



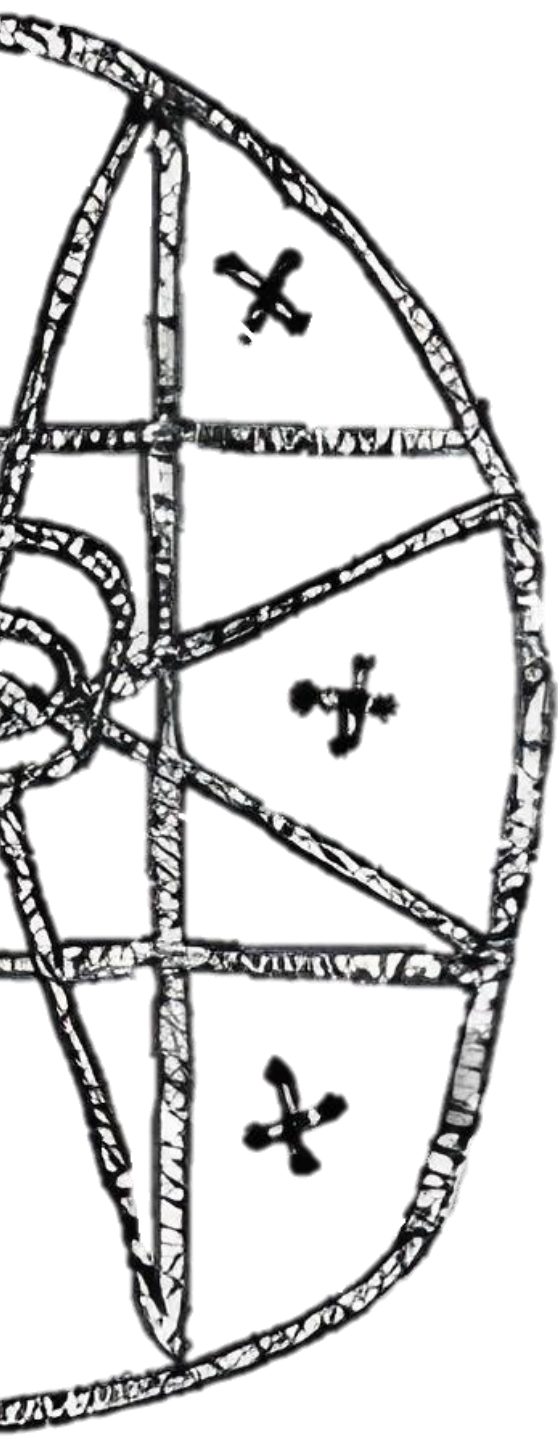
Lac Seul First Nation
Election Code &
Community Approvals
Community Discussion

