential to move to an electronic voting system in future
- Importance of every Metis citizen having a voice and the opportunity to vote
- Clarification that in order to participate in the advance poll, it would be necessary to submit a request to do so.

DRAFT

It was MOVED (Lissa Smith) and SECONDED (Michelle Lavergne)

WHEREAS:

1. The Metis Nation British Columbia (MNBC) has enacted the MNBC *Electoral Act* (the “Act”) to govern the election or a by-election for the offices of MNBC President, Vice-President, Regional Directors, the Chairperson and Regional Representatives of the Métis Women of British Columbia (the “MWBC”) and the Chairperson and Regional Representatives of the Métis Youth of British Columbia (the “MYBC”).
2. The Act provides that elections to be held by ballot box elections that require the appointment of election staff and the designation of polling stations.
3. From time to time the MNBC together with the MNBC Communities have been unable to obtain designated polling stations and/or appropriate or any staff to look after the election procedure at the polling stations.
4. If and when polling stations and/or staff are available the cost of maintaining an election or by-election is prohibitive.
5. It is expedient to hold elections in a manner that ensures full participation of the MNBC and that are properly conducted and affordable.
6. The experience of the MNBC in the last election confirmed that an election by mail-in ballot fulfills the requirements of full participation, proper conduct and affordability.
7. There is no procedure in the Act to provide for an election using a mail-in ballot process.
8. It is necessary for the Act be amended to include provisions and wording that define a process for carrying out a mail-in ballot.

THEREFORE BE IT RESOLVED THAT:

7. The MNBC *Electoral Act* be amended as follows:

To amend the wording of or to add the following Sub-Articles to Article Three as designated by the italicized blue words therein:

- 3.1 **“Advance Poll”** means a vote held prior to *the designated* Election Day so as to allow those voters who may be unable to attend a polling station the ability to vote *either by voting at a Polling Station or by Mail-in Ballot;*
- 3.3 **“Ballot” or “ballot”** means a paper or document representing a vote by an Elector and means vote where the context so dictates;
- 3.4 **“By-Election”** means an election to replace or fill a vacancy in the MNBC Board of Directors, the Métis Women of British Columbia and/or the Métis Youth of British Columbia when such vacancy *exists as the result of a lack of nominations for candidacy at an Election or* is created by the removal, resignation or disqualification of the person previously holding the office as set out

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in Article 23 of the Constitution;

- 3.10 **“Election Day”** means the official day *when the votes cast by Electors at an Election are counted* and all voting except Advance Poll voting *and voting by Mail-in Ballot* takes place;
- 3.11 **“Election Voting Period”** means, in the case of a Polling Station vote that period of time as designated by the Chief Electoral Officer and in the case of a Mail-in Ballot election that period of time as set by the Chief Electoral Officer pursuant to Sub-Article 15.2 of this Electoral Act.
- 3.12 **“Election Officer”** means the Chief Electoral Officer, Returning Officers and Poll Clerks appointed for a particular election or by-election;
- 3.13 **“Elector”** means a Métis citizen who, pursuant to the Métis Nation British Columbia’s *Constitution*, is no less than 18 years of age as of the date of the election, has been registered as a Métis citizen pursuant to the Métis Nation British Columbia *Citizenship Act*, and has resided in British Columbia for a minimum of twelve (12) months for a provincial office or six (6) months for voting in regional offices. Any female Métis citizen who is eighteen (18) years of age or older may vote or seek elected office within the Métis Women of British Columbia. Any Métis citizen who is between fifteen (15) years of age and thirty (30) years of age may vote or seek elected office within the Métis Youth of British Columbia.
- 3.14 **“Interim Appointee”** means a person who is appointed to fill a vacancy on the Board of Directors, or a MWBC Regional Representative or MYBC Regional Representative on an interim basis pursuant to the provisions of Article 46 of the Constitution.
- 3.15 **“List of Electors”** means a list made pursuant to this *Electoral Act* and *prepared by* the MNBC Central Registry of individuals entitled to vote in a Métis Nation British Columbia election;
- 3.16 **“Mail-in ballot”** means a vote that is cast by an Elector and delivered by mail or courier to the location or individual designated by the Chief Electoral Officer in accordance with Sub-Article 5.6 herein;
- 3.23 **“Polling Station”** means a place established by the Election Officers where Electors cast their vote *or send their ballots by Mail-in Ballots in accordance with Sub-Article 5.6 herein* and which is set up pursuant to the *MNBC Electoral Act*.”
- 3.24 **“Region” or “Electoral Region”** means one of the seven (7) regions of the Métis Nation British Columbia;

To add the following Sub-Article to Article Five:

- 5.6 *The Chief Electoral Officer may conduct an Election by Polling Station vote or by Mail-in Ballot in which each Elector casts his/her vote by sending in their ballot by mail or courier within a specified time period to a location so*

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designated by the Chief Electoral Officer.

