

**RECORD OF CONCLUSION**  
**KAHNAWÀ:KE LEGISLATIVE COORDINATING COMMISSION**  
**September 1, 2016**  
MCK Large Conference Room  
**1:30-4:00 PM**

<b>MEETING TYPE:</b>	KLCC Regular
<b>CHAIRPERSON:</b>	Leslie Skye
<b>NOTE TAKER:</b>	Kim Beauvais
<b>ATTENDEES:</b>	Kahsennenhawe Sky-Deer, Vernon Goodleaf, Joe Delaronde, Dale Dione, Kevin Fleischer, Winona Polson-Lahache, Ron Skye.
<b>ABSENT:</b>	Jean Pomainville (regrets), Bobby Patton, Dwaine White (regrets)
<b>INVITED GUEST:</b>	Paul Nicholas
<b>ITEM</b>	<b>DESCRIPTION</b>
<b>1. Previous ROC REVIEW/DECISION</b>	Approval of 08/04/2016 ROC <ul style="list-style-type: none"> <li>Acceptance to be sent by email to Leslie by tomorrow</li> </ul>
<b>2. File Updates REVIEW/DECISION</b>	<p><b>KFHL – Paul Nicholas</b></p> <ul style="list-style-type: none"> <li>The Federal Liberal Party is reviewing Federal MRP legislation, not the Federal Government. Winona later explained that it is the Federal Liberal Caucus conducting the review. There are other communities who have followed the Federal Government's ratification requirements who have been put on a list of recognized Matrimonial Real Property laws. Right now there are eleven (11) of them. We asked that our KFHL be put on that list. The review is a key item in the next steps. KCR meeting in September will inquire on the review and if any analysis was done by INAC on the KFHL and whether the KFHL was simply rejected because of the ratification process.</li> <li>A reminder was given about the need for the KFHL to begin the Regular CDMP followed by questioning their readiness to begin. This was responded by noting that without some sort of agreement from the minister's office, it would be too early to begin this process as it would not be enforceable due to the issue of land management. It was then noted that regardless of any external ratification requirements or waiting on the Federal Government to approve the KFHL, it is still considered a Kahnawà:ke communal law that has to follow the CDMP.</li> <li>Further noted was that the Court of Kahnawà:ke doesn't see the Justices dealing with it as it is now, because they are only dealing with Section 81 laws at this time. The Justice Act empowers the Court to hear Kahnawà:ke laws, but this has not been realized at this time. The law was set up where the current JPs could hear the law, and the alternate JP would hear the appeal.</li> </ul> <p><b><i>ACTION: Leslie to assist Paul in preparation to commence Regular CDMP</i></b></p> <p><b>TOBACCO LAW – Leslie</b></p> <ul style="list-style-type: none"> <li>The KTA will be submitting their Operation/Implementation/Financial plan.</li> </ul> <p><b><i>ACTION: Leslie to provide KTA with an Op/Imp/Fin Plan template</i></b></p> <p><b>PUBLIC SAFETY RESEARCH – Ron &amp; Kim</b></p>

- As part of the front end work to develop a Public Safety Act, Kim has begun gathering information on all of the laws that empower Inspectors.

#### MEMBERSHIP – **Kahsennenhawe**

- The Membership Unit, Lands Unit and OCC have formed a Working Group that has been discussing the distinction between membership and residency.
- A question was posed to KLCC about whether community members had to be the Proponents when submitting a request for a law. It was clarified that whoever submits the request are the Proponent(s) but don't necessarily **have** to be the face of the proposed law from inception to ratification.
- Concern was expressed that the community could reject the proposal for a residency law and because of this possibility; the Working Group is planning on making a submission.
- It was noted that there could be more than one submission for the same law and that anyone on the KKR could make a submission.
- Discussion occurred on the distinction between approved non-member resident and non-member residency being two separate issues.
- Given that requests for a residency law has already been submitted to KLCC, at the next CDMP Hearing on the Kahnawà:ke Membership Law (KML), the Membership Unit recommends that all references to residency, benefits and entitlements be removed from the KML.