November 1-3, 2023

METALLIC LAW

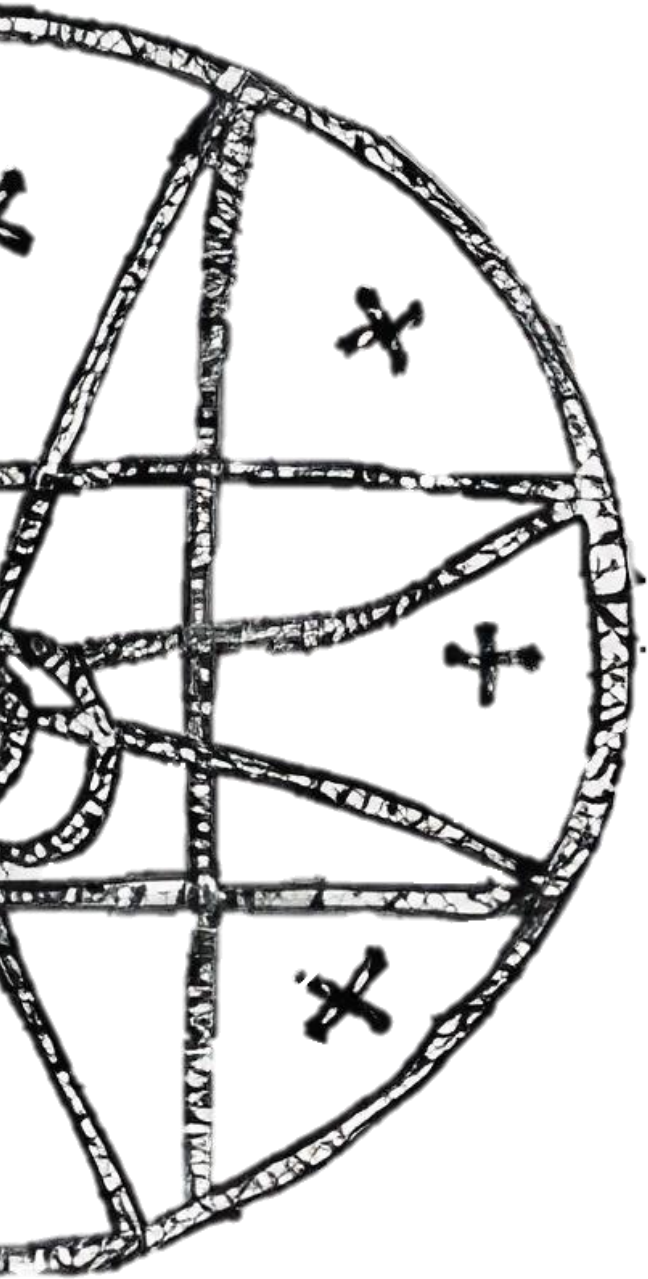
BARRISTERS & SOLICITORS

OBJECTIVES

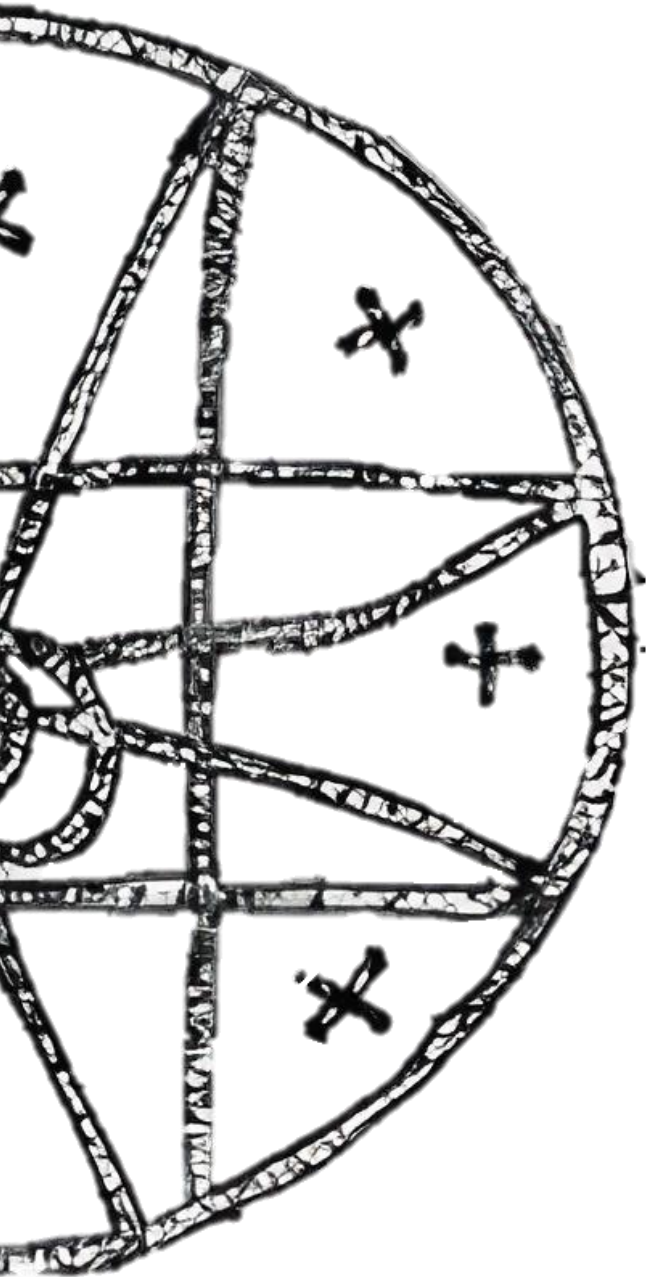


- Overview of Elections revision project
- Present key issues for elections
 - For C&C elections
 - For community approval votes
- Obtain community input on key issues

ELECTION CODE: PRESENT STATUS



