

# ATIKAMEKSHENG ANISHNAWBEK RATIFICATION VOTING PROCEDURES



Motion #

APPROVED BY CHIEF AND COUNCIL  
January 29<sup>th</sup>, 2020 Band Meeting



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### ***Definitions***

“Gimaa” means the person elected as Chief.

“Debendaaziwaad” refers to the people of the Atikameksheng Anishnawbek. Those people who are recognized as “those who belong” and are registered with Atikameksheng Anishnawbek.

## **ATIKAMEKSHENG ANISHNAWBEK RATIFICATION VOTING PROCEDURES**

### **Electoral Officer**

Atikameksheng Anishnawbek Administration office shall post a call out to community members to complete this scope of work.

### **Calling a Ratification Vote**

Gimaa and Council shall call a ratification vote, when ratification is required, a minimum of thirty (30) days before the actual day of the ratification vote

Gimaa and Council shall approve and pass an Atikameksheng Anishnawbek council resolution that consists of the following information:

- i. Purpose of the Ratification Vote
- ii. Date of the ratification vote
- iii. Process of voting ( on-line/mail-in/in person)
- iv. ~~The threshold~~ of eligible voters must cast a vote on the issue and the majority of the ballots cast will vote in favour of
- v. Time the polling station(s) are open and closed
- vi. Location of the polling station(s)
- vii. Electoral Officer
- viii. Date, location and time of the required Community Ratification Information Meeting,

Once the Council Resolution is passed a flyer will be sent out and posted on the Atikameksheng Anishnawbek Website informing the registered voters.

### **Voter's List**

A minimum of thirty days before the ratification vote the Administration Department shall provide the voter's list to the Electoral Officer.

The voters list shall be alphabetical and include the following information on Debendaaziwaad:

- A. First, Middle and Last Name
- B. Date of Birth
- C. Atikameksheng Anishnawbek Registry (currently the Band) Number

The Electoral Officer has the authority to make amendments to the voter lists in instances in which proof is provided that a person not on the list is a Debendaaziwaad and in instances in which proof is not provided that a person on the list is a Debendaaziwaad. The proof (or a note indicating lack of proof) will be attached to the Voting Results Report for each name added or removed from the voter's list.

The names of Debendaaziwaad who turn 18 years of age on the day of the ratification vote shall be added to the voter's list.

Electoral Officer shall sign a confidentiality agreement that voter list information will only be shared for the purposes of the vote, and all initial and updated data will be returned to the Administration Office when vote is completed.

### **Address of Debendaaziwaad**

A minimum of thirty days before the ratification vote the Administration Department shall provide the most recent mailing addresses of Debendaaziwaad to the Electoral Officer.

The mailing list shall be provided in a word document, so that the Electoral Officer can add any new addresses or make corrections to the addresses provided. The Electoral Officer shall provide the most up to date mailing addresses to the Administration Department once the ratification vote has occurred.

### **Community Ratification Information Meeting**

Within 20 days of the ratification vote the Gimaa and Council shall call a community ratification information meeting for the Debendaaziwaad 18 years of age and older.

The community ratification information meeting is called to:

- (a) Provide information or update to Atikameksheng Anishnawbek Debendaaziwaad on the matter requiring a ratification vote,
- (b) Seek input on questions or issues prior to the vote; and to
- (c) Set out the voting process.

### **Ballot Preparation**

The Electoral Officer shall prepare the ballot, and initial each ballot on the back.

A minimum of 500 ballots shall be prepared by the Electoral Officer.

### **Voting On Line**

The Atikameksheng Anishnawbek Registry (currently the band) numbers of each Debendaaziwaad who are 18 years of age and older on the date of the ratification vote shall have the opportunity to vote on line.

Online voting shall be available for a minimum of five days before the polling station(s) open and shall close when the in-person polling station closes.

To vote on-line, a Debendaaziwaad must enter her/his 10 digit Registry number to access to the on line ballot plus their first and last name as it appears on their status card.

The software completes a cross reference to ensure the Registry number has only been entered once. Once the cross reference is completed and it is determined that the number has not been previously entered the ballot question shall appear on the screen.

The Debendaaziwaad shall read the ballot and cast their vote. A vote is not cast until s/he has answered the ratification question AND clicked the "submit" button.

On line voting provides the Electoral Officer with an up to date list of Debendaaziwaad who have voted online. The Electoral Officer marks the names that appear on the on-line voter list on the official voter's list in the colour that represents on line voting, prior to polling stations opening.

Once the polling station(s) has/have closed, the Electoral Officer shall print off the tally sheets of the votes that were cast and publically write them on a flip chart for everyone to view.

### **Mail In Ballot**

Debendaaziwaad who are at least 18 years of age and whose postal addresses have been provided by the Administration Department shall receive a mail in ballot package.

The Mail In Ballot package shall consists of the following

- i. Instructions on the voting process by mail in
- ii. Witness Declaration form
- iii. Ballot with the electoral officer's initial's on the back side
- iv. Inner envelope marked "ballot"
- v. Envelope addressed to the Electoral Officer

Mail in ballot packages are to be post marked 25 working days before the ratification vote.

