

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: M.N.B.C. Citizenship Act

Primary Offices Affected: M.N.B.C. Citizenship Act

Submitted By: **RESOLVED (MNGA0101-12)**
(41 delegates voting in favour, 1 delegate voting in the negative
and 1 delegate abstaining)

Submitted to: AGM Clerk

MNGA Date Submitted: December 15, 2009

MNGA Approved: March 21, 2010

Whereas:

research conducted by the University of British Columbia confirmed over forty-five examples of customary Métis adoption and practices.

Whereas:

adopted children assume full rights and responsibilities of their adopted Métis citizen's parents.

Whereas:

the *R. v. Powley* requires objective proof of ancestral connection to the historic community by "birth, adoption, or other means".

Whereas:

the MNBC Senate decision of *DC vs. MNBC Secretariat* recommended that the adoption issue needs to be dealt with in the *MNBC Citizenship Act*.

Whereas:

the *B.C. Court of Appeal* stated "no declaration by this court is required to permit internal self-regulation in accordance with aboriginal traditions, if the people affected are in agreement."

Therefore be it resolved

that **Article 2.0 - Interpretation** have the additional interpretations added with the sequential numbering being adjusted accordingly:

- 2.2 "Adoption" Act of transferring parental rights and duties to someone other than the adopted person's biological parents by means of a statutory adoption or a customary Métis adoption.

- 2.2 “Adopted Métis Citizen” A Métis Citizen that has acquired their Métis Citizenship as per *Article 12* of the *MNBC Citizenship Act*.
- 2.11 “Customary Adoption” An adoption that is consistent with the historical and customary practices of the Métis Nation which has occurred at an early age by an immediate or extended family member.
- 2.12 “Extended Family Member” Is a grandparent, uncle, aunt, cousin, nephew and/or niece that is a Métis Citizen or is eligible for Métis citizenship as per the *MNBC Citizenship Act*.
- 2.13 “Historical and Customary Practices” The traditional undertaking of privately arranged adoption between a Métis Citizen’s family and another aboriginal family.
- 2.14 “Immediate Family Member” Is a parent (mother/father), child (son/daughter) or sibling (sister/brother) that is a Métis Citizen or is eligible for Métis citizenship as per the *MNBC Citizenship Act*.
- 2.21 “Statutory Adoption” An adoption that is granted under the authority of provincial and/or territorial government legislation.

Further resolved that

the following Article be added as “**Article Twelve – Adoption**” of the Citizenship Act:

- 12.0 The MNBC shall accept an application for citizenship as a Métis Citizen upon applicant providing to the Registrar objectively verifiable proof of an adoption which, if accepted by the Registrar, proves that the Applicant has been adopted by a Métis Citizen or is eligible for citizenship as per the *MNBC Citizenship Act*.
- 12.1 The adopted Métis Citizen’s citizenship is limited by a life estate termination, unless;
 - 12.2.1 The adopted Métis Citizen marries a Métis Citizen, thereby which the offspring can attain their citizenship through the Métis genealogy of the other parent.
- 12.2 An adult adoption (18 years or older) is exempt from receiving Métis Citizenship as per *Article 12.0*.

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: MNBC Constitution

Primary Offices Affected: Article 68-Financial Administration

Submitted By: **RESOLVED (MNGA0101-17)**
(41 delegates voting in favour, 2 delegates absent from the vote)

Submitted to: AGM Clerk

Date Submitted: January 28, 2010

MNGA Approved: March 21, 2010

Whereas:

The Métis Nation British Columbia Constitution reads in article 68:

68. An Annual General Meeting of the Métis Nation British Columbia shall be held annually during the month of September. The precise dates and locations of an AGM shall be determined at the AGM immediately preceding that AGM. The Agenda for each AGM shall include:

- 68.1. Audited Financial Report for Previous Fiscal Year
- 68.2. President's Report for Previous Fiscal Year
- 68.3. Business of the Métis Nation Governing Assembly
- 68.4. Métis Provincial Council of British Columbia Secretariat Annual Report.

And Whereas:

There have or may have been caused the need for Métis Nation British Columbia (MNBC) or Métis Provincial Council of British Columbia (MPCBC) to create subsidiary companies or corporations limited or otherwise for the purpose of conducting business.

And Whereas:

Financial audit or audits for subsidiary companies or corporations limited or otherwise for the purpose of conducting businesses should supply separate and independent of MNBC corporate audit and annual report.

Therefore be it resolved:

Under Annual General Meeting article 68 – 68.5 be added to the Métis Nation British Columbia Constitution to read as follows.

68.5 Separate audited financial annual reports for each subsidiary company/companies, limited corporations or sole proprietorship registered under the

Métis Provincial Council of British Columbia MPCBC shall be appended to the MNBC Financial Audited Report.

I so move.

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
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September 24-26, 2010**

Motion Subject: MNBC Constitution

Primary Offices Affected: Housekeeping

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-18)**

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas:

Article 26 refers to bi-election process in "Article 47", bi-elections are referred to in "Article 46"

Therefore be it Resolved: Article 26 is revised to read:

"Should there no longer be a President of the MNBC pursuant to Article 23 and 25, the Vice- President shall fulfill the Office of the President until a by-election is held to elect a new President in accordance with Article 46".

