



**LAC COURTE OREILLES BAND
OF
LAKE SUPERIOR CHIPPEWA INDIANS**

TRIBAL CODE OF LAW

**TITLE V
ELECTIONS**

TITLE V – CHAPTER 1

ELECTION CODE OF THE LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Preamble

This ordinance is enacted pursuant to the inherent sovereign authority of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians to determine its Tribal leadership which predates its Treaties of 1825, 1826, 1837, 1842, 1847 and 1854 with the United States Government. In the implementation of this inherent sovereign authority, Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians empowers the tribal governing board to “prescribe rules and regulations conducting all subsequent elections.” The Tribal Governing Board duly enacted the Election Code on April 29, 2005 pursuant to Tribal Governing Board Resolution No. 05-29; as amended on May 16, 2005 pursuant to Tribal Governing Board Resolution No. 05-50; as amended on May 29, 2007 pursuant to Tribal Governing Board Resolution No. 07-59; as amended on March 11, 2011 by the Tribal Governing Board at the Lac Courte Oreilles Tribal General Membership Meeting; and as amended on May 27, 2015 pursuant to Tribal Governing Board Resolution No. 15-53.

Table of Contents

SUBCHAPTER 1.1 - INTRODUCTION.

§ 1.101	Title.
§ 1.102	Authority.
§ 1.103	Purpose.
§ 1.104	Effective Date.
§ 1.105	Interpretation.
§ 1.106	Severability and Non-Liability.
§ 1.107	Repeal of Inconsistent Tribal Ordinances.
§ 1.108	Amendment of Election Ordinance.

SUBCHAPTER 1.2 – GENERAL DEFINITIONS.

§ 1.201	General Definitions.
---------	----------------------

SUBCHAPTER 1.3 – ELECTION COMMITTEE AND POLLING SITE WORKERS.

§ 1.301	Election Committee.
§ 1.302	Placement of Election Committee Members.
§ 1.303	Tribal Governing Board Liaison.
§ 1.304	Executive Committee.

- § 1.305 Election Committee Advisor.
- § 1.306 Budget.
- § 1.307 Polling Site Workers.
- § 1.308 Observers.
- § 1.309 Security Officers.

SUBCHAPTER 1.4 – ELECTION POLICY AND PROCEDURE.

- § 1.402 Election Procedure.
- § 1.403 Voting Procedure.
- § 1.403 Posting.
- § 1.404 Campaigning.

SUBCHAPTER 1.5 – ELECTIONS.

- § 1.501 Caucus.
- § 1.502 Nominees Acceptance or Rejection.
- § 1.503 Candidate Prerequisites Prior to Being Placed on the Primary Ballot.
- § 1.504 Primary Ballot Order.
- § 1.505 Primary Election.
- § 1.506 Candidate Prerequisites Prior to Being Placed on the General Ballot.
- § 1.507 General Ballot Order.
- § 1.508 Absentee Ballot Information.
- § 1.509 Certification of Election Results.
- § 1.510 Recounts.
- § 1.511 Challenges.

SUBCHAPTER 1.1 - INTRODUCTION.

§ 1.101 Title.

This ordinance shall be known as the Election Code of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

§ 1.102 Authority.

This ordinance is enacted pursuant to the inherent sovereign authority of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians to determine its Tribal leadership which predates its Treaties of 1825, 1826, 1837, 1842, 1847 and 1854 with the United States Government. In the implementation of this inherent sovereign authority, Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians empowers the tribal governing board to “prescribe rules and regulations conducting all subsequent elections.”

§ 1.103 Purpose.

It is the purpose of this ordinance to:

- (1) Define and regulate elections of the Lac Courte Oreilles Tribe in accordance with the Constitution and By-Laws of the Lac Courte Oreilles Tribe; and
- (2) Establish an orderly election procedure which affords due process of Tribal law to all members of the Lac Courte Oreilles Tribe.

§ 1.104 Effective Date.

The provisions of this ordinance shall be effective on the date adopted by the Tribal Governing Board.

§ 1.105 Interpretation.

The provisions of this ordinance:

- (1) Shall be interpreted and applied as minimum requirements applicable to elections of the Lac Courte Oreilles Tribe;
- (2) Shall be liberally construed in favor of the Tribe;
- (3) Shall not be deemed a limitation or repeal of any other tribal power or authority.

§ 1.106 Severability and Non-Liability.