To make the following amendments to Article Six:

- 6.0 Any Métis Citizen of the MNBC who is Ordinarily Resident in British Columbia is eligible to be an Elector subject to *Sub-Article 6.2* herein.
- 6.1 *An Elector* is entitled to cast one (1) vote for the each of the following offices:

To make the following amendments to Article Seven:

- 7.4 Electors shall vote at the Polling Station closest to where they are ordinarily resident *or in the case of a Mail-in Ballot shall send their ballot by mail or courier to a location so designated by the Chief Electoral Officer within the time set by the Chief Electoral Officer as the Election Voting Period.*

To make the following amendments to Article Eight:

- 8.9 Candidates shall not be permitted to use the offices or equipment of the MNBC or *any* program delivery offices for the purposes of presenting or advancing their campaign at any time during the Campaign Period.

To make the following amendments to Article Ten:

- 10.1. If, after the close of nominations there are offices that remain without Candidates or without persons elected by acclamation, the Chief Electoral Officer shall set another day for the receipt of nominations for the remaining offices subject to available funding. Nominations shall be *received for an Election to be held no earlier than* six (6) months from the date of the Election and shall follow the processes and rules set out in this *Electoral Act*.

To make the following amendments to Article Fourteen:

- 14.1 The Chief Electoral Officer shall appoint a Returning Officer and a Poll Clerk for each location where a Polling Station is to be established in the electoral region, *or in the case of a Mail-in Ballot in accordance with Sub-Article 5.6 herein the Chief Electoral Officer shall appoint a Returning Officer and Poll Clerks for the location designated to receive ballots.*
- 14.2 A person appointed, as either a Returning Officer or Poll Clerk shall hold office from the time appointed until thirty (30) days after the *Election Day*.

To add the following Sub-Article to Article Fifteen:

- 15.2 In the case of an Election by Mail-in Ballot Electors shall be able to submit their ballots to the Deputy Returning Officer or Poll Clerk in accordance with Sub-Article 14.1 within such specified period of time as may be established by the Chief Electoral Officer but in any event such period of time shall not be less than 14 calendar days.*

To add Sub-Article 16.2 and make the following amendments to Article Sixteen:

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16.2 *In the case of an Election by Mail-in Ballot there shall be a location established by the Chief Electoral Officer for the purpose of receiving Mail-in Ballots.*

16.3 A final List of the Polling Stations will be listed twenty-one (21) days prior to the *Election Date.*

To add the following Sub-Article to Article Seventeen:

17.3 *In the case of a Mail-in Ballot election a Candidate may appoint up to two (2) scrutineers to be present at the designated location or locations during the opening of the ballot boxes and the counting of the ballots.*

To make the following amendments to Article Twenty Three:

23.1 Voting shall be by secret ballot, *and in the case of an Election by Mail-in Ballot, a double envelope system as defined by the Chief Electoral Officer shall be used by Electors to send their ballots to the designated location or locations for receiving ballots.*

To make the following additions or amendments to Article Twenty Six:

26.2 *In the case of an Election by Mail-in Ballot, the Chief Electoral Officer shall establish an Advance Poll by Mail-in Ballot to accommodate those Electors who believe they will not be able to send in their ballot during the prescribed voting period pursuant to Sub-Article 15.2*

26.3 Individuals who may vote at an Advance Poll are those Electors who have reason to believe that they will not be in their respective Region or community when the Election is to be held on the date fixed for the Election Day.

26.4 The Advance Poll shall be held on a day designated by the Chief Electoral Officer.

26.5 Electors wanting to vote in the advance poll by mail must make a request for a ballot in writing to the Chief Electoral Officer, and such request shall be signed by the Elector.

