



CONSTITUTIONAL REPORT

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Meetings with Constitutional Committee members can also be set up for your Local by contacting the above.

Your support and input would be most welcome, as this is your constitution, affecting your organization.

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TABLE OF CONTENTS:	PAGE
Introduction	1,2
List of Rights	3
The Rebirth of a Nation	4,5
Self-Determination of Indigenous Peoples	6,7
Recognition of the Dene Nation Through Dene Government	8,9,10
Core Funding - Administrative & Financial Directives	11
Portfolio System - Should it be Adopted?	12
The Metis Society of Saskatchewan - Objects & Purposes	13
Bylaws of the AMNSIS of Saskatchewan	14,15
Annual Assembly 1977 Resolutions	16
Annual Assembly 1978 Resolutions	17
Annual Assembly 1979 Resolutions	18,19
Present Registered Constitution	20,21,22
Revised By-Laws of AMNSIS (by the Constitutional Committee)	23,24,25
The Election of Regional Councillors and other Members of the Executive Council	26
Duties of the Council Members	27
Duties of the Regional Councillors	27,28
AMNSIS Constitutional Committee Meeting April 12, 1980	29
Conclusion	30



PICTURE OF LOUIS RIEL'S COUNCIL IN 1885, TAKEN BESIDE REGINA COURT HOUSE AT THE TIME OF THEIR TRIAL

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| <ol style="list-style-type: none"> 1- JOHNNY SANSREGRET 2- P. PARANTEAU (FAMOUS BUFFALO HUNTER) 3- PIERRE GARDIEPUI 4- PHILIP GARNOT (RIEL'S SECRETARY) 5- ALBERT MONKMAN 6- PIERRE VANDALL | <ol style="list-style-type: none"> 7- BARTISTE VANDALL 8- TOUSSAINT LUGER (SCOUTED STRONGEST MAN IN THE NORTH WEST) 9- MAXIME DURCIS 10- TIMMUS DURET 11- ... TOUROND 12- EMMANUELL CHAMPAONE |
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INTRODUCTION:

At the Annual Assembly of AMNSIS on August 14, 15, 16, 1979 at Batoche it was decided by the delegates that a Constitution and Decentralization Committee was needed to study and recommend changes to our current structure. The following motion was adopted by the delegates:

Whereas there is a need for a new and workable Constitution for our Association, and whereas we have no set plan for Decentralization and whereas we cannot adequately deal with these two very important issues today.

Be it resolved that a Constitution and Decentralization Committee be established to work on these issues, with 2 representatives from the Northern Region of our Association, and 2 from the South, plus one chairman to be chosen from this Assembly. Also that this Committee report to the 1980 Annual Assembly.

The following people were elected to sit on the Committee:

Vital Morin, Chairman, Ile A La Crosse
 Norman Nateweyes, Sandy Bay
 John Dorion, Prince Albert
 Henry Pelletier, Yorkton
 Chris Lafontaine, Regina

The Committee had its first meeting in Prince Albert on September 8, 1979 and have met 8 more times since then. At these meetings the Committee has reviewed the old constitutions which had been drawn up last year by one of the Tech Unit Consultants. The Committee has also met with several of the Executive to clarify their areas of work. The Committee has also studied decentralization and the portfolio system, where each of the Executive would be given a specific responsibility.

A considerable amount of time has also been spent on studying and discussing "Nationhood" the reason for this is the following resolution passed at Batoche in August, 1979.

WHEREAS we are a Nation of People who have rights as the first or aboriginal People of this land - rights such as the right to self-government and to land, and WHEREAS we are the official voice of our Nation, and WHEREAS we have to rely on Government funding for our programs,

BE IT RESOLVED that we establish a Committee which will work on drafting up a set of Laws of our Nation, which will govern us as a political body.

AND that this set of Laws or Constitution be registered within our Nation and with the United Nations in Geneva, Switzerland.

BE IT RESOLVED that the same Committee draft a Constitution which will deal with our Administration and Programming. This will be similar to the one we now have and should be registered under our Laws and under Federal and Provincial Laws.

What is a Constitution?

Basically, a constitution is a set of rules or laws by which a group or a country governs itself. It can be either written or unwritten. For the purposes of our Association, the constitution sets out matters such as the powers and duties of the Executive, voting age, length of time a person can hold office, who can become a member and so forth.

Indigenous People's (Native) Government

Indigenous or Aboriginal peoples are the descendants of the original occupants of a country and in Canada include Indians covered by the Indian Act as well as Non-Status Indians and Half-breeds (Metis) Indigenous peoples have the right to organize themselves into self-governing bodies and regulating their own lives and affairs. This can be based on any of the following three reasons:

1. Right to self-determination

This right of a peoples to decide how they want to govern themselves has been recognized by the United Nations (U.N.) which is the body that takes care of international law and international affairs. Article 1, paragraph 2 and Article 55 of the Charter of the United Nations make reference to "the principle of equal rights and self-determination of peoples" and in 1966 the General Assembly of the United Nations adopted by a unanimous vote 2 covenants which give support to its Charter. These are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Article 1 of both Covenants are identical and state that:

1. All peoples have the right of self-determination. By virtue of this right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may aim for their own ends, freely dispose of natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no one case may a people be deprived of its own means of subsistence.

3. The states Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right to determination, and shall respect that right, in conformity with the provisions of the United Nations Charter.

These two covenants came into force in 1976, with Canada becoming a signatory to both of them in that very same year.

Professor Ian Brownlie in a paper prepared for the Dene Nation stated that they, the Dene, have the right to self-determination, with the choice of government ranging from local autonomy to various forms of federal association to "fullblooded separate international personality, statehood and independence". He further stated that although it was previously just a political right, since 1945 it has become a legal right.

2. Nationhood

This concept is closely related to self-determination, however, even if self-determination is denied our people, there is no state or government which can force us to give up our identity as a nation of people. Basically, it is the people themselves that possess the qualifications or criteria for the formation of a nation or national group. If they feel that they are in fact a nation of people or if the rest of society imposes conditions which reflect a distinction between the minority and majority society, the existence of a recognizable nation of people or national minority cannot be denied. This is a question of fact, not law. (Permanent Court of International Justice, 1930).

"A group of persons living in a given country or locality, having a race, religion, language and traditions in a sentiment of solidarity, with view to preserving their traditions, maintaining their form of worship, ensuring the instruction and upbringing of their children in accordance with the spirit and traditions of their race and rendering mutual assistance... is a question of fact; it is not a question of law."

One does not have to look far and hard in the Americas to realize that the Indigenous peoples are indeed members of respective national groups and in the majority of our homelands, a national minority. It is also notorious that we have been kept apart economically and socially from the major societies for various racist and exploitative reasons.

3. Aboriginal Title

By the theory of Indian or Aboriginal Title, the discovering nation had the authority and power to claim sovereignty good against any other discovering nation. The only impediment to perfect title was the Indigenous population who were to be allowed to retain the use of their lands and political institutions until they ceded them. This right was reaffirmed in the Royal Proclamation of 1763 issued by Great Britain. This Proclamation also set out the following procedure for the extinguishment of Indian title: that it could only be ceded to the Federal Government as agent for Great Britain, at a meeting of assembled Chiefs, for that specific purpose at the initiative of the Indians. This provision has not yet been changed or overruled, except possibly by the Manitoba Act, 1870. Through 91 (24) of the B.N.A. Act, 1867 (Canadian Constitution) the Federal Government is still the level of government with the mandate to deal with the Indian people and Indian Lands.

Historically, Treaties were made with Indian tribes guaranteeing retention of parts of the homelands and other national rights, while half-breeds were unilaterally issued land and money scrip in extinguishment of Indian title. As a result, the half-breeds of western Canada have been left homeless with the government's attitude being that the half-breeds' aboriginal title has been validly extinguished. Because of the unilateral action taken by the government, coupled with the lack of safeguards of half-breed rights and gross fraudulent and illegal transactions that were perpetrated, AMNSIS and other Metis groups and people have taken the position that our aboriginal title remains in full force and effect.



LIST OF RIGHTS

The idea of government and the necessity to protect the rights we possess has been a long struggle. The following is the List of Rights as prepared by the Provisional Government in 1870 and given to the delegates as a basis for negotiations in Ottawa.

1. That the North-West Territory enter Canadian Confederation as a Province with all the privileges common to the different Provinces of the Dominion.

Already in Ottawa, the delegates received instructions to ask that the new Province be named Manitoba.

That this Province may be governed:

a) by a Lieutenant-Governor appointed by the Governor General of Canada.

b) by a Senate.

c) by a Legislature elected by the people with a responsible administration.

2. That, until an increase in population gives us right to more, we have two representatives in the Senate and four in the House of Commons.

3. That, upon entering Confederation, the North-West Province, is kept completely free of the Canadian public debt, and that, if it is called upon to assume some part of this debt, that shall not be until it has received from Canada the sum for which it is held responsible.

4. That the Dominion of Canada allow to the Legislature of the North-West Province an annual sum of eighty-thousand piastres.

5. That all property, rights and privileges that we possess at present, be respected, and that the recognition and arrangement of customs, usages and privileges be left solely to the decision of the local Legislature.

6. That the country may not have to submit to any direct tax with the exception of taxes imposed by the local Legislature for Municipal and other local interests.

7. That the schools be separated and that the money for the schools be divided between the different religious denominations in proportion to their respective religious population as in the Province of Quebec.

8. That the determining of the qualifications of members for the Provincial Legislature and the Canadian Parliament be left to the local Legislature.

9. That, in this country, with the exception of Indians who are neither civilized nor settled, every man, having attained the age of twenty-one, and all English subjects alien to this Province but having lived three years in this country and possessing a house, may have the right to vote at the election of Members of the local Legislature and of the Canadian Parliament, and that all alien subjects other than English, having resided the same length of time and in possession of a house may have the same right on condition that he swears the Oath of Allegiance. It is agreed that this article be subject to amendment only by the local Legislature.

10. That the sale of the Hudson's Bay Company and its transfer of Government to Canada may never have a prejudicial effect on the rights of the people of the North-West.

11. That the local Legislature of this Province have full control over all the North-West Territories.

12. That a commission of engineers, appointed by Canada, explore the various regions of the North-West and place before the Legislative body, within five years, a report on the mineral wealth of the country.

13. That a treaty be concluded between Canada and the different Indian tribes of the country when requisitioned by the local Legislature and with its agreement.

14. That there be a guarantee of continuous railway communication between Lake Superior and Fort Garry, the railway to be finished within five years; also the construction of a spur track bordering on the American railway as soon as the International boundary is fixed.

15. That all buildings and edifices be charged to the Canadian Treasury.

16. That both the French and English languages be used in the Legislature and in the Courts, and that all public documents be published in the two languages.

17. That the Lieutenant-Governor nominated for the North-West Province is in command of the two languages, French and English.

18. That the Judge of the Supreme Court speak both French and English.

19. That debts contracted by the North-West Provisional Government be paid by the Dominion of Canada Treasury provided that these debts were not contracted by the illegal and ill-considered measures adopted by Canadian agents to lead to civil war. Moreover, that none of the members of the Provisional Government, nor those who acted under its direction, be harmed or bothered with respect to the movement that has determined these actual negotiations.



THE REBIRTH OF A NATION

The following was prepared by Clem Chartier for the AMNSIS Board, November, 1979.

If we want to continue as a distinct body or group of people, claiming an aboriginal or first right of ownership to this country, more correctly called our Homeland, then we will have to begin discussions on a framework of laws which we will govern ourselves by. As well, this move will make the Government and the Canadian General Public more aware of how serious we are about this matter.

However, this move is not meant to declare ourselves sovereign or outside of the laws of the Federal or Provincial Governments. What we are stating is that we are a political body, representing a specific nation of people and accordingly are prepared to run our Political Body according to our own rules and regulations (Laws). We wouldn't be passing laws which would be illegal under current government laws, nor would we be encouraging our People to break those laws. We could however, lobby the Government so that we gain authority over such matters as hunting, trapping and fishing within our own communities. We could still however embark on matters amounting to civil disobedience, i.e. demonstrations, such as declaring a national hunting day in support of our aboriginal rights to hunt for a livelihood.

It is reasonable that the preferred name or title of our Nation is the Metis Nation. However, we must not forget that we represent non-status Indian members and that we represent non-status Indians. It is also important to realize that the culture of our people varies and depends to a great extent on the environment and their surroundings. We cannot say there is only one Metis culture that covers everyone, as some Metis or halfbreeds associate with the Indian culture and practice Indian medicine or Indian religion. This area will have to remain flexible.

It is also important to remember that we are claiming our Aboriginal Title (Indian Title) by virtue of our Indian ancestry. In addition we are claiming to be Constitutional Indians and hence it is the Federal Government which is responsible for dealing with us. Going further, there is still the ongoing Constitutional debate and our current position that we be recognized as a partner in Confederation, again based on our being a Nation of Indigenous Peoples. For this reason it is all the more important that we govern our Political Body as a Nation of People.

As we are a portion of the Metis Nation, it would not be our position to claim that we are the Metis Nation. Our Laws or Constitution would have to point this out along with our willingness to co-operate with the rest of the Metis Nation in joint action as a complete unit, under terms and conditions to be arranged, but not so as to relinquish our specific political rights and objectives as embodied within our Laws. In essence we would have to enter into a Federation of Metis Nations with our Provincial and Territorial neighbours, if the Assembly so chooses.

As proposed in my Resolution at Batoche, we could have two sets of laws or Constitutions. One would be our own Political Laws, which we wouldn't register under the Canadian Government and the other would be an Administrative Constitution which would deal with our Administration and Government Funding, which would be registered under the Societies Act. (See Appendix Number 1).

The Laws of our Nation could cover things such as:

1. Membership.
 - everyone we represent could automatically become a member, but only those who registered having the right to vote, but must register 2 weeks prior to the election date. Voting age to be determined.
2. Revocation of members' right to vote or membership suspensions, (sanctions for offences against our laws, etc.).
3. Jurisdiction.
 - deal with other Aboriginal Nations and the U.N., etc.
4. Political Make-up.
 - powers and duties of Executive and Directors of the Board.
 - acts as Court of last resort for our laws.
5. Units of Political Body.
6. Dispute settling mechanism.
7. Voting procedures.
8. Annual Meetings and other meetings.
9. Eligibility for office.
10. Eligibility for Senior Posts, e.g. Program Heads.
11. Committees.
12. Provision for Referendums or votes on major issues, such as settling Aboriginal Title, etc.
13. Physical structure and political constitution of our Governing Body.
14. Registration of our Laws.
15. National Song and flag.

These are merely some examples of what could be placed into our Laws, with an added provision that this set of Laws would prevail where there is a conflict with the Administrative Constitution. The Administrative constitution would contain the bare essentials required by Government laws and would be merely for the purpose of accounting for our administration of Government funding. This Administrative Constitution would have to be followed by all members, Locals and Boards unless Locals have their own Administrative Constitutions.