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The Tribe further asserts immunity on its part and that of its agencies, employees, and/or agents from any action or damages that may occur as a result of reliance upon and conformance with this ordinance.

§ 1.107 Repeal of Inconsistent Tribal Ordinances.

All ordinances and resolutions inconsistent with this ordinance are hereby repealed. To the extent that this ordinance imposes greater restrictions than those contained in any other tribal law, code, ordinance or regulation, the provisions of this ordinance shall govern.

§ 1.108 Amendment of Election Ordinance.

This ordinance can be amended at any time by a majority of the Tribal Governing Board.

SUBCHAPTER 1.2 – GENERAL DEFINITIONS.

§ 1.201 General Definitions.

The following terms, wherever used in this ordinance, shall be construed to apply as follows:

(1) **“Candidate”** means a nominee that has signed the “Acceptance Form” within the three (3) working days allowed pursuant to § 1.502 of this ordinance and satisfied the prerequisite requirements pursuant to § 1.503 and § 1.506 of this ordinance or a write-in candidate who satisfied the prerequisite requirements pursuant to § 1.503 and § 1.506 of this ordinance.

(2) **“Direct Relation”** means a candidate’s mother, father, sister, brother, son, daughter or immediate household companion (in the case where individuals may be common-law companions, and/or have children in the same household).

(3) **“Drug Offense”** unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic or prescription medication for which the person does not maintain a current valid prescription.

(4) **“Election Committee”** means the Committee established on the day of the Caucus as established pursuant to § 1.501 (3) of this ordinance.

(5) **“Enrollment Department” or “Department”** means the enrollment department of the Tribe.

(6) **“Invalid Ballot”** means an official ballot discovered at the time the votes are counted which does not comply with the requirements for voting or is not an official ballot. An “Invalid Ballot” is not counted for determining the number of cast ballots.

(7) **“Meetings”** means the meetings of the Election Committee.

(8) **“Member”** means an individual meeting the membership requirements of and on file as a enrolled with the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(9) **“Mutilated Ballot”** means an official ballot that has been damaged to the extent that it is not possible to determine the choice the voter intended to make.

(10) **“Nominee”** means all persons nominated as candidates for election to the Tribal Governing Board at the time of the Caucus, whether or not personally present.

(11) **“Official Ballot”** means a ballot prepared for use in an election.

(12) **“Polling Sites”** means the designated official polling sites for all Lac Courte Oreilles tribal elections.

(13) **“Spoiled Ballot”** means an official ballot that has been marked in such a way that it is not possible to determine the intent of the voter, a ballot that has not been marked at all, or one that has been marked so as to violate the secrecy of the ballot.

(14) **“Teller”** means members of the Election Committee, other than the Election Committee Chairperson, whom shall preside at the polling sites.

(15) **“Tribal Court”** mean the Lac Courte Oreilles Tribal Court.

(16) **“Tribal Governing Board”** means the Tribal Governing Board of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(17) **“Tribe”** means the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

SUBCHAPTER 1.3 – ELECTION COMMITTEE AND POLLING SITE WORKERS

§ 1.301 Election Committee.

(1) The Election Committee shall be established on the day of the Caucus as established pursuant to § 1.501 (3) of this ordinance, by virtue of nominations by the general membership, and shall be composed of six (6) nominated and elected band members along with one designated member from the Enrollment Department (Enrollment Clerk).

(2) The duties of the Election Committee shall be to develop procedures in accordance with this ordinance and hear and attempt to resolve any grievances and irregularities.

(3) In the event that grievances and irregularities cannot be resolved by the Election Committee, they shall be referred to the Tribal Court for resolution.

(4) The Election Committee shall meet as soon as possible after the Caucus to select a Chairperson.

(5) The Tribal Governing Board has adopted a “Code of Ethics” (Attachment “D”) which governs the conduct of the members of the Election Committee. Each member of the Election Committee shall receive a copy of the “Code of Ethics” and shall be required to sign a copy of such, stating that they have read the “Code of Ethics” and agree to abide by its provisions during their tenure on the committee. The members of the Election Committee are given the same three (3) working day period to sign the Code of Ethics as are the nominees for the Tribal Governing Board. In the event that a member of the Election Committee does not sign the Code of Ethics, they shall be removed from the Election Committee and the Election Committee Alternate shall be asked to fill the position.

(6) If a member of the Election Committee fails to sign the acceptance form, then that member shall be removed from the Election Committee and the alternate (the next highest vote getter) will be asked to fill that position.

