



An Update from the Electoral Commission

Date: January 19, 2024

We wish to provide some additional information regarding the Electoral Commission process to fill the vacant seat on Nexwsxwníwntm ta Úxwumixw (Council).

About the Electoral Commission

The Electoral Commission was established in 2015 as an independent institution of the Nation to oversee fair and transparent elections and referendums. It is made up of seven voting members, two alternates, and one non-voting member. Each seat represents a particular region or demographic of the community.

The role of the Electoral Commission is to uphold the Election & Referendum Law, which was approved by Skwxwú7mesh Membership on December 6, 2018.

The Election & Referendum Law

The Election & Referendum Law states in Section 2.4.2 that the runner up, as voted by Membership in the last general election, will be contacted by the Electoral Commission to confirm if they remain eligible and wish to swear the oath of office to assume the vacant seat.

Deborah Baker was the runner up in the last general election and provided the necessary notarized documentation to confirm she met the eligibility qualifications listed in Section 2.3.1 of the Election & Referendum Law.

As she met the eligibility requirements, Ms. Baker was sworn in by the Electoral Commission Chairperson at the Council Meeting on January 18, 2024 and assumed her duties immediately.

By overseeing this process, the Electoral Commission upheld the Election & Referendum Law. **If you are interested in getting involved with the Electoral Commission's work, applications are currently open to fill a new four-year term.** This is your opportunity to contribute to the democratic process and the administration of elections and referendums.

Visit squamish.net/electoral-commission for the application form and more information on how to apply. **The deadline is Friday, February 9, 2024.**

chet kw'enmantúmiyap (we thank you all).

Electoral Commission

Visit squamish.net/electoral-commission to read the full Election & Referendum Law.

Section 2.4.2 First vacancy

If a vacancy occurs in an elected office between regular elections and it is the first vacancy for that elected office during that time period, the runner up for that elected office may, within 30 days after being notified by the commission chairperson of that vacancy, assume that elected office in accordance with section 6.3.1 [Assuming office after an election] if that runner up is still eligible to be a candidate in accordance with section 2.3.1 [Eligibility of candidates].

Section 2.3.1 Eligibility of candidates

(a) Subject to this Law, any Squamish member is eligible to hold any elected office and may be nominated as a candidate for, and continue to hold if elected, that elected office if

(i) that Squamish member

(A) is at least 18 years of age on the general voting day in the election for that elected office,

(B) is in good standing with the Squamish Nation,

(C) is not a commission member or the spouse of a commission member,

(D) has not been appointed as voting personnel or is not a member of the immediate family of someone who has been appointed as voting personnel in the election for that elected office,

(E) is not a nominee for another elected office in the election for that elected office,

(F) has not filed for bankruptcy or, if he or she has filed for bankruptcy, has been discharged from those bankruptcy proceedings for a period of at least two years,

(G) is not mentally or physically incapable of holding the elected office,

(H) has not been convicted of theft, fraud or bribery in any jurisdiction,

(I) has not been convicted of an indictable offence involving sexual assault or assault against an individual under the age of 18,

(J) has not been convicted of any other indictable offence in the previous 10 years, unless as part of his or her defence in those proceedings he or she reasonably argued he or she was exercising an aboriginal right,

(K) has not been charged with an impaired driving offence in any jurisdiction in the previous 10 years,

(L) has not ever been removed from an elected office,

(M) has not been found to have committed an offence under this Law or convicted of an offence under any similar election law or referendum law, and

(N) has not ceased to be a Squamish member, and

(ii) that Squamish member is not engaging in, and has not in the previous eight years engaged in, conduct that is unbecoming a Squamish elected official as defined in section 1.2.1(a)(i) [conduct that is unbecoming a Squamish elected official].

(b) For certainty, a Squamish member who holds an elected office must not, during his or her term in that office, become ineligible to hold that elected office and, if he or she becomes ineligible during that term, is deemed to have resigned from that elected office on the date the event referred to in subsection (a)(i) arises that makes him or her ineligible to hold that office.

(c) If a Squamish Nation employee assumes an elected office, that Squamish Nation employee must resign his or her employment with the Squamish Nation within 30 days after his or her election to that office.