All Locals would have to follow the Laws of our Nation, unless there is a provision that allows for Local Laws, which would not be in conflict with our Laws and which would be subject to the final decision of our Executive and Directors.

With reference to number 13 above, while we are in the process of change it is a good time to review our political and physical structure. I would like to offer the following two alternatives for the Board's consideration and subsequently our membership. The pro's and con's of these suggestions can be pursued over the next several months before we settle on a final constitution or set of Constitutions.

The first alternative as set out in my resolution at Batoche (Appendix 2), deals with the setting up of an office in La Ronge which would deal with Programs that are solely applicable to the Department of Northern Saskatchewan area and would not deal with Provincial Programs such as Aboriginal Rights, which would continue to operate out of the Regina office.

The second alternative would be more far reaching and important as it would require a change in both our political

and physical structures. As pointed out above, we are entering into an area which was not even thought of or at least expressed very strongly 8 to 10 years ago, that of Nationhood and entrenching our rights in the Canadian Constitution. In addition to this we have been very active in developing a socio-economic plan which will meet both our short term and long term needs, keeping Aboriginal title in mind.

However, in order to successfully achieve these aims, we have to be highly organized. We need to ensure that all or our people are involved in this process. We have to concentrate on getting involved in the decisions which will eventually be made. We also have to look at how we can best organize ourselves to work towards these goals.

I believe that a re-structuring of our Association would help us to a great extent in achieving our goals.

Reasons for:

1. Difference in lifestyle.
2. Difference in environment.
3. Difference in population statistics.
4. Difference in language.
5. Difference in accessibility, (both to Government and between communities).
6. Difference in Government structures.

Purpose:

1. Strengthen the Association, as opposed to creating a split.
2. Build up membership.
3. Have ongoing political awareness and political organizing.
4. Co-ordinate more closely politics, aboriginal rights and communications.
5. Northern people would feel more at ease in feeling that the Association is in fact working for their best interests.
6. When Department of Northern Saskatchewan is phased out, the North will still have a strong and active political base to work from and be in a good position to assume more self-government.

Structure:

1. Have 2 vice-presidents, one for the North, (DNS area) and one for the South.

Their main responsibility would be the political organizing and activities of the Association. They would co-ordinate the political education of the membership and would also integrate aboriginal title into the political activities. They would also be responsible for effective communications systems.

As a secondary role, they could assist the executive director in planning programs, but not as a primary role.

2. There would be four Area Directors in the North, with a slight change in 2 of them to accommodate all locals only in the D.N.S. area.
3. Northern Board would have administrative control over strictly northern programs. They would have a central office (La Ronge) and an Executive Director.
4. Provincial programs (Province wide) would still be administered out of the Regina head-office.
5. General Assembly would still control and decide on all AMNSIS matters, including Northern Programs, i.e. the

Laws of our Nation or Constitution would still have authority to deal with all matters.

6. Between General Assemblies, the Provincial Board would continue to decide all AMNSIS Policy, even if it conflicts with the Northern Board or programs.

These ideas or suggestions at the very least should provide the groundwork for the possibilities that exist with respect to what we can or maybe should do for our future political survival. Whatever the outcome, it is nevertheless very important that a positive decision is made with respect to nationhood.

APPENDIX 1

ANNUAL ASSEMBLY - 1979 - RESOLUTION

Whereas we are a Nation of People who have rights as the first or aboriginal People of this land - rights such as the right to self-government and to land,

and whereas we are the official voice of our Nation, and whereas we have to rely on Government funding for our programs,

Be it resolved that we establish a Committee which will work on drafting up a set of Laws of our Nation, which will govern us as a political body.

And that this set of Laws or Constitution be registered within our Nation and with the United Nations in Geneva, Switzerland.

Be it resolved that the same Committee draft a Constitution which will deal with our Administration and Programming. This will be similar to the one we now have and should be registered under our Laws and under Federal and Provincial Laws.

APPENDIX 2

Whereas the head office of the Association is situated in Regina, Saskatchewan and run our Provincial Programs, except those within the Department of Northern Saskatchewan (DNS) area,

And whereas there is a Northern Board and a Southern Board, within the Provincial AMNSIS Board of Directors,

And whereas there are programs which apply only to the DNS area,

And whereas the Northern Board Members have difficulty in travelling to the Regina office to consult with the Executive Director on northern programs.

Be it resolved that the Constitution be amended to allow for the establishment of an administrative office in La Ronge for solely northern programs

And that all provincial programs, such as Aboriginal Rights, will continue to operate out of the provincial office in Regina.





SELF-DETERMINATION OF INDIGENOUS PEOPLES

The following is a Paper presented by Clem Chartier to the participants of an "Environmental Politics" meeting, April 12-13, 1980, Saskatoon, Saskatchewan. It does not represent AMNSIS, but is merely a personal opinion.

Before discussing the right to self-determination the historical development of aboriginal title is in order. This concept was basically one of theory only and finally applied in the late 1700's and 1800's. The 1900's saw the trend of government denying the validity of Aboriginal title reaching its height of arrogance in the 1969 White Paper Policy which denied Aboriginal title and strived to totally assimilate Indian peoples. This concerted action was vehemently opposed by the Indian peoples.

By theory of Indian or Aboriginal Title, the discovering nation had the authority and power to claim sovereignty good against any other discovering nation. The only impediment to perfect title was the indigenous population who were to be allowed to retain the use of their lands and political institutions until they ceded them. This right was reaffirmed in the Royal Proclamation of 1763 issued by Great Britain. This Proclamation also set out the following criteria for the extinguishment of Indian title: that it could only be ceded to the Federal Government as agent for Great Britain, at a meeting of assembled Chiefs, for that specific purpose at the initiative of the Indians. This provision has not yet been changed or overruled. Through s.91(24) of the B.N.A. Act, 1867 (Canadian Constitution) the Federal Government is still the level of government with the mandate to deal with the Indian peoples and Indian lands.

It is the position of the Association of Metis and Non-Status Indians of Saskatchewan (AMNSIS) that all people of Indian ancestry are Indians for the purposes of the Canadian Constitution and that half-breeds or Metis and

Non-Status Indians are to be dealt with by the Federal Government and not by the provinces. That this is not so at the present time is due to the Federal government's abdication of its constitutional responsibility.

There were relatively few Treaties between the Crown and Indian peoples prior to Confederation in 1867. Following the admittance of Manitoba into Confederation in 1870 the Treaties in Western Canada began, basically falling between 1871 and 1921. Because of the historical events in western Canada, culminating in the Riel Provisional Government of 1870, the half-breeds were treated differently than Indians (although one classification of half-breeds were treated as Indians for the purpose of Treaty). The difference was that while Treaties were entered into with Indian tribes guaranteeing retention of parts of the homelands and other national rights, the half-breeds were unilaterally issued land and money scrip in extinguishment of Indian title. This amounted to about 240 acres of land per half-breed and was alienable i.e. capable of being sold or given away immediately. This was not what was negotiated for in 1870!

As a result the half-breeds of western Canada have been left homeless with the governments' attitude being that the half-breeds' aboriginal title has been validly extinguished. Because of the unilateral action taken by the government, coupled with the lack of safeguards of half-breed rights and the gross fraudulent and illegal transactions that were perpetrated, AMNSIS and other Metis groups and people have taken the position that our aboriginal title remains in full force and effect.

The Federation of Saskatchewan Indians (F.S.I.) acknowledges the Treaties and want their terms to be honored according to their true intent and spirit. Currently, F.S.I. is negotiating for the fulfillment of land which they were guaranteed to retain at the time the Treaties were entered into.

This creates a problem today because you have two groupings of Indigenous people, one which recognizes that it gave up (ceded) certain rights, while retaining others and one which maintains that no rights have been validly surrendered. This however should not be insurmountable.

As noted at the start, the concept of Aboriginal Title is basically a method of denying the sovereign rights of indigenous peoples, not only in the Americas, but in Africa, India, New Zealand and Australia as well. This basically allowed the framework for the theft of Indigenous lands and the destruction of Indigenous societies and governments. This then leads to the more enlightened years in which the right of peoples to self-determination has begun to flourish.

This has led to Indigenous peoples' assertion that they have the right to self-determination, along with the right to natural resources. In an International Non-Government Organization Conference on Discrimination against Indigenous Populations in the Americas, held in September of 1977 in Geneva, this right to self-determination was a major issue.

A month earlier, the World Council of Indigenous Peoples held their Second General Assembly in Kiruna, Sweden. The Council members had studied the Universal Declaration of the United Nations on Human Rights and other relevant international agreements. As a consequence of this Assembly, the council delegates submitted their opinion to the world. They stated that:

"The World Council of Indigenous Peoples upholds, as a fundamental principle, that the Indigenous Peoples are the rightful owners of the land, whether they hold formal title deeds, issued by the colonists and usurpers, or not. It is, anyway, up to the colonists, usurpers, and intruders to submit evidence to their title, and this should be required on the part of the aboriginals. This principle should be considered as a fundamental element of legal justice."

The declarations of self-determination by Indigenous Peoples, such as the Dene Nation, have been increasing throughout the Americas and there are substantial numbers of United Nations declarations and covenants to support this claim.

Why do we seek this recognition? Basically, for any Nation of People the right to ownership of their homeland is an inalienable right. For the Indigenous Peoples of the Americas, there is added duty to act as the Guardians of Mother Earth. In fact, we do not own this land, it owns us.

Not only has the colonizer taken away our use of the land, he has also violated our duty to protect the land, especially now with respect to uranium exploitation and the increase in acid rains. Not only is this destruction of our lands illegal, it is unnatural and the punishment for this will be severe, unless further exploitation is stopped.

In addition, there is certainly no need to adduce evidence to portray the political, social and economic disadvantages of the Indigenous Peoples of Canada and of the rest of the Americas. There is a grave necessity to revitalize our Indigenous Nations as a People. We must bring to an end the cultural and physical Genocide which has and still is being perpetrated against our Peoples. We have to be allowed sufficient land so that we can develop our societies according to Indigenous thought and duty. At the current time our people are forced into an industrial situation, an economy imposed upon us, resulting in a situation of participation for the sake or purpose of survival. The choice of appropriate technology has been denied.

In summation, admittedly better housing, education, economic development, affirmative action programs and more jobs are needed; however, that is not the answer to our problem, we need the right to self-government, to self-determination, to self-reliance, to flourish as a Nation of

People, recognized as such by the International community and in the eyes of the dominant societies which now subjugate us. We are opposed to assimilation.



RECOGNITION OF THE DENE NATION THROUGH DENE GOVERNMENT

An example of a nation of people fighting for self-government. Dene Nation Release - March 15, 1979.

The assumption that Canada has been built by two founding nations is a myth. The French and the British were welcomed by the aboriginal nations when they came to this continent. But the original people were not partners in Confederation.

Now the Federal and Provincial governments are discussing patriation of the Constitution - and the drafting of a new Constitution which reflects contemporary regional needs and aspirations.

We support the position of the National Indian Brotherhood, in not wanting that patriation to be completed until our aboriginal rights are securely defined. We demand, along with the other aboriginal nations within the borders of Canada, full participation in the discussions, debates, and finally, the decision on a new Constitution.

The end result we foresee is the entrenchment of our aboriginal nationhood in the new Constitution.

DENE GOVERNMENT: the Right to Self-determination

We have never given up our right to self-determination. Although the aboriginal nations have had well-organized forms of government, and have administered this land for thousands of years before the coming of the immigrants, the last hundred years has seen systematic attempts to erode our governments.

One of the most destructive actions against aboriginal people has been the refusal to recognize our original institutions, and the imposition of foreign systems of government. The result is that the native people become aliens in their homeland.

As a nation we assert our inalienable right to continue as a self-determining people within Canada. It is the right of the Dene, as an aboriginal nation which does not choose to assimilate, to set up a system of government based on our traditions.

Our right to exist and develop under our own institutions has been violated. In the future, to live in the land of the Dene, non-Dene must live according to the laws and within the system of government set up by the Dene - as was agreed in 1899 and 1921 according to our version of the Treaties.

The north is different from the rest of Canada because the aboriginal nations are still the majority of the permanent populations in our respective homelands, and still maintain strong, traditional cultures.

The federal government cannot have it both ways. On the one hand they are stating that the Dene cannot pay our own way, and on the other hand they are saying that the north is too rich in resources for the northern population alone to control.

Rather than considering the land of the Dene as a warehouse for southern Canada and the world, the resources of our land must be seen as belonging to us. Rather than continuing exploitation, the government must negotiate with us the use and development of our resources.

THE BASIS FOR DENE GOVERNMENT

The north must be self-governed and soon, but what is of paramount importance is the form which this takes.

The basis for continuing self-government must be recognition of the aboriginal nations. Historical aboriginal rights must be the cornerstone of our self-determination in the north. Whether this will be done through one, two or more territories is a matter for the negotiating table.

Major government reports like the Berger Report, and the Pepin-Roberts Report on National Unity, give us hope that our aspirations are realistic.

International agencies such as the World Council of Churches, and United Nations Non-Governmental Organizations, have recognized the national struggle of the Dene for self-determination.

Eminent scholars in international law have offered very strong legal opinions supporting the Dene right to continued self-determination.

Northern aboriginal peoples especially are getting a following internationally because the relationship of Canada with the north is very clearly similar to many colonial experiences of third world countries.

These colonial actions are condemned by Canada in other parts of the world but practiced within this country on the original peoples of the north.

We know that self-determination is possible for the Dene within Canada. There are no legal, moral or social reasons to prevent it. What we are outlining here is the manner in which we believe Dene Government can be implemented.

DENE GOVERNMENT: A Brief History

Over the years since 1921 what took place was a process that continually saw our people asserting the same position taken at the signing of the treaties. That position is based on the fact that the Dene never ceded the land or the right to make political decisions.

Between the years 1974 and 1975 the first formal public presentation of a method of recognition was limited to ownership of land rights. The winter of 1975 saw a development of the position to include the right of self-determination or political self-determination. The Dene Declaration stated clearly that the basis for recognition had to be acceptance by the rest of the world of the Dene as a Nation with rights of growth, development and self-direction. This resulted in a new dimension to negotiations. In a series of meetings, the Dene and the government began negotiating a number of basic principals and began moving towards a more detailed position.

DENE GOVERNMENT: Based on Tradition

Traditionally the basic political rights of the individual have always been recognized and exercised in all areas of Dene society. The right of Dene individuals to speak for themselves has always been a cornerstone of our civilization. The other strong element in continuing Dene Government has been the collective exercise of self-determination. Thus, while a distinct personal, political

character was encouraged and even insisted upon, just as powerful was a collective identity brought about by decisions and efforts of the general population.

