

CONSTANCE LAKE FIRST NATION



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ELECTION CODE QUESTIONNAIRE

Feb. 24, 2021

It is recommended that you read the draft Constance Lake First Nation Custom Election Code before starting the questionnaire.

CONSTANCE LAKE FIRST NATION CUSTOM ELECTION LAW

Background:

For 157 years, leadership in First Nation Country has been elected under a law designed by foreigners called “Indian Act “. Since early 1960s, when our people decided to come under the *Indian Act*, Constance Lake First Nation has exercised its administrative jurisdiction by implementing *Indian Act* in selecting their leadership.

In 2021, we ask “Should CLFN have its own Election Law?”, which is the focus of this questionnaire; additionally, you will find some general governance questions. Please note that a First Nations community Code is Law as it must be ratified by the community membership.

If we decide to go with a new custom election code, it means we get to design our own *Custom Election Law* for leadership selection or elections. If at some point in the future, we decide to add to community Governance, this new Election Code would not complicate or stop us from pursuing further self-government processes.

We are lucky to have members who are interested in moving our First Nation forward, and without prejudice, the Community Governance Committee developed a draft *Custom Election Code* for our consideration. It is strongly suggested that every member of Constance Lake First Nation review the Constance Lake First Nation *Custom Election Code* and note any concerns or changes they would like to see you. This questionnaire gives you the opportunity to have input in our draft *CUSTOM ELECTION CODE* on some of changes they would like to see. This questionnaire/survey is open to all interested band members of Constance Lake First Nation. As previously stated, this questionnaire offers members an place to provide input into the design and the development of *CLFN Custom Election Code*, which is set for ratification vote at a later date.

ELECTION CODE QUESTIONS

These questions were identified from draft CLFN Custom Election Code, some questions ask you to AGREE or DISAGREE and some questions ask for a YES or NO, and lastly, some questions ask you for suggestions and recommendations.

1. Are you a Constance Lake First Nation member?
Yes _____ No _____

2. Do you think we should have a Custom Election Code (law)?
Yes _____ No _____

3. In which form should voting occur? (Select ones that you think should apply): _____
 - A) Electronic voting
 - B) In-person Ballot
 - C) Advanced polling stations
 - D) Mail Ballot
 - E) All of the above
 - F) Other – please explain: _____

4. Under Part II, 6.1, should there be limit on number of terms allowed for individual to hold seat/serve on Chief and Council?
I agree _____ I disagree _____

5. If you chose “I agree”, select one of the following number of terms:
2 ___ 3 ___ 4 ___ 5 ___ 6 ___ 7 ___ 8 ___ 9 ___ 10 ___ or other _____

6. In Part II, the draft Custom Election Code suggests four-year term for both Chief and Council.

I agree _____ I disagree _____

7. If you “disagree”, how long do you think the term should be?

2 yrs ____ 3 yrs ____ 4 yrs ____ Other: _____

8. In Part II, 2.0 - of the draft Custom Election Code: Should candidates for Chief and Council have some education and/or life experience?

I agree _____ I disagree _____

9. In Part II, 2.0 of the Custom Election Code it indicates that the CLFN Council will consist of 6 councillors.

I agree _____ I disagree _____

If you “disagree” then select the size of Council you would like to see:

3, ____ 4, ____ 5, ____ 6, ____ 7, ____ 8, ____ 9, ____ 10, ____ 11, ____ 12, ____

10. In Part II, 2.0 of draft Custom Election Code, it indicates Deputy Chief position?

I agree _____ I disagree _____

If you “disagree”, can you suggest what should be done?

If you “agree”, answer 3 questions below:

a) Should it be the Councillor with highest number of votes in any given election?

Yes _____ No _____

b) Should the position be appointed by Council?

Yes _____ No _____

c) Should it be a separate position voted on by the membership?

Yes _____ No _____

Or "Other", Please Explain:

11. Under Part III.16(b), should CLFN request a bid for Electoral Officer?

I agree _____ I disagree _____

If you disagree can you suggest what should done?

12. In Part III, 16(b), the draft Custom Election Code indicates that the Electoral Officer cannot be CLFN member?

I agree _____ I disagree _____

13. Regarding Part V, 50(a), here is a general question, under the present *Indian Act* election system, the position of Chief does not need to be a member of Constance Lake First Nation; however, your draft Custom Election Code indicates that the Chief and Council positions all be held by members of the First Nation?

I agree _____ I disagree _____

14. In Part V, 50(d), of the draft Custom Election Code, it indicates that CLFN employees or administration should not be eligible to be candidates for Chief and Council?

I agree _____ I disagree _____

a) If you "disagree" (allowed), should they maintain their job with pay and function while on Council?

I agree _____ I disagree _____

b) If you "disagree" (allowed), should the candidate resign from their position? Yes _____ or No _____

c) Should the candidate be asked to take a leave from their position?

Yes___ or No___

If “yes”, when?

Once nominated _____ Once elected _____

15. In Part V, 50(a), the draft Custom Election Code indicates that if a candidate is nominated for both positions, the candidate must choose which position they are running for before accepting their nomination?

I agree_____ I disagree_____

16. In Part V, 53, the draft Custom Election indicates that a deposit of \$250.00 is required to accept a candidacy for Chief.

I agree_____ I disagree_____

If you “disagree”, then what amount would you suggest?

\$_____

17. In Part V, 53, of the Custom Election code suggests a deposit of \$100.00 to secure candidate for Council.

I agree_____ I disagree_____

If you disagree, then what amount would you suggest?_____

18. In Part VI, 52, currently under the *Indian Act*, candidates do not have to accept their nomination; therefore, with our new Election Code, should candidates be required to confirm or accept their Nomination?

I agree_____ I disagree_____

19. Regarding Part VII, 74, besides polling stations in CLFN, there should be other polling stations on Election Day?

I agree_____ I disagree_____

If you “agree”, please make suggestion where?

20. In Part IX, 120, the draft Custom Election Code indicates that incoming First Nation Political Officials should swear an Oath of Office once elected?

I agree_____ I disagree_____

21. Part X, 126 of the Custom Election Law indicates that there will be an election appeal mechanism?

I agree_____ I disagree_____

22. Should there be a candidates’ forum prior to an Election?

I agree_____ I disagree_____

General Governance Questions

23. Should general membership meetings be mandatory?

Yes ___ No ___

24. How often would you like to see general membership meetings happen?

Once a month _____ Once every two months _____ Once every three months _____ or Other: _____ (your suggested timeline).

25. Besides the annual audit, should there be more financial reporting?

Yes ___ No ___

If “yes”, what timeline would like to see:

Every 3 months ___ Every 4 months ___ or Every 6 months ___

Thank you/Meegwetch for your participation.

Please return your filled-out questionnaire to reception at the First Nation band office to the attention: Bentley Cheechoo.

OR

E-mail it to: bcheechoo@shaw.ca