(7) No one person shall serve on the Election Committee who is a direct relation of a nominee or candidate.

(a) “Direct Relation” means a nominee’s/candidate’s mother, father, sister, brother, son, daughter or immediate household companion (in the case where individuals may be common-law companions, and/or have children in the same household).

(8) Election Committee Members Pay.

(a) Election Committee members shall be paid a stipend for each meeting of the Election Committee as well as a daily stipend for each Election Day (including primary, general, or recount). The Election Committee member’s stipend amount(s) shall be established by the Tribal Governing Board. Any member of the Election Committee who is an employee of the Tribe or an employee of a tribal entity shall be allowed to receive

release time pursuant to 14 LCOTCL § 1.707 (4); 14 LCOTCL § 4.707 (4); 14 LCOTCL § 5.707 (4); 14 LCOTCL § 7.707 (4); or 14 LCOTCL § 9.708 (4) to attend Election Committee meeting held during normal working hours.

(b) Meals (lunch and/or dinner) for Election Committee Members for Election Day (including primary, general, or recount) shall be provided by the Tribal Governing Board.

(c) Mileage reimbursements shall be provided to Election Committee members upon submission of proper documentation,

(d) Checks for mileage reimbursements and/or compensation for working on Election Day shall be distributed according to Accounting Department policy as established in 14 LCOTCL – Chapter 10 Governmental Fiscal Policies and Procedures.

(9) Election Day Worker Pay.

(a) Election Day Workers shall be paid a daily stipend, as established by the Tribal Governing Board, as Compensation for working on each Election Day (including primary, general, or recount).

(b) Meals (lunch and dinner) for Election Day Workers shall be provided by the Tribal Governing Board.

(c) Mileage reimbursements shall be provided to Election Day Workers as approved by the Election Committee, upon submission of proper documentation,

(d) Checks for mileage reimbursements and/or compensation for working on Election Day shall be distributed according to Accounting Department policy as established in 14 LCOTCL – Chapter 10 Governmental Fiscal Policies and Procedures.

§ 1.302 Placement of Election Committee Members.

(1) Election Committee Chairperson. The Chairperson of the Election Committee shall not be assigned a Teller position but must be available for travel to and from the polling sites to take care of the needs of the Committee Members on duty. The Chairperson shall be responsible for delivering all printed materials to election sites, as well as collecting lunch and dinner orders pursuant to § 1.301 (8) (b) of this ordinance.

(2) Enrollment Department. The designated member of the Election Committee from the Enrollment Department (Enrollment Clerk) pursuant to §1.401 (2) and §1.301 (1) of this ordinance, shall be present in the Enrollment Department during the whole process of the voting procedure, in the event any membership is questioned.

(3) Placement of the Other Members of the Election Committee.

(a) Tribal Administration Building. Three (3) members of the Election Committee shall be assigned to the Tribal Administration Building polling site.

(b) New Post Elderly Center. Two (2) members of the Election Committee shall be assigned to the New Post Elderly Center polling site.

§ 1.303 Tribal Governing Board Liaison.

The Tribal Governing Board shall appoint a Tribal Governing Board Liaison to the Election Committee. The liaison shall be a member of the Tribal Governing Board or their authorized representative. However, he/she cannot be a nominee for that particular election. The purpose of the liaison is to serve as a communications link between the Tribal Governing Board and the Election Committee and serve as part of the Executive Committee pursuant to § 1.304 of this ordinance.

§ 1.304 Executive Committee.

(1) An Executive Committee of the Election Committee shall be automatically established upon the selection of the Election Committee Chairperson, and shall consist of the following three (3) members:

(a) Chairperson of the Election Committee;

(b) Designated member of the Election Committee from the Enrollment Department (Enrollment Clerk); and

(c) Tribal Governing Board Liaison.

(2) The duties of the Executive Committee shall be to handle any urgent problems that may arise, that would not be able to wait for a scheduled meeting of the Election Committee.

§ 1.305 Election Committee Advisor.

The Tribal Attorney shall act as advisor to the Election Committee.

§ 1.306 Budget.

The maximum budget for the Election Committee shall not exceed \$20,000.00. The Chairperson shall establish the budget which shall include: printing, postage, meeting expense, mileage, advertisement, and all election day expenses. The Election Committee Chairperson shall be responsible for presenting a budget to the Tribal Governing Board for approval.

§ 1.307 Polling Site Workers.