Membership will be holding a special meeting around September 20<sup>th</sup>, with an update on membership, residency and an action plan.

Kahsennenhawe asked for direction, but there was no decision made; only options were given. She explained that discussion on the Residency section at the upcoming CDMP hearing on KML could be considered inefficient since a Draft Residency Law was forthcoming through the CDMP.

- If the Membership Law is passed and you're putting a Residency Law out there, what are you planning to do with all of the references to residency in the KML? Are you throwing it all out? It cannot be put in the parking lot forever.
- In light of Deschaneaux and other outside legislation that's being passed externally, Membership will be submitting a request for a Residency Law as an Urgent law.
- The following explanation was given on the Descheneaux case: Quebec Superior Court decision that said that there were still sections of the Indian Act that were biased based on gender. It said that in the case of individuals with the same lineage, the one whose lineage derived from a male would have status, but the one whose lineage derived from a female wouldn't have status. So, they found a layer of what they're calling discrimination in the legislation and they're telling INAC that they have to fix it by February of 2017.

They claim they don't have it drafted yet, but we think they already have their clauses drafted and a plan on how to change it. Right now they're going across the country having these information sessions to basically say this is what we're going to be doing, these are the changes we're going to make. It has an effect on who can become members and who will be added to the Federal Kahnawà:ke

	<p>registry.</p> <ul style="list-style-type: none"> <li>• The AFNQL is meeting next week on the Descheneaux case. Some of what the AFNQL says supports the right of each community to have its own membership law. Some of this has to be done immediately, so when our CDMP Hearings resume on Tuesday, we're going to have some statements ready.</li> <li>• The Confederacy had issued a document to the United Nations many years ago on membership stating that as Iroquois People no one else has the right to determine who their members are or who belongs to them. It is called the UNDRIP (UN Declaration on the Rights of Indigenous Peoples). It was used to develop the UN Declaration on the Rights of Indigenous Peoples. Kenneth originally brought that throughout the whole Confederacy. Within that document, there are sections around the rights of Nations and the Communities to determine their own citizenship. That's the document that was passed in the UN and Canada refused to acknowledge it. Canada recently sent notice to the AFN that they agreed to adopt the declaration, but that they would not be adopting it into law.</li> </ul>
<p><b>3. Council Strategic Discussions REVIEW</b></p>	<p>Based upon the August 4<sup>th</sup> meeting it was agreed to go to Council Strategic Discussions to address the following items:</p> <ol style="list-style-type: none"> <li>1) Law Rescindment (Repeal) - Process It was agreed to hold a separate KLCC meeting (<i>late September or regularly scheduled KLCC mtg. on October 6</i>) to develop process before it's brought to Council Strategic Discussions.</li> <li>2) Tiowérotón – Process to create a Law What involvement would Kanehsatà:ke have in the CDMP?</li> <li>3) Justice Act Legal Review &amp; Incidental (consequential) changes</li> </ol> <p><b><i>ACTION: After KLCC has met to discuss the process for repealing laws, it was agreed to bring all three items at the same time for Strategic Discussions.</i></b></p>
<p><b>4. Other REVIEW</b></p>	<p>CDMP Evaluation – <b>Winona</b> KLCC should be involved in developing evaluation tools to identify or gauge success and problematic areas of the CDMP.</p> <p>CDMP Procedural Manual – <b>Leslie &amp; Kim</b> Working Group will reconvene when scheduling permits.</p> <p>CDMP Regulation Process – <b>Leslie</b> The Steering Committee (Leslie, Jean, Kevin &amp; Ron) is scheduled to meet with S.O.D. on Sept. 7<sup>th</sup>.</p>
<p><b>5. Next Meeting &amp; Adjournment</b></p>	<p><b>Next KLCC Meeting:</b> Thursday, October 6, 2016 MCK Large Conference Room <b>1:30 p.m. – 4:00 p.m.</b></p> <p><b>Next CDMP Hearing:</b> Kahnawà:ke Membership Law – First Hearing Mtg. #15 Tuesday, September 13th, 2016 Golden Age Club <b>6:00 p.m. – 8:30 p.m.</b></p>