

**KAHNAWÀ:KE MEMBERSHIP LAW
FIRST HEARING – Meeting #16
Golden Age Club
27, Seskehkó:wa /September 2016
6:00 PM– 8:30 PM**

RECORD OF DISCUSSION

FACILITATORS:

Joe Delaronde
Ron Skye
Leslie Skye - KLCC

RESOURCE PEOPLE:

Chief Kahsennenhawe Sky-Deer (Lead)
Chief Arlene Jacobs
Rose-Ann Morris
Alexis Shackleton
Arlene Beauvais
Kevin Fleischer

RECORDER:

Caroline McComber

AGENDA

6:00 P.M. **OPENING** – Leslie Skye

6:05 P.M. **INTRODUCTION/MEETING GUIDELINES** – Kahsennenhawe Sky-Deer

6:10 P.M. **KAHNAWÀ:KE MEMBERSHIP LAW AMENDMENTS:**

- **SEC. 21: SUSPENSION AND REVOCATIONS (related to Kanien'kehá:ka of Kahnawà:ke)**
- **SEC. 22: RENUNCIATION (related to Kanien'kehá:ka of Kahnawà:ke)**
- **SEC. 23: REGULATIONS (list of regulations)**
- **ANY RELEVANT/RELATED DEFINITIONS** - Kahsennenhawe Sky-Deer

8:25 P.M. **NEXT STEPS** – Kahsennenhawe Sky-Deer

8:30 P.M. **CLOSING** – Kahsennenhawe Sky-Deer

Chief Kahsennenhawe Sky-Deer reiterated that because of the request for a proposed Residency Law along with an upcoming special community meeting on membership and residency planned for October 12th, 2016, all areas of this law in relation to residency (Approved Kahnawà:ke Residents) have been deferred to the “parking lot” until it is determined by the community whether or not to proceed with a separate Residency Law, whereby discussion on Approved Kahnawà:ke Residents will be best captured.

Facilitator Ron Skye reminded the evening’s participants that only the underlined areas are the proposed amendments made that are to be discussed.

SUSPENSION AND REVOCATION

21.1 A Kanien'kehá:ka of Kahnawà:ke who:

- a) married, or marries, a non-Indigenous person after May 22, 1981, or
- b) commenced, or commences, after May 22, 1981, a common-law relationship with a non-Indigenous person,
or
- c) cohabits, within the Mohawk Territory of Kahnawà:ke, after May 22, 1981, with a non-Indigenous person for more than 30 days in a calendar year, or
- d) allows a non-Indigenous person to reside on their property.

will have their entitlement to receive any of the benefits and services to which they would otherwise be entitled as a Kanien'kehá:ka of Kahnawà:ke, suspended for so long as they remain married, in a common-law relationship with or cohabiting with a non-Indigenous person or allows a non-Indigenous person to reside on their property.

DISCUSSION:

Rose-Ann Morris advised that the Drafting Team provided the above additions of subsections (c) and (d) based on the CDMP feedback explaining further that there was concern at CDMP that justification to suspend a member with a non-Indigenous person needed to be addressed. Therefore the additions of subsections (c) and (d) to Section 21.1 were included by the Drafting Team capturing the limited amount of days in (c) and the issue of Kanien'kehá:ka renting private properties to non-Indigenous persons.

There was inquiry raised on the status of the non-Native women who were married before but divorced after 1981. Rose-Ann provided that this area is captured in Section 21.3 of the draft law reminding that issues related to residency will be addressed at the community consultation held on October 12, 2016. The focus should remain on what it means to **cohabit**. There was a motion presented to include additions to both (a) and (b) to state ‘regardless of where you reside’ benefits and entitlements would be subject to suspension. Rose-Ann Morris pointed that Section 21.1 (c) states specifically ‘within the Mohawk Territory of Kahnawà:ke.’

BREAK

Concerns were further raised on the issue of members cohabiting with non-Indigenous person outside of the territory (i.e., student room-mates). The Membership Resource Team advised that in the past, where there was a complaint, the member was corresponded to and required to meet with the Council of Elders to verify their specific living arrangements. Consequently, the need for the addition of (c) “cohabits, within the Mohawk Territory of Kahnawà:ke, after May 22, 1981, with a non-Indigenous person for more than 30 days in a calendar year, or”.

The community members in attendance were cautioned that “cohabit” was defined previously and included the requirement of “living with” a non-Indigenous person within the Territory. It was further cautioned that a non-Indigenous person who visits the community for more than thirty (30) days, such as once every one (1) to two (2) weeks, does not necessarily mean that they are living in the Territory. It was motioned to examine the definition of **“cohabit” means living with a non-Indigenous person within the Territory** for possible revision. There was one (1) for and one (1) against with no further discussion.

There was inquiry raised on the River Side Inn and whether there is a timeframe imposed for temporary guest room rentals. Again, it was pointed that this could be better address at the discussions for non-member residency.

CONSENSUS REACHED:

After much debate with concerns addressed and questions clarified, **Consensus** was reached (**with one objection to Section 21.1(c)**) – to accept the added clauses of (c & d) along with the addition of **‘within the Mohawk territory of Kahnawà:ke’** to Section 2.1.1(d).

SUSPENSION AND REVOCATION

- 21.1 A Kanien'kehá:ka of Kahnawà:ke who:
d) allows a non-Indigenous person to reside on their property **‘within the Mohawk territory of Kahnawà:ke’**

Approved by:

Rose-Ann Morris, Registrar

Date

Chief Kahsennenhawe Sky-Deer

Date