Traditionally Dene leaders spoke for themselves on any given topic; they could only speak for their people once a position through consensus had been reached by the people. Leaders apart from the people were never regarded as the decision makers. Leaders always had a very important role in the development of the position of their people on a given subject, but only through dialogue and debate between leaders and their people were decisions finally reached. Following a thorough debate and the reaching of a collective understanding, it was still the right of an individual to disagree. In the Dene way, dialogue remains the obligation of everyone. This approach to government leads most often to consensus which is the desired goal.

DENE GOVERNMENT: Division of Powers

In a Dene Government that would be recognized as replacing Territorial Government in the Dene homeland, we would have a division of authority between the elected Dene parliament and the population in the Dene homeland.

This would also be the case for local community governments. We would never desire a situation where, following the recognition of the self-determination of the Dene, a new-colonial elite of Dene ancestry or other, would govern our homeland. We do not seek to take control from a few in Ottawa to a new elitist regime in the land of the Dene.

Rather than representative government we would encourage government by the people. Instruments through which the people could not only be consulted but really be a part of the decision on major policies would be the right of the people.

The Dene will recognize the right of all residents to full political rights within the Dene institutions. Many believe that what we mean when we talk about a Dene Government is an institution that would discriminate on the basis of race. This is not the case. When we say Dene Government we clearly mean an institution set up by the Dene, based on Dene traditions and values. Under the new institutions that will be negotiated, we will guarantee full political rights for everyone. We will preserve the right of the Dene to negotiate any changes in the institutions governing our homeland.

In conclusion then, the basis of government by the Dene would reduce the authority of elected parliamentarians and give more power to the people in the functioning of government. This means that for non-Dene living among the Dene, the extent and measure of their rights would exceed those which they now have with the Territorial Government.

The constitution that would govern the Dene homeland would define the powers of Dene government in a manner to limit the powers of the elected leadership on many important areas affecting the lives of the population.

OUTLINE OF DENE GOVERNMENTAL POWERS

For a number of years we have been working on the division of powers between the Federal Government and

the Dene Nation that would be necessary for us to be a self-determining Nation within confederation. Here we are outlining the powers we believe we must have to exercise our rights while still recognizing another form of government that would exercise powers in areas of federal control.

Since confederation Canada has had two major forms of government, federal and provincial, which have historically divided the powers of a sovereign state. We seek a relationship involving a clear division of powers but this does not mean we wish to become a province in the traditional sense. Nevertheless, the similarities with a province may be greater than the differences.

The following are the powers that we seek. Some of the powers traditionally fall within the jurisdiction of provinces; others are concurrent powers between the federal and provincial government. A few of the powers are now under the exclusive control of the federal government.

The Dene also seek new powers that are not under the jurisdiction of any present form of government. We believe they are necessary to express the uniqueness of the Dene Nation within Canada.

The Dene Government will set up an institution, perhaps similar to the present Dene Nation's organization, which will handle all financial compensation for past uses of the land by non-Dene. This Dene institution will manage programs exclusively for the Dene.

PROVINCIAL-LIKE JURISDICTION EDUCATION (exclusive jurisdiction of Dene Government)

- (A) Curriculum:
 - Elementary
 - Junior and Senior High School
 - Universities
 - Technical Institutions
 - Professions - e.g. law, medicine, economics, accounting.
- (B) Teachers and school regulations

INSTITUTIONS OF GOVERNMENT (exclusively with Dene descendants)

- (A) Bill of Rights guaranteeing individual rights and freedoms
- (B) Definitions of Government for the Dene Nation
 - i) Provincial equivalent which would be the replacement of the existing Territorial Government.
 - ii) Local government.

ADMINISTRATION OF JUSTICE (exclusive areas of Dene Government)

- (A) Power to set up a system of Dene law in non-criminal matters.
- (B) Administration of criminal law.
- (C) Control of corrections services and institutions.
- (D) Dene police system equivalent to provincial police.

HEALTH AND WELFARE (exclusively in control of Dene Government)

- (A) Control of health and social services programmes
- (B) Hospitals and related services and institutions (nursing stations, etc.)
- (C) Establishment of a research institute to research traditional Dene medicine and the medicines of other aboriginal nations.

(D) Establishment of an affirmative programme to re-establish traditional medicine alongside eastern and western medical programmes.

(E) Power to supplement federal welfare programmes.

LOCAL TRADE AND COMMERCE (exclusive jurisdiction of Dene Government)

(A) Incorporation of local companies.

(B) Basic business law.

(C) Borrowing powers - on credit of Dene resources.

LABOUR RELATIONS

(A) Regulation of labour relations.

NATURAL RESOURCES (exclusive Dene ownership; management by Dene Government)

(A) Management and long-term lease of public lands.

(B) Timber, wildlife and other renewable resources.

(C) Non-renewable resources.

(D) Control of exploration activities.

(E) General land use control.

HUMAN RIGHTS

(A) The rights of northern citizens can best be maintained by a government formed by the Dene which recognizes the basic human rights of all residents.

FAMILY RELATIONS (exclusive jurisdiction of Dene Government)

(A) Systems of administration, services and programmes related to the family.

(B) Family law

i. definition of the rights and duties of parents.

ii. definition of the rights of children.

iii. adoption.

iv. marriage.

TRANSPORTATION (exclusive jurisdiction of Dene Government)

(A) Local community (within regions, within the territory of the Dene homeland, in recognized political boundaries.)

(B) Involvement in decisions on right of way, dates of construction, construction of new federal highways.

(C) Waterways - similar controls.

(D) Control of maintenance of federal highways.

LOCAL COMMUNITY DEVELOPMENTS (exclusive jurisdiction of Dene Government)

(A) Community services, traffic, zoning, liquor regulations, size of communities, recreation facilities, garbage, sewage, etc.

AGRICULTURE (exclusive control of Dene Government)

(A) Control of the entire area related to agriculture.

(B) Programmes and research on northern agriculture.

(C) Laws regulating developments of agriculture in the north.

CULTURE (exclusive jurisdiction of Dene Government)

(A) Research arts, recreation, traditional and modern games, music, etc.

(B) Affirmative cultural programmes.

(C) Language.

ENVIRONMENT (exclusive control of Dene Government)

(A) Control of environment in the following areas:

i. development practices which are dangerous to present and future human habitation.

ii. protection controls to over-ride priorities of development projects resulting in economic gains only.

iii. environmental courts with fines, penalties, and power to require restoration.

TAXATION

(A) Power to levy direct taxation.

TRADITIONAL FEDERAL GOVERNMENT RESPONSIBILITIES

FISHERIES (exclusive jurisdiction of Dene Government)

(A) Ownership of fisheries.

(B) Regulation of the fishing industry.

DIVORCE LAW (exclusive jurisdiction of Dene Government)

(A) Dene desire to control Family Law completely which would include divorce.

LAND AND WATER RESOURCES

(A) Dene ownership and Dene Government control of land and water resources.

PARKS

(A) All park development needs Dene Government consent

(B) Regulations of parks.

IMMIGRATION (Dene Government)

(A) Affirmative immigration programmes for Dene in other provinces, countries - first as member/citizens of aboriginal nation.

(B) Establishment of new communities.

LABOUR/EMPLOYMENT (exclusive jurisdiction of Dene Government)

(A) General manpower placement.

(B) Power to set skill and experience requirements for employment.

(C) Regulation of all manpower aspects of all major development.

(D) Job training.

INDIRECT TAXATION

(A) Power to 'tax' resources that will be taken from Dene land either in raw form or processed.

(B) Power to levy other indirect taxes presently levied by the federal government.

COMMUNICATIONS.

(A) Power to license local media.

(B) Right to operate a complete Dene media system.

(C) Right to negotiate with federal media on conditions on which they will operate.

BANKS.

(A) Power to start and control a bank.

REGIONAL ECONOMIC DEVELOPMENT

(A) Power to develop regional economic plans.

SPECIAL ABORIGINAL POWERS

RELATIONS WITH OTHER ABORIGINAL PEOPLES

- (A) Interprovincial trade with other aboriginal peoples.
(B) International trade, commerce and cultural relation with aboriginal peoples.

LIMITS ON FEDERAL POWERS

(A) Residual powers should be transferred to the Dene Government. Because of the very special nature of the Dene as a Nation, being a minority that could easily be culturally destroyed through rapid, massive development, we must limit federal spending and declaratory powers on Dene land.

(B) The Dene Government seeks a special veto that can be exercised against any project or development plan that would threaten the very cultural existence of the Dene Nation.

(C) No representative of the Crown (e.g. Lieutenant Governor)

EXTERNAL JURISDICTION

(A) The Dene Nation, through its mechanism of self determination, a Dene Government must have the power to make agreements, contracts, etc. with foreign governments on matters under its jurisdiction.

What the Government expects with respect to ADMINISTRATION. The following is a policy statement issued by the Secretary of State, March 1979.

CORE FUNDING ADMINISTRATIVE DIRECTIVES

A. CONSTITUTIONAL

1. Existence of a Constitution

Every Association must have a written constitution. A copy of the Constitution and copies of any Amendments to the Constitution must be submitted to the Department.

2. Registration

The Constitution must provide for the registration of the Association as a non-profit organization under the appropriate federal, provincial or territorial societies/companies act or ordinance.

3. Board of Directors

The Constitution must provide for a Board of Directors (Council) which will be representative of the constituency. Executive

4. The Constitution must provide for the election of officials from within the ranks of the Association's membership.

BY-LAWS

1. Appointment of Auditors

There must be a by-law under the Association's Constitution stating the terms of the financial audit appointment, the scope of the audit and how the audit fee will be set. Ready access to records and information relating to the financial audit should be recognized to avoid misunderstanding during the conduct of the audit.

2. Banking

There must be a by-law stating:
-which bank or banks shall be used to handle the Association's banking requirements;
-the type of accounts to be operated;
-borrowing authority;
-borrowing limits;
-which officers or staff are designated to deal with the bank.

3. Signing Authorities

Each Association must select certain officers (and employees) to sign cheques and other banking instruments. It is customary that two individuals sign jointly. Where changes in those officers or employees occur, new appointments should be made promptly and notification given to the bank(s).

4. Purchases and Contracts

There must be a by-law outlining purchasing and contract arrangements. The two main prerequisites are:

- one person only will be granted the authority to purchase and/or contract for goods and services. Any delegation of authority must be in writing and approved by the Board of Directors;
- and
- complete written documentation will be maintained on file and matched to invoices for approval and subsequent payment.

REGULATIONS AND SYSTEMS

1. Travel

Each Association must develop its own travel code. As a model, reference may be made to the Federal Government Travel Regulations which are available on request.

2. Conflict of Interest

Each Association must develop rules regarding conflict of interest situations.

3. Filing System

Every Association must have a filing system to contain correspondence, invoices, vouchers, receipts and banking information.

4. Annual Report

A full annual activity report is to be submitted to the Department within 30 days of the end of the fiscal year.

FINANCIAL DIRECTIVES

A. BASIS FOR FUNDING

1. Use of Core Funds

Core funds are provided to cover basic administration and overhead costs. These are:

- staff salaries and employee benefits;
- office and administrative expenses;
- travel;
- appropriate meeting and conference expenses;
- professional services;
- training needs

As can be seen from the above list, the type of expenditures allowed under this programme is restrictive in keeping with the basic aim of the fund, i.e. support essential to representative Native organizations through the maintenance of basic organizational facilities.

2. Capital Expenditures

Capital expenditures must be limited to the purchase and replacement of necessary office equipment. Any capital purchase outside the scope of the foregoing must first be approved by the Department.

B. FINANCIAL REPORTING

1. Annual Financial Statements

Each Association must prepare annual audited financial statements. At a minimum these statements must include the following:

- Balance Sheet
- Statement of Equity
- Statement of Receipts and Expenditures

Each Association must provide the Department with a complete set of its annual audited financial statements. In addition, each Association should provide copies of these statements to its members on a request basis.

2. Quarterly Financial Statements

Each Association must submit quarterly financial statements to the Department. As a minimum requirement these statements should be prepared in accordance with Appendix C.

3. Budget and Cash Requirements

Each Association must prepare an annual budget of cash requirements as outlined in Appendix D (this will be the basis on which funds shall be advanced). This budget must be approved by the Board of Directors and submitted to the Department within thirty days of the Association being advised of their allocation for the ensuing fiscal year.

4. Accrual Basis

Annual financial statements must be prepared on an accrual basis.

5. Fiscal Year

The Association's financial year must be from April 1 to March 31 to coincide with the federal government's fiscal year.

C. ACCOUNTING AND FINANCIAL CONTROL

1. Borrowing Powers

Each Association must have a by-law outlining authority and limits of borrowing. The by-law should cover:

- kinds of borrowing, e.g. inter-program "borrowing"?
 - purpose for which borrowing is allowed;
 - absolute limits on borrowing;
 - officers authorized to negotiate a loan and loan limits;
 - when approval is required by the Board of Directors;
 - extraordinary requirements for borrowing, including ratification by membership at a special general meeting.
- At the time a loan is considered, a repayment plan should also be developed by the Association. The repayment plan and revised budget and cash flow statements should be prepared and presented to the officers and Board of Directors for their consideration and approval.

2. Procedures

Management and financial procedures must be established by all Associations. These procedures must provide for:

- the specific allocation of duties among the staff;
- a systematic recording of all receipts and disbursements;
- internal control of receivables and payables;
- internal control of inventories

3. Restrictive Funds

Core funds shall be considered restrictive and shall not be used for the financing of other programme activities.

Common Expenses

Where common expenses are allocated amongst the programmes, the following must be disclosed:

- method of allocation used;
- itemized listing of expenditures allocated

D. ANNUAL FINANCIAL AUDIT

1. Auditors

The Department requires that an annual financial audit of the Association's operations be conducted by a firm of provincially or territorially licensed independent public accountants/auditors.

2. Prerequisite

It is mandatory that the firm undertaking the annual financial audit of the Association be supplied with a copy of these Administrative and Financial Directives prior to performing each audit.

3. Core Surpluses

Surpluses arising in Core operations will be deferred to future periods for use in Core Funding activities unless instructed otherwise in writing by the Minister.

4. Core Deficits

Where an Association's expenditures exceed revenues producing a deficit, a complete review may be conducted by the Department.

PORTFOLIO SYSTEM - SHOULD IT BE ADOPTED?

At the current time the following programs and program-heads exist and would be distributed under the portfolio system.

T.O.J.
P.M.S.H.A.

Ab. Rights
Administration
New Breed

Recreation
N.A.C.
Dumont College
Tech Unit

Prince Albert
Regina
Larry Heineman, Regina
Leroy Moser, Regina

Claude Pettit, Regina
Fred Schoenthal, Regina

If the Association members wish to implement the Portfolio system, there are several ways that it can be done. These methods have both good and bad points.

Basically there would be two simple ways for our Association to implement this system. The first method is to have the Management Committee of the Executive Council divide between them the existing programs. This division can be made by the Executive Council. The Management Committee could then take on the total responsibility for the programs assigned to him/her and the existing program heads would become assistants.

