

## Legislative Process Act A.LP.1804

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi dat'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasala.

### **A Document to Ratify the Tsuut'ina Legislative Process Act Within the Tsuut'ina First Nation Lands, Alberta, Canada**

**Enacted on March 12, of 2018 in Tsuut'ina Nation  
Coming Into Force: April 24, 2018**



**Preamble**

WHEREAS the Tsuut'ina Nation Chief and Council desire to make a Act governing Legislative Process on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing aboriginal right under section 35 of the Constitution Act, 1982;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the Nation, and integral to the unique culture, identity, traditions, languages and institutions of the Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

AND WHEREAS: the Tsuut'ina Nation Chief and Council Repeal:

Document LRN.12.14.14.03.CIF Tsuut'ina Legislation Process is hereby Repealed and replaced by this document.

NOW THEREFORE the Tsuut'ina Nation Chief and Council ratify this Act:

Tsuut'ina Legislative Process Act

This Act is approved pursuant to sections 3 and 5.B.2 of the Accountability Code.

Any violations of this Act are to be resolved according to section 9 - Enforcement and Dispute Resolution of the Accountability Code.

## Table of Contents

Preamble .....	2
<b>Definitions .....</b>	<b>4</b>
<b>Purpose, Scope, and Application .....</b>	<b>7</b>
<b>PART 1: Development and Drafting Phase .....</b>	<b>9</b>
Legislative Development Request .....	9
Drafting Committee and LPTS .....	10
Cultural, Spiritual, Tsuut'ina Way of Life Review.....	11
<b>Part 2: Enactment Phase .....</b>	<b>12</b>
Description .....	12
Legal Review Process.....	12
Treaty Review Process.....	13
Stream A and B - Overview.....	13
<b>Introductory Reading - All Streams .....</b>	<b>15</b>
<b>Part 2A – New Document Enactment &amp; Voting Phase .....</b>	<b>16</b>
Part 2A – New Document Enactment & Voting Phase: Stream A Citizen Vote .....	16
Part 2A – New Document Enactment & Voting Phase: Stream B Chief and Council Vote .....	18
Appeal Process .....	18
<b>PART 2B – AMENDMENT/REPEAL OF RATIFIED DOCUMENT PHASE .....</b>	<b>19</b>
Part 2B – Amendment/Repeal of Ratified Documents: Stream A Citizen Vote.....	19
Part 2B – Amendment/Repeal of Ratified Documents: Stream B Chief and Council Vote.....	20
Legislative Process Voting .....	21
<b>Part 3: Coming into Force .....</b>	<b>22</b>
Coming into Force .....	22
Communication .....	22
Administration and Enforcement.....	22
Challenges to Legislation .....	23
Legislation Process Procedural Documents.....	23
Amendments .....	23
<b>Chief and Council Signatory Page.....</b>	<b>24</b>
A. Appendix – FORMS.....	25

## Definitions

**“Accountability”** means being liable for activity or decisions. This includes “yes” or “no” Authority and veto power. Accepting the liability for delegating responsibility of Policy, process and or overall direction of the Nation.

**“Appointed, and Elected Board or Committee Member (s)”** means an individual appointed by Chief and Council to participate as a voting member of a Board or Committee.

**“Approve or Approval”** means to consent, agree to, or endorse.

**“Assign or as assigned”** means to appoint or delegate, or as appointed or delegated.

**“Authority”** means the power or right to determine, control, command or approve.

**“Budget”** means the forecast of planned revenues and expenditures for the Nation, a Program, Department or a Company, for a specific period of time.

**“Chief and Council”** means the duly elected Chief and Council of the Tsuut’ina Nation.

**“Chief Executive Officer” or “CEO”** means the individual assigned by Council that is responsible for the day-to-day oversight of the Nation’s operations.

**“Citizen” or “Citizenship”** means a member of the Tsuut’ina as described by the Tsuut’ina Citizenship Code.

**“Committee or Board”** means a Committee of Council or Members that is accountable for the activities of the Nations Programs or Companies. Further information on specific accountabilities and authorities for each Committee or Board can be found in the applicable Committee or Board Terms of Reference.

**“Company”** means a Nation organization or corporation that exists for the purposes of generating funds for the Nation.

**“Content Provider”** means the person(s) who supply information related to a specific topic.

**“Constitution”** means the law prescribing the exercise of power by the Leaders of the Nation. An assortment of important rules, principles and practices to the governance of the Nation.