- a. No person shall be allowed to request a mail-in ballot on behalf of any other Elector.
- b. The Chief Electoral Officer will establish the close of date, time and location for which to receive the requests for mail-in ballots.

26.6 When mail-in ballots have been forwarded to an Elector, the poll book will be marked indicating that the Elector has voted by mail and he or she may not vote *on Election or Day or during the Election period in the case of an Election by Mail-in Ballot.*

To make the following amendments to Article Thirty Three:

33.1. *Except in the case of a Mail-in Ballot* an Elector who has received a ballot paper shall not take it out of the Polling Station.

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To make the following amendments to Article Thirty Nine:

- 39.5 The *Chief Electoral Officer* will be required to cast a vote in the event of a tie based on the calculation of the popular vote only.

And to capitalize the first letter on the words “Candidate”, “Election”, “Election Day”, “Poll Book” and “Polling Station” where those words appear in the text of the *MNBC Electoral Act* and to make the necessary changes in Article and Sub-Article numbers.

CARRIED UNANIMOUSLY (MNGA1301-17)

(2 delegates abstaining from the vote.)

ASSEMBLY ADJOURNED

Day 1 – March 9, 2013 of the Métis Nation British Columbia Métis Nation Governing Assembly held March 9 and 10, 2013 adjourned at 4:36 p.m. and set the time to reconvene on Day 2 – March 10, 2013 at 8:30 a.m. or as soon thereafter as quorum was achieved.

DAY 2 – MARCH 10, 2013

ASSEMBLY RECONVENED

Speaker Caverley reconvened the Métis Nation British Columbia Métis Nation Governing Assembly held March 9 and 10, 2013 on Day 2 – March 10, 2013 at 8:45 a.m.

Agenda Varied

The order of the Agenda was varied to consider Item 13 at this point.

13. ROLL CALL – MNGA CLERK (QUORUM ANNOUNCED)

Following a roll call, MNGA Clerk Drown acknowledged that there was a quorum of delegates present. The Speaker clarified that legislative or bylaws changes both require a 75% affirmative vote.

CHANGE IN CHAIR

Speaker Goodon left the table and turned over the Chair to Deputy Speaker Bresser.

12.5 Resolution 05 – Ft. Nelson Metis Society

Related materials distributed in the MNGA 2013 Agenda package: Resolution #5 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Constitution, submitted January 12, 2013.

In consideration of Resolution 05, discussion ensued on:

- Rationale for the resolution having been brought forward
- Support for initiatives that will help people to be aware of their Metis ancestry
- Question regarding who will be the authority that will determine who is qualified to sit on the Council
- Need to recognize the diversity of Metis people and their practices
- Importance of promoting Metis culture amongst youth and in schools
- Support for the concept of the Council

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- Clarification of the intent to gather feedback on the formation of the Council so that a proposal could be brought forward to the AGM in the fall
- Potential to access funding from Canadian Heritage for the formation of the Council
- Need for caution to ensure that a new structure is not being formed where there is already an existing structure – the Ministry for Culture Heritage and Language
- Opposition to such a Council playing any role in certifying “Metis culture”
- Support for more conversation on the subject
- Lack of resources to support ministerial portfolios
- Interest in securing funds for an Elders event
- Varying levels of involvement of Metis Elders in different communities
- Benefits of a positive rapport with ministers in the provincial and federal government
- Ability and importance of learning through listening, observation, laughter and humour
- Importance of the preservation of knowledge keepers, and of sharing the past for the preservation of Metis people
- Suggestion to rename the Ministry of Elders as the Ministry for Knowledge Keepers, and the Ministry for Culture and Heritage as the Ministry for Ancestors.

Main Motion

It was MOVED (Dan Pope) and SECONDED (Annette Maurice)

WHEREAS:

1. Pursuant to Article 55 of the Metis Nation British Columbia (“MNBC”) Constitution, Communities are recognized as the basis unit of the Métis government.
2. Article 60 of the Constitution provides for the organization of Regional Governance Councils to be formed in each Region that are comprised of the Presidents of each Community in the Region together with the applicable Regional representative of Métis Youth of British Columbia, the Métis Women of British Columbia.
3. Included in the purposes of the MNBC as defined in the Constitution is to revive Métis cultural heritage and pride (Article 2) and to freely pursue Métis social and cultural development (Article 4).
4. The cultural component of the governance is also referenced in the Constitution of the MNBC Secretariat.
5. Cultural identity and preservation requires attention to Communal and Regional Métis ancestral wisdom and cultural practices in order to continue to strive towards reviving Métis cultural heritage and pride and to develop Métis culture.
6. Attention to the cultural component of the Métis governance would be enhanced and promoted through a committee to be formed for that purpose.

