

Métis Nation Elections Office '98

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Memorandum

DATE: January 15, 1998

TO: Provincial Métis Council, Executive and Métis Nation of Saskatchewan
Local Presidents:

FROM: Earl Pelletier, Chief Electoral Officer

RE: Rules and Regulations governing MNS General Election 1998

In response to numerous queries regarding what rules and regulations govern the 1998 Métis Nation of Saskatchewan's General Elections, it is necessary to clarify what rules and regulations will be implemented in the administration of the 1998 General Election.

Following an in-depth review (by the Métis Elections Commission) of the Election Act 1997 and the validity of its use in the 1998 General Election, the required provisions and procedures as stated in the Election Act 1997 revealed serious obstacles preventing full compliance with the Act. In addition a legal analysis of the Act, the Constitution of the Métis Nation of Saskatchewan and the general developments to date resulted in a legal opinion stating that the Act is not presently in force (see attachment) and as such, the upcoming general election 1998 may be conducted pursuant to the Métis Nation Election regulations as in the past.

Therefore, it was an unanimous decision of the Métis Election's Commission to implement the Metis Nation Election Regulations in the governance and administration of the Métis Nation of Saskatchewan General Elections 1998.

The fundamental principle of the Métis Election Commission is to ensure a fair, democratic and equitable general election, as set out in the Métis Nation Constitution. It is the objective of the Métis Elections Commission to ensure that the stated principle is adhered to.

However, due to timing and budget limitations adherence to the principle may be compromised. Specifically, there will *not be an advanced poll* for the Métis Nation general election. Secondly, the call for a general election left very little time to train local election staff (Deputy Returning Officers, (DRO's) and poll clerks. The finances for training of the local

election staff was specifically removed from the proposed election budget. In this regard, the results of the general election are dependant upon the integrity and experience of the local election staff. I would recommend that the local presidents recruit local election personnel wherever reasonably possible, select DRO's and poll clerks having previous experience in running local poll stations, ex: MNS elections, provincial/federal elections, municipal/civic elections, school boards, etc.

The rate for local election staff is as follows:

- Deputy Returning Officer \$100.00
- poll clerk \$ 75.00

The elections commission can make available a nominal fee of Fifty Dollars (\$50.00), for the rental of poll stations locations, ex: Hall, motel room, town and local offices, etc.

Every effort within reason will be made to ensure that provincial standards are adhered to in respect to the operation and management of local poll stations.

Finally, Article 8 sections of the Métis Nation of Saskatchewan Constitution calls for a poll in each local.

Referring to the fundamental principle of a fair, democratic and equitable general election, this office will receive up-dated Local Membership Lists up to February 06, 1998. However, in compliance with the Constitution and the basic individual right to vote, Métis people who are not on a local membership list and meet other qualifications such as sixteen (16) year and older, etc. will not be denied their right to vote in this general election as such, Declaration of Voter forms will be used and recognized in the MNS general election 1998: This **General Election** is a **Secret vote -ballot box election**. Regarding "membership" refer to **Article 10 CITIZENSHIP section I. Métis** means an Aboriginal person who self-identifies as Métis, who is distinct from Indian and Inuit, and:

- (i) is a descendant of those Métis who received or were entitled to receive land grants and/or Scrip under the provision of the *Manitoba Act. 1870* or the *Dominion Lands Act*, as enacted from time to time: or
- (ii) a person of Aboriginal descent who is accepted by the Métis Nation and/or *Métis Community*.

Local Métis Nation Presidents, I will refer your attention to Regulation 20(XX) of the Métis Nation Election regulations number one (1) in order to assist the deputy returning officer in determining eligibility of voters:

No. 1 - She/he shall, if having reasonable grounds to believe that the elector **may not** be qualified as a member of the MNS, request of that elector sufficient proof such that the elector meets the requirements of citizenship pursuant to the Constitution of the Métis Nation of Saskatchewan; further to this end, the deputy returning officer may require any such elector to produce a Saskatchewan hospitalization card and if upon such request, the Saskatchewan hospitalization

card cannot be produced, the local deputy returning officer can automatically deny that person a vote (ballot).

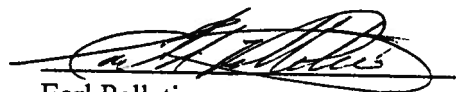
The purpose of the preceding regulation is to assist the local deputy returning officer in ensuring that only eligible Métis participate in the February 21, 1998 General Election.

In closing, the attributes of the Métis are integrity, reasonableness and sense of fair play, it is with this in mind that I am confident that the Métis citizens of Saskatchewan will receive a fair, legal and equitable election. This is not to state that we will be free of problems and situations that I view as challenges and obstacles that need to be met and overcome.

The Métis General Election 1998 will be guided by the Métis Nation Constitution and the Election regulations that were implemented in the last general election. Simply stated the Election 1998's format is similar to our last general election, using the same rules and regulation.

This memo does not attempt to address all issues and question, for further information I can be reached at the above address or telephone number. It is a point of clarification as to what rules govern this election.

Respectfully,



Earl Pelletier
Chief Electoral Officer

cc: Métis Elections Commission