**“Council”** means the Chief and each of the Councillors elected by the Nation.

**“Council Portfolio Representative”**

**“Court of Competent Jurisdiction”** means a Court that has the Authority to do a certain act or hear a certain dispute.

**“Declaration”** means a formal or explicit statement, announcement or affirmation that does not create binding obligations.

**“Document”** A piece of written, printed or electronic matter that provides information.

**“Employee”** means a person who works for the Nation in one of its Programs, Departments or Companies for financial or other compensation.

**“Ensure”** means to make certain.

**“Law”** means the system of rules that the Nation recognizes as regulating the actions of its Citizens and may enforce by the imposition of penalties

**“Manager”** means the Department, Program or Company Manager hired as an employee to manage the day-to-day responsibilities of their respective Department, Program or Company.

**“May”** means to take action at one’s discretion and not a requirement.

**“Must, Will, Shall, Required”** means to be obliged or bound by an imperative requirement with no discretion to avoid.

**“Nation”** means the Tsuut’ina Nation.

**“Policy”** means a set of decisions which are oriented towards a long-term purpose or to a particular problem which outlines any and all methods and principles that will be used to achieve its directive.

**“Portfolio”** A group of departments, Programs or companies related to a specific industry, or service within the Tsuut’ina Organizational Structure.

**“Portfolio Liaison Officer ”** means Portfolio Liaison Officers who are employed by the Nation and are accountable for the day-to-day oversight of their respective Portfolio. Portfolio Liaison Officers are responsible to Ensure that their Portfolio Managers adhere to their respective mandate, service delivery and abide by all Tsuut’ina ratified documents.

**“Program”** means a Nation organization or department that is not established with the intention of generating a profit but provides services to Nation Citizens.

**“Repeal”** means the abrogation of an existing law by legislative act.

**“Review”** means to inspect, examine, and discuss.

**“Rule”** means a principle or regulation governing conduct, action or procedure that must be followed.

**“Terms of Reference”** means the document approved by Chief and Council that describes the purpose, authorities, responsibilities, composition, meeting requirements and other information pertaining to a Board or Committee;

**“Transparency”** The extent to which Nation Citizens have ready access to any required financial information about the Nations’ companies, Programs, and departments such as audited financial statements.

**“Tsuut’ina Chief and Council”** means the elected governing body for the Tsuut’ina Nation.

**“Tsuut’ina” or “Tsuut’ina Nation”** means the sovereign Nation previously referred to as the “Sarcee” Nation.

**“Tsuut’ina Citizen”** means a Citizen of the Tsuut’ina who is or who becomes a Citizen under the Tsuut’ina Citizenship Code First Amendment.

## Purpose, Scope, and Application

1. The purpose of this Act is to establish a process which legislation proceeds from a Development and Drafting Phase to a Enactment Phase and Coming Into Force.
2. All documents developed through this process are Tsuut'ina copyright materials.
3. There are three categories for guiding documents ratified through this process identified as follows:
  - (a) First Document Category – Constitution and Declaration;
  - (b) Second Document Category – Laws, Acts, Codes; and
  - (c) Third Document Category – Regulations, Policies, Procedures, Guidelines, Standard Operating Procedures.
4. Developing Tsuut'ina documents through a Tsuut'ina collective Nation Process cultivates integrity, equality, Transparency and Accountability for the overall Nation Governance Structure.
5. We develop Tsuut'ina guiding documents to protect and sustain our Nationhood. Nation hood lands, culture, language, traditions, assets, resources, future generations).
6. This Act applies to:
  - (a) Tsuut'ina Citizens;
  - (b) Tsuut'ina Chief and Council;
  - (c) Tsuut'ina Delegated Authorities (Boards, Commissions, Others);
  - (d) All Tsuut'ina Departments, Programs and Companies; and
  - (e) any other Tsuut'ina entity notwithstanding Section. 9.
7. This Act does not apply to:
  - (a) Tsuut'ina Gaming Limited Partnership;
  - (b) Tsuut'ina Hospitality Limited Partnership;
  - (c) Dit'Onik'Odza Limited Partnership and Guja Nats'iyini'hi Board; and
  - (d) Tsuut'ina Stoney Corrections Society.
8. The Governance Portfolio through the Governance Portfolio Council Representatives, Governance Portfolio Liaison, and the Legislative Procedures Technical Services Department ("LPTS") shall serve as the central body responsible for stewardship of all legislative initiatives of the Nation, and will Ensure initiatives maintain forward momentum through the legislative process, and are brought to a ratification and coming into force phase.
9. In accordance with the Legislative Process Act, LPTS is responsible for all technical duties required such as recordings, archiving, multimedia, writing, facilitation, and traditional protocol for document development in collaboration with all content and enactment bodies.