The good point about this would be that the programs might become more efficient, as there would be more lobbying done for programs funding, e.g. recreation, which is generally weak financially.

The bad points tend to outweigh the seemingly only benefits. These bad points include the time consumption on part of the Management Committee who have total provincial responsibility for the political activity of our organization, that the Management Committee might tend to devote too much time to their programs and lose sight of the rest of the programs, that the Association may tend to become even more program oriented as opposed to politically motivated and that the Program Heads might become disenchanted with their loss of responsibility. In addition, just because a person is elected on a province wide basis, it doesn't mean he/she had the necessary skills for operating the programs.

The other and seemingly more potentially successful method of implementing the Portfolio System is to have the programs assigned as above, but that the members of the Management Committee would only be responsible to ensure that programs are functioning smoothly and that there is adequate funding.

The good points are:

- (1) The Program Heads would have someone from the Executive Council to consult and rely upon.
- (2) The necessary funding would be properly negotiated for.
- (3) The Executive Council can get program reports more easily, e.g. at Council Meetings, one of the members of the Council itself would be accountable.
- (4) The Management Committee would have enough flexibility to continue with their political activities.

(5) Management Committee would have some direct responsibilities to work at.

(6) Specific non-funded activities could be assigned to Management Committee such as Northern Development, Economic Development, Education, Hunting, Trapping and Fishing, Agriculture, etc.

The negative points are:

(1) There is still the danger that the members of the Management Committee would still spend too much time on the programs and lose sight of the rest of the programs and become slack in their political roles and responsibilities.

(2) There may be conflicts between qualified people employed as program heads and the members of the Management Committee, in cases where the Program Heads are probably better qualified on running the programs and making administrative decisions. There is also the danger of political appointments by members of the Management Committee as opposed by appointments by the total Executive Council.

(3) There will also be problems with dividing the programs and in addition if one member gets 3 programs, he/she may only be interested in one and let the other ones suffer or neglect them. This however, isn't too bad under this second alternative, but would be disastrous under the first method. As well the division may see all the easy programs going to one person and so forth, but this can be guarded against by the Executive Council.

In summary, if the Portfolio System is adopted then the latter structure would best suit our Association's activities.

The Metis Nation at its birth developed laws and rules by which they governed themselves. As a group or Nation of People the Metis have continued to organize on a structured basis. Throughout the years, various constitutions have been adopted and revised to keep up with the changes taking place around us. Our Association's last update was in 1975 and marks the starting point of our study.

THE METIS SOCIETY OF SASKATCHEWAN

Portions of the minutes of the 1975 Annual General Meeting of the members of the Metis Society of Saskatchewan. It was moved by Vernon Desjarlais, and seconded by Nora Thibadeau as follows:

That the Society's name be changed from The Metis Society of Saskatchewan as it presently exists to THE ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN.

The motion was put to a vote and the vote was unanimously in favour of the motion.

The following special resolution was moved by Wilbert Boyer and seconded by Wilbert Desjarlais. "Moved that the present objects and by-laws of the Society be repealed and that the following objects and by-laws be substituted:

After clause by clause study and a three-quarter's majority vote, the following objects and by-laws were approved by special resolution of the Society.

OBJECTS AND PURPOSES

1. To work for the social, educational, economic betterment and general improvement of Metis and non-status Indians.
2. To preserve and further Metis and non-status Indian heritage and culture.
3. To unite and preserve the unity of Metis and non-status Indians.
4. To promote and advance the culture of Metis and non-status Indians.
5. To raise funds for and otherwise improve the lot of Metis and non-status Indians.
6. To co-operate with other organizations within or outside Saskatchewan to further these objects and purposes.

BY-LAWS OF THE ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN

By-law No. 1 - Membership

(1) In these by-laws, unless otherwise indicated, the word Metis means a person with Indian ancestry, who is not a Treaty Indian as defined by the Indian Act and includes any non-status Indians.

(2) Individual membership - any person who is a Metis or non-status Indian and is sixteen (16) years of age or over on payment of prescribed membership fee can become a member.

(3) Each individual member shall pay an annual membership fee as may be determined by the members in general meeting.

(4) This Organization shall be non-sectarian and non-partisan.

BY-LAW NO. 2 - ASSOCIATE AND AFFILIATE MEMBERSHIP

(1) Any non-Metis person who is of the age of eighteen (18) or over and who is or has been married to a Metis, or has legally adopted a Metis child shall be eligible for associate membership.

(2) Associate members shall pay such annual fee as shall be determined from time to time by the executive.

(3) An affiliate organization shall be one that has applied for affiliation and has been approved as being affiliated by the Board of Directors.

BY-LAW NO. 3 - OFFICIAL COLORS

(1) The official colors of the Association of Metis and Non-Status Indians of Saskatchewan shall be determined by the executive.

(2) The Association of Metis and Non-Status Indians of Saskatchewan shall have its own flag as determined by the executive.

BY-LAW NO. 4 - ANNUAL MEETING

(1) The annual meeting of the Association of Metis and Non-Status Indians of Saskatchewan shall be convened annually at such date and place as may be fixed by the executive, provided at least thirty (30) days written notice be given to the president or secretary of each local and provided also that the Annual meeting shall be convened as close to the "Back to Batoche" cultural event as possible.

(2) In case of special meeting, the executive shall ensure that fifteen (15) days written notice of date and place of meeting is given to the president or secretary of each Local.

(3) The Annual meeting shall elect the Board of Directors and the executive of the Association of Metis and Non-Status Indians of Saskatchewan as required.

(4) The Board of Directors shall have final authority over all matters of policy, program and interpretation of the Constitution.

(5) The executive shall be responsible to the Board of Directors.

(6) Expenses for delegates to the Annual meeting shall be paid by the Association of Metis and Non-Status Indians of Saskatchewan.

BY-LAW NO. 5

Where more than two (2) persons are contesting any position the two persons receiving the greatest number of votes shall stand for a second election to determine which of them receives the position, or where two (2) or more such persons receive the same number of votes on the first count each may stand for the second election and the process is repeated in case of a tie.

BY-LAW NO. 6 - REPRESENTATION AND VOTING AT AN ANNUAL MEETING

(1) Only delegates who are paid-up members shall be allowed to vote at the Annual meeting.

(2) No associate or affiliate member shall be entitled to vote except at meetings of the Local to which such member belongs.

(3) Before a new Local can be represented at the Annual meeting, the Local must be registered with the Association of Metis and Non-Status Indians of Saskatchewan at least one (1) month before the Annual meeting and must be in operation for at least three (3) months before it can be recognized.

BY-LAW NO. 7 - EXECUTIVE

(1) The Annual meeting shall elect the following executive officer of the Board of Directors, each of whom shall hold office of the Board of Directors, each of whom shall hold re-elected:

- (a) president
- (b) vice-president
- (c) secretary
- (d) treasurer

(2) The executive of the Board of Directors of the Association of Metis and Non-Status Indians of Saskatchewan shall have the authority to conduct and administer the affairs and business of the Association of Metis and Non-Status Indians of Saskatchewan between meetings, and to issue statements in the name of the Association.

(3) At all meetings of the executive, three (3) members shall constitute a quorum.

(4) The President and Treasurer shall be elected on even number years and the Secretary and Vice-President shall be elected on odd number years.

BY-LAW NO. 8 - DUTIES

(1) **PRESIDENT** - the president shall be a member of all committees. The president shall preside over all meetings of the executive. In his absence, the vice-president shall preside. In the absence of the vice-president, a chairman shall be elected by the meeting to preside.

(2) **SECRETARY** - the secretary shall attend all meetings of the executive and the Board of Directors and shall keep accurate minutes of those meetings. The secretary shall have charge of the Seal of the Association of Metis and Non-Status Indians of Saskatchewan which Seal, whenever used, shall be authenticated by the signature of the secretary and the president. In case of death or inability of either to act, this duty shall be discharged by the vice-president. In

case of the secretary's absence, his or her duties shall be discharged by such officer as may be appointed by the executive. The secretary shall be under the direction of the Board of Directors of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) **TREASURER** - the treasurer shall receive all monies paid to the Association of Metis and Non-Status Indians of Saskatchewan and shall be responsible for the deposit of the money in whatever bank or credit union the Board may order. The treasurer shall properly account for all funds of the Association of Metis and Non-Status Indians of Saskatchewan. The treasurer shall consult regularly with the Comptroller to keep such books as he is directed by the Board of Directors. The treasurer shall not authorize payments for vouchers or disbursements unless the necessary receipts are presented. The treasurer shall present a detailed account of receipts of disbursements to the Board on a monthly basis. The treasurer shall prepare, for submission to the annual meeting, a statement duly audited as hereinafter set forth of the financial position of the Association of Metis and Non-Status Indians of Saskatchewan and submit a copy of same to the secretary for the records of the Association of Metis and Non-Status Indians of Saskatchewan.

BY-LAW NO. 9-BOARD OF DIRECTORS

(1) The Board of Directors shall consist of:

- (a) executive
- (b) nine (9) regional directors

(2) Regional directors shall be elected by region for a two (2) year term. Such directors may be re-elected. The three western regional directors and northern regional director #2 will be elected on odd years. The three eastern regional directors and northern regional director #1 will be elected on even years.

There shall be eight (8) regions named as follows: NR1, NR2, WR1, WR2, ER1, ER2, ER3 and a further director shall be elected in regional....., and the Board of Directors shall determine what areas may be represented by each region.

(3) The Board of Directors shall be the governing body of the Association of Metis and Non-Status Indians of Saskatchewan. It shall have full authority to issue policy statements in the name of the Association of Metis and Non-Status Indians of Saskatchewan in agreement with the decisions of the Association of Metis and Non-Status Indians of Saskatchewan annual meeting.

(4) At all meetings of the Board of Directors eight (8) members shall constitute a quorum.

(5) Should any office become vacant on the Board, the Board shall have the authority to fill the position for the remaining term.

(6) A member of the executive may be removed by the Board for improper conduct or for just cause. Such action may only be taken by a ¾ majority of the Board vote for removal and in such case the decision shall be final. Notice regarding any action to remove any member of the Board shall be given to the secretary on request of any member in writing to every member of the Board at least fifteen (15) days prior to the meeting at which any such vote takes place.

(7) A member of the Board of Directors is not prevented from holding a salaried position with the Association of Metis and Non-Status Indians of Saskatchewan providing the prior approval of the Board has been granted.

(8) In any emergency or crisis situation as determined by the Board, the Board of Directors shall have full and complete authority over every aspect of the affairs of the Association of Metis and Non-Status Indians of Saskatchewan, including strategy, hiring, firing, the calling of meetings, finances and all other matters.

(9) Any regional director, who in the opinion of his regional membership, is not doing his job may also be removed by a vote of non-confidence after fifteen (15) days notice in writing to that director by the area which he represents. The area has the authority to elect a new director, who shall complete the term of the regional director so removed, to replace any member removed from office due to a vote of non-confidence. At any such meeting the provincial secretary of the Association of Metis and Non-Status Indians of Saskatchewan must be in attendance and record the decision and report the decision forthwith in writing to the Board of Directors.

BY-LAW NO. 10 - ELIGIBILITY FOR OFFICE

(1) No person, who is or becomes employed or engaged in any manner by the federal or provincial government, shall be eligible to hold office on the executive as president or vice-president.

BY-LAW NO. 11 - ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN HEADQUARTERS

(1) The Board of Directors shall be responsible for the hiring, or firing of the necessary staff with the exception of the executive director, who shall be hired or fired by the executive.

(2) The executive director shall be the administrative officer and shall be paid such remunerations as may be determined by the Board.

BY-LAW NO. 12 - COMMITTEES

(1) Any committees may be elected at the annual meeting and in case any necessary committees have not been so elected, the executive of the Association of Metis and Non-Status Indians of Saskatchewan may establish committees to carry out the work of the Association of Metis and Non-Status Indians of Saskatchewan.

(2) The executive shall have the authority to remove a chairman or any member of any committee for just cause for improper conduct, or for conflict of interest. The executive shall have the power to appoint a new chairman.

(3) The chairman of a committee may recommend that the executive appoint or remove any committee member for just cause, improper conduct or for conflict of interest.

BY-LAW NO. 13 - REVOCATION OF MEMBERSHIP

(1) Any member or associate member or affiliated member may have his membership suspended by the Board for any conduct which the Board shall deem unreasonable and in that with any office held by the former member shall be vacant.

(2) Any member may withdraw from membership in the Association of Metis and Non-Status Indians of Saskatchewan upon notice in writing directly to an office of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) A record of all receipts of membership shall be forwarded to the Provincial treasurer of the Association of Metis and Non-Status Indians of Saskatchewan.

(4) Membership fees shall not be refundable.

BY-LAW NO. 14 - AMENDMENT

(1) The by-laws may be amended at the annual meeting by ¾ majority vote of those delegates duly present in the room at the time of the vote.

BY-LAW NO. 15 - WINDING-UP

(1) On the winding up of the organization, all assets remaining after the payment of any just debts and obligations shall be distributed to one or more recognized charitable organizations in Canada. This shall be unalterable.

BY-LAW NO. 16 - LOCAL ORGANIZATION

(1) The local shall be made up of at least nine (9) members and shall be the basic unit of the Association of Metis and Non-Status Indians of Saskatchewan. Each local shall be so governed by a Local executive, which shall be elected annually at a general meeting of the Local. All individual members who have paid their current membership fee and are in good standing shall be entitled to vote.

(2) Name of Local - Locals shall be named by numbers of the Association of Metis and Non-Status Indians of Saskatchewan and the executive shall allocate the district numbers.

(3) Executive - A Local may consist of the following:

- (a) President
- (b) Vice-President
- (c) Secretary-treasurer
- (d) any other executive

(4) Any local applying for membership to the Society must have its application for membership approved by a ¾ majority of delegates present and voting at the annual general meeting.

BY-LAW NO. 17 - DUTIES OF LOCALS

(1) The Local shall organize locally the Association of Metis and Non-Status Indians of Saskatchewan.

(2) The Local shall carry out the program locally of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) The Local shall recruit new members and to collect donations.

(4) The secretary-treasurer shall immediately place all membership fees in a chartered bank or credit union to the credit of his/her Local organization.

(5) The executive of a Local shall immediately report to the Association of Metis and Non-Status Indians of Saskatchewan upon the formation of a Local and shall give the names and addresses of each member.

(6) The Local shall report any act of misconduct and other offences which might bring the Association of Metis and Non-Status Indians of Saskatchewan into dishonour or disrepute.

BY-LAW NO. 18 - REGISTER

(1) Any member of any Local of the Association of Metis and Non-Status Indians of Saskatchewan shall be entitled to vote and to hold office in that Local but no associate or affiliate member shall hold any Local executive position.

(2) Any member or associate member shall be entitled to attend a meeting of any Local but shall not be entitled to vote unless he is a member of that Local.