Polling site workers do not necessarily have to be members of the Election Committee. They can be hired by the Tribal Governing Board to work at the polling sites on Election Day only, and shall be paid the same rate as Election Committee Members.

§ 1.308 Observers.

Observers shall be selected on the day of the Caucus as established pursuant to § 1.501 (4) of this ordinance, by virtue of nominations by the general membership. Upon the completion of the election process, on the date of the election, the observers shall sign a final statement stating whether or not they have witnessed a properly run voting and tallying process (Attachment “F”). If the statement is not signed and returned to the Chairperson of the Election Committee upon the completion of the election process, it shall be noted that they are in agreement that the process was carried out according to policy. If they are not in agreement that the process was carried out according to policy, the observer must so indicate on the final statement and state their reasons.

§ 1.309 Security Officers.

A written request shall be made to the Lac Courte Oreilles Police Department and/or Conservation Department for three officers to provide security at the polling sites on Election Day. Security officers shall remain with the members of the Election Committee and polling site workers until such time as all ballots have been counted, election results certified, and cast ballots secured. Security officers are not allowed to transmit any premature information regarding the election results over the radio. If they are found doing this, they shall not be paid, they may be subject to disciplinary action, and they shall not be allowed to act as a security officer in future elections.

SUBCHAPTER 1.4 – ELECTION POLICY AND PROCEDURE.

§ 1.401 Election Procedure.

(1) Eligibility. Those members of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians who are, or will be, 18 years of age or older, on or before the day of the election, and meet the necessary membership requirements, pursuant to Title IV, Chapter 1 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law – Enrollment Code, will be eligible to vote on Election Day at designated polling sites as stated in Article IV, § 1 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(2) Eligible Voter List. A computerized listing of all eligible voters will be provided to tellers at the polling sites. The designated member of the Election Committee from the Enrollment Department shall be on duty in the Enrollment Department on Election Day so that the eligibility of any voter can be determined. In most cases this delays the voter by only a few minutes, and otherwise, the voter could be denied the right to vote if the person's name is not on the Eligible Voters List.

(3) Security System. The Election Committee shall be responsible for ensuring the best possible security of cross reference so there are no dual votes cast.

(4) Polling Sites. The following has been designated as the official polling sites for all Lac Courte Oreilles tribal elections:

(a) Tribal Administration Building 9:00 A.M. – 6:00 P.M.

(b) New Post Elderly Center 9:00 A.M. – 6:00 P.M.

(5) Tellers. Members of the Election Committee, other than the Election Committee Chairperson, shall preside at the polling sites as tellers, along with security officer(s) and observer(s). In the event that any member of the Election Committee cannot fulfill their duty, the Alternate with the next highest number of votes shall be asked to fill the position.

(6) Ballot Counting. When the polling site closes at 6:00 p.m., the ballots shall be counted at the polling site. Upon completion, the ballots will be replaced in the ballot box. The ballot box will then be locked and sealed.

(a) New Post Site Only. When the polling site closes at 6:00 p.m., all Election Committee Members/Workers will then be escorted by security to the Tribal Administration Building with the locked and sealed ballot box. Security will lock the ballot box while observers witness process. Security will then hand the key to the Head Teller or Election Committee Chairperson and transport the ballot box along with an observer to the Tribal Administration Building. Absolutely no stops are to be made – all Election Committee Members/Workers are to report directly to the Tribal Administration Building. The ballot box will then be opened and witnessed by observers and then cross

counted by the remaining Election Day Workers. Upon final completion, the ballots will be locked and sealed in the ballot box and then put under lock at the Tribal Administration Building in a secured area. (This process shall be noted and witnessed by security officers and by observers).

(7) Counting Method: The Election Committee shall determine the method by which the ballots are counted so as to ensure an accurate count. All ballot counting will be done in a common room where all observer(s) and security officer(s) shall be present. No one person shall be allowed to exit the room with any ballots, count sheet, or any other written material pertaining to the election results.

(8) Ballot Controversies. Any challenge to a voter's eligibility will be referred to, and settled by, the Election Committee upon completion of the counting process pursuant to § 1.402 (3) of this ordinance. Those present shall be members of the Election Committee and Observer(s).