10. The Governance Portfolio Departments are not responsible for enforcement of ratified documents.



## PART 1: Development and Drafting Phase

### Legislative Development Request

11. The purpose of the Development and Drafting Phase is for the creation of a draft document to be introduced for the enactment and voting phase.
12. An amendment to a ratified document or to develop a new document is initiated from one (1) of the following:
  - (a) Chief and Council Directive;
  - (b) Department Manager submission to Portfolio Liaison Officer to Governance Portfolio Representation for processing;
  - (c) Tsuut'ina Delegated Authority;
  - (d) Board of Directors, Commission, or other Chief and Council Delegated Authority
  - (e) Tsuut'ina Citizen petition with 500 Tsuut'ina Eligible Elector Citizen signatures;
  - (f) Chief and Council Annual Priority Listing; or
  - (g) Priority listing May be revised from as authorized by Chief and Council, or Governance Portfolio Council Representatives
13. The Legislative Development Request Form is completed by the Department Manager, Tsuut'ina Delegated Authority, or Tsuut'ina Citizen and is then submitted to the Portfolio Liaison Officer and Governance Portfolio Representative(s), for addition to the Chief and Council Annual Priority Listing. The Annual Listing shall be forwarded to the LPTS Director for technical planning requirements.
14. A Legislative Development Request Form shall:
  - (a) Describe the document(s) purpose;
  - (b) Identify the main individual(s) who will serve as the contact person;
  - (c) Identify drafting and legislative committees;
  - (d) Recommend content experts for drafting committee;
  - (e) Recommend a legislative stream;
  - (f) Indicate any deadlines or timelines associated with the development; and,
  - (g) Indicate whether direct community outreach is required during the Development and Drafting Phase to determine the document development Budget, direction and goals.
15. Where the Content Provider is a Tsuut'ina Citizen, the written request must be accompanied by a petition signed by a minimum of five hundred Eligible Electors whose names appear on the Tsuut'ina Citizenship list.
16. Where direct community outreach is required to determine direction and goals, LPTS May assist with the outreach when time and resources are available as determined by the LPTS Director.

**Drafting Committee and LPTS**

17. The Drafting Committee must include the following, but is not limited to:
  - (a) A mandatory Council Representative from the respected Portfolio;
  - (b) A mandatory Lead person (Director/Manager/Citizen) requesting the proposed document;
  - (c) Finance Representative, as required;
  - (d) Human Resources Representative, as required;
  - (e) Portfolio Liaison Officer of proposed legislation;
  - (f) Governance Portfolio, Assigned LPTS Tech Writer, and Facilitator;
  - (g) Established Tsuut'ina Delegated Authority; and
  - (h) Elder Citizen at Large, as required.
18. A quorum of three (3) or more elected or appointed Committee members must be present at a drafting session.
19. The quorum needed does not include the LPTS staff, only the participants requested.
20. During the Development and Drafting Phase, the Content Provider(s) and LPTS will work collaboratively to draft the proposed legislation. Drafts are developed, reviewed, exchanged and edited by the Drafting Committee. The collaborative process requires on-going communication and exchanges of drafts of the proposed legislation.
21. LPTS does not conduct or provide minutes for a drafting session. A delegated Minute Taker May be assigned from the Lead person to attend drafting sessions for minutes.
22. Complementary laws, regulations, policies and forms are to be developed concurrently.
23. During the Development and Drafting Phase, LPTS will provide the draft proposed legislation to the Legal Department for assessment and feedback to Ensure that all legal aspects are considered.
24. The Drafting Committee will create a draft Budget for the implementation of the proposed legislation when required.
25. The Drafting Committee will create a draft implementation administration plan of the proposed legislation when required.
26. Respective Council Representatives and Portfolio Liaison Officer(s) are to be part of drafting session for final line by line Review before it is introduced to Chief and Council.
27. A proposed draft must through a General Legal and a Cultural, Spiritual, Tsuut'ina Way of Life Review.
28. After the General Legal and Cultural, Spiritual, Tsuut'ina Way of Life Review, a Briefing Note Form is prepared by the respective PLO/Chairperson and must include:
  - (a) Committee(s) established;
  - (b) Identified inherent right(s);

- (c) Treaty Right(s) Impact;
  - (d) United Nations Declaration of Indigenous Peoples Agreement;
  - (e) Budget Required;
  - (f) Implementation plan; and
  - (g) Committee recommendations.
29. The completed draft and briefing note form is then directed to the Introductory stage and the Council Representative and one Administrator/Delegated Facilitator presents the documents to Chief and Council to begin Part 2A New Document Enactment and Voting Phase - or Part 2B – Amendment of Ratified Documents.

