

September 22, 2023

Treaty One First Nation Joint Reserve Land (Naawł Oodena)

Sagkeeng First Nation Community Ratification Process

Procedural Amendment #1

Section 22 of the Sagkeeng 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 Sagkeeng First Nation CRP document, such variations may be made in accordance with section 22 of the Sagkeeng First Nation CRP which provides as follows:

Section 22 – Sagkeeng 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 Sagkeeng CRP the following procedural amendment #1 is hereby agreed to:

1. Sections 3.7 and 3.9 of the Sagkeeng 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.

3.8 An Eligible Voter may complete the declaration prior to the posting of the Notice of Vote.

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** – the Notice of Vote is hereby amended to read as follows:

AND FURTHER TAKE NOTICE that all Members of Sagkeeng 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. Section 14.11 – Section 14.11 is hereby amended to change the reference after section 14.11 (f), to: 14.11 (g), (h), (i) and (j) and the letters “(a)”, “(b)”, “(c)”, “(d)”, “(e)” are hereby deleted.

5. Section 15.9 - Section 15.9 is hereby amended to add in reference to section "15.10" and would result in the last part of section 15.9 being moved into a separate section 15.10. Sections 15.9 and 15.10 would now read as follows;

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.

6. 17.7 (b) - Section 17.7 (b) is hereby amended to delete the following in its entirety:

~~(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.~~

7. Section 20.1 - Section 20.1 is hereby amended to delete the words "the Verifier and" so that the new section will read as follows:

20.1 After the close of the polls on the Official Voting Day the Ratification Officer, in the presence of ~~the Verifier and~~ any Eligible Voters who may be present, shall:....".


Ratification Officer Statement:

- (a) The procedural amendments to sections 3.7 and 3.9 of the Sagkeeng 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) Section 14.11 - Section 14.11 was amended to correct the letters after section 14.11 (f) so that the lettering is sequential.

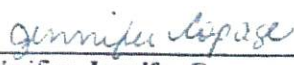
- (e) Section 15.10 added in – Section 15 was amended to add in reference to section “15.10” and would result in the last part of section 15.9 being removed and replaced into a separate section 15.10 which was the intention of Sagkeeng First Nation. There is no change to any other sections within section 15.
- (f) Section 17.7 (b) – the following words have been deleted as the Voter Declaration Form 9 is optional to fill out and this section makes it mandatory for the Ratification Officer to have an eligible voter fill this out at the poll (where the voter walks in to vote).
- (g) Section 20.1 – the following words have been deleted from this section as the Verifier will not be present at the Ratification Vote as the Verifier is in a reduced role and therefore does not need to be in attendance at the Referendum Vote.
- (h) This **Procedural Amendment #1** including the above Ratification Officer statement shall be made publicly available (posted on Sagkeeng First Nation website along with the Sagkeeng First Nation CRP).



Council Designate, **Councillor Dylan Courchene**
Sagkeeng First Nation



Ratification Officer, **Ken Alexander**



Verifier, **Jennifer Copage**

IN WITNESS WHEREOF this **Procedural Amendment No. 1** has been executed by the parties hereto as of the 22nd day of September, 2023.