(9) Distribution of Ballots. The Election Committee Chairperson will distribute a predetermined number of ballots, as determined by the Tribal Governing Board, at the polling site. The Chairperson and a designated Election Committee Member shall certify as to the number of official ballots received by the printer at time of pick up. The ballots shall be secured by lots of two hundred (200) in large envelopes, signed and sealed by each Election Committee Member present at that time. Upon opening an envelope at time of election, the Election Committee Member that has been designated as Head Teller for that site, shall open and verify the number of ballots and sign the envelope in the designated space. Upon receipt of the official ballots from the Election Committee Chairperson, the Head Teller at the site will receive from the Election Committee Chairperson the *Distribution of Official Ballots Certification*, which shall be signed by both the Election Committee Chairperson and receiving Head Teller. (Attachment "A")

(10) Types of Ballots. The following types of ballots are hereby defined as established in 25 CFR § 81.1:

(a) **"Official Ballot"** means a ballot prepared for use in an election.

(b) **"Invalid Ballot"** means an official ballot discovered at the time the votes are counted which does not comply with the requirements for voting or is not an official ballot. An "Invalid Ballot" is not counted for determining the number of cast ballots.

(c) **"Mutilated Ballot"** means an official ballot that has been damaged to the extent that it is not possible to determine the choice the voter intended to make.

(i) A ballot that is mutilated and not cast. A mutilated ballot that has not been cast may be exchanged for a new one. If the need arises to exchange an absentee ballot, no additional time will be provided for the new ballot to be received by the Election Committee.

(ii) A ballot that is mutilated and cast. A mutilated ballot that has been cast shall be counted in the same manner as a 'Spoiled Cast Ballot'.

(d) **"Spoiled Ballot"** means an official ballot that has been marked in such a way that it is not possible to determine the intent of the voter, a ballot that has not been marked at all, or one that has been marked so as to violate the secrecy of the ballot. There are two kinds of "Spoiled Ballots" as follows:

(i) A ballot that is spoiled and not cast. A spoiled ballot that has not been cast may be exchanged for a new one. If the need arises to exchange an absentee ballot, no additional time will be provided for the new ballot to be received by the Election Committee.

(ii) A ballot that is spoiled and cast. A spoiled ballot that has been cast shall be counted in tabulating the total votes cast in conjunction with determining whether the required percentage of the qualified voters has participated in the Election.

§ 1.402 Voting Procedure.

(1) At the Polling Site. The Election Committee Chairperson shall deliver all election material to the tellers by 8:00 a.m. on the day of the election. Voters will proceed as follows:

(a) Tellers will check all voters for membership status. At this time positive identification may be required prior to voting.

(b) All members who wish to vote will sign on the voter's registration list.

(c) Voters will receive the official ballot, take it to the voting booth and mark appropriately, and return it to the ballot box, where an observer will witness the ballot being placed in the ballot box.

(2) Assignment of Tellers.

(a) Teller #1. Check membership status. This shall be done by checking the voters list.

(b) Teller #2. Observe the signing of the registration book. This teller shall sign in each voter with updated address in log book.

(c) Teller #3. Hand out official ballot with the Teller's initial on each ballot. The ballot cannot be initialed in advance, but must be initialed just prior to handing to voter.

(d) Teller #4. Observe ballot being placed in the ballot box and assist voters; i.e. pencils, getting security for other assistance, relieving Teller #1, #2, or #3 for breaks.

(e) Head Teller. A head teller shall be assigned for each polling site. Any teller may be assigned to more than one duty.

(3) Controversial Ballot Procedure. Should a voter's eligibility to vote be challenged, the voter shall proceed as above, except the ballot will be given to the teller in charge of the ballot box. The reason for the controversy shall be stated on the envelope. The teller shall place the ballot in a small envelope, initial the envelope, and seal it. The ballot shall then be placed in the ballot box. The teller shall then inform the voter that the Election Committee shall decide the issue at the same time the ballots are counted after the closing of the polls. This shall be done in the Tribal Administration Building.

(4) Cast Ballots. In the event there are no challenges to the election results, the cast ballots will be destroyed, by means of shredding or burning, four (4) weeks after Election Day. When the election results are challenged and the ballots must be retained until the challenge is resolved, the length of time the ballots are retained prior to shredding or burning will be determined by the Tribal Governing Board.

§ 1.403 Posting.

A copy of this ordinance shall be available in the Tribal Administration Building and a copy shall be provided to any member of the Tribe upon request.

(1) Items to Be Posted. A listing of the candidates shall be posted at designated locations, along with the posters stating the location of the polling site, time polls will be open, and the telephone numbers and person to contact for those voters in need of transportation to the polling site.