### **Cultural, Spiritual, Tsuut'ina Way of Life Review**

30. A Cultural, Spiritual, Tsuut'ina Way of Life Review is required in Part One and Part Two of the Legislative Process.
31. The Cultural, Spiritual, Tsuut'ina Way of Life Review will cross reference the draft with any of the following, as required:
- (a) Traditional Protocol;
  - (b) Tsuut'ina Teachings, Stories;
  - (c) Tsuut'ina History;
  - (d) Tsuut'ina Language; or
  - (e) Tsuut'ina Traditions, Customs, and Practices.
32. LPTS and the Drafting Committee or Legislative Committee May conduct specific meetings, ceremonies, prayers for a document which involves a variety of dominations and spiritual beliefs such as:
- (a) Traditional;
  - (b) Spiritual;
  - (c) Catholic;
  - (d) Christianity;
  - (e) Anglicanism;
  - (f) Scientology; or
  - (g) Other relevant dominations.

## Part 2: Enactment Phase

### Description

33. The purpose of the Enactment Phase is for Chief and Council, and the Citizens where required, to consider, discuss, debate and amend the proposed legislation. At the end of the Enactment Phase, the proposed legislation proceeds to the Voting Phase.
34. There are two parts of the Enactment Phase and within the parts there are two voting streams A and B:
  - (a) Part 2A- New Document Enactment and Voting Phase
    - i. Stream A proposed legislation requires Citizen approval through a Citizen Vote; and
    - ii. Stream B proposed legislation does not require Citizen approval and is voted on by Chief and Council only.
  - (b) Part 2B – Amendment/Repeal of Ratified Documents
    - i. Stream A proposed legislation requires Citizen approval through a Citizen Vote; and
    - ii. Stream B proposed legislation does not require Citizen approval and is voted on by Chief and Council only.

### Legal Review Process

35. The role of the Legislative Legal Counsel is not to develop the document, nor determine what the Policy should be, but to give legal advice on proposed legislative and non-legislative document solutions.
36. Legislative Legal Counsel May provide legal advice to explore the objectives of the proposed document to determine what is legally permissible, or May be challenged through internal or external judiciary systems.
37. If a Law is needed, it is the role of the Legislative Legal Counsel and the Legislative Technical Writer to assist the content experts and relevant departments with the legal aspects of the document and assess the workability of the proposed scheme, while ensuring that final decision-making rests with the Chief and Council.
38. Legislative Legal Counsel Ensures that the proposed law is worded consistently with other Tsuut'ina Nation laws, and is not in conflict with other Laws or Policies.
39. Legislative Legal Counsel advises on potential problem areas with proposed Laws or Policies.
40. Legislative Legal Counsel assists the Nation to consider potential enforcement issues and how the proposed law can best be enforced, usually with reference to enforcement schemes in other International, Federal and/or Provincial Statutes.

41. Legislative Legal consults with other departments of the Nation that will be affected by the proposed document.

### **Treaty Review Process**

42. A Treaty Review May be requested if required, wherein the document is sent to the Treaty Initiatives department to Ensure our Treaty rights are protected.

### **Stream A and B - Overview**

43. The New Document Enactment Stream A includes several distinct steps as follows:
- (a) Stream A – Citizen Vote proposed legislation:
- i. Introductory Reading
  - ii. First Reading
    - Line by Line Legislative Committee First Reading and Legislative Committee proposed amendments
    - First Citizen Review
    - Legislative Legal and Cultural Review
    - Legislative Committee Approval or Non Approval of Amendments
    - LPTS prepares Amendment Report – Citizen Letters
  - iii. Second Reading
    - Citizens Review of Amendment Report
    - Appeal for First Reading Amendments Process
    - Legislative Committee Second Reading
    - Legislative Legal and Cultural Review
    - Nation General Legal Counsel Review
  - iv. Third Reading
    - Chief and Council Condensed Review and Amendments
    - Legal Review
    - Cultural Review
    - Legislative Committee Amendment Approval
    - Nation General Legal Counsel Review
  - v. Final Reading and Approval
    - (1) Chief and Council Final Review
    - (2) Chief and Council Accept Document
    - (3) Citizen Vote
- (b) Stream B – Chief and Council Vote proposed legislation:
- i. Introductory Reading
  - ii. First Reading
    - Chief and Council or Legislative Committee Line by Line First Reading
    - Legislative Legal Review

