

Peguis First Nation Community Ratification Process

Procedural Amendment #1 to Peguis First Nation Community

Ratification document

Section 22 of the Peguis First Nation Community Ratification Process (“CRP”) document dated for reference August 8, 2022, provides that if certain non-substantial variations are required to the procedural requirements of the Peguis First Nation CRP document, such variations may be made in accordance with section 22 of the Peguis First Nation CRP which provides as follows:

Section 22 – Peguis First Nation CRP:

- 22.1 In order to give effect to and carry out the objectives and purpose of the Ratification Vote, the Ratification Officer, Council or its designate and the Verifier may agree upon a variation of the procedural requirements of this Ratification Process if they:
- (a) deem it necessary to do so; and
 - (b) reasonably believe the variation shall not result in any substantive change to those procedural requirements.
- 22.2 The Ratification Officer shall state in writing the nature and basis of a variation under clause 22.1 and make a copy of the statement publicly available.
- 22.3 The appended forms to this Ratification Process may be amended to add or update, but not remove, material detail.

Procedural Amendment #1:

Therefore, in accordance with section 22 of the Peguis First Nation CRP the following procedural amendment #1 is hereby agreed to:

1. Sections 3.7 and 3.9 of the Peguis First Nation Community Ratification Process document is hereby amended to change the word “shall” in each of sections 3.7 and 3.9, to the word “may” as follows:

3.7 An Eligible Voter who intends to vote ~~shall~~ **may** complete a declaration by:

- (a) completing and signing a voter declaration in [Form 9](#) prior to the Official Voting Day;

- (b) appearing in person at the polls and completing and signing a voter declaration in Form 9;
- (c) submitting a Mail-in Ballot, and completing and signing the voter declaration envelope in Form 10 as part of the Mail-in Ballot process; or
- (d) completing the electronic voting process.

Section 3.9 shall read as follows:

3.9 To be valid, a voter declaration ~~shall~~ **may** be received by the Ratification Officer no later than the close of the polls on the Official Voting Day.

2. **Form 8 – Notice of Vote** – is hereby amended as follows:

AND FURTHER TAKE NOTICE that all Members of Peguis First Nation who are 18 years of age or older as of the date of the Official Voting Day of the Ratification Vote are eligible to vote. ~~**PROVIDED THAT SUCH MEMBERS MUST COMPLETE A VOTER DECLARATION FORM OR COMPLETE THE ELECTRONIC VOTING PROCESS.**~~ Voter declaration forms are available from the community website, _____ or _____, Ratification Officer at the address and telephone number appearing below.

~~**ELIGIBLE VOTERS CAN COMPLETE A DECLARATION AT THE POLLS UP TO THE CLOSE OF THE POLLS ON THE OFFICIAL VOTING DAY.**~~

3. **Section 8.4 (e)** – the words, “...*the procedure for completing an Eligible Voter declaration*” are hereby deleted as follows:

8.4 The Notice of Vote shall contain the following information:

~~(e) the procedure for completing an Eligible Voter declaration;~~

4. **Sections 14.8 (b) and (i)** are amended to read as follows:

14.8 To cast an electronic ballot, an Eligible Voter:

b. shall click the link in the e-mail invitation or enter the website address provided which shall automatically load the electronic voting website. The link contains a link to the ballot as well as unique secure authentication credentials specific to the eligible voter. Once the voter casts the ballot the voter is automatically blocked from voting again;

i. shall be provided with a voter receipt which allows the voter to verify their vote was cast as desired;

5. **Sections 14.11** is hereby deleted in its entirety and replaced with the following:

14.11 The Electronic Voting Platform shall:

- (a) be compliant with all Simply Voting System Security policies and procedures as may be amended from time time;
- (b) record the name of the Eligible Voter on the List of Eligible Voters as having declared electronically;
- (c) confirm that the Eligible Voter has not previously voted;
- (d) record on the List of Eligible Voters that the Eligible Voter cast an electronic ballot and the date and time the electronic ballot was received; and
- (e) put the electronic ballot cast by an Eligible Voter into the electronic ballot box.

