

Senate Meeting Minutes

Kelowna, B.C., September 19-20, 2007

Senators present: Al Edkins, Ron Snider, Philip Gladue, Bob Adams and Gerald Pope

Absent: Margaret Penner and Bill Thibeault

Interim Senate Clerk: Dean Trumbley

Senate Legal Counsel: Richard Nesbitt



September 19, 2007

1. Call to order 09:05am
2. Senator Gladue conducted opening prayer
3. Acceptance of agenda

Moved by: Senator Adams

Seconded by: Senator Snider

4. and 6. Senate chair explained background on the decision releases. Legal Counsel indicated that it is necessary for the political body to change the rules via the legislation. Stressed that it is 100% necessary that Senator have no opinions on any cases before them. The voice of the Senate should be via the Clerk to make sure that a buffer is present between the people and the Senate. Distance is very important. Amend the policies to supply the Senate the ability to pay their Clerk directly. This will make sure that the Clerk is 100% dedicated to the Senate and not accountable to the MNBC (government). The existing legislation makes it clear that the Senate is independent from the MNBC (government). The Senate is responsible to monitor itself to assure that ethics are being followed as infractions reflect on ALL of the Senate. STRESSED that the Senate needs to work collectively as a group. The Senate Act wording around confidentiality is very broad and in conflict with judicial systems. It needs to be fleshed out as to what is confidential and what is going to be released. Develop an open process to let the applicant know that the decisions and testimony will be used in the written decision and released publicly. Need to bring more traditional culture into the Senate Act versus the British and French judicial systems.

Break at 10:10am

Senator Penner joined the meeting at 10:22am

5. *Motion: To go in-camera with Mr. Nesbitt to remain.*

Moved by: Senator Pope

Seconded by: Senator Gladue

Carried

Motion: To go out of in-camera.

Moved by: Senator Gladue

Seconded by: Senator Adams

Lunch at 11:38am

September 20, 2007

6. **Motion:** *To adopted the August 06, 2007 minutes.*

Moved by: Senator Pope

Seconded by: Adams

Carried

ROD-001

Request the Senate Clerk to ask for an advance on the Senate “fees for service” and “travel allowance” due to the heavy workload in October and November. These will catch-up all Senators for the first two fiscal quarters.

7. The Senate Clerk supplied an update on the budget cut to the multilateral and explained that the Senate will be dropped from four appeal meetings to three (\$10,000.00 cut).

8. Updates were supplied on the various cases (at different stages) for the next Senate hearings. Senate has decided that if the Dahl vs. MNBC Board of Directors comes forward that it would be postponed until January 2008 due to the caseload and business of the Senate in October and November.

Motion: *To modify the Senate Policy and Procedures to include that second Genealogical opinions are a standard procedure in all citizenship and central registry appeals.*

Moved by: Senator Pope

Seconded by: Senator Snider

Carried

Break 10:18am

9. Review of the Legislation, Policies and Procedures

Legislative issues

- ∞ Have to remove “Arbitration” from Mediation/Arbitration and also “Veteran Affairs”
- ∞ Combine Citizenship and Central Registry Appeals and add Citizenship Challenges
- ∞ Term of a Senator is 4-years Section 6.1 *Senate Act*

Policies and Procedures

- Section 4.0 (1) remove that the MNBC supplies a Clerk and replace it with “negotiated funds will be respected for the amount and deliverables, however the Senate will be able to dictate their own budget and not have the Senate Clerk reporting to the MNBC Secretariat but instead the Senate”.
- Section 4.0 (heading) for logistical support should read “will” not “should”
- Section 4.1 should state that “ALL contact should be through the Clerk from ALL bodies”
- Section 4.1 remove “liaison” statement
- Clean-up the introduction to the Section 6.0 Code of Ethics
- Section 6.0 (1) remove “judiciary” replace Senate, remove everything after the semi-colon.

- Section 6.0 (2) remove “judiciary” replace with Senate, pluralize Senate to Senates
- Section 6.0 (8) Delete from “providing” on
- Section 6.0 (9) strike
 - Develop a mediation section in the P&P
- Section 6.0 (10) remove “judicial” replace with Senate
- Section 6.0 (11) replace “them” with “themselves”
- Section 7.0 (5)(5.2) Clean-up the wording to a straight forward mention of “*Robert’s Rules of Order*”
- Section 9.0, add an introduction that details the “general process” of the citizenship appeal process (in a step by step).
- Section 9.0, add a section that highlights “second genealogical opinion” is mandatory on all citizenship and central registry appeals.
- Section 9.2 change 14-days to 30-days

Motion: *To adjourn the meeting.*

Moved by: *Senator Pope*

Seconded by: *Senator Gladue*

Carried

Approved: _____
Bill Thibeault, *Senate Secretary*