(2) Designated Locations. The following business establishments have been designated as the locations to hang posters pursuant to subs. (1) above: Tribal Administration Building, Housing Authority, LCO Commercial Center, LCO Quick Stop, Gaming Enterprises, LCO Convenience Store, LCO-CHC, LCOOS-Waadookodaading, LCO Ojibwe Community College, LCO Head Start – Early Head Start, Reserve Elderly Center, New Post Elderly Center, and WOJB.

§ 1.404 Campaigning.

(1) No campaigning shall be allowed within one hundred and fifty (150) yards of the polling site on the day of election. All campaigning materials that were previously posted in or around the polling site by candidates shall be removed by Election Day Workers. Security Officers shall check periodically to be sure that no new materials are posted.

(2) All campaigning materials shall be removed by the nominee/candidate associated with the campaigning material within thirty (30) days following Election Day. All candidates that fail to adhere to this subs, shall be subject to a citation pursuant to 10 LCOTCL § 2.305.

SUBCHAPTER 1.5 – ELECTIONS

§ 1.501 Caucus.

(1) The Caucus will be held in the month of April of each year, on a date designated by the Tribal Governing Board. At the Caucus, the Tribal Governing Board will receive nominations of eligible members of the Tribe for vacancies on the Tribal Governing Board and election which will be held in the month of June of an election year. Also, at the Election Caucus, the nomination and election of the Election Committee and Election Observers will take place.

(2) Election Caucus Procedure.

(a) Sign-in sheet available at entrance to the location designated by the Tribal Governing Board to hold the Election Caucus.

(b) Call to order – Roll call.

(c) Floor opened for nominations of eligible members of the Tribe for election.

(i) Present name of nominator.

(ii) Nominator names nominee.

(d) Chairman calls three (3) times for any additional nominees before floor is closed for additional nominations.

(e) Names of nominees are placed in a “hat” and drawn out for numeral order on the voting ballot. If a nominee withdraws, then the remainder of nominees will move up in that order.

(f) Floor opens for nominations to fill six (6) positions on the Election Committee.

(i) Present name of nominator.

(ii) Nominator names nominee.

(g) Chairman calls three (3) times for any additional nominees before floor is closed for additional nominations.

(3) Election Committee Voting Procedures. Secretaries shall pass out ballots to all enrolled tribal members present.

(a) Only six (6) votes per ballot. If for any reason the ballot contains more than six (6) votes per ballot, then ballot shall be considered “spoiled” and cast out.

(b) The ballots shall be collected at each table.

(c) The ballots shall be counted and cross referenced with the sign-in sheet to estimate numbers.

(i) Ballots shall be tallied and marked on display chart.

(ii) Six (6) top vote getters are seated on Election Committee.

(iii) Two (2) next highest vote getters are designated as alternates.

(4) Election Observers Voting Procedures. Secretaries shall pass out ballots to all enrolled tribal members present.

(a) The number of Observers for an election is the same number of offices to be filled in the election, i.e. three (3) or four (4). If for any reason the ballot contains more than three (3) or four (4) votes per ballot, the ballot shall be considered “spoiled” and cast out.

(b) The ballots shall be collected at each table.

(c) The ballots shall be counted and cross referenced with the sign-in sheet to estimate numbers.

(i) Ballots shall be tallied and marked on display chart.

(ii) Three (3) or Four (4) top vote getters are seated as Election Observers.

(iii) Two (2) next highest vote getters are designated as alternates.

(5) Chairman adjourns Caucus.

§ 1.502 Nominees Acceptance or Rejection.

(1) All persons nominated as candidates for the election to the Tribal Governing Board at the time of the Caucus, whether or not personally present, shall notify the Election Committee, in writing, within three (3) working days of the day of Caucus, of their acceptance or rejection of their nomination to stand for election (Attachment “C”) and verification that they have satisfied the prerequisites pursuant to § 1.503 of this ordinance (Attachment “I”).

(2) Those that do not sign the “Acceptance Form” (Attachment “C”) and complete the “Prerequisite Certification for Primary Ballot” (Attachment “I”) within the allotted time will automatically be removed as a candidate for election to the Tribal Governing Board.

(3) The nominees are given the same three (3) working day period to sign the Code of Ethics as are the Election Committee members.

§ 1.503 Candidate Prerequisites Prior to Being Placed on the Primary Ballot.