CERTIFIED TO be a true copy of an amendment approved by the Special Resolution passed at a general meeting of members held on the 9th day of November, 1975.

ANNUAL ASSEMBLY 1977 RESOLUTIONS

Following this major revision there were some resolutions passed with respect to that Constitution. The following resolutions reflect the general feelings of our membership, although some of these resolutions are not Constitutional changes, but are policy changes to govern our Board of Directors.

SPECIAL RESOLUTIONS AND NEW BUSINESS:

Resolutions presented by Northwest Central Area:

1. Re: Constitution - whereas poor control for Annual meeting delegates to nominate and vote for their Board of Directors and a better representative; BE IT RESOLVED that each Director be elected at their own Area meeting rather than at the Annual Assembly.

2. Re: DNS Minister - BE IT RESOLVED that the DNS Minister accept the Human Rights Commission's report, instead of denying it, and take action in the hiring practices in northern Saskatchewan.

3. Whereas justice in northern Saskatchewan is unfair in that the Legal Aid lawyers do not defend their clients properly; BE IT RESOLVED that courtworkers be hired in Saskatchewan to assist native people in obtaining fair justice in the courts.

4. BE IT RESOLVED that the Association of Metis and Non-Status Indians of Saskatchewan set up a provincial registration committee and issue life-time identification cards to all Metis and non status Indians and to all Metis and non status Indians children.

ANNUAL ASSEMBLY 1978 RESOLUTIONS

RESOLUTION 1

BE IT RESOLVED that the Board of Directors hold their board meetings one in each of the nine areas with one day set aside for a general meeting with members of that respective area.

There was discussion on this resolution by Frank Tomkins, Jim Sinclair, Nap Lafontaine, Rod Durocher, Pierre Dorion, Alvin Campeau, Tom Roy, Wm. T. Daniels, and Rod Bishop.

The resolution was seconded by Frank Tomkins. Question called. Resolution carried.

RESOLUTION 2

BE IT RESOLVED that the main office of the Association of Metis and Non-Status Indians of Saskatchewan now situated in Regina, be relocated to Saskatoon.

The resolution was made by Earl Cook.

The resolution was seconded by Frank Tomkins.

Wayne McKenzie, Jim Sinclair and Jim Favel spoke against the resolution.

Norman Bonneau, John Dorion, Pierre Dorion, Frank Tomkins, Clarence Trotchie, Bill Daniels, Norman Nateweyes and Ron Campone spoke for the motion.

The resolution was restated in Cree.

Question was called. Resolution was DEFEATED.

RESOLUTION 3

BE IT RESOLVED that all consultants hired by the organization be done through the Board of Directors with recommendations coming from respective Board of Directors areas.

Jim Sinclair spoke re: current hiring of consultants.

Ron Campone asked about future contracts specifying a training element.

The resolution was seconded by Ron Campone.

Question was called. CARRIED.

RESOLUTION 4

BE IT RESOLVED that a Lands Commission be established to exclusively research, document and prepare land claims.

This Lands Commission should be set up in similar fashion to the Manitoba Metis Lands Commission.

The Commission should:

- 1) have staff dealing exclusively on land claims research.
- 2) Have the necessary autonomy to be able to work without interference from any groups or individuals.
- 3) Be overseen by a committee of board members to set out initially the direction the commission must take and where necessary to help work out difficulties encountered by the commission.
- 4) Locate its office in Saskatoon.

by Wayne McKenzie

"It is therefore resolved as follows:

- a) that the Board of the Association set up a full fledged program department known as the Aboriginal Land Claims and Research Department.

b) that the department employ a qualified administrator to head it up and such other full time staff and consultants as are necessary to achieve the objectives of a negotiated settlement.

c) that the board give top priority to this program and to ensure this appoint a managing committee to be responsible for the day to day operation of the program.

d) the membership of the managing committee consist of four interested board members, one of whom is a member of the executive who will act as chairman of the committee, plus two other interested members selected at large.

e) that the committee be left with the responsibility to decide on such matters as the hiring of staff, the location of the program office, and the implementation of general policy directions decided on by the membership and the board.

Norman Bonneau seconded Earl Cook's resolution.

Dave McKay seconded Wayne McKenzie's resolution.

The resolutions were discussed. John Dorion, Ron Campone, Rod Durocher, Earl Cook and Jim Sinclair voiced their concerns.

Question was called.

52 delegated were in favor of the resolution proposed by Wayne McKenzie. 7 delegates were in favor of the resolution proposed by Earl Cook.

The Southwest Area resolution was CARRIED.

RESOLUTION 5

Be it resolved that the General Assembly give the Executive and Board of AMNSIS the authority to borrow money from a Financial Institution i.e. Chartered Bank, Credit Union or Mortgage Company to purchase capital assets; specifically building and land.

The resolution was presented by Tim Low.

The resolution was seconded by Ron Campone.

Jim Sinclair clarified the intent of the resolution.

Question was called. CARRIED.

RESOLUTION 6

Be it resolved that the General Assembly support Local 126 under the auspices of the Dumont College in trying to establish a Native Studies Department at the University of Saskatchewan (Saskatoon).

Resolution presented by Earl Cook.

Resolution seconded by Bruce Flamont.

Question was called. CARRIED.

RESOLUTION 7

Be it resolved that the Government of Canada in recognition of their historical facts and of the injustice of its dealings with the Metis people, act to right these wrongs against Riel and the whole Metis Nation, by granting at this late date a posthumous pardon to Riel, thereby restoring in the Metis people the knowledge of the justice of their cause the pride of independence, perseverance, and high standards of their ancestors, and also thereby restoring in the Metis people today their belief in themselves and rekindling their hope that their yet unsatisfied claims will be dealt with

justly and fairly and with equity by the government of Canada and the Canadian people.

Resolution made by Clarence Trotchie.

Resolution seconded by Ken McKay.

Question was called. CARRIED.

ANNUAL ASSEMBLY 1979 RESOLUTIONS

RESOLUTION 1

BE IT RESOLVED, that the Batoche delegation either endorse or reject the election of August 1, 1979.

- a) Due to lack of public awareness before hand
- b) Out of approximately 50,000 eligible voters only 3,000 voted
- c) There is no AMNSIS election policy
- d) Rumours of staff campaigning
- e) No ballot boxes in several Northern communities

There was a discussion held on Resolution 1 by Rod Durocher, Frank Tomkins, Rose Boyer, Tom Roy, Clem Chartier, Lawrence Lacendre and John Dorion.

Jim Sinclair mentioned that as it was the first time for an election in the Organization by ballot boxes. We have made a lot of mistakes and hopefully by next year that it will be cleared up. I do not support the resolution.

Wendy Dean, Chief Electoral Officer - stated that all locals received ballot boxes, and 2 weeks notice regarding date of election.

Frank Tomkins stated that 23 ballot boxes were not in. George Morin moved that the election be endorsed as way of being held. PASSED.

John Dorion - stated that he would go to the Attorney General's Department requesting an investigation be held on the Election.

RESOLUTION 2

The Northwest Central Area 2 has suggested a constitutional change, and that 10 areas be recognized in the Province, as opposed to the 9 areas recognized at present. Presented by Rod Bishop.

Discussion held as to reason why; 39 communities in area, cannot serve all of them. Due to large area that another Board of Director's position be created. CARRIED.

RESOLUTION 3

WHEREAS we are a Nation of People who have rights as the first or aboriginal People of this land - rights such as the right to self-government and to land,

AND WHEREAS we are the official voice of our Nation,
AND WHEREAS we have to rely on Government funding for our programs,

BE IT RESOLVED that we establish a Committee which will work on drafting up a set of Laws of our Nation, which will govern us as a political body.

AND that this set of Laws or Constitution be registered within our Nation and with the United Nations in Geneva, Switzerland.

BE IT RESOLVED that the same Committee draft a Constitution which will deal with our Administration and Programming. This will be similar to the one we now have and should be registered under our Laws and under Federal and Provincial Laws.

Presented by Clem Chartier - PASSED

RESOLUTION 4

WHEREAS the General Assembly passed a resolution at Batoche last year requesting of the Canadian Government a posthumous pardon for Riel.

AND WHEREAS the pardon requested based on the rights of the Metis that Riel fought for and on the fact that Riel was unjustly and unfairly tried, convicted and murdered.

AND WHEREAS the last Government, the Liberal Party, by the words of Otto Lang, in March 1979, stated that the Cabinet would be willing to grant the pardon on the basis that Riel symbolized struggle but not on the basis of the rights that he fought for or the unjustness of his treatment.

BE IT RESOLVED that this Assembly reject any pardon which is not based on what Riel and the others fought and died for. We are now faced with the same struggle and should not take away from Riel those things that he stood for. We must stick completely to the resolution sent in with the requested pardon.

Presented by Clem Chartier - PASSED

RESOLUTION 5

Because major decisions are made by the tri-part committee which affects the direction in which we are going; be it resolved that area representatives participate in all tri-part committee meetings.

Presented by Chris Lafontaine - PASSED

RESOLUTION 6

Because the Southeast Area set up a training centre known as the Kapachee Training Centre; Be it resolved that the Kapachee Training Centre be recognized as an extension of Dumont College.

Presented by Chris Lafontaine - PASSED

RESOLUTION 7

The fact that Provincial Board meetings involves decision making that directly affects all the local people; Be it resolved that all Provincial Board meetings be open to the Area Board members.

Presented by Chris Lafontaine - CARRIED.

Jim Sinclair stated that that one day be open to the public and one day closed.

RESOLUTION 8

Let it be resolved that the present system decentralize to a system where an Area Board be elected from each area, which Board will control all funding for Area Director salary and staff, with all decision making being done at the local level.

Presented by Norman Nateweyes.

There was discussion on this resolution by Chris Lafontaine, Bruce Flamont, Frank Tomkins, Jim Sinclair, Rose Boyer, Pierre Dorion and George Morin.

Amendment made by Max Morin - to read "that Aboriginal Rights and the Provincial Body not be decentralized."

Seconded by John Dorion. CARRIED.

Amendment made by Norman Nateweyes to resolution

number 8, "that the roles and powers that the Board of Directors and the Executive are to have, be outlined."

Seconded by John Dorion. CARRIED.
Bruce Flamont made a motion "Be it resolved that the Constitutional Committee be set up. Two representatives from the South, two from the North and one chairman."
Seconded by Tony Campone. CARRIED.

CONSTITUTIONAL COMMITTEE - Nominations open to the floor:

Murray Hamilton nominates Vital Morin.

Dave McLeod nominates Chris Lafontaine.

Roy Myke nominates Norman Nateweyes.

Ed Pelletier nominates Henry Pelletier.

Philip Malbeauf nominates Rose Boyer.

George Morin nominates John Dorion.

Rose Boyer nominates Mederic McDougall.

Agnes Stanley nominates Wayne McKenzie.

Peter Dorion moves that nominations cease. Seconded by Max Morin. CARRIED.

Rose Boyer, Mederic McDougall, and Wayne McKenzie - DECLINED.

Chris Lafontaine, Vital Morin, Henry Pelletier, John Dorion and Norman Nateweyes - ACCEPTED.

RESOLUTION 9

We would like to have provisions made for advanced polls. Presented by Peggy Johnston. Seconded by Yvonne Ducharme. CARRIED

RESOLUTION 10

That all Locals receive copies of the Financial Statement of AMNSIS one month previous to the Annual Meeting of AMNSIS.

Presented by Peggy Johnston. CARRIED

RESOLUTION 11

That all Locals receive copies of Board Meeting minutes of the Association of Metis and Non-Status Indians of Saskatchewan.

Presented by Peggy Johnston. CARRIED

RESOLUTION 12

Be it resolved that everybody that is Metis or Non-Status have a right to join the Organization and hold a membership card regardless of age.

Amendment: Cannot vote until age 16 according to Bylaw No. 2.

Presented by George Morin. CARRIED

RESOLUTION 13

This resolution dealt with longer terms for Directors and Executive. Was discussed and Tabled - was given to the Constitutional Committee.

RESOLUTION 14

Be it resolved that for Area Director's position nobody should run for position of Area Director for certain area except people from that area.

Presented by George Morin. CARRIED

RESOLUTION 15

Be it resolved that our Organization work towards housing program ... Not just delivery system.

Presented by George Morin. CARRIED

RESOLUTION 16

Be it resolved that our Organization work toward establishing a Metis Youth Program for our future Leaders.

Presented by George Morin. CARRIED

RESOLUTION 17

Whereas all locals ask people to run the Election such as Deputy Returning Officer and Poll Clerk. Be it resolved that people asked to run the polls such as Deputy Returning Office and Poll Clerk be not on staff or payroll of Organization; and the Provincial Organization find funds for cost for such Election.

Presented by Vital Morin. CARRIED

RESOLUTION 18

Whereas D.N.S. and the Provincial Government is working against the land rights, fishing rights, hunting rights and generally our rights as the Original Peoples in Northern Saskatchewan; Be it resolved: AMNSIS fully support Ab Rights and expand more on this program. That our immediate problems in these areas be immediately resolved. That funds be made available for test cases or fighting court cases against our people. That all AMNSIS areas send representatives along with Jim Sinclair to Palmbere Lake on August 26, 27, and 28, especially for August 28 when the Minister of DNS is there, to show support to Northern Trappers; However not to take over the meeting, only for support, Northern people know what is good for them. That the Association start lobbying to allow our people in the north to set up and run the trapping, fishing, hunting, and related rights. "This matter be dealt with Constitutional Committee." Discussion was held regarding fires burning, as DNS leave small areas burning and not put out. Whereas the Department of Northern Saskatchewan has monies allocated for staff training - Be it resolved that this money be rechannelled to the Natives of the North to develop their own training program. Whereas our Vice-President sits on the Northern Hiring Committee of DNS - Be it resolved that we get reports and recommendations to the hiring of DNS staff.

Presented by Phillip Chartier. CARRIED

Murray Hamilton - made a motion regarding cutoff date for members to sign up as of 30 days before election.
CARRIED

RESOLUTION 19

The Southeast part of our area from Wynyard, Crescent Lake, Breckenbury, Saltcoats, Yorkton, Gerald, Langenburg, Melville, and Esterhazy and possibly a local in Crooked Lake would like to break away from the Northeast part of our area, reasons for breaking into a separate area of our own; We are too far apart, the closest areas together are about 110 miles away from each other. It is quite a wide spread for the fieldworkers to run around and can't accomplish work that has to be done. Our government agencies are different, such as CMHC and Saskatchewan Housing. The North has to go to Saskatoon while we have to go to Regina. The MAB Board constituencies are different. For example, one year Alvin tried to come and sit on our MAB Board and was told this wasn't his constituency and to go back and sit in his own constituency. We think if we have our own Director it would be more effective. All the government programs and agencies are in the South while theirs are in the North.

Discussion was held by Alvin Campeau, Ed Pelletier, Jim Sinclair and Clem Chartier.

