

RECOMMENDATIONS FOR AMENDMENTS TO THE KAHNAWAKE ELECTION LAW

Recommendation	Year(s)
Committee of community members should be formed to revise Regulations.	MCK Election Report Recommendations 2000, 2004, 2006
All business/establishments who sell alcohol should refrain from selling during Election Voting Hours 9:00 a.m. – 6:00 p.m.	MCK Election Report Recommendations 2000
Mohawk Registry should be revised to be more reader friendly.	MCK Election Report Recommendations 2000
Election date should be moved to June.	MCK Election Report Recommendations 2000
All reference to Indian Act working should be removed from regulations and replaced with layman terms that reflect the norms and values of Kahnawa'kehró:non.	MCK Election Report Recommendations 2000
Terms of office should be changed from 2 years to 3 years.	MCK Election Report Recommendations 2000
Terms of Office that a Grand Chief or Council Chief may serve should be limited to not more than 3 consecutive terms.	MCK Election Report Recommendations 2000
Verification and timeframe to produce office candidates list should be changed from 7 to 10 working days.	MCK Election Report Recommendations 2000

<p>A clause that addressed an untimely death of a candidate (Chief or Grand Chief) should be considered.</p>	<p>MCK Election Report Recommendations 2000</p>
<p>Recounting of votes should be considered only in the event that there is a difference of 5 or less votes between a successful and unsuccessful candidate.</p>	<p>MCK Election Report Recommendations 2000</p>
<p>Review, revise and further clarify entire Regulations.</p>	<p>MCK Election Report Recommendations 2002</p>
<p>To have an office for the Electoral Officer within the MCK building. To avoid confusion of who is responsible for which task.</p>	<p>MCK Election Report Recommendations 2002</p>
<p>Include experience and expertise of past Electoral Office MCK Election Report Recommendations 2000rs and Electoral Officer Assistants in the revision of the Regulations.</p>	<p>MCK Election Report Recommendations 2002</p>
<p>Take into consideration the recommendation of the Justice of the Peace Josie Curotte in her judgment of the Election appeal.</p>	<p>MCK Election Report Recommendations 2002</p>
<p>MCK in conjunction with Membership needs to define Candidacy Eligibility.</p>	<p>MCK Election Report Recommendations 2004</p>
<p>Restrict candidates from access to ballot counting areas.</p>	<p>MCK Election Report Recommendations 2004</p>
<p>Make “appointment of candidate scrutineer/ representative ” a condition of their candidacy. Candidates must name their scrutineer/ representative no later than “Meet the Candidates Night”.</p>	<p>MCK Election Report Recommendations 2004</p>
<p>Revise deadline for candidates to cancel their nomination. In order to have the ballots printed a minimum 14 days prior to the election. This will allow</p>	<p>MCK Election Report Recommendations 2004</p>

ballot recipients sent by courier, express mail or similar, better scheduling options to return their ballots by 6 pm Election Day.	
Request the use of the Membership Dept. to hold Nomination Day, on permanent basis.	MCK Election Report Recommendations 2004
A candidate who is nominated for 2 positions, make it official that should they fail to declare their candidacy within 48 hours, they will have to declare same – but only at the specially appointed 72 hour session at the Membership Dept. This will present having to go from place to place to complete paperwork.	MCK Election Report Recommendations 2004
Hold advance and special polls to the Saturday before the Election Day.	MCK Election Report Recommendations 2004
Create and advanced poll application form, which would be available the MCK main Building Reception.	MCK Election Report Recommendations 2004
There should be a minimum of 6 counting room with a minimum of 6 people in each.	MCK Election Report Recommendations 2004
Good lighting and PA system at the exterior venue on Election Day.	MCK Election Report Recommendations 2004
Set up a “ballot-counting-conformity” situation, whereby each ballot box filled, from start to finish, would contain exactly 50 ballots. With total 15 ballots, the 6 teams would each process 250 ballots in 5 time efficient rounds. 2 official breaks would enable all teams to finish nearly at the same time.	MCK Election Report Recommendations 2004
Have another ballot box built in order to store the ballots after the ballot counting process and prior to ballot destruction. The box should be large enough to house legal-sized paper, large enough for 1500 ballots.	MCK Election Report Recommendations 2004
Develop a mandate to establish an independent board for elections.	2006

