

Schedule "A"  
to 2025 Custom Election Regulations

**BEARSPAW NATION ELECTRONIC VOTING PROCEDURE**

**WHEREAS** the Chief and Council of the Bearspaw Nation wish to outline the Electronic Voting Procedure to be used in the forthcoming 2025 BEARSPAW NATION COUNCIL NOMINATIONS AND ELECTION, pursuant to Bearspaw Nation Resolution No. 2025-BFN-07 (the "Custom Election Regulations") to which this procedure is Schedule "A";

**WHEREAS** this Electronic Voting Procedure outlines the use of voting machines, voting recorders, optical scanning vote tabulators, vote tabulating units or other devices used in an automated vote counting system; and

**WHEREAS** this Electronic Voting Procedure will authorize the form of the ballot and the procedures for voting and counting of votes;

**NOW THEREFORE BE IT RESOLVED:**

That the Electronic Voting Procedure for the 2025 BEARSPAW NATION COUNCIL NOMINATIONS AND ELECTION for one (1) position of Chief and four (4) positions of Councillor shall be as follows:

**1. DEFINITIONS**

- 1.1 **"acceptable mark"** means any mark made by an Elector on a ballot that the voting machine is able to record;
- 1.2 **"automated vote counting system"** means a system that;
  - i. counts and records votes; and
  - ii. processes and stores election results;
- 1.3 **"ballot"** means a single automated ballot card designed for use in an automated vote counting system;
- 1.4 **"ballot override procedure"** means the use, by the Electoral Officer, of a device on a voting machine which causes the unit to accept a returned ballot and count any acceptable marks;
- 1.5 **"blank ballot"** means a ballot that has not been marked or does not contain acceptable marks
- 1.6 **"emergency ballot box"** means a ballot box into which voted ballots are temporarily deposited if the voting machine ceases to function;
- 1.7 **"memory pack"** means a computer software cartridge which plugs into the voting machine and into which is preprogrammed the information necessary to conduct the election and record the votes;
- 1.8 **"over-voted ballot"** means a ballot that contains votes for more Candidates than are to be elected to office;
- 1.9 **"register tape"** means the printed record generated from a voting machine at the close of voting on any given day which shows the number of votes cast;
- 1.10 **"returned ballot"** means a ballot which was inserted into the voting machine, but was not accepted and which was returned to the Elector;
- 1.11 **"secrecy sleeve"** means an open-ended folder or envelope used to cover ballots to conceal any marks made by the Elector on the ballot;
- 1.12 **"voting machine"** means the device into which ballots are inserted, which device scans each ballot and records the number of votes for each Candidate.

## **2. FORM OF BALLOT**

- 2.1 Prior to the opening of the Advance and Reserve Polls, the Chief Electoral Officer shall prepare ballots containing the names of all eligible Candidates in alphabetical order for the positions of Chief and Councillors.

## **3. ELECTION PREPARATION**

- 3.1 The Chief Electoral Officer shall be responsible for requesting the following:
- (a) as many ballots as is required for the purpose of conducting the Election or By-Election, as the case may be;
  - (b) a voting machine and sufficient memory packs for each Polling Station; and
  - (c) ballot boxes, as deemed necessary for each of the Advance and Reserve Polls.
- 3.2 Prior to the opening of the Polling Stations, the Chief Electoral Officer shall cause the following to be delivered to the Deputy Electoral Officer for verification:
- (a) a sufficient number of ballots that shall be counted and documented by the Deputy Electoral Officer;
  - (b) a copy of the official Voters List;
  - (c) necessary materials for the marking of the ballots; and
  - (d) a sufficient number of directions for voting as is deemed necessary for the Polling Stations.

## **4. PROCEDURES FOR USE OF VOTING MACHINES AT POLLING STATIONS**

- 4.1 The Chief Electoral Officer shall use a different memory pack for each Polling Station.
- 4.2 Immediately prior to commencement of voting at the Advance and Reserve Polls, in the presence of the Deputy Electoral Officer, Appointed Observers/Scrutineers and Electors, the Chief Electoral Officer shall:
- (a) set up the voting machine;
  - (b) cause the voting machine to print a copy of all totals in its memory pack and ensure that such totals on the voting machine indicate zero;
  - (c) sign the voting machine printout report when the totals indicate zero; and
  - (d) program the voting machine to return all:
    - i. blank ballots;
    - ii. over voted ballots; and
    - iii. ballots that have been incorrectly printed, cut or which have been inserted into a voting machine in such a way that the voting machine is unable to identify an acceptable mark on the ballot; and
  - (e) program the voting machine to print out a message outlining the reason for each returned ballot.
- 4.3 Prior to voting being conducted at each Polling Station, the Chief Electoral Officer shall in the presence of the Deputy Electoral Officer, Appointed Observers/Scrutineers, and Electors present, cause the voting machine to provide an audit report to review the total number of voters and the LCD display on the voting machine and memory pack, and confirm that the voting machine was not turned on after the close of the last Polling Station.
- 4.4 The voting machine and memory pack shall be set to begin tabulating votes at each Polling Station.
- 7.1 The Chief Electoral Officer shall ensure that the voting machine clock has an accurate starting and finishing time recorded.

