



Resolution Duly Approved by the
Métis Nation-Saskatchewan
Provincial Métis Council on April 13, 2018
#180413-07

**Amending the *Saskatchewan Métis Elections Act, 2007* and
*Constitution of the Métis Nation – Saskatchewan***

That the Métis Nation – Saskatchewan Provincial Métis Council approves the following resolution and refers it for consideration and ratification at the Métis Nation Legislative Assembly, scheduled April 14, 2018:

WHEREAS the Métis Nation-Saskatchewan Métis Nation Legislative Assembly is enabled, pursuant to Article 8 of the *Constitution of the Métis Nation - Saskatchewan* to enact electoral legislation;

AND WHEREAS such amendments must be registered with the Métis Nation-Saskatchewan Head Office thirty (30) days prior to the sitting of the Métis Nation-Saskatchewan Legislative Assembly, pursuant to Article 2.3 of the *Constitution of the Métis Nation-Saskatchewan*;

AND WHEREAS Gerald Morin, Vice-President of Métis Nation-Saskatchewan, did provide recommendations for amendments to the *Saskatchewan Métis Elections Act 2007*, as amended;

AND WHEREAS the following legislative amendments to the *Saskatchewan Métis Election Act 2007*; as amended, are necessary to enable transparent, efficient and effective functioning of the Métis Nation-Saskatchewan;

AND WHEREAS Section 2 of the *Saskatchewan Métis Elections Act, 2007*, as amended, defines by-election as follows:

“By-election’ means an election to fill a vacancy in the Provincial Métis Council that occurs between general elections”

WHEREAS Section 29(1) of the *Saskatchewan Métis Elections Act, 2007*, provides:

“Where the office of an Executive Member or Regional Representative becomes vacant for any reason after the general election in 2007, the Chief Electoral Officer, on being informed of the vacancy, shall issue a declaration of election for the by-election of a candidate to fill the vacancy, requiring that the election be held as soon as reasonable practicable and not later than six months after the office becomes vacant”

WHEREAS a province wide general election costs approximately \$700,000.00 and the cost of a by-election would be prohibitively expensive;

(Continued on next page)

AND WHEREAS Article 4:7 of the *Constitution of the Métis Nation — Saskatchewan* provides:

"7. Where a vacancy is created for any reason, including death or resignation, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members an interim Executive member, who shall serve until a by-election has been held and the vacancy filled"

AND WHEREAS Article 5:11 of the *Constitution of the Métis Nation — Saskatchewan* provides:

"11. Where a vacancy is created for any reason, including death or resignation, the Regional Council shall elect from the members of the Council an interim Regional representative who shall serve a by-election has been held and the vacancy filled"

NOW THEREFORE BE IT RESOLVED THAT the definition of "by-election" in the *Saskatchewan Métis Election Act, 2007*, be repealed and substituted with the following:

"By-election' means an election to fill a vacancy pursuant to Section 29 of this Act"

FURTHER BE IT RESOLVED THAT Section 29 of the *Saskatchewan Métis Elections Act, 2007* be repealed and the following substituted:

"29(1) Where the office of an Executive Member becomes vacant, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members, an interim executive member and may either:

- (a) Direct the Chief Electoral Officer to issue a declaration of a by-election for the election of a candidate to fill the vacancy as soon as practicable; or*
- (b) Declare that the by-election of the interim Executive Member be postponed until the next general election*

(2) Where the office of a Regional Representative becomes vacant, the Regional Council shall elect from the members of the Council an interim Regional Representative and may either request the Métis Nation Legislative Assembly to:

- (a) Direct the Chief Electoral Officer to issue a declaration of a by-election for the election of a candidate to fill the vacancy as soon as practicable; or*
- (b) Declare that the by-election of the interim Regional Council be postponed until the next general election."*

Dated this 13th day of April, 2018

Moved by: Derek Langan, Eastern Region 2A

Seconded by: Mervin "Tex" Bouvier, Northern Region 3