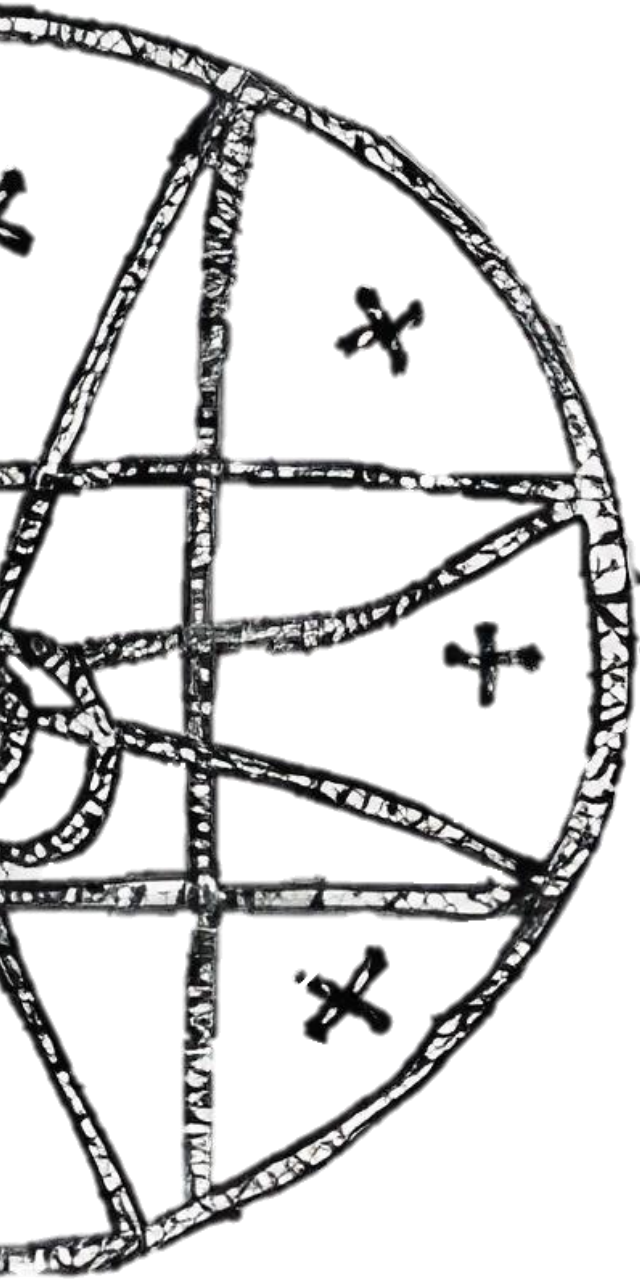
- ✦ Past revision efforts:
 - ✦ Draft Election Code dated May 2012
 - ✦ Governance project 2017-2018
 - ✦ → no resulting changes
- ✦ Status of current election rules:
 - ✦ LSFN follows *Indian Act* section 74
 - ✦ Has 4 electoral districts per SOR/90-46
 - ✦ Follows *Indian Band Election Regulations* for voting process