Rod Bishop made a motion that resolution 19 be discussed at area level and if the area decides and agrees with split that Resolution 19 be valid and effective once it is done. Seconded by Ed Pelletier.

CARRIED

Murray Hamilton made a motion that all regions in AMNSIS be named after all past Metis Leaders. Seconded by Rod Durocher.

CARRIED

RESOLUTION 20

Be it resolved that the General Assembly support Local 126 under the auspices of the Dumont College in trying to establish Native Studies Department at the University of Saskatchewan.

Presented by Peggy Johnston

Discussion was held by Jim Sinclair and Local 126 and Murray Hamilton. As long as the program would be governed by the Board of Dumont College.

CARRIED

Vital Morin made a motion that the meeting be adjourned at 6:15 p.m. and start tomorrow at 11:00 a.m.

THURSDAY AUGUST 16, 1979

Meeting reconvened at 2:00 p.m.

Discussion: Batoche grave yard.

How unkept it was, the Assembly stated that a Local should be hired to take care of graves and surrounding ground. People started giving donations and the amount with material and cash on hand came to \$2,500.00 - As a result of this a Batoche Memorial fund was established.

RESOLUTION 21

Whereas the Association of Metis and Non-Status Indians of Saskatchewan gave adequate notice of Organization Elections, And these elections were conducted according to an approved election policy, And whereas election results are to be announced at this Assembly and late arrival of ballot boxes prevent a recount of ballots, Be it resolved that ... If a recount of ballots is unable to be performed by the time of adjournment of this Annual Assembly that the results of the August 1, 1979 AMNSIS Elections as counted and recorded on August 1 and 2 be declared official.

Discussion: was held as 23 ballot boxes were not in and that the other Locals' Delegates had left Batoche.

Presented by Lois Fiddler Seconded by Mary Jan Caison

CARRIED

Tom Roy - Stated that he was more nervous than others, and explained that he does not want to leave this Assembly leaving doubts in people's minds. He stated that the election was held accordingly as planned and that it would be up to the people to vote on it.

He further stated that "Cultural Unity is strongly needed for this organization. The direction of this organization is dependent on the support it gets from its membership.

THE GENERAL ASSEMBLY CLOSED THE MEETING

PRESENT REGISTERED CONSTITUTION

BY-LAW NO. 1 - MEMBERSHIP:

(1) In these By-Laws, unless otherwise indicated, the word Metis, means a person with Indian ancestry, who is not a Treaty Indian as defined by the Indian Act and includes any Non-Status Indians.

(2) Any Metis or Non-Status Indian who is a member in good standing of a duly registered AMNSIS Local, upon payment of the prescribed fee, can become a member of

the provincial Association; provided that no member of AMNSIS shall have a right to vote with respect to the affairs of the Association until they are 16 years of age.

(3) Each individual member shall pay an annual membership fee as may be determined by the members in a general meeting.

(4) This organization shall be non-sectarian and non-partisan.

BY-LAW NO. 2 - ASSOCIATE AND AFFILIATE MEMBERSHIP:

(1) Any Non-Metis person, who is of the age of sixteen years or over, who is or has been married to a Metis or Non-Status Indian or has adopted a Metis or Non-Status child shall be eligible for associate membership.

(2) Associate members shall pay such annual fee as shall be determined from time to time by the Executive.

(3) An affiliate organization shall be one that has applied for affiliation and has been approved as being affiliated by the Board of Directors.

BY-LAW NO. 3 - OFFICIAL COLORS:

(1) The official colors of the Association of Metis and Non-Status Indians of Saskatchewan shall be determined by the membership.

(2) The Association of Metis and Non-Status Indians of Saskatchewan shall have its own flag as determined by the membership.

BY-LAW NO. 4 - ANNUAL MEETING:

(1) The Annual Meeting of the Association of Metis and Non-Status Indians of Saskatchewan shall be convened annually as such date and place as may be fixed by the Executive, provided at least thirty days written notice be given to the president or secretary of each Local and provided also that the Annual meeting shall be convened as close to the "Back to Batoche" cultural event as possible.

(2) In case of a special meeting, the Executive shall ensure that fifteen days written notice of date and place of meeting be given to the president or secretary of each Local.

(3-a) The Association shall establish a poll in each AMNSIS Local for the purpose of enabling all paid up members to vote in the elections of members of the Association's Executive and Board. Said elections to be held at least two weeks before the Association's Annual Assembly with the ballot boxes from the Local polls being brought to the Annual Assembly to be counted by Scrutineers selected by the Candidates for the various positions.

(3-b) The Association shall set a date or dates upon which to hold advance polls for those voters who are eligible to vote in the said elections but who are unable to vote on the date set for general elections pursuant to subsection (3-a).

(4) The Board of Directors shall have final authority over all matters of policy, program, and interpretation of the Constitution.

(5) The Executive shall be responsible to the Board of Directors.

(6) Delegates to the Annual meeting shall be chosen by each Local on the following basis:

(A) Four delegates for the first one-hundred members.

(B) Three delegates for any part of the next one-hundred members.

(7) Expenses for delegates to the Annual meeting shall be paid by the Association of Metis and Non-Status Indians of Saskatchewan.

(8) Where more than two persons are contesting any position, the two persons receiving the greatest number of votes shall stand for a second election to determine which of them receives the position or where two or more such persons receive the same number of votes on the first count, each may stand for the second election and the process is repeated in case of a tie.

BY-LAW NO. 5 - REPRESENTATION AND VOTING AT AN ANNUAL MEETING:

(1) Only delegates, who are paid up members, shall be allowed to vote at the Annual Meeting.

(2) No associate or affiliate member shall be entitled to vote except at meetings of the Local to which such member belongs.

(3) New Locals shall not be registered with the Association of Metis and Non-Status Indians of Saskatchewan without prior approval by vote, of the area in which it is located. Proper notice of intent to register will be forwarded to the Area Director not less than fourteen (14) days prior to the area meeting.

BY-LAW NO. 6 - EXECUTIVE:

(1) The Annual meeting shall elect the following executive officers of the Board of Directors, each of whom shall hold office for a term of two years and such officers may be re-elected:

(A) President

(B) Vice-President

(C) Secretary

(D) Treasurer

(2) The executive of the Board of Directors of the Association of Metis and Non-Status Indians of Saskatchewan shall have the authority to conduct and administer the affairs and business of the Association of Metis and Non-Status Indians of Saskatchewan between Board meetings, and to issue statements in the name of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) At all meetings of the executive, three members shall constitute a quorum.

(4) The president and treasurer to be elected on even years and the secretary and vice-president to be elected on odd years.

BY-LAW NO. 7 - DUTIES:

(1) President - the president shall be a member of all committees. The president shall preside over all meetings of the executive. In his absence the vice-president shall preside. In the absence of the vice-president a chairman shall be elected by the meeting to preside.

(2) Secretary - the secretary shall attend all meetings of the executive and Board of Directors and shall keep accurate minutes of those meetings. The Secretary shall have charge of the Seal of the Association of Metis and Non-Status Indians of Saskatchewan, which Seal whenever used, shall be authenticated by the signature of the secretary and the president. In case of death or inability of either to act this duty shall be discharged by the vice-president. In case of the secretary's absence, his or her duties shall be discharged by such officer as may be appointed by the Executive. The secretary shall be under the direction of the Board of Directors of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) Treasurer - The treasurer shall receive all monies paid to the Association of Metis and Non-Status Indians of Saskatchewan and shall be responsible for the deposit of the money in whatever bank or credit union the Board may order. The treasurer shall properly account for all funds of the Association of Metis and Non-Status Indians of Saskatchewan. The treasurer shall consult regularly with the Comptroller to keep such books as he is directed by the

Board of Directors. The treasurer shall not authorize payments for vouchers or disbursements unless the necessary receipts are presented. The treasurer shall present a detailed account of receipts and disbursements to the Board of Directors on a monthly basis. The treasurer shall prepare for submission to the Annual Meeting a statement duly audited as hereinafter set forth of the financial position of the Association of Metis and Non-Status Indians of Saskatchewan, and submit a copy of same to the secretary for the records of the Association of Metis and Non-Status Indians of Saskatchewan.

BY-LAW NO. 8 - BOARD OF DIRECTORS:

(1) The Board of Directors shall consist of:
(A) Four Executive
(B) Eleven Regional Directors
(2-a) Regional Directors shall be elected in accordance with By-Law No. 4 - Subsection (3-a), for a two year term and said directors may stand for re-election when their term is up. The five (5) Western Regional Directors and one (1) West Central Director shall be elected on odd years, while the four (4) Eastern Regional Directors and one (1) Extreme North Director shall be elected on even years. There shall be eleven (11) regions to be designated as follows:

- 1 - Extreme North
- 2 - Northwest 1
- 3 - Northwest 11
- 4 - Northwest 111
- 5 - Western Region 1
- 6 - Southwest
- 7 - West Central
- 8 - Northeast
- 9 - East Central 1
- 10 - East Central 11
- 11 - Southeast

(2-b) Notwithstanding any other provision in these By-laws, no person shall become a Candidate for Area Director in any Region unless he or she is a resident of that particular region.

(3) The Board of Directors shall be the governing body of the Association of Metis and Non-Status Indians of Saskatchewan. It shall have full authority to issue policy statements in the name of the Association in agreement with the decisions of the Association of Metis and Non-Status Indians of Saskatchewan Annual meeting.

(4) At all meetings of the Board of Directors eight members shall constitute a quorum.

(5) Should any office become vacant on the Board, the Board shall have the authority to fill the position until the Locals of the area involved elect a new officer at an Area meeting.

(6) A member of the Executive may be removed by the Board for improper conduct or for just cause. Such action may only be taken by a 3/4 majority of the Board vote for removal and in such case the decision shall be final. Notice regarding any action to remove any member of the Board shall be given to the Secretary on request of any member in writing to every member of the Board at least fifteen days prior to the meeting at which time any such vote takes place.

(7) A member of the Board is not prevented from holding a salaried position with the Association of Metis and Non-Status Indians of Saskatchewan, providing the prior approval of the Board has been granted.

(8) In an emergency or crisis situation as determined by the Board, the Board of Directors shall have full and complete authority over every aspect of the affairs of the Association of Metis and Non-Status Indians of Saskatchewan including strategy, hiring, firing, calling of meetings, finances, and all other matters.

(9) Any regional director, who in the opinion of his regional membership, is not doing his job may also be removed by vote of non-confidence after fifteen days notice in writing to that director by the area which he represents. The area has the authority to elect a new director, who shall complete the term of the regional director so removed, to replace any member removed from office due to a vote of non-confidence. At any such meeting the provincial secretary of the Association of Metis and Non-Status Indians of Saskatchewan must be in attendance and record the decision and report the decision forthwith in writing to the Board of Directors.

BY-LAW NO. 9 - ELIGIBILITY FOR OFFICE:

(1) No person, who is or becomes employed or engaged in any manner by the federal or provincial government, shall be eligible to hold office on the executive as president or vice-president.

BY-LAW NO. 10 - ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN HEADQUARTERS:

(1) The Board of Directors shall be responsible for the hiring or firing of the necessary staff with the exception of the executive director, who shall be hired or fired by the executive.

(2) The executive director shall be the administrative officer and shall be paid such remuneration as may be determined by the Board.

BY-LAW NO. 11 - COMMITTEES:

(1) Any committees may be elected at the Annual meeting and in case any necessary committees have not been so elected, the executive of the Association of Metis and Non-Status Indians of Saskatchewan may establish committees to carry out the work of the Association of Metis and Non-Status Indians of Saskatchewan.

(2) The executive shall have the authority to remove a chairman or any member of any committee for just cause, for improper conduct, or for conflict of interest. The executive shall have the power to appoint a new chairman.

(3) The chairman of a committee may recommend that the executive appoint or remove any committee member for just cause, improper conduct or conflict of interest.

BY-LAW NO. 12 - REVOCATION OF MEMBERSHIP:

(1) Any member or associate member or affiliated member may have his membership suspended by the Board for any conduct or act which the Board shall deem reasonable and in that with any office held by the former member shall be vacant.

(2) Any member may withdraw from membership in the Association of Metis and Non-Status Indians of Saskatchewan upon notice in writing directly to an office of the Association of Metis and Non-Status Indians of Saskatchewan.

(3) A record of all receipts of membership shall be forwarded to the provincial secretary of the Association of Metis and Non-Status Indians of Saskatchewan.

(4) Membership fees shall not be refundable.

BY-LAW NO. 13 - AMENDMENT:

(1) The By-Laws may be amended at the Annual Meeting by the majority of 3/4 of the members present.

BY-LAW NO. 14 - WINDING UP:

(1) On the winding up of the organization all assets remaining after the payment of any just debts and obligations shall be distributed to one or more organized charitable organizations in Canada.

BY-LAW NO. 15 - LOCAL ORGANIZATION:

(1) The Local shall be made up of at least nine members and shall be the basic unit of the Association of Metis and Non-Status Indians of Saskatchewan. Each Local shall be so governed by a Local executive, which shall be elected annually at a general meeting of the Local. All individual members, who have paid their current membership fee and are in good standing, shall be entitled to vote.

(2) Name of Local - Locals shall be named by numbers of the Association of Metis and Non-Status Indians of Saskatchewan and the executive shall allocate the district numbers.

(3) Executive - a local may consist of the following:

(A) President

(B) Vice-president

(C) Secretary-treasurer

(D) any other executive

BY-LAW NO. 16 - DUTIES OF LOCALS:

(1) The Local shall organize locally the Association of Metis and Non-Status Indians of Saskatchewan.

(2) The Local shall carry out the program locally by the Association of Metis and Non-Status Indians of Saskatchewan.

(3) The Local shall recruit new members and to collect donations.

(4) The secretary-treasurer shall immediately place all membership fees in a chartered bank or credit union to the credit of his/her Local organization.

(5) The executive of each Local shall immediately report to the Association of Metis and Non-Status Indians of Saskatchewan upon the formation of a Local and shall give the names and addresses of each member.

(6) The Local shall report any act of misconduct and other offences which might bring the Association of Metis and Non-Status Indians of Saskatchewan into dishonor or disrepute.

BY-LAW NO. 17 - REGISTER:

(1) The secretary of each Local shall keep an up-to-date register of each member or associate member or affiliated member, who has paid the prescribed membership fee and shall forward a record of the membership to the Association of Metis and Non-Status Indians of Saskatchewan Head Office on a quarterly basis. Upon payment of prescribed fees such person shall become a member of the Local of which such fees were paid.

BY-LAW NO. 18 - VOTING AT MEETING OF LOCALS:

(1) Any member of any Local of the Association of Metis and Non-Status Indians of Saskatchewan shall be entitled to vote and to hold office in that Local, but no associate or affiliated member shall hold any Local executive position.

(2) Any member or associate member shall be entitled to attend a meeting of any Local, but only regular members in good standing and members of that Local shall be allowed to vote in the Local.