6. **Section 14.13 (d)** is hereby deleted as Simply Voting does not allow for this to occur:

14.13 (d) Where the Ratification Officer is notified of an issue with the electronic declaration or vote, the Ratification Officer shall contact the Eligible Voter immediately to:

~~(d)if necessary, cancel the unique one-time voter security code and issue a new one-time voter security code; or~~

7. **Section 15.4** is hereby amended to change to the reference to “60” days” to, “35” days instead.

15.4 The Electronic Voting Platform shall be populated with the confirmed List of Eligible Voters at least 35 days prior to the Official Voting Day.

8. **Section 15.9** – Section 15.9 is hereby amended to remove the sentence: “...Individual voting results shall remain secret at all times, shall not be revealed, and shall be encrypted in such a way that it can never be revealed,” and place this sentence into its own separate section – section 15.10:

15.9 Only the Ratification Officer is authorized to post the vote results.

15.10 Individual voting results shall remain secret at all times, shall not be revealed, and shall be encrypted in such a way that it can never be revealed.

9. Section 17.7 (b) is hereby deleted:

~~(b) When a person at a poll requests to vote, the ratification officer shall ensure that the eligible voter completes a declaration document in Form 9 and witnesses the signature.~~

Ratification Officer Statement:

- a) The procedural amendments to **sections 3.7 and 3.9** of the Peguis First Nation Community Ratification Process document make the requirement to fill out the **Voter Declaration Form 9**, optional. In other words, it is not mandatory that an eligible voter, who is voting in person at a polling station, complete the Form 9 Voter Declaration form. Completing the Form 9 Voter Declaration has proven at other community referendum votes, to slow down the voting process and be a cumbersome form to have to fill out when an eligible voter is casting a ballot in person.
- b) **Form 8 – Notice of Vote** – the words referencing the Voter Declaration form having to be completed, have been removed. This wording is unnecessary and will confuse eligible voters who read the Voter Notice now that completing a Voter Declaration for in person voting, is optional (not mandatory).
- c) **Section 8.4 (e)** – deleting section 8.4 (e) “...*the procedure for completing an Eligible Voter declaration*” is necessary as the Notice of Vote is not required to include this wording as the completion of the Voter Declaration Form 9 is now optional for in person voting.
- d) **Sections 14.8 (b) and (i)** - this was amended to reflect the Simply Voting process that is used when a voter casts a ballot on the Simply Voting electronic platform.
- e) **Section 14.11** – Section 14.11 was deleted in its entirety to replace electronic voting procedures and security measures of Simply Voting. The previous wording in this section was tailored to fit the electronic voting procedures and security measures of One Feather voting.
- f) **Section 14.13 (d)** - Section 14.13 (d) was removed as Simply Voting does not include this step in its voting system process.
- g) **Section 15.4** - this section was amended to reduce the 60 day timeline to the 35 day timeline to accommodate the Eligible Voters List to be populated by the online voting service provider.
- h) **Section 15.10** added in – Section 15 was amended to add in reference to section “15.10” and would result in the last part of section 15.9 being removed and replaced

into a separate section 15.10 which was the intention of Peguis First Nation. There is no change to any other sections within section 15.

- i) **Section 17.7 (b)** – the following words have been deleted as the Voter Declaration Form 9 is optional to fill out and prior to amending this section to make it options, it would have been mandatory for the Ratification Officer to have an eligible voter fill out the Voter Declaration form at the poll (where the voter walks in to vote).

This **Procedural Amendment #1** including the above Ratification Officer statement shall be made publicly available (posted on Peguis First Nation website along with the Peguis First Nation CRP).

Chief Stan Bird

Council Designate, Chief Stan Bird

Dwight Wilson

Ratification Officer, Dwight Wilson

Jennifer Copage

Verifier, Jennifer Copage

IN WITNESS WHEREOF this Procedural Amendment No. 1 has been executed by the parties hereto as of the 31 day of August, 2023.

Signature: Chief Stan Bird
Chief Stan Bird (Aug 31, 2023 09:40 CDT)

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Signature: *Jennifer Copage*

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