

Métis Nation of Saskatchewan Legislative Assembly Act

Ratified November 6, 1999
Amended November, 2001
Amended September 9, 2008

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ARTICLE ONE - TITLE

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

ARTICLE TWO - INTERPRETATION

2. In this Act:
 - 2.1. "Act" shall mean the Métis Nation Legislative Assembly Act.
 - 2.2. "Affiliates" shall mean those organizations and structures established by the Métis Nation - Saskatchewan to provide programs and services to and on behalf of the Métis of Saskatchewan.
 - 2.3. "General Assembly" shall mean the meeting of

the General Assembly as set out in the Constitution.

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

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

ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

3. In this Act:

- 3.1. The Métis Nation Legislative Assembly shall be composed of:
 - 3.1.1. The Provincial Métis Council ;
 - 3.1.2. The Presidents of duly registered Locals of the Métis Nation - Saskatchewan ; and
 - 3.1.3. Four Representatives of the Métis Women of Saskatchewan .
 - 3.1.4. Four Representatives of the Métis Nation – Saskatchewan Youth Council.

(Amended, November 2001)
 - 3.1.5. In the event that a Local President is unable to attend the Métis Nation Legislative Assembly, the duly registered Local's Vice-President may represent the Local.

(Amended, November 2001)
 - 3.1.6 A person is disqualified from being a member

of the Métis Nations Legislative Assembly
when:

- a. He/she dies or resigns.
- b. He/she is under sixteen (16) years of age.

ARTICLE FOUR - VOTING AND QUORUM

4. In this Act:

- 4.1. Seventy-five (75) members of the Métis Nation Legislative Assembly constitutes a quorum of the Métis Nation Legislative Assembly.
- 4.2. The members shall be identified through a Roll Call registry at the Opening of the Legislative Assembly. The Roll Call will be used to determine quorum and voting.
- 4.3. Resolutions, ratification and appointments shall be made by a simple majority of the Roll Call, quorum being the minimum.
- 4.4. Constitutional amendments shall require seventy-five percent (75%) of the members of the Roll Call, quorum being the minimum.
- 4.5. Any decision ratified by the Métis Nation Legislative Assembly shall be binding on all Métis Nation - Saskatchewan citizens, subsidiary bodies and Affiliates.

ARTICLE FIVE - SPEAKER OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

5. The Speaker and Deputy Speaker will:

- 5.1. Be appointed by the Provincial Métis Council and ratified by the Métis Nation Legislative

Assembly.

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

ARTICLE SIX - CLERK

6. The Clerk of the Métis Nation Legislative Assembly will:
 - 6.1. Be the Chief Executive Officer of the Métis

Nation - Saskatchewan.

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

ARTICLE SEVEN - SENATE

7. The Senate will:
 - 7.1. Have a Ceremonial Role in the Métis Nation Legislative Assembly by:
 - 7.1.1. Giving Opening and Closing Prayers
 - 7.1.2. Swearing-In any new members
 - 7.2. Table a report to the Métis Nation Legislative Assembly by submitting a written report to the Clerk prior to the thirty day deadline of the Métis Nation Legislative Assembly to be compiled in the Order of the Day. [*Amended September 9, 2008.*]
 - 7.3. Be available to the Métis Nation Legislative Assembly for clarification on any recommendations.
 - 7.4. Be available to the Métis Nation Legislative Assembly for advice and direction as required.

ARTICLE EIGHT- DUMONT 'S SCOUT

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

ARTICLE NINE - REPORTING

9. With the exception of sittings of the Metis Nation Legislative Assembly to conduct special business, the following written reports will be tabled at the Métis Nation Legislative Assembly and included in the Order of the Day:
 - 9.1. Executive Reports;
 - 9.2. Regional Representative Reports;

- 9.3. Métis Women of Saskatchewan Report;
- 9.4. Ministerial Reports, including, where applicable, Affiliate reports and audits;
- 9.5. Senate Report;
- 9.6. Provincial Métis Youth Council Report; and

- 9.7. Any other reports required by the Constitution or Legislation.

ARTICLE TEN - MINUTES

10. In this Act:

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

10.1.1. Contracted out to an independent person or agency.

10.1.2. Forwarded to the Clerk of the Legislative Assembly.

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

ARTICLE ELEVEN - LEGISLATION

11. In this Act:

11.1. New Legislation:

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

11.1.2. May be tabled only by the members of the

Métis Nation Legislative Assembly.

11.1.3. Be ratified by the Métis Nation Legislative Assembly.

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

11.2. Legislative Amendments will:

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

11.2.2. Be ratified by the Métis Nation Legislative Assembly.

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

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

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

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

11.3.3. Such other places as the President considers necessary.

11.4 The Métis Nation Legislative Assembly shall enact, on a priority basis, a Métis Citizenship Act.
(Adopted November 14, 1997)

ARTICLE TWELVE - CONSTITUTION

12. Constitutional Amendments will:

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

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

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

12.1.3 be registered with the Métis Nation – Saskatchewan Head Office thirty days prior to the sitting of the Métis Nation Legislative Assembly is provided. Where the minimum 30 days notice is provided under Article 2. Section 8. all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly.

ARTICLE THIRTEEN - APPEALS

13. By this Act:

13.1. A person may Appeal to the Métis Nation Legislative Assembly on citizenship, provided they have fulfilled the legislative requirements of the citizenship appeal process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Citizenship Appeal Board.

13.2. A person may Appeal to the Métis Nation Legislative Assembly on an election, provided they have fulfilled the legislative requirements of the election appeals process, by submitting a written report to the Clerk forwarded by registered mail

including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Métis Election Commission.

13.3. The Métis Nation Legislative Assembly shall have the right to determine how it will deal with such Appeals, by either:

13.3.1. Adoption of the ruling of the Métis Election Commission or the Citizenship Appeal Board;
or

13.3.2. Hear arguments based on the findings of fact by the Métis Election Commission or the Citizenship Appeal Board.

13.4. Where the Assembly chooses to hear arguments, the following procedure will be followed:

13.4.1. The Appellant and Respondent will be each given five (5) minutes to present their argument and two (2) minutes each to reply.

13.4.2. The Métis Nation Legislative Assembly will then render a decision through resolution.

13.5. Where a member of the Métis Nation Legislative Assembly is in a situation of conflict of interest on the matter at hand, the member must remove him/herself from the appeal process at the Assembly by declaring the conflict and refraining from debating and voting while the conflict remains.

ARTICLE FOURTEEN - PROCLAMATIONS

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

14.1. The date of the next Métis Nation - Saskatchewan election, as set out in the Election Act.

14.2. Holidays and days of commemoration, such as Louis Riel Day.