ELECTION CODE: REVISION PROCESS

- ✦ New draft in process
- ✦ Community consultation:
 - ✦ Homecoming: attended & circulated questionnaire, some engagement
 - ✦ Online questionnaire
 - ✦ Meetings with C&C and Governance Taskforce
- ✦ Now:
 - ✦ Community meetings in each district Nov. 1 – 3
 - ✦ Meetings with [elders, men's group, women's group]
 - Chief & Council meeting November 2
 - Off-reserve consultations in December
- ✦ Target summer 2024 for ratification of new Election Code

ELECTION CODE: KEY ISSUES FOR DISCUSSION



List of issues we will discuss today:

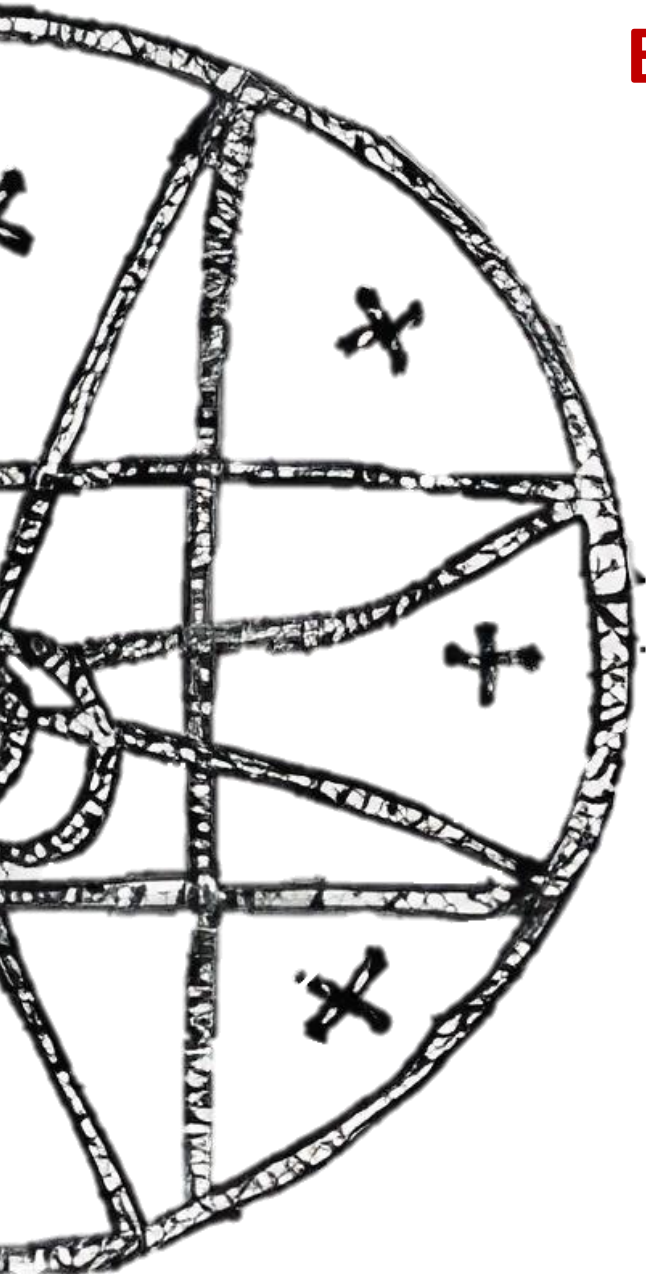
- ✦ Representation on Council
- ✦ Eligibility & Qualifications for Chief & Councillors
- ✦ Election appeals

ELECTION CODE: REPRESENTATION ON COUNCIL

Current Issues

- ✦ Off-reserve members vote only for the Chief
 - In order to be *Charter*-compliant, we need to have more off-reserve representation
- The Chief is the only representative elected by all members
 - ✦ Law & good governance requires more whole-of-community representation
 - ✦ Idea of Deputy Chief
- ✦ Current number of Councillors per district puts greater burden on small districts