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: MNBC Electoral Act

Primary Offices Affected: Housekeeping

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-18)**

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas:

Article 3.9 states

““Election(s)” means an election or By-Election called by the Métis Nation British Columbia for the election of a President, Vice President, Regional Directors, Chairperson or Regional Youth Representative of Métis Youth of British Columbia, and Chairperson and Regional Representatives of the Métis Women of British Columbia as set out in the Métis Nation British Columbia Constitution.

And whereas:

“or” is used between Chairperson *or* Regional Youth representative, “and” should be used instead.

Therefore be it Resolved: Article 3.9 is revised to read:

“Election(s)” means an election or By-Election called by the Métis Nation British Columbia for the election of a President, Vice President, Regional Directors, Chairperson and Regional Youth Representative of Métis Youth of British Columbia, and Chairperson and Regional Representatives of the Métis Women of British Columbia as set out in the Métis Nation British Columbia Constitution

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-18)**

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas: Article 1 states:

“This Act may be cited as “*The Métis Nation Governing Assembly Act, 2006*”.

And whereas:

The Act is more relevant than 2006

Therefore be it Resolved: Article 1 is revised to read:

This Act may be cited as “*The Métis Nation Governing Act*”

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-18)**

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas: Articles 7.2 states:

The Senate shall, in relation to the MNGA

7.2 “ Be Available to the MNGA for advice and direction as required.

And Whereas:

The MNGA is a political arena, and the Senate is non-political

Therefore be it Resolved: Articles 7.2 is removed.

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-19)**

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas: Articles 3.2 and 3.3 state:

3.2 "In the event a Community President is unable to attend a General Assembly, the Community's Vice-President may represent that Community.

3.3 "He/She is registered with the Métis Nation British Columbia Central Registry in accordance with the Métis Nation British Columbia Citizenship Act.

And Whereas:

It is unclear who article 3.3 is referring to, and all member of the MNGA must be registered with Métis Nation British Columbia.

Therefore be it Resolved: Articles 3.2 and 3.3 are revised to read:

3.2 "In the event a Community President is unable to attend a General Assembly, the Community's Vice-President may represent that Community.

3.3 "All MNGA voting delegates must be registered with the Métis Nation British Columbia Central Registry in accordance with the Métis Nation British Columbia Citizenship Act.

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: Captain's Assembly

Submitted by: **RESOLVED (MNGA0101-22)**
(1 delegate voting in the negative, 1 delegate abstaining from the vote, 1 delegate absent)

Submitted to: AGM Clerk

MNGA Date Submitted: December 15, 2009

MNGA Approved: March 21, 2010

Whereas, adoption of the MNBC *Natural Resource Act* as MNBC legislation has created a fundamental shift in the responsibilities of the BCMANR Captains Assembly, from a constituency based advisory body to a geographic management body,

Whereas, management of natural resources under the MNBC *Natural Resource Act* is land based and the Regional Captains of Natural Resources represent land based regions of the Métis Nation BC,

Whereas, the previous non-voting Youth and Women Captains represent constituencies that are not land based,

Therefore be it,

Resolved, that Article 2 section 4 is changed to read: "Captain's Assembly" consists of the seven voting regional Captains of Natural Resources.

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
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September 24-26, 2010**

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: Captain's Assembly

Submitted by: **RESOLVED (MNGA0101-22)**
(7 delegates voting in the negative, 1 delegate abstaining from the vote, 1 delegate absent)

Submitted to: AGM Clerk

MNGA Date Submitted: December 15, 2009

MNGA Approved: March 21, 2010

Whereas, the Minister of Natural Resources is a key member of the Ministry of Natural Resources,

Whereas, the Minister is required to be fully engaged in the operation of the Natural Resource Ministry,

Whereas, the President of MNBC would be well served by having input on selection criteria for the Minister,

Therefore be it,

Resolved, that Article 2, Section 12 is changed to read: "Minister of Natural Resources" means the MNBC Board Member that has been assigned the Natural Resource Ministry by the President of the MNBC. This Board Member should, where possible, meet or exceed minimal criteria developed by the Captains Assembly.

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
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Motion Subject: M.N.B.C. Natural Resource Act
Primary Offices Affected: M.N.B.C. Natural Resource Act
Submitted by: **RESOLVED BY CONSENSUS (MNGA0101-23)**
Submitted to: AGM Clerk
MNGA Date Submitted: December 15, 2009
MNGA Approved: March 21, 2010

Whereas, current case law and government permits use the term Social as a replacement for the older term Societal,

Therefore be it,

Resolved, that Article 6 Section 2 will be changed to read:

Only permits harvesting by Métis Citizens for food, social and ceremonial purposes

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: M.N.B.C. Natural Resource Act

Submitted by: **RESOLVED (MNGA0101-24)**
(1 delegate voting in the negative and 1 delegate absent from the vote)

Submitted to: AGM Clerk

MNGA Date Submitted: December 15, 2009

MNGA Approved: March 21, 2010

Whereas, government funding of natural resource management, protection, enhancement, and education is commonly acquired through funds flowing from natural resource development and exploitation,

Whereas, MNBC is a government organization with legislation applying to Natural Resources through the MNBC *Natural Resource Act*),

Whereas, the Ministry of Natural Resources must undertake activities and projects aimed at preserving and protecting Métis interests and uses of Natural resources including seeking legal clarification regarding Métis Rights through advancing judicial questions and/or government challenges,

Whereas, funding for these activities and projects do not exist internally within MNBC,

Therefore be it,

Resolved, that a BCMANR Natural Resource fund is established to fund projects and activities related to natural resource management, protection, enhancement, education and legal challenges and that a BCMANR Natural Resource fund policy is developed to ensure management of the fund by BCMANR is strategic, effective and transparent.

