

Long Plain First Nation Custom Election Act - 2017 Referendum Ballot Questions

LPFN ELECTION ACT 2008	2017 PROPOSED CUSTOM ELECTION ACT AMENDMENTS		
1. Definitions Deleted Definitions: Economic Interest, Indictable Conviction Offence, Scrutineer, Simple Majority, Task Force Renamed "Ogema" changed to "Chief", "Oginjigan" changed to "Councillor" and Oginjiganag changed to Councillors.	Do you agree " Band Council Resolution " means the enactment of the Custom Election Act as per referendum results by the Tribal Citizens?	YES	NO
	Do you agree " Candidate Scrutineer " means one (1) person appointed by a Candidate that will only be at the counting on Election Day?	YES	NO
	Do you agree " Bribery " Means the process of offering, giving, receiving, or soliciting something of value for the purpose of influencing the action of another person whether that person is an elector, appointed official or a person seeking office?	YES	NO
	Do you agree two " Election Community Scrutineers " from two different family groupings who have applied and been appointed by the Interview Committee, to ensure the Custom Election Act is being followed?	YES	NO
	Do you agree an Electoral Ethics Commission established to deal with breaches?	YES	NO
	Do you agree that a Tribal Citizen to be 60 years of age to be considered an elder?	YES	NO
	Do you agree that a Tribal Citizen to be between 18 and 30 years of age to be considered " Youth "?	YES	NO
	Do you agree to change the name Task Force to " Custom Election Act Ad Hoc Committee "?	YES	NO
	Do you agree to have Inauguration Protocols include: Declaration of Office, Waiver for Elected Officials, Code of Conduct and Ethics, Oath of Confidentiality, Oath of Office?	YES	NO
2. Composition of Tribal Government Shall consist of One (1) Ogema and (4) Oginjiganag	Do you agree to the wording of One (1) Chief and Four (4) Councillors ?	YES	NO
3. Terms of Office The term is three (3) years	Do you agree to a Four (4) year Term of Office?	YES	NO

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<p>4. Eligibility for The Office of Tribal Government Eligibility Requirements: A Tribal Member has not been disqualified by the Election Act and not convicted for past eight (8) years, complete a clean drug test, must have minimum of Grade 12 or five (5) years' experience or five (5) years' community involvement.</p>	Do you agree that, Long Plain First Nation Tribal Citizens are eligible to be a candidate for the office of Chief or Councillor provided they:	YES	NO
	a. are a minimum of eighteen (18) years of age when they are required to file their Notice of Candidacy?		
	b. have not had a criminal conviction within the past five (5) years, for which a pardon has not been granted?		
	c. are not on the Child Abuse Registry, or Adult Abuse Registry (that includes the Vulnerable Persons Registry Check)?		
	d. must attend and participate in the Candidate Gathering?		
	e. must pay a non-refundable fee of \$250.00?		
	Do you agree that, an Eligible Tribal Citizen that intends to run for office must file a Declaration of Candidacy in person with the Elector Officer no later than 4:30 pm on the third Thursday of March in the year of the General Election; or on the date specified in the Notice of By-Election or Notice of Special Election?	YES	NO
	Do you agree that, The Declaration of Candidacy must include an endorsement by the Nominator and Seconder that states whether the candidate is seeking the office of Chief or Councillor; not both?	YES	NO
	Do you agree that, The Declaration of Candidacy must indicate the eligibility requirement has been met to include:	YES	NO
	a. satisfactory evidence of their age and that they are a Tribal citizen?		
	b. the original returned results of the Criminal Record Check?		
	c. the original returned results of the Child Abuse Registry, Adult Abuse Registry and the Vulnerable Persons Registry Check?		
	d. the original receipt of the \$250.00 non-refundable registration fee from the Long Plain First Nation Finance?		
		Do you agree the checks referred to Eligibility for Office must be dated between December 1 and the second Thursday of March of the year of the General Election; or be no older than three months in the case of a By-Election or Special Election?	YES

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Withdrawal of Candidate: The nominated candidate may withdraw in written form no later than two days after the nomination meeting.	Do you agree that, a Candidate may withdraw in writing to the Electoral Officer, their Declaration of Candidacy no later than 4:30 pm on the day before posting of Candidates by the Electoral Officer?	YES	NO
	Do you agree that a Review of Declaration of Candidacy by Electoral Officer and Deputy Electoral Officers be held to confirm each Declaration of Candidacy was filed on time, was endorsed by Nominator and Seconder for one office, and all eligibility requirements have been met?	YES	NO
5. Campaign Restrictions Candidates are not allowed: campaigning during election hours, personal charge accounts at any of Long Plain businesses, no buying votes in any manner, no contact with the Electoral Officer after Nomination Day, no canvassing during election hours, no campaign posters within 50 yards of polling stations, no loitering at polling stations.	Do you agree that all candidates:	YES	NO
	May Campaign on Rez Radio and pay a fee for advertising?		
	Be allowed to have their campaign signs and poster in designated areas and in the lots associated with residential units?		
	Not campaign during Election Day?		
	Not campaign on Rez Radio on Election Day?		
	Campaign signs, posters, and t-shirts (paraphernalia) are not allowed at LPFN/ADC public buildings/businesses or at polling station on election day?		
	And/or their advocates will not loiter or inconvenience people who may be present at the polling stations?		
	Will not engage in bribery directly or indirectly through their advocates?		
	And/or their advocates will not harass the Electoral Officer, the Deputy Electoral Officer or any LPFN/ADC affiliated employee(s) during the election process?		

