

COMMUNITY DECISION-MAKING PROCESS
MOHAWK COUNCIL OF KAHNAWÀ:KE ELECTION LAW
COMMUNITY STAKEHOLDERS CONSULTATION
GOLDEN AGE CLUB
19, Tsothóhrha/December 2017
6:00 PM – 8:30 PM

RECORD OF DISCUSSION

FACILITATORS:

Joe Delaronde (Lead)
Ronald Skye (Co-Facilitator)
Leslie Beauvais (CDMP)

RESOURCE PEOPLE:

Alana Goodleaf-Rice (Lead)
Trina C. Diabo (Technician)

RECORDER:

Katsistohkwí:io Jacco

- ❖ **Opening Address** – Katsistohkwí:io Jacco

- ❖ **Welcome/Respectful Behaviors/Process** – Leslie Beauvais-Skye

- ❖ **Background on Proposed Amendments to the Mohawk Council of Kahnawà:ke Election Law** – Alana Goodleaf-Rice & Trina C. Diabo
 - 1) **Does the community give the Mandate and approve the Purpose to move the proposed amendments to the Mohawk Council of Kahnawà:ke Election Law through the Community Decision Making Process?**

 - 2) **Selection of three (3) Community Representatives to sit on the Technical Drafting Committee.**

- ❖ **Next Steps** – Joe Delaronde & Ron Skye

- ❖ **Closing** – Katsistohkwí:io Jacco

BACKGROUND:

A Draft Mohawk Council of Kahnawà:ke Election Law was completed over the course of the last few months, and was submitted to KLCC in November. The primary goal of these amendments is to have them enacted in time before the 2018 MCK Elections. Most of the changes to the Law are cosmetic. Additions to the Law include a Preamble, Jurisdiction and Purpose, as well as a proposed set date; the first Saturday in July as the Election Day.

The Technical Drafting Committee (TDC) is also proposing that the Electoral Officer be appointed by the Justice Commission rather than be elected. However, it was mentioned that the Justice Commission does not recommend the appointment of the Electoral Officer, but rather set higher criteria of eligibility for the position while maintaining the elected component.

The TDC is also recommending the reason be specified and clarified to the eligibility requirement that a candidate for Chief and Council must declare all their private business holdings. The reasoning behind this is that there has been no specific purpose as to why the MCK or the Electoral Officer required this information. It was noted that in the past, the declaration of private business holdings by potential Chief candidates did not affect any aspect of their eligibility to run for elections. Therefore, it was stated that if this criteria is to remain a part of the Law, it must explicitly state in the Law what the purpose of it is.

The TDC also informed the community that due to the way the Law was structured it made it difficult to change some of the administrative requirements for the implementation of the Law. The regulations in the Law were separated from the body of the Law and placed into a separate regulation section. This will allow for an easier read and if changes are required to the regulations it can be done quicker rather than having to review the whole Law.

Lastly, it is being re-proposed to establish a body to review decisions of the Electoral Officer. This is to ensure that the decisions of the Electoral Officer are being done in an expeditious manner, and a review committee/board will help to quicken the Election process if there is an appeal to the decision of the Electoral Officer.

QUESTION:

Does the community give the Mandate and approve the Purpose to move the proposed amendments to the Mohawk Council of Kahnawà:ke Election Law through the Community Decision Making Process?

Discussion:

- Are we approving the Scope?
No, it is the TDC who is going to determine and approve the Scope. This quickens the process because it is an amendment to an existing Law.
- Is the Scope changing because of the Justice Commission's letter?
No, the Scope does not change. The issue of Justice Commission's letter will be addressed at the First Hearing in the New Year.

- Are these amendments trying to be passed before the 2018 elections?
Yes.

Outcome:

- **The Mandate was given and the Purpose was approved to move the proposed amendments to the Mohawk Council of Kahnawà:ke Election Law through the Community Decision Making Process.**

Consensus Reached

Parking Lot Item(s):

- A community member raised the issue of the possible reduction of 12 Chiefs to 9 Chiefs to be elected into Chief and Council. The main reason was concerning the budget of the MCK, and it was stated that the reduction in the number of Chiefs would save the organization a significant amount of money. The community member was advised that he can raise this issue at the First Hearing in the New Year.

Selection of three Community Representatives

Discussion:

- Are MCK employees allowed to sit on the TDC as a Community Representative?
No, MCK Employees are not permitted to be a part of the TDC as Community Representatives.
- If four or five people would like to sit on the TDC, is that permitted?
No, it is usually limited to three Community Representatives.
- Peggy Mayo-Standup expressed her interest in being a community representative on this Law but was not present to confirm or accept the responsibility.
- Jo-Ann Patton volunteered to be a part of the TDC as a Community Representative until the First Hearing, at which time she will step down.

Consensus Reached

Outcome:

- Jo-Ann Patton was accepted as the Community Representative to the MCK Election Law.
- Additional Community Representatives will be selected at the First Hearing.
- It was later clarified that MCK Employees are permitted to be a part of the TDC as Community Representatives, with the exception of those in managerial positions.

FINAL OUTCOME: The Mandate was given and the Purpose was approved to move the proposed amendments to the Mohawk Council of Kahnawà:ke Election Law through the Community Decision Making Process. One Community Member was selected to sit on the Technical Drafting Committee as a Community Representative.

FINAL MINUTES

Mohawk Council of Kahnawà:ke Election Law – STAKEHOLDERS CONSULTATION

Approved by:

Alana Goodleaf-Rice, Proponent

Date

Trina C. Diabo, Technician

Date