The board should develop a manual for Electoral Officer.	2006
Election Appeals needs to be clarified and ratified.	2006
Appealers (needs to have a criteria)	2006
Can wording sections of the law be consistent with the present Membership Law.	2006
Clarify if cigarette smuggling is considered a crime.	2006
Clear definition of nominator and assistant elector officer.	2006
Change wording “when the person nominated does not meet the eligibility criteria” to say “as verified by the registrar and membership dept.”.	2006
Define non-native person and ordinary resident.	2006
Section 22.6 Reword to “The Election scrutineer will record that an elector has been approved or rejected to receive a ballot to vote.	2006
Section 23.1 Change end of sentence from “within 10 days from the election day” to “a day prior to the election day”.	2006
Can wording “verified with the registrar” be incorporated with these sections 24.7 and 24.8.	2006
Should be another witness other than the Electoral Officer for the voting process.	2006
Is a section required to verify that the elector meets the	2006

eligibility requirements? The Electoral Offer through the registrar or membership department must verify Electors as eligible.	
Should there be an age requirement for section 31.2?	2006
Incumbent Council's term of office does not automatically terminate on a particular date. Two ways to overcome problem 1) a specific and pre-established date can be declared for elections. 2) establish and "Elections Period".	2006
Change all reference to the Mohawk Law to read the Kahnawake Election Law.	2007
Change all references to the Mohawk Registry to read Kahnawake Kanien'kehá:ka Registry.	2007
Change all reference to "50% or more Mohawk blood quantum" to read Four or more great-grandparents who are Mohawk, Oneida, Onondaga, Cayuga, Seneca or Tuscarora as determined by the Kahnawá:ke Membership Law.	2007
Amend section 6.1 © to read must be ordinarily resident of Kahnawake so as to conform the language used in the definition "Ordinarily Resident".	2009
The definition of "Ordinarily Resident" should be changed because of the Court of Kahnawá:ke's decision interpreting that meaning.	2009
Correct section 9.1 © because the "failing which the nomination becomes null and void" does not form part of 9.1 © but rather 9.1. There is a formatting problem.	2009
The rules on how these forms should be filled-in and submitted to the EO have to be further developed.	2009
Amend 15.1 to read must be a member listed on the Kahnawake Kanien'kehá:ka Registry.	2009

Clarify the issue of Mohawk Blood Quantum in Section 15.1 (b)	2009
Correct section 15.1 to read “The six (6) year ban commences only after the sentence has been served in full.	2009
Remove the word “impeachment” in section 16.1 and replace with word “removal from office”. There is not impeachment process in either the Law or Disciplinary Measures Regulations. Also more clarity must be provided with respect to the procedures and powers for holding a by-election.	2009
Remove the words “Mohawk of Kahnawake” from section 21.8 and replace it with the word “Elector”.	2009
Amend section 26.1 (a) to read: must meet the requirements of the Kahnawake Membership Law and be a member listed on the Kahnawake Kanien’kehá:ka Registry	2009
Delete from section 30.1 the words: or, at the request of an affected candidate, where there are ten (10) or less votes separating a candidate who is elected and a candidate who is not so entitles,”	2009
Amend section 30.4 to read: The Electoral Officer, candidates and the candidate’s representatives will have the right to recount any candidate’s votes. A candidate or representative cannot refuse a recount. This section should also be clarified. Can the recount be asked for even if there are more than ten votes separating the candidates?	2009
Section 32.3 should be amended by removing the words “two years” and replacing them with the words “three years”, in order to reflect the three year term.	2009
Correction of the spelling of Kahnawá:ke throughout	2009

the law.	
Create a review body to review the Electoral Officer's decisions with respect to eligibility to run for office and allow a final appeal to the Court of Kahnawá:ke.	2009
Review of the forms attached to the Law.	2009
Create authority with the Law to ratify the Disciplinary Measures Regulations.	2009