THE FOLLOWING IS THE REVISED BYLAWS OF THE ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN as drafted by the Con- stitution Committee

MEMBERSHIP

In these By-laws, unless otherwise indicated, the term "Metis" means a person of Indian ancestry, who is an Indian but not a Treaty as defined by the Indian Act.

INDIVIDUAL MEMBERSHIP - any person who is a Metis or Non-status Indian and a resident of Saskatchewan for three months has the right to become a lifetime member of the Association by applying to an active AMNSIS Local and upon filing one copy with the Provincial Secretary, along with paying the prescribed fee. Membership will remain in effect as long as the member remains in good standing with the Association.

*NOTE - there are certain problems with this:

1. with respect to an Aboriginal Rights settlement,
2. who votes as a member,
3. N.R.I.M. whites take advantage,
4. it seems to give the job description as Secretary.

MEMBERSHIP FEE - The annual membership fees payable by individual members shall be determined or approved, by majority vote at the annual general Assembly of the Association.

*NOTE - It was decided that the fees would be discussed later.

There have been different ideas such as:

1. should not be less than \$1.00 and not more than \$5.00,

2. each Local should set out its own membership fee.

*NOTE - It was decided by the Committee that they wouldn't want the Association to be restricted by the Saskatchewan Human Rights or the Canadian Human Rights codes. The original By-laws held by John Postma would be that the Association shall not discriminate on the basis of Religious or Political affiliation and that the Saskatchewan and Canadian Human Rights codes shall apply to the Association.

ASSOCIATE MEMBERSHIP AND AFFILIATE ORGANIZATIONS

Any non-Metis person, who is 16 years of age or over, who is or has been married to Metis or Non-status Indian, or has adopted a Metis or Non-status child shall be eligible for associate membership upon application. However, such person shall not have any voting rights or hold any position or any office within the Association.

Associate members shall pay such fee as shall be determined from time to time by the Association's Executive Council. *NOTE - Board of Directors has been changed to Executive Council.

An affiliate organization shall be one that has applied for affiliation to, and whose affiliation has been approved by, the Executive Council of the Association.

OFFICIAL COLORS

The Association of Metis and Non-Status Indians of Saskatchewan shall have its own flag and official colors as approved by majority of the delegates at the Association's Annual General Assembly. *NOTE - It should be Riel's flag and each building should fly the flag.

ANNUAL GENERAL ASSEMBLY

The General Assembly of the Association of Metis and Non-Status Indians of Saskatchewan shall be convened annually at such a place and on such a date as may be fixed by the Association's Executive Council provided that at least ninety days written notice be given to the President or Secretary of each AMNSIS Local and provided that the Annual General Assembly shall be convened as closely to the Back To Batoche cultural event as conveniently possible.

Any additional special meetings of the general membership, or its delegates, will require that at least fifteen days written notice of the date and place of, and urgent reasons for, such meetings be given to the President or Secretary of each Local.

*NOTE - there will have to be a By-law established to deal with special meetings with respect to Provincial Meetings, Area Meetings and Local Meetings.

Delegates to the Annual General Assembly shall be chosen by each Local from among its members in good standing on the following basis:

- Four delegates for the first one hundred members, or parts thereof,
- Three delegates for any part of the next one hundred members,
- One additional delegate from each of the locals north of the D.N.S. line, with less than one hundred members under the age of 16 years.

*NOTE - only members can vote at such meetings and such members must be 16 years of age. The chairman will have to restrict very closely who has the right to vote. We will also have to clarify how many votes a large local such as Regina has. Does it only have seven or does it have seven for the first two hundred and three more for each of the other hundred members thereafter that is, does it have another twenty-four delegates?

The criteria followed in the selection of all such delegates shall receive prior approval by majority vote at a public meeting of each Local's general membership.

*NOTE - this criteria should be set out in a special meetings section.

Travel and accommodation expenses incurred by delegates in connection with their attendance at the Annual General Assembly shall be paid by the Association as set by the Executive Council.

Only delegates representing the general membership as chosen by each Local shall be allowed to vote and no associate member or affiliate organization or representative of the latter, shall be entitled to vote at the Annual General Assembly.

All business at the Annual General Assembly shall be conducted in an orderly manner, as much as possible in accordance with generally accepted parliamentary procedure or there equivalent. *NOTE - this should possibly be an independent section.

EXECUTIVE COUNCIL

The Association's Executive Council shall consist of elected members, as follows:

(a) Eleven regional councillors and no more; elected in their respective regions at the local level.

*NOTE - there was a resolution passed at Batoche which stated that "only people from the region can run for office within that region."

(b) President of the Council; elected on a province wide basis at the local level.

(c) Vice-President of the Council; elected on a province wide basis at the local level.

(d) Secretary of the Council; elected on a province wide basis at the local level.

(e) Treasurer of the Council; elected on a province wide basis at the local level.

*NOTE - the President, Vice-President, Secretary and Treasurer currently known as the Executive will now be known as members of the Executive Council. However, it is still a fact that these four people on the Council are elected on a province wide basis and as such have the confidence of the total membership at least the majority vote of the total membership. As the name has now changed to Executive Council as opposed to Board of Directors there will have to be another term used to denote the four province wide-councillors. There are several alternatives as follows; officers of the Executive Council, Official caucus of the Executive Council, Management Committee of the Executive Council, Cabinet of the Executive Council, Provincial Officers of the Executive Council, Grand Chiefs of the Executive Council, Provincial Committee of the

REPORT FROM
THE 1
ASSOCIATION OF
METIS AND NON-
STATUS INDIANS
OF
SASKATCHEWAN
CONSTITUTIONAL
COMMITTEE

DISCUSSION DRAFT

Executive Council and Provincial Caucuses of the Executive Council. Provincial Caucuses of the Executive Council appears to be more appropriate terminology to use and for the sake of convenience will be used throughout the rest of the proposed changes however it is subject to change.

The Provincial Caucuses of the Executive Council shall consist of:

- (a) The President of the Council.
- (b) The Vice-President of the Council.
- (c) The Treasurer of the Council.
- (d) The Secretary of the Council.

*NOTE - This has already been set out in Subsection (1). As well the Committee have stated that under this section they would like to see the role or job description of the different members of the Provincial Caucuses set out. These of course as yet have not been defined and will be done at a later date.

Subject to these By-laws, the Provincial Caucuses of the Executive Council shall have the authority to conduct the affairs and business of the Association of Metis and Non-Status Indians of Saskatchewan in a style and manner appropriate to the requirements of management and administration, in addition to their political role in the Association as directed by the Executive Council.

Three members of the Provincial Caucuses of the Executive Council shall constitute a quorum. All deadlocked positions in the quorum shall be referred to the entire Executive Council.

This Subsection was TABLED by the Committee. It deals with who will chair the Executive Council meetings. At our discussion there were several alternatives mentioned, one was: *that it would be a member of the Executive Council who would have no vote. Secondly it was suggested that there be an outside Chairman who would be paid a per diem for attending the meetings. Another alternative was that the President of the Council would preside at all meetings.*

Nine members of the Executive Council shall constitute a quorum, provided that at least two of the nine are members of the Council's Provincial Caucuses.

Should any position on the executive Council become vacant during a term of office, the Executive Council shall ensure that there is an election as soon as possible thereafter, except in the case of the President, the Vice-President would take over as acting President.

*NOTE - There is to be more discussion on this area as well it was TABLED to discuss further by elections and possibly have a special section.

Any member of the Executive Council may be removed from the Council for gross misconduct or equivalent just cause. Such action may only be taken by the majority vote of the Council a majority being twelve of the fifteen members. Any member of the Council initiating such action shall request the Secretary of the Council to forward notice of the same in writing to every member of the Council at least fifteen days prior to the meeting at which any such vote is to take place.

*NOTE - This means that before any member of the Executive Council is removed there has to be at least twelve members of that Council voting in favor of such action. The Webster's new Collegiate Dictionary defines MISCONDUCT as follows:

1. Mismanagement of government or military responsibilities
2. Intentional wrong doing, deliberate violation of a law or standard especially by a government official,
3. Improper behavior. The term "gross misconduct" is used in the section therefore it has to be of a very grave nature before anyone can be removed. Such examples that were brought up were; (i) where any member of the Executive Council is secretly giving information to the government which is detrimental to the Association especially in the areas of Aboriginal Rights, (ii) where an Executive Council member is misappropriating funds of the Association and using them for personal gain, (iii) where any member of the Executive Council is doing things that are harmful or detrimental to the Association with a view to making the Association look bad in the eyes of the public and of other Indian groups. It was also noted that there has to be actual and hard proof and reasons given for alleging misconduct on the part of any member. Acting on the basis of rumours is simply not good enough.

The rest of this portion of the By-law will have to be reviewed, there is the question as to whether or not the areas can by majority vote and nonconfidence remove their regional Councillor. There is also a question as to whether or not any person removed from the Executive Council either by the Council itself or with respect to a regional Councillor by the region itself, the question being whether or not such removed councillor is entitled or eligible to re-run in a general election.

The Executive Council of the Association of Metis and Non-Status Indians of Saskatchewan shall have full authority over all matters of policy regarding program directions and project initiatives which are of concern to the general membership and to the Association as a whole. The Executive Council shall be the governing body of the Association and shall direct its affairs. It shall have the authority to issue public policy statements in the name of the Association as long as such statements are not contrary to any pertinent decisions of the Association's Annual General Assembly. Among the Executive Council's powers and responsibilities are the following:

- (a) The Executive Council is final arbiter in all unresolved disputes or deadlocked situations regarding membership qualifications and membership retention or reinstatement. It interprets the constitution and by-laws in case of dispute and has ultimate responsibility for all matters of management and administration.
- (b) The Executive Council bears ultimate responsibility for the Association's public image, for its external relations vis-a-vis government and non-government organizations, for the Association's province wide political and administrative development, for its overall policy direction, and for all initiatives, programs and projects of an inter-regional or province wide impact.
- (c) The Executive Council approves all hiring policy and procedures for the Association's central and field extension operations, approves the appointments of the Executive Director and the Administrator of Accounts. It determines the remuneration scales for all the Executive Councillors.
- (d) The Executive Council may order Local, regional or province wide audits or any and all AMNSIS operations at any time, as it deems necessary or appropriate.

(e) All one time or accumulative borrowings made by or on behalf of any Local, or area, or region, or any combination of these, shall require prior Executive Council approval by a vote of twelve of the fifteen Executive Councillors.

*NOTE - This means that there has to be at least twelve Councillors voting in favor of it.

(f) The Executive Council may on its own authority, or on the recommendation of a committee chairman, remove for improper conduct, conflict of interest, or other just cause, any chairman or other member of any committee established for the purpose of carrying out any aspect or part of the Association's work anywhere in the province of Saskatchewan or elsewhere in Canada.

(g) This Subsection has been deleted and will be dealt with under the powers and duties of the Executive Councillors.

(h) In accordance with the Societies Act of Saskatchewan, no member of the Executive Council shall during a term of his office be a party to a Contract for profit with the Society that confers upon him any rights other than those accorded to members generally.

(i) Either serious emergency or grave crisis situation as determined to exist by a vote of at least twelve of the fifteen Executive Councillors, the Executive Council may reserve for itself full and complete authority over any aspect of the affairs of the Association, until in its opinions such emergency or crisis is brought under control. The Executive Council shall be required to provide a complete account of its actions regarding such an emergency or crisis situation to the next Annual General Assembly.

*NOTE - The Webster's new Collegiate Dictionary describes EMERGENCY as follows:

(i) an unforeseen combination of circumstances or the resulting state that calls for immediate action,

(ii) a pressing need.

It describes CRISIS as follows:

an unstable or crucial time or state of affairs whose outcome will make a decision difference for better or worse.

The Subsection further describes emergency as having to be a serious one and the crisis a grave one, examples would be as follows:

(i) where the government is going to take action within a few months which will be very harmful to the Association and it's members. In a situation such as this the Executive Council cannot go to the general membership and ask for it's decision as time does not permit therefore they would have to make a speedy decision and hopefully have it ratified at the next Annual General Assembly. Of course this would have to be a very serious situation.

(ii) Another example may be where one area or region decides that it will not co-operate any further with the parent organization. In a situation such as this the Executive Council may decide that it will take initiative on its own and go into the area and organize the people within it so that they will continue to be members of the Association. This action of course can not be ratified until the following General Assembly but because of the desire of the Association to remain as one complete body there has to be immediate action taken on it.

THE ELECTION OF REGIONAL COUNCILLORS AND OTHER MEMBERS OF THE EXECUTIVE COUNCIL

This subsection will have to be written when the final guidelines for the voting procedures have been ironed out.

This area again will have to be defined and the powers and duties of a Chief Electoral Officer will have to be set out, this Chief Electoral Officer will have to be appointed by the Executive Council and of course will have to follow the Constitution that will be set out in Subsection (1) and in this subsection.

Only paid up members of the age 16 and over of duly registered Locals shall be entitled to vote.

This has not been finalized however, there has been alternatives set out. One is that all Executive Councillors run at the same time. And another is that they run at staggered intervals. It was suggested that all members of the Provincial Caucus run at the same time so that this would give the area Councillors a chance to become involved in Provincial Politics without having to worry about their own elections. In the following year all of the area Councillors would be up for election and none of the Provincial Councillors would be. As an example in 1980 as currently stands the President and Treasurer and one half of the Directors will be running, in 1981, all of the Provincial Caucus would have to run and in 1982, the area Councillors would run, in 1983 the Provincial Caucus again would be up for election and in 1984 the area Councillors and so on and so on. Another alternative is that the Executive Council members be elected for a period of three (3) years as opposed to merely two(2) years. The rationale for this is that two years doesn't give enough time for an Executive Councillor to do an adequate job whereas three years would be a good period of time to have them become accustomed to the job and give them time to work out their policies before they have to again rerun for election. It was also felt that four (4) years would be too long.

The Chief Electoral Officer shall arrange to have polls established in each registered Local for the purpose of enabling paid up members of the age of 16 years and over to vote.

*NOTE - This subsection will have to be in accordance with the rules and regulations that have been and will be drawn up. However, it is suggested that the time of the election would be the third Wednesday of June, every year.

This Subsection will have to be reworded so that it is in conformity with the rest of the changes that have been made. This will be done at a later date.

This Subsection will also have to be reworked possibly into one of the above subsections.

APPOINTMENTS

The committee has struck this By-law out as there will be no appointments.

DUTIES OF THE COUNCIL MEMBERS

PRESIDENT - The president shall be an ex-officio member of all standing committees of the Council. He shall preside at all meetings of the Council. The president mediates between the political and management aspects of the Association's work with due regard for both. He is the Association's principal public spokesman and external liaison officer. The president is directly responsible to the Council and bears over-all responsibility for the Association's well-being, development, public image and its effectiveness in terms of its goals.