## iii. Amendment Reading

- Chief and Council or Legislative Committee First Reading Amendment approval and new amendments collected
- Legislative Legal Review
- Chief and Council or Legislative Committee Amendment Approval

## iv. Final Reading and Approval

- Chief and Council Review – No amendments
- Chief and Council Ratification Vote

## Introductory Reading - All Streams

44. The first step in the Enactment Phase is the Introductory Reading.
45. The purpose of the Introductory Reading is to introduce the proposed legislation to Chief and Council. The Introductory Reading is not a comprehensive Review of the proposed legislation.
46. At the Introductory Reading, the Council Representative and one Administrator/Delegated Facilitator presents proposed documents to Chief and Council to begin Part 2A New Document Enactment and Voting Phase - or Part 2B – Amendment of Ratified Documents.
47. The introduction of the proposed legislation shall include:
  - (a) Briefing Note and content that was prepared by the PLO/Chairperson in Part One of Development and Drafting;
  - (b) Legislative Process Summary;
  - (c) Draft of proposed Legislation; or
  - (d) Other applicable documentation.
48. When a Council Rep is introducing legislation to the Enactment and Voting Phase, Chief and Council must direct:
  - (a) Whether Chief and Council, Delegated Authority (*Board, Commission, Other*), or Legislative Committee shall enact the document;
  - (b) Legislative Committee, if required;
    - I. Portfolio Council Rep – 1 mandatory;
    - II. Governance Council Rep – 1 mandatory;
    - III. Portfolio Liaison Officer;
    - IV. Citizen at large;
    - V. Legal Rep, if required;
    - VI. CEO, if required, if required; and
    - VII. Finance Rep, if required.
49. At the end of the Introductory Reading:
  - (a) Chief and Council shall direct the enactment stream for the proposed legislation;
  - (b) Chief and Council must delegate a Legislative Committee if required;
  - (c) The Chairperson will set the date for the Comprehensive Reading of the proposed legislation.

**Part 2A – New Document Enactment & Voting Phase****Part 2A – New Document Enactment & Voting Phase: Stream A Citizen Vote****First Citizen Reading**

50. The Legislative Committee performs a line by line physical reading of the proposed legislation, and discuss or debate the proposed legislation, and then May make amendments to the proposed legislation.
51. The Citizens perform a line by line physical reading of the proposed legislation, and discuss or debate the proposed legislation, and then May make amendments to the proposed legislation. The first reading May be held through different types of activities with the Citizens.
52. LPTS is responsible for organizing and overseeing Citizen Review activities. LPTS May request that the Content Provider assists with the Citizen Review activities.
53. Citizen Review activities May include:
  - (a) Community meetings;
  - (b) Elders' meetings and visits;
  - (c) Youth meetings;
  - (d) Distributing informational pamphlets about the proposed legislation; and
  - (e) Such other activities as required.
54. A threshold of ten (10) percent of Eligible Elector Citizen's must be met for engagement for the amendment report and first reading completion.
55. LPTS will record all comments and suggested amendments that arise in the First Citizen Review activities and will develop a summary report for the legislative records, and an amendment report to forward to the Legislative Committee, Legislative Legal Review and the Tsuut'ina Cultural and Spiritual Way of Life Review.
56. At the end of the First Citizen Reading activities, a Citizen amendment report is presented to the Legislative Committee for consideration to approve or not approve amendments.

**Second Citizen Reading**

57. The purpose of the Second Citizen Review is to present the Amendment Report that includes first reading amendments only. There is no line by line reading of the document only the amendments are read.
58. Citizens who have made amendments in the first reading shall be informed in writing of amendment approval, or non approval. All non approval letters must include Committee reasoning for non-approval of proposed amendment.
59. Citizens May appeal amendment decisions by writing to the Legislative Committee five (5) business days after date of letter.