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
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Motion Subject: MNBC Veterans Act

Primary Offices Affected: Ministry of Veterans

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-27)**
(33 delegates voting in favour, the remainder of the official delegates were absent at the time of the vote)

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas:

1. The Métis Veterans of British Columbia have been organized and operate as a Ministry within the governance structure of the Métis Nation British Columbia.
2. The Métis veterans seek recognition and expediency through Legislation specifically dealing with the administration and procedure of the Veterans' Ministry.
3. It is appropriate for legislation to recognize the Veterans' Ministry within the governance structure of the Métis Nation British Columbia.

THEREFORE BE IT RESOLVED THAT:

4. **THEREFORE BE IT RESOLVED** that the draft Veterans Act as presented be adopted and enacted as the governing legislation for that purpose for the MNBC with amendment to Clause 4.5 to remove "By the Vice-Chairperson".

Amendment to the Main Motion

It was MOVED (Fisher) and SECONDED (Smith)

That the Main Motion be amended to add the following Clause 4.6:

"A Veteran shall not be subject to any civil action, law suit or prosecution as a result of anything done or not done in relation to their duties as a Métis Nation British Columbia Veteran."

RESOLVED (MNGA0101-26)

(2 delegates voting in the negative, 2 delegates abstaining from the vote)

I so Move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
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Motion Subject: MNBC Youth Act

Primary Offices Affected: Ministry of Youth

Submitted By: **RESOLVED BY CONSENSUS (MNGA0101-30)**

Submitted to: AGM Clerk

Date Submitted: January 30, 2010

MNGA Approved: March 21, 2010

Whereas:

1. The Métis youth in British Columbia have representation and a written and unwritten process for conducting their affairs.
2. The Métis Youth of British Columbia seek recognition of their place within the governance structure of the Métis Nation British Columbia.
3. It is appropriate and expedient for the Métis Youth of British Columbia to be recognized by legislation and have a defined process to govern the conduct of their affairs as the Youth Ministry within the Métis Nation British Columbia.

THEREFORE BE IT RESOLVED THAT:

4. **THEREFORE BE IT RESOLVED** that the draft Youth Act as presented be adopted and enacted as the governing legislation for that purpose for the MNBC.
Amendment to the Main Motion
It was MOVED (Tony Goulet) and SECONDED (Sylvia Weibe)
That the Main Motion be amended to add the following Section:
“5.5 The regional youth representatives should be accountable to the Métis Youth BC (MYBC) Committee, their Regional Governance Councils and Métis citizens of BC.”
RESOLVED BY CONSENSUS (MNGA0101-28)
Amendment to the Main Motion
It was MOVED (Stephanie Albiston) and SECONDED (Sylvia Weibe)
That the Main Motion be further amended to add the following Section:
“3.4 all Métis Youth BC (MYBC) committee members shall not be subject to any civil action, suit or prosecution as a result of anything done or not done in relation to the performance of their duties as Métis Youth BC representatives.”
RESOLVED BY CONSENSUS (MNGA0101-29)

I so move

**RESOLUTION FOR METIS NATION BRITISH COLUMBIA'S
ANNUAL GENERAL MEETING
September 24-26, 2010**

Motion Subject: Senate Act

Primary Offices Affected: Senate Clerk

Submitted By: **RESOLVED (MNGA0101-31)**
(30 delegates voting in favour, 1 delegate abstaining)

Submitted to: AGM Clerk

Date Submitted: January 28, 2010

MNGA Approved: March 21, 2010

Whereas:

The Métis Nation British Columbia Senate Clerk responsibilities is defined in the MNBC Senate Policy and Procedures, however there is no reference made to the Senate clerk in any MNBC legislation particularly in the MNBC Senate Act itself.

And Whereas:

The MNBC Senate Clerk shall operate independent of MNBC so as to eliminated any conflict of interest or perceived conflict of interest and is responsible to carry out duties for purposes solely directly related to the MNBC Senate and under the direction of the MNBC Senate.

Therefore be it resolved

Article 13 is added to the MNBC Senate Act

- 13. The Clerk of the Senate shall:
 - 13.1 Operate independent of MNBC;
 - 13.2 Operate under the authority and direction of the MNBC Senate;
 - 13.3 Shall be remunerated by the MNBC;
 - 13.4 Shall hold no other seat as MNGA/AGM Clerk or administrator/staff personnel within MNBC.

I so move.