THEREFORE BE IT RESOLVED THAT:

7. A Committee to be known as the “MNBC Ancestors Council” be struck in consultation with appropriate Regional Governance Councils and MNBC Communities to determine interest and viability in forming a “MNBC Ancestors Council.”

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8. The purpose of the “MNBC Ancestors Council” is to preserve, maintain, enhance, encourage, teach and ensure our Métis culture, traditions and language are kept at the forefront of our Métis Nation for future generations.

Motion to Refer the Main Motion

It was MOVED (Barry Mooney) and SECONDED (Lisa Shepherd)

That the Métis Nation British Columbia (MNBC) Metis Nation Governing Assembly (MNGA) refer the Main Motion and MNGA members’ discussion on Resolution #5 to be taken under advisement by the MNBC Board of Directors.

CARRIED UNANIMOUSLY (MNGA1301-18)

CHANGE IN CHAIR

Deputy Speaker Bresser turned over the Chair to Speaker Goodon.

12.6 Resolution 06 – MNBC Veterans Act Proposed Legislative Change

Related materials distributed in the MNGA 2013 Agenda package: Resolution #6 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Senaté, submitted February 8, 2013.

In consideration of Resolution 06, discussion ensued on:

- Concern that providing further mandate to seek funding is redundant
- Rationale for the Resolution having been brought to the table
- Following the *Daniels* decision there is a backlog of cases to be addressed
- Inability of the Senate to meet because of lack of resources
- Anticipation of additional backlog as a result of the win in *Daniels*
- Anticipation that the decision in *MMF* will result in further funding to support the business of the Senate
- Ability of the Senate to seek funding from MNBC on a case by case basis
- Importance of increasing efficiencies in order to do more work with less money
- Need to rely on the Registrar if they deem that there is no Aboriginal connection within an individual’s ancestral chart their application should not be open to appeal
- Potential to explore other means of facilitating Senate meetings in more efficient and less expensive ways, i.e. via Skype, teleconference, etc.

It was MOVED (Annette Maurice) and SECONDED (Sylvia Wiebe)

WHEREAS

The Métis Nation British Columbia (MNBC) Senate must have finances to provide for the ability to carry out the functions and administration of our judicial system, and

WHEREAS

At this time, the sole sources of funding for the MNBC Senate are through the negotiations of MNBC with the Department of Aboriginal Affairs and Northern Development Canada (AANDC) and the Ministry of Aboriginal Relations and Reconciliation (MARR), and

WHEREAS

The government has reduced funding provided to the Senate for its functions, and the general direction of government funding could lead to rendering the Senate unable to maintain the judicial services provided by the Senate for the Nation, and

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WHEREAS

The Federal Court decision on the *Daniels* case is likely to increase the citizenship applications to MNBC, and that may result in increase Appeal Option Notifications and appeals to the Senate for citizenship decisions, and

WHEREAS

There is currently a backlog of appeals that the Senate has been unable to address due to funding shortfalls,

THEREFORE BE IT RESOLVED

That MNBC be directed to negotiate strongly to enhance the level of funding provided for the MNBC Senate through AANDC and MARR to a level that will allow the Senate to address both the backlog and the expected increase in citizenship appeals to the Senate.

WITHDRAWN

12.7 Resolution 07 – MNBC Veterans Resolution

Related materials distributed in the MNGA 2013 Agenda package: Resolution #7 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Veterans Act, submitted February 8, 2013.

In consideration of Resolution 07, discussion ensued on:

- Clarification of the intent to also reference “RCMP or other applicable Police forces” which normally applies to municipal or tribal police forces as well
- Support for any Resolution that will aid the Metis Veterans of British Columbia (MVBC) in being more effective.