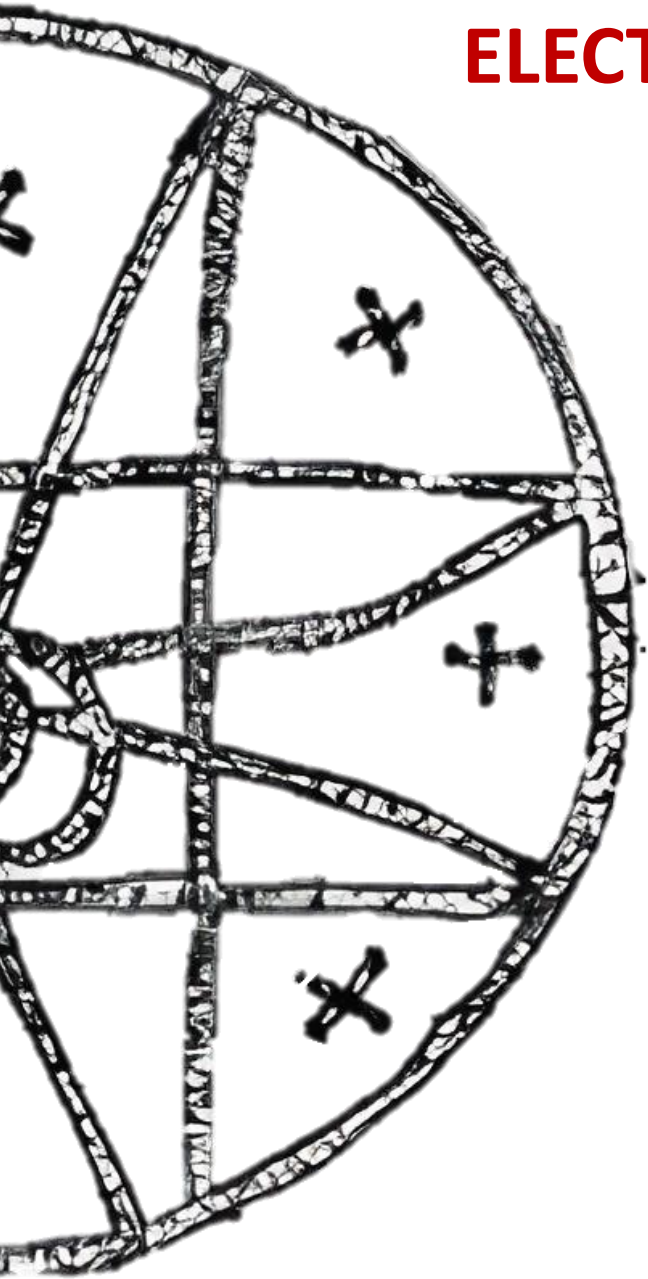
ELECTION LAW: REPRESENTATION ON COUNCIL



Ideas for Discussion

Option 1: Mostly district representation	Option 2: Mostly community- wide representation	Option 3: Both district & community-wide rep
4 Councillors from Frenchman's Head	8-12 Councillors elected community-wide	1 Councillor each from FH, KB, WB and off-reserve
3 Councillors from Kejick Bay	Chief elected community-wide	4 Councillors elected community-wide
1-2 Councillors from Whitefish Bay		Chief elected community-wide
2+ off-reserve Councillors		
Chief elected community-wide		
Total: 10-11+ Councillors	Total: 8-12 Councillors	Total: 8 Councillors

ELECTION LAW: ELIGIBILITY & QUALIFICATIONS FOR C&C



Questions to Frame Discussion

- + Who should be able to run in an election?
 - + Minimum of Grade 12?
 - + Financial literacy?
 - + No bankrupt individuals?
 - + Must be in good financial standing with First Nation?
- + What **minimum conduct** should be required to run for Council?
 - + No illegal drugs, excessive alcohol use? (likely better in Code of Conduct)
 - + No criminal convictions, any or certain types?
- Should C&C positions be full-time?
 - Required to leave other full-time work?