60. All appeals must be heard by the Legislative Committee through a private hearing. Further appeals are through the Accountability Code. Appeals must be settled before moving to the next reading.
61. Failure to write to Committee within the time period will result in appeal not being accepted, and the second reading activities shall continue.
62. Second Citizen Review activities are similar to First Citizen Review activities, whereas new amendments other than the first reading amendments are collected.
63. A threshold of ten (10) percent of Eligible Elector Citizen's must be met for engagement for the amendment report and second reading completion.
64. LPTS shall record all comments and suggested amendments that arise in the Second Reading activities and are to develop a summary report for the legislative records, and an amendment report to forward to the Legislative Committee for second reading amendment approvals.
65. Approved second reading amendments are forwarded for Legislative Legal Review and the Tsuut'ina Cultural and Spiritual Way of Life Review.
66. At the end of the Legislative Legal and Tsuut'ina Cultural and Spiritual Way of Life Review , the proposed legislation proceeds to the Nation General Legal Counsel for Review of document, and all reports.
67. General Legal Counsel returns the Legal Review and a condensed Review for Chief and Council is created by LPTS.

#### **Third Reading – Stream A: Citizen Vote**

68. There is no line by line reading of the document only a condensed Review is read by Chief and Council. Chief and Council amendments are collected.
69. Chief and Council amendments are forwarded for Legislative Legal Review and the Tsuut'ina Cultural and Spiritual Way of Life Review.
70. LPTS shall record all comments and suggested amendments that arise in the Third Reading activities and are to develop a summary report for the legislative records, and an amendment report to forward to the Legislative Committee for third reading amendment approvals.
71. General Legal Counsel Reviews the amendments forwarded by the Legislative Committee (LPTS creates amendment report for General Legal Counsel).

#### **Final Reading and Approval**

72. The purpose of the Final Review and Vote is for Chief and Council to consider any amendments arising from the Legal Review and Amendment Readings to finalize the proposed legislation. No further amendments are accepted. Chief and Council Review implementation Budget, delegated Authority required, and vote to accept the document to go to Citizenship vote or recall the document to Part One of the Legislative Process – Development and Drafting.
73. The Citizens vote on the document through the approved Legislative Process Voting guidelines.

74. If the Citizens approved the document, then it proceeds to Part 3 - Coming Into Force (CIF).

### **Part 2A – New Document Enactment & Voting Phase: Stream B Chief and Council Vote**

#### **First Reading**

75. Chief and Council or Legislative Committee perform a line by line physical reading of the proposed legislation, and discuss or debate the proposed legislation, and then May make amendments to the proposed legislation.

76. An amendment report is forwarded for a Legislative Legal Review.

#### **Amendment Reading**

77. First Reading amendments presented to Chief and Council or Legislative Committee for first reading amendment approvals. New amendments are collected at this time.

78. Amendments from second reading are sent to Legislative legal for Review.

79. Amendment Reading amendment report presented to Chief and Council or Legislative Committee for amendment reading approvals.

80. Chief and Council have a final Review and vote. No amendments are collected at this time.

81. If Chief and Council approved the document, then it proceeds to Part 3 - Coming Into Force (CIF)

#### **Appeal Process**

82. In Stream A, Nation Citizens have an opportunity to Appeal First Reading and Second Reading Amendments once amendment report reading is completed and they have a grievance with the decision that Chief and Council or Legislative Committee have made.

83. The grievance process in the Accountability is code is adhered to if the Citizen wishes to use after the Legislative Committee has Reviewed and decided on the their written appeal within the five (5) day deadline.

## PART 2B – AMENDMENT/REPEAL OF RATIFIED DOCUMENT PHASE

84. The Enactment Phase involves several distinct steps as follows:

(a) Stream A proposed legislation:

i. Amendment Reading

- Legislative Committee First Condensed Reading
- Citizen Review
- Legislative Legal and Cultural Review
- Legislative Committee approves Amendments
- Nation General Legal Counsel Legal Review

ii. Final Amendment Reading

- Chief and Council Condensed Reading and Amendments
- Legislative Legal and Cultural Review
- Legislative Committee Approves Amendments
- Nation General Legal Review

iii. Final Reading and Approval

- Chief and Council Final Review and Approval
- Citizens Ratification Vote

(b) Stream B proposed legislation:

i. Introductory Reading

- Chief and Council or Legislative Committee Condensed Reading and Amendments
- Legislative Legal Review
- Nation General Legal Counsel Review
- Chief and Council Amendment Approval

ii. Final Reading and Approval

- Chief and Council Final Review
- Chief and Council Ratification Vote

### **Part 2B – Amendment/Repeal of Ratified Documents: Stream A Citizen Vote**

#### **Amendment Reading**

85. A condensed reading of a ratified Tsuut'ina document is presented to the Legislative Committee for their consideration, discussion, and comment.