## **5. TRANSPORTING OF VOTING MACHINE AND MEMORY PACK**

- 5.1 Following the closure of each Polling Station, the Chief Electoral Officer shall, in the presence of the Deputy Electoral Officer and Appointed Observers/Scrutineers, review the total number of voters and the LCD display on the voting machine and the memory pack to ensure that they match.

## **6. VOTING PROCEDURES**

- 6.1 Each person present at a Polling Station for the purpose of voting shall sign, in the presence of the Chief Electoral or Deputy Electoral officer, a sign-in sheet identifying the person in terms of his or her name, signature and Treaty/Status Number. The Chief Electoral Officer or Deputy Electoral Officer shall, if satisfied that the name of such person is entered on the Voters List at the Polling Station:
- (a) initial and provide to the Elector a ballot and a secrecy sleeve; and
  - (b) place in the proper column of the Voters List a mark opposite the name of the Elector;

## **7. MARKING OF BALLOTS BY ELECTORS**

- 7.2 Upon receiving a ballot, each Elector shall:
- (a) immediately proceed to the compartment provided for the marking of ballots which shall be free from observation;
  - (b) place an acceptable mark adjacent to the Candidates selected;
  - (c) place the ballot into the secrecy sleeve; and
  - (d) present the ballot in the secrecy sleeve to the Chief Electoral or Deputy Electoral officer who shall verify the ballot by their initials and shall then insert the ballot directly into the voting machine;
- 7.3 An Elector who inadvertently spoils their ballot paper in such a manner that it cannot be used shall return it to the Chief Electoral Officer or Deputy Electoral Officer whom shall thereupon write the word 'CANCELLED' across the spoiled ballot and preserve the ballot. The Chief Electoral Officer or Deputy Electoral Officer shall then issue the Elector a replacement ballot, and place a mark opposite the name of the Elector indicating that a replacement ballot has been issued and retain the returned ballot in a separate envelope marked for cancelled ballots.
- 7.4 An Elector who receives a ballot and
- (a) leaves the Polling Station without delivering the ballot to the Chief Electoral Officer or Deputy Electoral Officer; or
  - (b) if after receiving the ballot, refuses to vote;
- shall be deemed to have declined their right to vote and shall forfeit their right to vote in the Election or By-Election. The Chief Electoral Officer or Deputy Electoral Officer shall make an entry in the Voters List in the column for remarks opposite the name of such person to show that the person received the ballot paper and declined to vote. In addition, the Chief Electoral Officer or Deputy Electoral Officer shall mark upon the face of any ballots received from the Elector the word "DECLINED" and all ballot papers so marked shall be preserved by the Chief Electoral Officer.
- 7.5 During any period that the voting machine is not functioning, the Chief Electoral Officer shall insert all ballots presented by Electors during that period into the emergency ballot box, and the ballots in that box shall, after the Polling Station is closed, be removed by the Chief Electoral Officer and inserted into the voting machine to be counted;
- 7.6 If no voting machine is used at a Polling Station, the ballots shall be kept in the ballot box provided and shall be counted manually.

## **8. ELECTION TABULATION PROCEDURES**

- 8.1 Immediately following the close of the Reserve Poll, the Chief Electoral Officer shall in the presence of the Bearspaw Band Membership remaining in attendance check the voting machine to:
  - (a) ensure that any ballots in the emergency ballot box are inserted into the voting machine;
  - (b) secure the voting machine so that no more ballots can be inserted; and
  - (c) generate the number of copies as required by the Electoral Officer of the register tape from the voting machine
- 8.2 The Chief Electoral Officer shall count the votes given for each Candidate from the ballots not rejected, count the number of unused ballots, spoiled ballots, and voted ballots, and then declare the results pursuant to paragraph 22.1 of the Custom Election Regulations.