Debendaaziwaad shall mark their ballot with a cross, check mark or any other mark that clearly indicates their vote. Once their vote is cast they are required to place the ballot in the envelope that is marked "ballot", and complete the witness declaration form. Once that is all completed the Debendaaziwaad places all items in the envelope addressed to the Electoral Officer and the Debendaaziwaad is responsible for affixing the appropriate postage and mailing the envelope.

In the event that the ballot is spoiled, the Debendaaziwaad can contact the Electoral Officer for a new mail in package to be mailed to them once the spoiled ballot has been returned to the Electoral Officer.

In the event that a ballot is lost or misplaced, the Debendaaziwaad can contact the Electoral Officer for a new mail in package to be mailed to them once the "lost or misplaced" declaration is completed and returned to the Electoral Officer. The Debendaaziwaad also has the opportunity to vote in person and would have to complete the lost or misplaced declaration form.

Electoral Officer or deputy Electoral Officer shall note on the official voter's list in the colour that represents on mail in ballots received.

Electoral Officer at their discretion may allow Debendaaziwaad to email or fax their ballot with the witness declaration to the Electoral Officer.

## Voting In Person

Electoral Officer shall ensure there is a minimum of two voting booths at the polling station(s) which will provide secrecy for the Debendaaziwaad to cast their vote.

Ten minutes prior to opening of the poll the Electoral Officer and or deputy Electoral Officer shall call upon a Debendaaziwaad that is present to witness that the ballot boxes marked "mail in ballots": and "voting in person" are empty. A seal is placed on the ballot boxes with the initials of the Debendaaziwaad and the Electoral Officer.

The Polling Station(s) shall not open any earlier then 10:00 am and shall remain open a minimum of eight hours to a maximum of ten hours.

The Electoral Officer or Deputy Electoral Officer shall provide a ballot to each Debendaaziwaad who attends to vote, shows their registration card and whose name appears on the official voter's list; and shall mark each of these names on the voter's list in the colour that represents in person voting.

In the event that the Debendaaziwaad name does not appear on the official voter's list the Debendaaziwaad must provide proof of eligibility. Once the proof of eligibility has been confirmed and accepted by the Electoral Officer the name of the Debendaaziwaad is added to the official voter's list and a ballot is provided to the Debendaaziwaad.

The ballot that is provided to each Debendaaziwaad in person shall be returned and verified by the Deputy Electoral Officer prior to being placed in the ballot box by the Debendaaziwaad.

In the event that the Debendaaziwaad ballot is spoiled and they are seeking a second ballot, the spoiled ballot is placed in an envelope and the second ballot shall be recorded on the official voter's list.

Electoral Officer can only vote when there is a tie and the process of casting the tie breaker vote will consist of placing two ballots, each with opposite votes into a hat and the first name pulled by the Electoral Officer shall be the official vote casted.

## Counting of the Ballots

Mail In Ballots are opened during the time the polling station(s) are open and placed on the ballot box marked "mail in ballots".

Once the polls have closed the Electoral Officer shall print the tally sheet for on line voting and post the results publically on flip charts within the polling station.

Once the polling station(s) have closed and all ballot boxes are together the Electoral Officer shall, in the presence of one or more Debendaaziwaad and a member of Council, open all ballot boxes and

1. Unfold the ballots casted
2. Verify the initial are those of the Electoral Officer
3. Count the votes given in favour of and against the ratification question
4. Complete the "counting results form" of the outcome with the signature of the Electoral Officer and a member of Council

The ballots are tallied in the following order:

1. On Line Voting

2. Mail In/Email/Fax Ballots
3. Voting In Person

Within 48 hours of the polling station(s) closing the electoral officer shall:

- i. Prepare a report signed by the electoral officer with the following information
  1. Number of Debendaaziwaad that were eligible to vote
  2. The number of Debendaaziwaad who voted
  3. The number of votes cast in favour of the ratification question
  4. The number of votes cast against the ratification question
  5. The number who voted by means (in-person, mail-in, on-line)
  6. Number of spoiled or rejected ballots
- ii. Prepare the report in triplicate. One copy is submitted to Gimma and Council, the second is posted in the lobby of the Administration Office and the third is filed with the document from the ratification vote

The Electoral Officer shall deposit the ballots used in the voting in a sealed envelope and retain them for thirty days. If there is no call for a review the Electoral Officer destroys the ballots used.

### **Review Procedure**

Any Debendaaziwaad who is 18 years of age or older on the day of the ratification vote can request a review of the ratification vote under one of the two following circumstances:

1. Evidence of a Violation of the Ratification Process, and or
2. Evidence of a corrupt practise in the ratification vote.

A request for a review must be made in writing to Gimaa and Council within 30 days of the close of polls.

Gimma and Council shall determine if a review is required, based on the evidence provided by the person or person requesting the review. The decision to initiate a review lies within the Gimma and Council and is final and binding.

If a review is deemed required the Electoral Officer will provide all necessary documentation to Gimma and Council.