86. A condensed reading of a ratified Tsuut'ina document is presented to the Tsuut'ina Citizens and amendments are collected through various activities.

87. Amendment collection is complete when there is a 10% Citizen engagement threshold. Citizen Condensed Reading activities May include:

(a) Community meetings;

- (b) Elders' meetings and visits;
  - (c) Youth meetings;
  - (d) Distributing informational pamphlets about the proposed legislation; and
  - (e) Such other activities as required.
88. LPTS is responsible for organizing and overseeing Citizen Review activities. LPTS May request that the Content Provider assists with the Citizen Review activities.
89. Amendments are forwarded for Legislative Legal Review and the Tsuut'ina Cultural and Spiritual Way of Life Review.
90. Following LLR and TCSWL Review, amendments are presented to Legislative Committee for approval or non approval.
91. Following the amendment approval or non approval the Legislative Committee, all documents are forwarded to General Legal Counsel who provides a Legal Review and a condensed Review for Chief and Council is created by LPTS.

#### **Final Amendment Reading**

92. A condensed amendment report is presented to Chief and Council and amendments are collected.
93. A condensed reading of a ratified Tsuut'ina document is presented to the Tsuut'ina Citizens and amendments are collected through various activities.
94. Amendments are forwarded for Legislative Legal Review and the Tsuut'ina Cultural and Spiritual Way of Life Review
95. Following LLR and TCSWL Review, amendments are presented to Legislative Committee for approval or non approval.
96. Following the amendment approval or non approval the Legislative Committee, all documents are forwarded to General Legal Counsel who provides a Legal Review and a condensed Review for Chief and Council is created by LPTS.

#### **Final Reading and Approval**

97. The purpose of the Final Review and Vote is for Chief and Council to consider any amendments arising from the Legal Review and Amendment Readings to finalize the proposed legislation. No further amendments are accepted. Chief and Council Review implementation Budget, delegated Authority required, and vote to accept the document to go to Citizenship vote or recall the document to Part One of the Legislative Process – Development and Drafting.

### **Part 2B – Amendment/Repeal of Ratified Documents: Stream B Chief and Council Vote**

#### **Amendment Reading**

98. A condensed reading of a ratified Tsuut'ina document is presented to the Tsuut'ina Chief and Council or Legislative Committee and amendments are collected.

99. Amendments are forwarded for Legislative Legal Review then to General Legal Counsel who provides a legal Review and a condensed Review for Chief and Council is created by LPTS.

#### **Final Reading and Approval**

100. The purpose of the Final Review and Vote is for Chief and Council to consider any amendments arising from the Legal Review to finalize the proposed legislation. No further amendments are accepted. Chief and Council Review implementation Budget, delegated Authority required, and vote to accept the document or recall the document to Part One of the Legislative Process – Development and Drafting.

#### **Legislative Process Voting**

101. Citizen Voting on Stream A proposed legislation will be in accordance with the Legislative Process Voting Guidelines.
102. If the Citizens do not vote in favor of Stream A proposed legislation, then Chief and Council May:
- (a) Restart Development and Drafting Phase for the proposed legislation where it is considered worthwhile;
  - (b) Decide not to proceed with the legislation; or
  - (c) Recommend development in the next fiscal year.
103. Chief and Council will vote in accordance with the voting procedures for Chief and Council.
104. If proposed legislation is approved by Chief and Council, then proposed legislation proceeds to the Coming Into Force Phase.
105. If the proposed legislation is not approved by Chief and Council, Chief and Council May restart the Development and Drafting Phase which it is considered worthwhile.

## Part 3: Coming into Force

### Coming into Force

106. The proposed legislation comes into force according to its term or on a date set by Chief and Council if the coming into force date is not specified in the legislation.
107. The Chief will be provided with the original copy of the legislation and will seal the document with the use of the great seal of the Tsuut'ina Nation.
108. Once the original copy of the legislation is sealed, the original copy of the legislation will be forwarded to LPTS who shall maintain all original copies of legislation.

### Communication

109. The Governance Portfolio Liaison Officer shall will forward an electronic copy of the coming into force notice and the sealed document to the First Nations Gazette and to the LPTS Director.
110. The Governance Portfolio Liaison Officer will mail a hardcopy of the coming into force notice and the legislation to:
  - (a) The Prime Minister of Canada;
  - (b) The Attorney General of Canada;
  - (c) The Minister(s) of Indigenous and Northern Affairs Canada;
  - (d) The Premier of Alberta; and
  - (e) The Governor General.
111. The LPTS Director, in conjunction with the Communications Department and the implementing department, will Ensure that the coming into force notice and the legislation are communication to the Citizens by:
  - (a) Posting the documents on the Tsuut'ina website and other applicable social media sites;
  - (b) Posting the documents on Tsuut'ina Nation public building bulletin boards;
  - (c) Distributing information pamphlets with frequently asked questions and contact information;
  - (d) Conducting Elder's or Youth information sessions;
  - (e) Distributing the documents through Portfolio emails; and
  - (f) Providing hardcopies to Citizens upon request.
112. A Community Education Strategy is to be developed when required.