It was MOVED (Ken Fisher) and SECONDED (Lissa Smith)

WHEREAS

1. The Metis Veterans of British Columbia (“MVBC”) recognizes the service of Peace Officers and wish to add them to the Membership criteria of the MVBC.
2. The MVBC has and will continue to have vacancies of the MVBC Regional Representatives and in consultation with the appropriate Regional Governance Council filling vacancies can be expedited.
3. A MVBC Chairperson will be appointed from among the MVBC members by the MVBC Committee. This will allow an additional position on the MVBC Committee to follow a democratic process should there be several vacancies on the MVBC Committee at any time.

THEREFORE BE IT RESOLVED THAT:

5. The MNBC Veterans Act be amended as follows:

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By adding the words “Peace Officers” after the acronym “RCMP” in Sub-Article 3.1 so that Sub-Article 3.1 will read as follows:

“3.1. Métis who have received a MNBC Citizenship Card and who are serving or have served in the Regular Forces or Reserve Forces, Canadian Coast Guard, RCMP *or other applicable Police forces, Peace Officers* or Merchant Navy (the “Veterans”) shall, upon submission of proof of service and Métis Citizenship and upon application to the MVBC being approved, be the members of the MVBC (hereinafter “Members”).

By replacing Sub-Article 4.01 with the following so that Sub-Article 4.1 will read as follows:

“4.1 The MNBC-Métis Veterans Committee (the “MVBC Committee”) shall be constituted of a Métis Veteran Chairperson, seven Métis Veteran Representatives (the “Regional Representatives”), and a Woman Veteran Representative being a MVBC member. The MVBC Committee shall elect from among the MVBC Membership a Chairperson and Women’s Representative. The MVBC Regional Representatives shall be appointed in consultation with the appropriate MNBC Regional Governance Council.”

By amending Sub-Article 4.2 so it reads as follows

“4.2 A Secretary, and Treasurer will be appointed by the MVBC committee from the MVBC Regional Representatives, who, together with the Chairperson and the Women’s Representative, shall collectively act and be known as the “Executive Committee”

CARRIED UNANIMOUSLY (MNGA1301-19)

(1 delegate abstaining from the vote.)

12.8 Resolution 08 – MNBC Natural Resources Act Proposed Change

Related materials distributed in the MNGA 2013 Agenda package: Resolution #8 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: MNBC Natural Resources Act, submitted February 22, 2013.

It was MOVED (Marilynn Taylor) and SECONDED (Wendy Favel)

WHEREAS:

1. Pursuant to the provisions of the Metis Nation British Columbia (MNBC) *Natural Resources Act*, Métis Citizens may apply to the MNBC registrar and, if qualified be provided with MNBC Harvester Cards.
2. It is imperative that the integrity of the Harvester Card be maintained and that the legislation be amended to ensure the preservation of the integrity of Harvester Cards.
3. It is expedient to amend the *Natural Resources Act* so that the meaning and intent of the Legislative provisions are evident.

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4. Sub-Article 8.7.2 requires certain amendments to ensure that the meaning of that Sub-Article is evident.
5. The British Columbia Metis Assembly of Natural Resources (BCMANR) has the legislative authority to make regulations pursuant to Article Nine of the *Natural Resources Act*.
6. Regulations 9.4; 10.3; and 11.2 contain reference to a scientific written opinion by a registered professional biologist and it is expedient to remove that reference from those regulations.

THEREFORE BE IT RESOLVED THAT:

That the following amendments be made to the *Natural Resources Act*:

Sub –Article 2.14 be deleted and of no force and effect.

Sub-Article 8.5.1 be amended by added the words “valid” following the words “collect natural resources unless at that time he or she has a” so that Sub-Article 8.5.1 will read as follows:

“8.5.1 No holder of a MNBC Harvesting Card shall hunt, fish, trap or collect natural resources unless at that time he or she has a *valid* MNBC Harvesting Card on his or her person.”

Sub-Article 8.7.2 be amended by including the words ‘An issuer of MNBC Harvesting Cards may refuse to issue a MNBC Harvesting Card’ at the beginning of the Sub-Article so that Sub-Article 8.7.2 will read as follows:

“8.7.2 An *issuer of MNBC Harvesting Cards may refuse to issue a MNBC Harvesting Card* where the refusal is reasonably necessary for the achievement of the purpose and intent of this Act as per Article 3.0”

Sub-Articles 9.4, 10.3 and 11.2, being Regulations under the Proposed environmental protection policy and regulation, and consultation guidelines be amended by removing the words “a scientific written opinion by a registered professional biologist” from those Sub-Articles or Regulations.