SECRETARY - The Secretary shall attend all meetings of the Council and shall keep accurate minutes of those meetings. The Secretary has custody of the Seal of the Association of Metis and Non-status Indians of Saskatchewan, which seal, whenever used, shall be authenticated by the signature of the Secretary and that of the President, or their designates. The Secretary shall have charge of the Association's constitution, bylaws and all other legal or para-legal documents and records. The Secretary shall report directly to the Board of Directors. He shall be responsible for assisting Locals and Regions with their membership development efforts, as requested and shall maintain up-to-date membership lists for the Association. He shall direct the entire electoral process for the eleven positions of Regional Council Members. At the request of the Regional Council Member the Secretary shall also provide assistance or supervision for the elections of directors in any Local organization designated by the Regional Council Member to be in need of such assistance or supervision.

TREASURER - The Treasurer shall perform the functions of the treasurer and financial planner for the Association. He shall be accountable to the Council through the President's office. He shall cause all monies paid to the Association to be deposited in such bank or credit union accounts as the Council may direct. He shall be accountable for the Association's financial situation and see to the proper maintenance of the Association's financial records in co-operation with the Association's Board-appointed auditors. He shall require that all disbursements or payments follow established accounting procedures as approved by the auditors and he shall submit detailed financial reports to the Council on a quarterly basis. He shall also present to the Association's annual general assembly duly audited financial statements which shall adequately represent the financial position of the Association. The Treasurer shall engage in longer-range budgetary, financial and investment planning and provide financial advice to the Council. Subject to any instructions from the Council, he shall be in charge of cash management policy and debt and equity financing, as applicable. He shall coordinate all grant procurement and revenue development activities. The Treasurer shall also be in charge of any Credit Union development or similar initiatives that may be undertaken by the Association anywhere in the Province.

EXECUTIVE-DIRECTOR - The Executive Director is accountable to the Council through the President's Office. He shall be responsible for the general management and over-all direction of AMNSIS operations at and from the central offices. He shall see to it that program budgets are

properly developed and adhered to and all program directors shall report to him. With the co-operation of the Treasurer he shall see to the development of adequate information, reporting and evaluation systems and of ongoing organizational analysis and review procedures. The Executive Director shall also maintain routine and productive liaison with funding agencies on behalf of the President of the Association.

TREASURER - The treasurer shall be responsible for all general office administration, central support services, accommodation, transportation and communication matters, supplies and equipment, as well as support staff. He shall act as resource person for the regions regarding administrative and financial service matters and provide or arrange for assistance in the development of an adequate administrative infra-structure at the regional and local level, as required. He shall be in charge of day-to-day bookkeeping and accounting matters and shall closely cooperate with the Council regarding financial matters generally. He shall be responsible for organizational development and staff recruitment procedures, support staff relations, support staff development and similarly related matters.

DUTIES OF THE REGIONAL COUNCILLORS

(1) The Regional Councillors shall see to the development of adequate administrative staff and mechanisms for the purpose of administering the Association's affairs at the regional level, in keeping with guidelines, policies or instructions from the AMNSIS Board of Directors, its Management Committee and the Association's funding agencies, as applicable. They shall foster the co-ordination of AMNSIS activities within their respective regions through such formal and informal mechanisms as they may deem appropriate in conjunction with the Local presidents in their regions.

(2) The Regional Councillors shall see to it that all Locals in their respective Regions are duly registered. They shall monitor all voting procedures at the Local level and support active membership development at that level in co-operation with the Association's Secretary and the Local directors.

(3) The Regional Councillors shall promote the Association's wellbeing in their respective regions throughout the Province. They shall develop and support initiatives at the local and regional level that will contribute to the social, cultural and economic development of AMNSIS communities and individuals. They shall do so in co-operation with any pertinent guidelines or policies from the Board of Directors and in co-ordination with province-wide or inter-regional AMNSIS programs and projects, as well as any applicable provincial or federal priorities.

(4) The Regional Councillors shall attend all monthly AMNSIS Board of Director's meetings. They shall observe orderly and productive procedures while attending and faithfully carry out their responsibilities as members of the Board, as much as possible on the basis of a team approach.

(5) A Regional Councillor, who in the opinion of his regional membership is consistently and seriously defaulting on his responsibilities in the light of these bylaws, may be removed by way of a non-confidence

vote passed by a two-thirds majority of the regional members in attendance at a duly advertised regional membership meeting, held at a time and in a place convenient to the region's general membership. To indicate this activity of removal a petition of 25% of the area membership, fifteen days notice in writing to such a Regional Director shall be required prior to such a meeting, at which the Association's provincial Secretary shall be in attendance to record the proceedings and report thereon forthwith in writing to the Association's Board of Directors. The regional membership shall have the authority to elect a new acting Regional Councillor under procedures which shall have the approval of the provincial Secretary. The new Regional Councillor so elected shall complete the term of the Regional Director who was removed and shall serve on the Association's Board of Directors until the next regular annual elections, at which time he is free to stand as a candidate under the regular electoral procedures.

LOCALS

- (1) Local societies shall be made up of at least twenty voting members and shall form the basic organizational unit of the Association of Metis and Non-status Indians of Saskatchewan.
- (2) Each community or city should only have one local.
- (3) Each local shall have 4 delegates, voting members of 100 members and one delegate for each 50 voting delegates.
- (4) Each local shall be incorporated separately as a society and its registration shall be renewed annually under the provisions of the Non-Profit Corporations Act of the Province of Saskatchewan. The incorporation of the local shall receive prior approval by the area within which territory the local is situated, as well as the approval of the Association's provincial Secretary on behalf of the Association's Board of Directors, the approval shall be in writing. The Local's application to the Saskatchewan registrar of Companies shall be accompanied with its bylaws in duplicate, prescribing regulations for the conduct of the affairs of the local society, but such bylaws shall not be inconsistent with the bylaws of the Association of Metis and Non-Status Indians of Saskatchewan, or with any conditions attached to the Association's approval of the local's application.
- (5) There shall be in each Council an Area Council which consists of the President and one elected member from each local. This Council will govern the area. The Council member will be spokesman for the group.
- (6) Upon, incorporation, the Local shall be assigned a number by the Association's provincial Secretary and copies of its annual returns to the Saskatchewan Registrar of Companies shall be filed with the office of the Association's provincial Secretary.
- (7) Each Local shall be governed by the Council which shall consist of a president, secretary and treasurer who shall act as an administrator until the appointment of a separate administrator is warranted by the requirements of the workload, and such other members of the board as may be determined by the Local society in a general meeting.
- (8) The local executive shall be elected annually at a general meeting of the Local's membership. Voting at such meetings shall be by secret ballot in the case of the election

of officers or directors and by show of hands in other cases, except where a ballot is requested by at least three voting members. Elections shall follow such other procedures as shall be described in the Local's bylaws and are approved by the Association's provincial Secretary.

In order for the local membership to vote you must have:

- (1) Residency of one year.
- (2) Be active for a minimum of 3 months and be active in Local meetings by attending at least 3 monthly meetings.
- (3) Have 2 years residency before being elected to provincial Board or Executive.
- (9) All paid-up members in good standing shall be entitled to vote and stand for office but no associate member or affiliate organization shall be entitled to vote or hold office.
- (10) Membership fees shall not exceed the fee levels approved by the annual general assembly of the Association. Membership fees are not refundable and all fees, upon being paid, shall be placed in a chartered bank or credit union account to the credit of the Local to which the member belongs.
- (11) Locals shall actively recruit new members, issue membership cards, maintain up-to-date records of all membership fee receipts and make such records available to the Association's provincial Secretary on a quarterly basis, along with up-to-date membership lists. A member may withdraw from membership in the Association upon giving notice in writing directly to the Local where his or her name was first entered.
- (12) Membership in the Local, and thus in the Association of Metis and Non-Status Indians of Saskatchewan, may be revoked by the President of the Local for just cause but an appeal shall lie with the Regional Director and a further and final appeal shall lie with the Association's Board of Directors. If the revocation is accepted, or sustained on appeal, the member shall vacate whatever office he or she may hold in the Association at the Local, Regional or Provincial level. All paid-up members whose membership has not been revoked shall be considered members in good standing of the Local.
- (13) Locals shall foster an active membership and encourage members to participate constructively in their respective communities and in the wider society. They shall support community and individual initiatives which lead to the betterment of the social, cultural and economic conditions of the membership, and they shall co-operate closely with the Regional Director and the AMNSIS central offices in the productive management and administration of regional, inter-regional and province-wide programs and projects.

AMENDMENT

- (1) These bylaws may be amended at the Association's annual general assembly by two-thirds majority vote of the delegate-members duly registered at the assembly.

OBLIGATION - MEMBERS RESPONSIBILITY

- (1) Attend Local meetings and support the activities of the Association.

AMNSIS CONSTITUTIONAL COMMITTEE
MEETING - APRIL 12, 1980 -
held in Prince Albert, Saskatchewan

Members Present:

Henry Pelletier
Vital Morin
Norman Nateweyes
Chris Lafontaine

Others:

Tom Roy
Clem Chartier

There was a discussion with respect to the proposed Provincial Constitutional Meeting scheduled for May. Tom Roy mentioned that we would require \$42,000.00 to bring in 2 people from each Local.

As an alternative, it was suggested that each Committee member could go to Area meetings which are close to their home community, that not all committee members would have to be present.

Henry Pelletier mentioned that getting Area by Area means that we can't get a uniform decision, but a number of different opinions.

Vital Morin mentioned that we would have to take the majority consensus of those opinions.

Tom Roy also mentioned that we don't have to rush to complete everything for August, 1980, that we should take our time and do a proper job, even if it means an extension of time.

Vital Morin said that this is a valid proposition and that we could go back for more direction and ask for an extension, this is an important area.

It was mentioned that the Committee members will be paid their travel and regular fees to attend the Area meetings but that the individual areas will be responsible for organizing the Area meetings and expenses.

Vital Morin moved "that each Area set-up an Area meeting and set aside one day for the Constitution Committee to discuss Constitution changes and decentralization.

-Norman Nateweyes suggested that the resolution be tabled until we deal with decentralization.

Vital responded that the purpose of the Area meetings is to get suggestions from the people, not to tell them what is going to be in it.

Re: decentralization - we can't tell the Locals what programs they're going to have, things (programs) can only be decentralized at the pace that Areas and Locals desire.

Tom Roy mentioned that we have to ask ourselves what is decentralization? He suggested that everyone has their own ideas about this.

-MOTION TABLED

Norman suggested that money could be allotted for Director's salary and staff on a uniform basis, but that Area Boards control the funds.

Vital Morin felt that there is a need to retain centralized funding, only pay wage and expenses, with Area people actually controlling the Area Director, not have him/her controlled by the Head Office, it only administers the money.

Henry Pelletier felt that we were basically decentralized for the past several years.

Tom Roy stated that for example, each Area has housing decentralized, but that the money is administered from Regina, we only have \$400,000.00 therefore if the money was decentralized into 11 areas, then there isn't much money left over if each area administers their own money.

Henry wondered why Ab Rights and Dumont couldn't be decentralized. It was suggested that for Ab Rights we needed one united front, not 11 different positions.

Vital Morin wondered why a program such as Recreation couldn't be divided into the areas.

Tom mentioned that there is only about \$70,000.00 in this program and only enough for 4 provincial fieldworkers.

This lead to a question as to why the Committee didn't get the budgets on all programs as requested last fall and why Jim Durocher and Tim Low didn't come to the meeting to make a report. Tom mentioned that a memo on this matter had gone to Tim and Jim.

Norman Nateweyes made the following motion:

We demand a report on all programs and program funds and hereby give a directive to the Executive to have this available for the next Constitutional meeting so we can deal with decentralization. Seconded by Henry Pelletier. CARRIED.

Jim Favel stopped by for awhile and also asked what is decentralization? He stated that in his area it is at the Local level, that they don't have an area board. His definition is activity at the Local level not at the Area level.

Tom mentioned that it has to be left flexible for each area.

Jim Favel also mentioned that we have to be careful even at the Local level, because any activity reflects the credibility of the total Provincial Association.

Jim Favel also mentioned that there is going to be a Northern Economic Development meeting in a park setting, probably in May, but the date has to be set by the Northern Board.

They will give us 2 hours time on the Agenda.

Decentralization and the Batoche resolution was discussed next.

Chris Lafontaine mentioned that there are alternatives to the proposed 2 day workshop: 1st, print a special issue of the New Breed. 2nd, put everything into slide presentation, but feels Norman's idea of VTR might be a better idea.

There was also a concern raised as to the definition of "Metis". Should it be by blood quantum, environment or way of life? No one could come up with a satisfactory definition.

Chris also mentioned that on the registration form we should specify whether we're Metis or Non-Status. This would make a difference with respect to aboriginal rights.

It was a consensus opinion of the Committee that the proposed 2 day conference be scrapped and that instead we proceed with the special issue of New Breed and setting one day's time at Area meetings.

The following items are to be included in the special issue:

1. Print present Constitution
2. Proposed changes
3. Programs and program funding and future plans (for helping in discussing decentralization)
4. Objectives of organization - have to identify past objectives and project future objectives. (also have to try to define the objectives).
5. Compile all resolutions for constitutional change since 1975, the date of the last revision.

6. Ab rights.

7. Nationhood.

8. Self-determination.

9. Topics from conference.

Also have to deal with questions such as membership, boundaries, i.e. how many Locals to warrant an Area and residency.

Tom had also mentioned that the purpose of the Committee, how it was established, work to date should be made available to the locals. As well they should be notified of area hearings for local input and of the fact that the time frame for the Committee is too restricted and may have to set an extension.

Norman Nateweyes made a motion:

That Chris Lafontaine and Clem Chartier co-ordinate the package and have it brought back to the next meeting on May 16 & 17, 1980 in Prince Albert, Sask.

Seconded by Vital Morin. CARRIED.
It had been suggested that we enlist the New Breed staff and Ab Rights plus Dumont to help in the technical and content parts of the special issue.

The next meeting will decide how to deliver the package and whether to have Local hearings.

MEETING ADJOURNED

We, the Committee Members, have enjoyed our work with respect to the Constitution and Nationhood. There were a lot of areas of concern that we had to look at and study. Because of this we were not able to progress as fast as we would have liked to. In addition, we were not in a position to have Local hearings and to our knowledge there were no Area meetings at which we could make reports and get feedback.

Because we are also looking at the idea of Nationhood, there are a lot of questions which still have to be answered. However, it was expressed quite often that because of the

importance of the decision as to whether we should proceed with Nationhood or not, that we should not rush into finishing our report.

At the Annual Meeting we will be asking for an extension of time so that we can get input from the Local level. We suggest that a special provincial meeting be set for February, 1981. At this meeting we can deal solely with the Constitution and Nationhood and hopefully adopt a new workable Constitution or set of Laws which will govern our Association and be adhered to.