ELECTION LAW: APPEALS

Questions to Frame Discussion

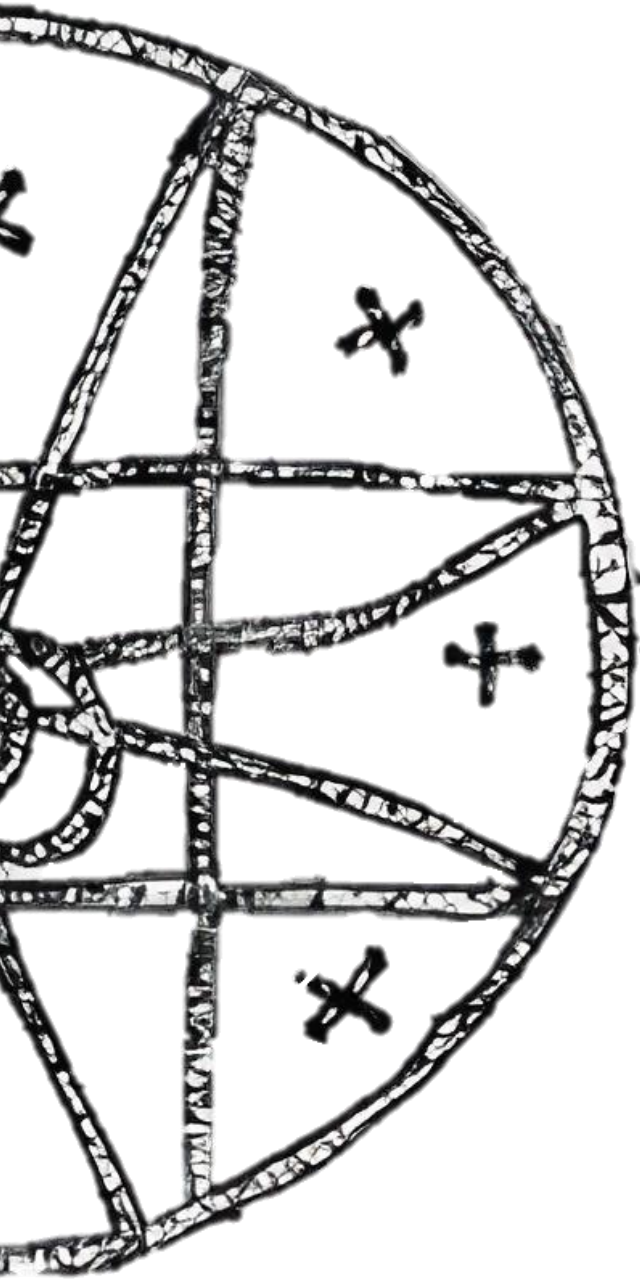
- ✦ Who should be able to challenge election results?
 - ✦ Just the candidates?
 - ✦ Anyone in the community?
- ✦ Who has the capacity to be neutral in deciding election disputes? (will be appointed before election)
 - ✦ A community member, as long as they are not related to any candidates?
 - ✦ Should LSFN hire an outsider to adjudicate?
 - ✦ Panel of Elders (with technical support)?

ELECTION LAW: APPEALS

Ideas for Discussion

Option 1: Limited appeals	Option 2: Broader appeals
Only candidates may appeal, and only when they believe the outcome was affected	Anyone can appeal any transgression of the election code
Charge high fees (\$1000) for appeals; reimbursed if the appeal is valid	Minimal fee for filing an appeal
One adjudicator investigates, makes decision	Panel of three adjudicators
Adjudicator decision is final	Decision may be appealed to Federal Court

