

Information regarding proposed amendments to Bigstone Cree Nation *Election Code*

Bigstone's current *Election Code* was enacted in 2010 as part of the Treaty Land Entitlement / Cows and Plows Settlement. The current Council and past Council's have reviewed the Code and have proposed amendments to the Code in past years.

Currently, two amendments have been proposed by Council.

The first proposed amendment is a reduction in the size of Council from 10 to 6 Councillors. As a consequence of the reduction in the size of Council, there are fewer Councillors that would represent each of the communities of Bigstone, and fewer Councillors required to form a quorum for Council Meetings. A reduction in the size of Council would reduce governance costs, and would make it easier to achieve a quorum in order to do the work required of leadership.

The second proposed amendment is to change the residency requirement to allow the Chief or Councillors to live within a 30 km radius of the reserve or community that they serve. Under the current *Election Code*, the Chief and Councillors must live on reserve. However, a Member who was elected to Council but lived off-reserve challenged this residency requirement in the Federal Court, and the Federal Court declared that the residence requirement – at least for Calling Lake – was discriminatory and “of no force or effect.” Council are proposing this amendment to the residency requirement in the *Election Code* so that the law is both fair and consistent, while still requiring Members who serve on Council to have a close connection to the communities they serve.

These two proposed amendments deal with different parts of the *Election Code*. They will each be voted on separate questions. Depending on how Members choose to vote, it is possible that both, one or the other, or neither proposed amendment will pass.

On April 25th, 26th, and 27th, 2022 information meetings were held in each of Bigstone's communities of Chipewyan Lake, Wabasca-Desmarais, and Calling Lake. At those meetings, leadership presented, along with legal counsel, the two proposed amendments to Bigstone's *Election Code*. At all three information meetings, Members voiced concerns about the number of Councillors representing each of Bigstone's communities if the size of Council was reduced from 10 to 6. Several Members also expressed concern over Council's proposed plan of having a single referendum vote by all Bigstone's Membership combined to make the proposed amendments to the *Election Code*.

Members also referenced Section 21 of the current *Election Code*, which requires a two-step amendment process: First, a 2/3rds majority of members attending a duly convened Membership Meeting within each Bigstone community must vote to approve the proposed amendments. Second, if 2/3 of the members present at those duly convened Membership Meetings vote their approval, then the amendments go to a second vote in a general referendum where the whole Nation votes together. This general referendum requires a majority (1/2, or 50%) vote of approval to make the proposed amendments to Bigstone's *Election Code*.

On May 3rd, 2022, Council reviewed the minutes from these community meetings and carefully considered the feedback received from Membership. In response to the concerns raised, Council have resolved to

follow the two-step voting process that is set out in the current *Election Code*. On May 6th, 2022 Council met to plan Membership meetings for this purpose. There will now be Membership Meetings in:

Wabasca-Desmarais: (7 June 2022, place, 5:00-7:00 p.m.)

Chipewyan Lake: (8 June 2022, place, 5:00-7:00 p.m.)

Calling Lake: (9 June 2022, place, 5:00-7:00 p.m.)

At each of these Meetings, members affiliated to each community will be asked to vote on each amendment to the *Election Code*. If, and only if, 2/3 of the Members who attend at the respective meetings in Calling Lake, Chipewyan Lake, and Wabasca-Desmarais vote in favour of the amendments, then there will be a general referendum vote scheduled.

Notices for the Membership Meetings and Referendum will be posted accordingly. Additional information regarding the proposed amendments, including presentations, the text of the amendments, and copies of the current *Election Code*, are all available through Bigstone's (portal?/website?). Paper copies of this information is also available to Members upon request at (where?).