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<p>6. By-Elections & Special Elections By-Election can be called within four months before General Election in the event of Vacancy and they shall hold Office for the remainder of the term. Special Election will be called in the event there ceases to be a quorum, within four months of the General Election</p>	Do you agree that, the Electoral Ethics Commission directs the Electoral Officer to call a By-Election or Special Election as required?	YES	NO
<p>7. Electoral Officer Means a person who is a non-Tribal Member not related by blood, marriage/common-law, or adoption to a Tribal Member of the Long Plain First Nation. This person shall be selected by a minimum of 5 interview committee members, pursuant to the provisions of this Election Act and shall govern and conduct the procedures of elections and appeals pursuant to this Election Act.</p>	Do you agree that the Electoral Officer be a Tribal Citizen selected by the Interview Committee to administer the LPFN Custom Election Act?	YES	NO
<p>8. Election Appeal Committee Current Election Appeal Committee consists of three non-tribal citizens: selected by an interview committee, be in place for the remainder of the term, ability to investigate Election Act and Declaration of Office breaches, can recommend elected office has been vacated.</p>	Do you agree that, the Election Appeal Committee consist of three (3) Tribal Citizens from different family groupings selected by the Interview Committee and appointed by the Tribal Government to hear appeals on violations or breaches of the Election Practices of this Custom Election Act?	YES	NO
<p>9. Public Forum Public forum shall be held seven days prior to the election. Candidates may make a presentation.</p>	Do you agree that, a Candidate Gathering be convened where the Candidates are asked questions by a moderator on various governance issues instead of a Public Forum?	YES	NO

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10. Elections Election Notice is to be posted within three (3) days following the nomination meeting; ballots to be mailed to Tribal Citizens; The polling station will be open from 8:00 AM to 8:00 PM with secured ballot boxes; The candidates can have one scrutineer authorized by the electoral officer two (2) days before the election, during the poll; The results are posted two (2) days after the election.	Do you agree that the election notice be posted 5 days after the Declaration of Candidacy?	YES	NO
	Do you agree that each eligible candidate will appoint a scrutineer by filing a written notice with the Electoral Officer 2 days before the Election Day for counting of votes only?	YES	NO
	Do you agree that the Candidate cover the costs of their scrutineer during the counting of votes?	YES	NO
11. Absentee and Advance Voting Absentee/Advance voting shall be meant for those Tribal Members residing away from LPFN and those who expect to be away on the day of voting	Do you agree to “Electronic Voting” or “On-line Voting” as additional option process by which tribal citizens may vote via a cell phone or computer?	YES	NO
12. Election Act Time Line Dates referred within the Election Act are set out in LPFN Election Act Time Line as Schedule “D”	Election Act Time Line Do you agree that the Election Timeline is shortened from 240 days to 47 days?	YES	NO
13. Election Appeals Any candidate or elector has the right to appeal the results of an election within seven (7) days from the date of the election, in writing to the Electoral Officer, along with supporting documentation as to the grounds upon which the appeal is being made, and will include a non-refundable deposit fee of \$100.	Do you agree that the Election Appeal deadline is 2 days after the Election Day?	YES	NO
	Do you agree the Election Appeal Hearing be open to the public?	YES	NO
	Do you agree that in the event of a successful Appeal, the next candidate with the most votes will take office instead of having By- Election for that position?	YES	NO

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<p>14. Vacancy Any office of the Tribal Government becomes vacant when the person who holds office: dies while in office, resigns during his/her term of office, has been absent from any three (3) duly convened meetings of the Tribal Government without the consent of the quorum of the Ogema and Oginjiganag, has been found guilty of corrupt practice in connection with the election pursuant to a decision of the Election Appeal Committee.</p>	<p>Do you agree that the Electoral Ethics Commission will deal with the breaches of Inauguration Protocols, Vacancy and Third-Party Management?</p>	YES	NO
<p>15. Inauguration Ceremony The new Tribal Government shall, in the presence of the Elders and Tribal Members, have a traditional swearing in ceremony within three (3) weeks of the election, swear and sign a Declaration of Office for Elected Officials, a Waiver for Elected Officials, Oath of Office as the Tribal Government, and signed by Commissioner of Oaths A refusal by any elected Ogema and Oginjigan to swear in and sign an Oath of Office, a Declaration of Office for Elected Officials and a Waiver for Elected Officials before Tribal Members shall result in his/her election being annulled and revoked.</p>	<p>Inauguration Protocol Do you agree that elected Council Officials sign the Declaration of Office affirming he/she is drug free and agrees to regulated drug testing throughout their Term of Office?</p>	YES	NO
	<p>Do you agree to allow an Elected Official who tested positive for drugs, the opportunity for intervention, treatment and follow-up within 3 months?</p>	YES	NO
	<p>Do you agree that a refusal by any elected Council Official to swear in and sign Inauguration Protocols shall result in his/her election being annulled and revoked?</p>	YES	NO

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16. Amendment Procedure This Election Act may be amended pursuant to the submission of any proposed amendment(s) by a task force appointed by the Tribal Government.	Amendment Procedure Do you agree this Custom Election Act may be amended pursuant to the submission of any proposed amendment(s) by an Election Act Ad Hoc Committee appointed by the Tribal Government?	YES	NO
	Do you agree that a simple majority of votes cast will support the proposed amendments?	YES	NO
17. Unenforceable Provision	Enactment-Date of Ratification Do you agree that the <i>Long Plain First Nation Custom Election Act</i> be reviewed and amended every 5 years?	YES	NO