COMMUNITY APPROVAL VOTE

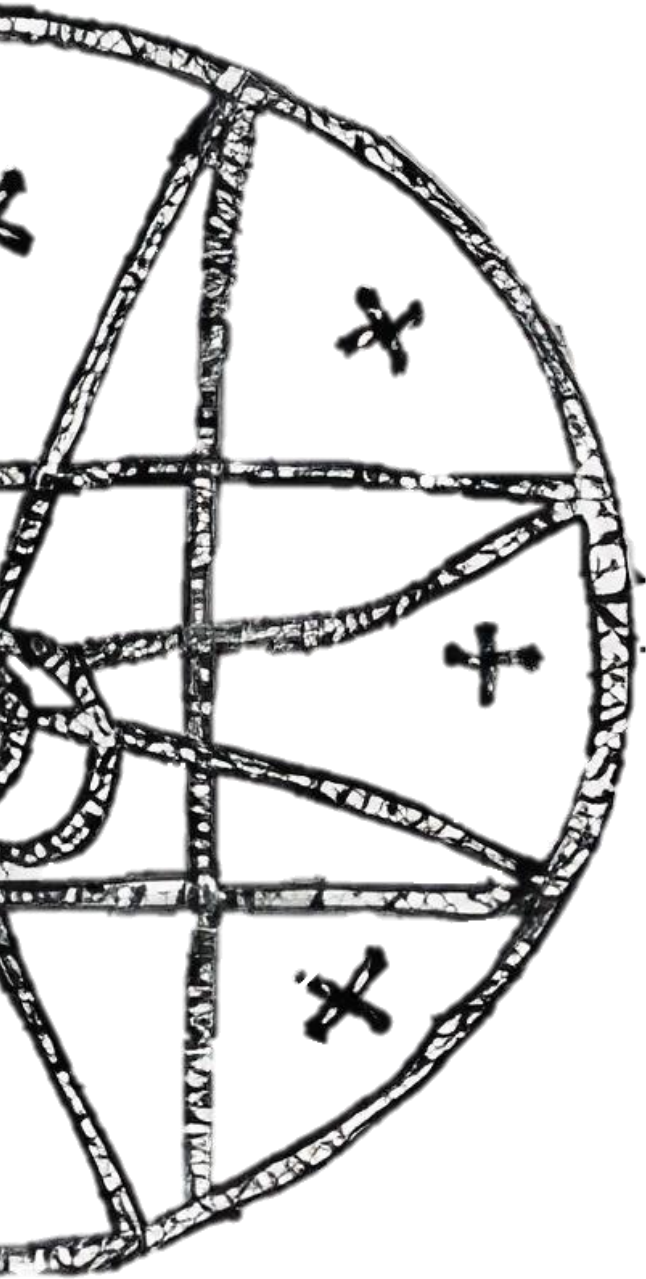


Requires Ratification	DOES NOT Require Ratification
Laws (e.g. Membership Law, laws regarding land management)	Internal Governance decisions (e.g. comprehensive community plan)
Some Bylaws (e.g. Residency and Trespass Bylaws, all bylaws relating to money)	Day to day operational decisions
Settlement agreements	Policy changes (eg: Gov. Manual – code of conduct, oath of office, etc.)
	**while community ratification may not be required, consultation/engagement and input from community is

COMMUNITY APPROVAL VOTE

What you can expect from a Community Approval Vote Process

- Consistency in process for each vote
- Transparency
- Consultation and engagement prior to vote
- Clarity on how to provide input
- Fairness



What happens next?

Target Date	Activity
November 2023	Community Engagement Sessions complete Revise/refine draft materials of new Election Law and CAV process
Jan 2024	Drafts delivered to Chief and Council - consultation
Feb 2024	Final draft delivered to Chief and Council for approval Target date set for Election Law Vote June 15 th /June 21 st (TBC)
March 2024	Ratification by Chief and Council to send new Election Law to communities for a vote Develop information package explaining proposed changes
April 2024	April 1, Target date for issuing/posting Notice of Vote 1 st Mail out to all off-reserve voters – Information packages Community Meetings – held between April 15 th – April 30 th in each community, as well as Red Lake and Winnipeg
May 2024	2 nd Mail out - all mail in ballots and information packages
June 2024	June 15 th /June 21 st Vote to ratify changes to Election Law
July 2024	Chief and Council announce intention for Fall General Election Develop information package explaining proposed change
August 2024	Notice of Nomination posted in communities by August 1 st
September 2024	Nomination Day for each community; Sept 1,2,3 1 st Mail out to all off-reserve voters – Information packages & Community Meetings
October 2024	2 nd mail out – all mail-in ballots and information packages
November 2024	Target early November for General Election Day