### Administration and Enforcement

113. When proposed legislation is approved or ratified by Chief and Council, Chief and Council will assign the applicable Portfolio Liaison Officer and management department to implement the legislation.

114. The assigned Portfolio Liaison Officer in conjunction with LPTS, will assist management through the process of implementation in partnership with LPTS. The Portfolio Liaison Officer or Manager will forward an implementation Budget Chief and Council for approval, Budget amendment, or change of use of budgeted funds.
115. LPTS will assist with the development of any required forms upon request.
116. The Nation Legal Department will Review any forms developed to Ensure all legal requirements are met.

### **Challenges to Legislation**

117. Challenges to first and second document categories are dealt with through Chief and Council autonomous judicial system such as the Peacemaking Court or a Court of Competent Jurisdiction.
118. Challenges to third document category are resolved through Chief and Council autonomous resolutions such as hearings, dispute resolution committees, or tribunals in accordance with the respective document being challenged.

### **Legislation Process Procedural Documents**

119. The Legislative Process Committee shall approve guidelines or procedural documents for drafting. The Legislative Process Committee consists of the LPTS Council Portfolio Representative(s), Chief Executive Officer, and Portfolio Liaison Officer – Legislative Procedures.

### **Amendments**

120. Amendments to enacted legislation will proceed through the process established by this document.

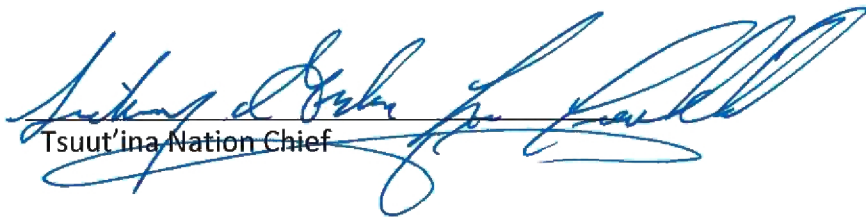
## A. Appendix – FORMS



## Chief and Council Signatory Page

**THIS ACT IS HEREBY** made at this duly convened meeting of the Chief and Council of the Tsuut'ina Nation this 24<sup>th</sup> day of April, 2018.

Voting in favour of the Tsuut'ina Legislative Process Act, as evidenced by signatures, are the following members of the Chief and Council:

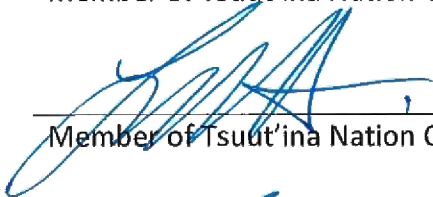
  
Tsuut'ina Nation Chief

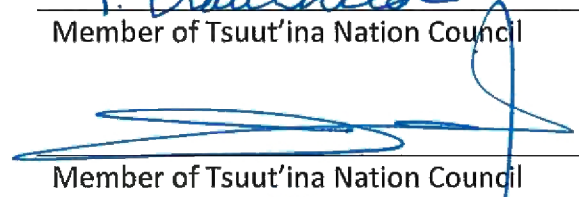
Member of Tsuut'ina Nation Council

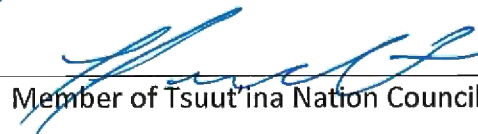
  
Member of Tsuut'ina Nation Council

  
Member of Tsuut'ina Nation Council

  
Member of Tsuut'ina Nation Council

  
Member of Tsuut'ina Nation Council

  
Member of Tsuut'ina Nation Council

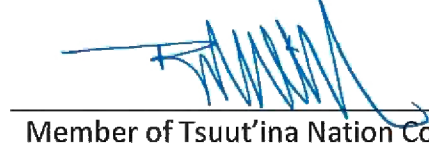
  
Member of Tsuut'ina Nation Council

  
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