CARRIED (MNGA1301-20)

(1 delegate voting in the negative; 3 delegates abstaining from the vote.)

12.9 Resolution 09 – BC Metis Assembly of Natural Resources (BCMANR)

Related materials distributed in the MNGA 2013 Agenda package: Resolution #9 submitted to the 2013 Métis Nation General Assembly for First Reading subject Motion: British Columbia Ministry of Natural Resources, submitted February 20, 2013.

In consideration of Resolution 09, discussion ensued on:

- Opposition to legislating the ability of someone to violate the laws of the land
- Intent of the Resolution is to seek support, not a change to legislation
- History of losses in court cases to do with harvesting rights in BC
- The Resolution provides BCMANR and the MNBC with the ability to consider each potential court case individually in order to ensure that the next case brought forward will be a win for harvesting rights in BC

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- Metis with citizenship and harvesting cards are the rights bearing citizens in BC and will be recognized by the province at some point in the future for harvesting for sustenance
- Reference to successful Metis harvesting rights cases across the country and the eventuality that there will be a successful case in BC in future.

It was MOVED (Bruce Dumont) and SECONDED (Marilynn Taylor)

WHEREAS:

- A. British Columbia Metis Assembly of Natural Resources (BCMANR) on behalf of the Metis Nation British Columbia (MNBC) and the Métis Citizens of British Columbia have been attempting, pursuant to the MNBC Natural Resources Act to secure inherent cultural rights, to gather food for sustenance purposes.
- B. Attempts to negotiate with the Province of British Columbia have been generally unsuccessful and have resulted with few meetings with the Province.
- C. Promises to have meetings subsequent to single meeting with the Minister of Environment have not been fulfilled by the Province.
- D. In recognition of the findings of the Federal Court in the *Daniel's* decision BCMANR has made written requests to the Province for recognition of the MNBC Harvesting cards for sustenance harvesting during regular harvesting seasons and have received one reply with a promise of a meeting with the Deputy Minister and senior staff.
- E. Article 9(b) of the MNBC Natural Resources Act (the "Act") provides a procedure pursuant to which the Metis Nation Governing Assembly (MNGA) may provide legislative or political direction to the BCMANR for the purpose of enabling BCMANR to develop appropriate regulations consistent with Article 3 of the Act of the from time to time.

THEREFORE BE IT RESOLVED:

1. That BCMANR seeks the support of the MNGA for the following action to be undertaken:
 - a) BCMANR create regulations to the effect that the MNBC Minister of Natural resources and BCMANR make continued efforts to maintain meaningful negotiations with the Province of British Columbia in relation to the Province's recognition of the MNBC Harvester's Card as evidence of the registered owner's right to gather food by hunting and fishing without the necessity of obtaining a license for sustenance purposes during regular harvesting seasons;
 - b) BCMANR shall take such action as may be deemed necessary to ensure that the Province acknowledges and recognizes the effect and meaning of registration as a Harvester as evidenced by a MNBC Harvester card as evidence of the inherent right to gather food through hunting and fishing without the necessity of obtaining a Provincial hunting or fishing license for sustenance purposes.
2. Although not included in the proposed regulation and in order to ensure that the Province

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has notice of the desire of Métis citizens to exercise their inherent right to gather food for sustenance purposes, registered Métis harvesters, being those Métis carrying current Harvesting Cards, may individually choose to engage in harvesting without the necessity of obtaining a Provincial hunting or fishing license with the following proviso:

- a) Métis harvesters who engage in hunting for sustenance without a license shall do so on the basis and with the knowledge that they are engaging in a process contrary to the provisions of Provincial Legislation being the B.C. *Fish and Wildlife Act* and to prosecution under the B.C. *Fish and Wildlife Act*;
- b) the cost of defending against the prosecution of an offence under the *Fish and Wildlife Act* will be the responsibility of the harvester subject to the prosecution;
- c) any and all penalties as a result of a successful prosecution including fines, court costs, solicitor fees and incarceration shall be the responsibility of the harvester.

CARRIED UNANIMOUSLY (MNGA1301-21)

13. ROLL CALL – MNGA CLERK (QUORUM ANNOUNCED)

This item was considered earlier in the meeting at the commencement of the day's business.