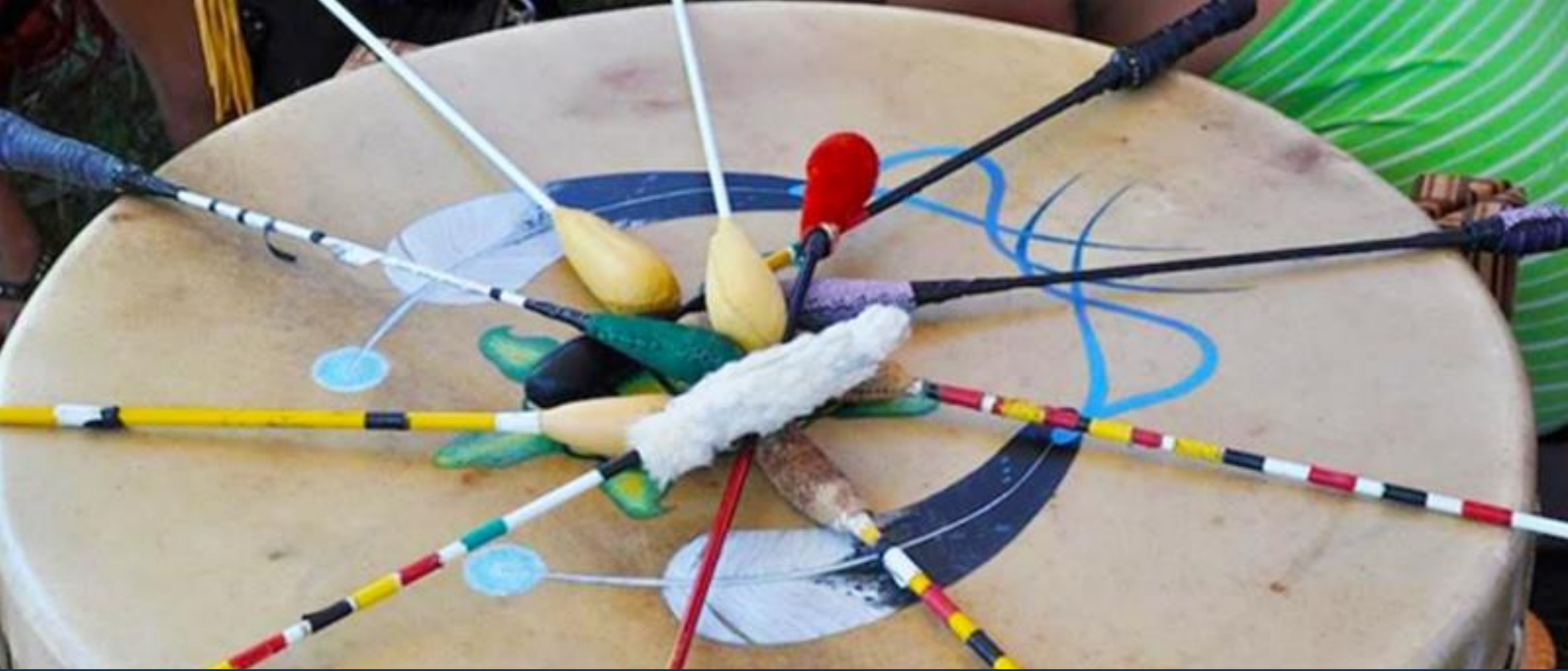
What happens next?

- Opportunities for more feedback and consultation prior to ratification
- We want to hear from you! Complete the survey or contact by email

lsfn.goodgovernance@gmail.com

<https://www.surveymonkey.com/r/R8LFKBJ>





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