

FINAL

**KLCC MEETING  
RECORD OF CONCLUSIONS  
Council Lounge  
24, Kentenhkó:wa/November, 2011**

**PRESENT:**

Kahente Horn-Miller, KLCC Coordinator – Chairperson  
Joe Delaronde, LCC Communications Representative  
Ron Skye, LCC Justice Representative  
Jean Pommainville, LCC Legal Services Representative  
Mike Bush, Chiefs Advisory Committee  
Martin Leborgne, Chiefs Advisory Committee  
Kahsennenhawe Sky-Deer, Chiefs Advisory Committee

**ABSENT:**

Dwaine White, OCC Secretariat Representative (Regrets)  
Clinton Phillips, Chiefs Advisory Committee (Medical Leave)  
Peggy Mayo-Standup, Chiefs Advisory Committee (Medical Leave)  
Leslie Skye, KLCC Assistant – Recorder (Regrets)

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**1. PREVIOUS RECORD OF CONCLUSION (ROC) NOVEMBER 10,2011**

The November 10, 2011 draft was distributed and will be finalized if no changes are received by 4:00 p.m. today.

**2. STRATEGIC PLANNING SESSION**

**Discussion:** Session Date: **January 26, 2012** Facilitated by: **Alex McComber**

Alex will be doing some preliminary work interviewing KLCC members individually within the next month. The following questions require a decision from KLCC as information needs to be reported back to Alex:

1) What do we want out of this session?

*Address concerns such as time required to develop legislation (process may have to be refined) for both type I and II legislation.*

2) How do we engage the community in the Process and more importantly, how to we engage the MCK Unit's and outside Organizations to push their piece of legislation through?

*Although costly, it was suggested to broadcast some of the Hearings & Readings live on Paul's Communications as a means of reaching a larger number of people. KLCC needs to provide avenues for community to participate in CDMP. Review procedure for bringing legislation to the community (i.e. set maximum of laws to be brought through CDMP per year & implement timeframe per legislation – i.e. through CDMP within 6 months of request). Develop a checklist for units to follow once legislation is submitted. Have yearly updates to managers on process.*

3) What do we envision for KLCC in five years? Is it going to be a stand-alone or housed within the OCC? What direction should it take?

*Perhaps increase target date to 10 years instead of five, hire policy writers and lawyers on KLCC. Compare where KLCC is today since the Justice Act began its work in September 2009.*

4) What do we call this as it's not really strategic planning session?

*A Legislative Review*

**ACTION:**

Kahente – Bring three points back to Alex:

- 1) Engagement of Community, 2) Engagement of the Units, and 3) Direction of the next five years.

### 3. **KLCC REVISION TEAM**

**Community Representative:** Press Release was sent out yesterday on the MCK Grapevine asking people to submit letter of intent. A final date to receive letters is December 23, 2011. KLCC will review on January 12, 2012.

**Procedural Manual:** Revisions ongoing. Need to change the meeting date to accommodate everyone's schedule.

### 4. **FILE UPDATES - SANITARY CONDITIONS LAW**

**Discussion:** Going to Council on Nov. 28/11 for Legislative Session

Excerpt - Minutes of Second Reading for Sanitary Conditions Law – Nov.2/11

*“This is a new process. All of the feedback received is considered. If there is a problem, we will discuss at KLCC. The question of how we should deal with regulations will be brought back to KLCC? Should the community be involved in creating regulations? This will be taken back to KLCC for debate and further discussion.”*

How will Regulations be made and put into effect?

**Suggestions:**

Two options:

- 1) MCK to delegate responsibility to the Lands Unit which will have the authority to write regulations for community/stakeholder review or:

- 2) Should it go through a Hearing Process?

-Have the Lands Unit write regulations and put it out for 30-days, Council reviews feedback for consideration.

-It may depend on the type of law being proposed and if the law says the Lands Unit could make regulations on landfills, etc. If precise then maybe it needs to go back to Council. The Lands Unit wants to make Regulations on Demolition Waste Recycling; it's specific.

**Question:**

How precise is the regulations authority within the law? *“The MCK may adopt regulations with respect to any matter outlined in this Law.”* This is very vague and broad. The community could argue that according to the Process, the Unit/Proponent has to have a meeting with the stakeholders to review the proposed Regulations.

**Suggestions:**

-Attach MCED to SCL stating that a consultation with stakeholders/community must be completed prior to the submission of regulations to MCK for approval. Similar to the conditions attached to the regulatory powers of the ABC Board.

### **MEMBERSHIP LAW**

**Discussion:** This was briefly discussed and noted that Membership was at Council Strategic Discussions on November 16<sup>th</sup> to address pending re-instatement cases without

the Council of Elders involvement and empowering Registrar to handle/process these files. Several options were discussed. Membership will be going back to Council for an RFD on Monday, November 28, 2011.

**5. ONKWARIHWASHON:'A TV/NEWSLETTER & K103 TALK SHOW**

**Shoot:** November 23, 2011 **Guests:** Rose-Ann Morris **Topic:** Membership Law

**Second Half – Guest:** Kahente Horn-Miller **Topic:** Community Representative & First month on job.

**Newsletter:** New submission about how Process works and steps to take when submitting a request for legislation.

**K103 Talk Show:** Joe to confirm next noon hour talk show and Chiefs Advisory Guest.

**Other:** In an effort to inform the community about the CDMP, it was suggested to work with Communications filming a mock law from start to finish.

**6. MATRIMONIAL REAL PROPERTY**

**Discussion:**

Also known as Bill S2, this was brought to KLCC for discussion because it may be going to MCK soon as an emergency piece of legislation. In the absence of a law on the division of property on reserves, this law (Bill S2) would apply. The bigger issue would be that this law grants non-natives property on reserves.

According to the current wording of S2, Kahnawake may have one year to pass its own law, otherwise S2 would prevail. Six Nations passed their law in January 2011 and Akwesasne has drafted its own law. The MCK may have to address this issue as an emergency law outside of the current CDMP Process (applying either Six Nations or Akwesasne's Law on an interim basis). KLCC will need to address how an emergency law would come into effect. Once the law has been passed, it then could be put through the CDMP for an amendment.

**Decision:** KLCC needs to determine criteria for an emergency piece of legislation otherwise everyone could claim that their proposed legislation is an emergency. Over the next few weeks, KLCC needs to develop its own procedure of invoking emergency legislation within the CDMP.

**7. MISCELLANEOUS/NEXT MEETING(S):**

**Council Agenda –**

**Sanitary Conditions Law**      Monday, November 28, 2011  
10:30 – 11:00 a.m.  
Large Conference Room

**KLCC Weekly**                      Thursday, December 1, 2011  
11:00 - 12:30 p.m.  
Council Lounge