14. MNBC CHARTERED COMMUNITY UPDATES

Delegates from each community were invited to share information on activities in their communities. During the reporting out, comments were offered on:

- Effectiveness of potlucks to increase participation in community meetings/gatherings
- Cultural activities offered, including drum making, paddle carving, Granny/Grandpa events, Metis parenting skills, basket making, carving, murals, talking sticks
- Increases in applications renewed/received
- Receipt of CCAY funding
- Service plans with various post secondary institutions, including University of Victoria and Camosen College
- Importance of representation on School Boards
- Status of Aboriginal Education Enhancement Agreements
- Success of a recent Ice Fishing Derby and plans for future derbies
- Girls Only funding used to start a snow shoeing program for girls under 25 where participants are taught about medicinal plants and snow tracking
- Use of Particip-ACTION funding for a Wilderness Camp for youth, and plans to film some of those activities
- Plans to utilize City of Falkland rodeo grounds for a Cultural Metis Rendezvous around Metis Days in June
- Difficulties in meeting where there is great distance between communities
- Partnerships with local museums, including Golden Museum, Duncan, and Campbell River
- Application for grants from Canadian Heritage for Aboriginal Day
- Participation in local cultural events, including in Revelstoke, Fort Langley, Kilby Park, Hope, New Westminster and Surrey
- Receipt of grants for sports equipment and for fitness
- Participation in the Roots program

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- Agreements with local municipalities to have them fly the Metis flag on Aboriginal Day and on Louis Riel Day
- Annual cultural camps done in partnership with the school district
- Weekly Metis radio show
- City of Surrey's commemoration of Louis Riel
- Issuance of the Queen's Diamond Jubilee Medal to a Metis WWII veteran
- Securement of Board and office insurance
- Various community offices' hours of operations
- Working relationships with local First Nations
- Development of teaching materials for use in finding out about peoples' Metis heritage
- Involvement with School Boards, including to educate teachers on Aboriginal curriculum
- Involvement with Cultural Care Committee at the Penticton Hospital and the Bereavement Society in Penticton
- Involvement with the Ministry of Children and Families to find Aboriginal foster families
- Introduction of a Metis program into a K-3 school that has been reinstated as a K-6 Aboriginal component school
- Renewal of constitution and mission statement
- Aboriginal sash presentation ceremony to Metis graduates
- Employment of Metis as Aboriginal Education Assistants
- Placement of Metis publications in local libraries
- Development of Grade 4 and Grade 10 teaching packages on Metis history
- Buffalo Burger Trailer used at various events to raise money
- Creation of a DVD to tell the story of Metis in which Elders talk about "the olden days"
- Stone soup gathering that continues to grow in popularity each year
- Struggles with operating under the Society Act
- Loss of some members as a result of the *McIvor* decision
- MNBC staff donations to an emergency fund that is used to help families in need.

Request for Action (02)

Delegates were requested to email Tracey Thornhill their written reports for the 2013 MNGA and future MNGAs and also information on upcoming events so these can be added to the MNBC website; and were encouraged to subscribe to the MNBC's newsletter.

15. OTHER BUSINESS

15.1 Location for AGM 2013

It was MOVED (Lissa Smith) and SECONDED (Lisa Shepherd)

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA) direct that the MNBC's September 21-22, 2013 Annual General Meeting be held in Richmond, BC.

CARRIED UNANIMOUSLY (MNGA1301-22)

16. CLOSING COMMENTS MNBC PRESIDENT DUMONT

MNBC President Dumont thanked the MNGA for its deliberations, and suggested that a Resolutions Committee be struck in future years to review the resolutions before they are considered by the MNGA.

17. ADJOURNMENT AND CLOSING PRAYER

Vice President Maurice offered a Closing Prayer.

It was MOVED and SECONDED

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The Métis Nation British Columbia Métis Nation Governing Assembly held March 9 and 10, 2013 concluded on Day 2 – March 10, 2013 at 12:45 p.m.

CARRIED UNANIMOUSLY (MNGA1301-23)

* * * * *

This is a true and correct copy of the Minutes of the Métis Nation British Columbia Métis Nation Governing Assembly held March 9 and 10, 2013, and incorporates any and all corrections made at the time of adoption.

Susie Hooper, Secretary

Bruce Dumont, President

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