(1) Prior to a person's acceptance of their nomination to stand for election to the Tribal Governing Board, the following prerequisites as determined by the Election Committee shall be met prior to the candidate's "Prerequisite Certification for Primary Ballot" (Attachment "I") being completed:

(a) The prospective candidate shall be a member of the Tribe.

(b) The prospective candidate shall have attained the age of twenty-one (21) years on the date of election.

(c) The prospective candidate shall provide consent for the completion of a comprehensive background check within three (3) working days of the day of Caucus. If a comprehensive background check establishes that a prospective candidate has a record of a conviction of election fraud (or other similar classification substantially corresponding to election fraud) or a felony of any crime in any tribal, county, district, state, or federal court, the Election Committee shall establish that the prospective candidate thereby fails to pass the background check. A prospective candidate that fails to pass the background check shall be prohibited from being placed on the Primary Ballot, unless:

(i) The Election Committee shall provide the prospective candidate with an Election Background Waiver when the prospective candidate establishes that fifteen years or more has passed since the disposition and punishment (including sentencing and probation) of the felony or other serious offense charge as established in subs. (c), above, that has caused the prospective candidate to fail the background check. Any prospective candidate requesting an Election Background Waiver must complete an "Election Background Waiver Petition" which is attached and incorporated as Attachment "L" to this ordinance.

(2) Upon the Election Committee's review of the prerequisites established in subs. (1) above and receipt of the results of the comprehensive background check for each candidate, the Election Committee shall notify the LCO Human Resources Director of whether each candidate has satisfied or failed to meet the prerequisites established in subs. (1) above. The prospective candidate shall call the LCO Human Resources Department five (5) working days from the close of the three (3) working day period allowed pursuant to § 1.502 of this ordinance to learn if they have satisfied or failed to meet the prerequisites established in subs. (1) above.

(3) Tribal Court Challenge to Decision on Meeting Prerequisites. Upon the Election Committee's determination that a prospective candidate has failed to meet the prerequisites established in subs. (1) above, the prospective candidate may file an appeal of the Election Committee's determination in Tribal Court by filing a typed or written statement setting forth the grounds for and evidence supporting the challenge(s) along with the established court filing fee. Any such challenge shall be filed no later than twenty-four (24) hours following the prospective candidate's notification of the Election Committee's determination from the LCO Human

Resources Department. Upon receipt of the filing of the appeal of the Election Committee's determination, the Tribal Court shall provide for a hearing and render a decision within twenty-four (24) hours of the appeal. The decision of the tribal court shall be final and not subject to further appeal.

§ 1.504 Primary Ballot Order.

(1) The names of all nominees shall be drawn from a "hat" and placed in that order on the official ballot, provided the following requirements have been met:

(a) The Nominee has signed the "Acceptance Form" within the three (3) working days allowed pursuant to § 1.502 of this ordinance;

(b) The Nominee has completed the "Prerequisite Certification for Primary Ballot" within the three (3) working days allowed pursuant to § 1.502 of this ordinance; and

(c) The Nominee has received verbal notification from the LCO Human Resources Department that the s/he has satisfied the prerequisites established in § 1.503 of this ordinance; or received an order from the Tribal Court overturning the Election Committee's determination that s/he has failed to meet the prerequisites established in § 1.503 of this ordinance.

(2) In the event that a nominee subsequently withdraws from the Election, the nominees will be moved up in proper order.

§ 1.505 Primary Election.

(1) The Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians requires that elections for the Governing Board occur every two (2) years. Article IV, § 4. In addition, the Tribal Governing Board has been granted the power to "prescribe rules and regulations" for the conduct of all subsequent elections, which includes the authority to require a Primary Election. *See* Article IV, § 3.

(2) Beginning in 2011, if the number of nominated candidates for the Governing Board exceeds twice the number of offices to be filled, then the Election Committee shall conduct a Primary Election. The purpose of the Primary Election shall be to reduce the number of candidates so that the number of candidates does not exceed twice the number of offices to be filled.

(3) Primary Elections shall occur at least thirty (30) days prior to the General Election, and shall be conducted in accordance with the general requirements and procedures applicable to elections conducted under this Election Ordinance.

(4) Only persons who are nominated as candidates for election to the Governing Board at the time of the Caucus and who timely accept the nomination in accordance with the

requirements of this Election Ordinance shall be listed on the ballot for a Primary Election. Write-in candidates shall not be accepted during the General Election but shall be permitted during the Primary Election.

(a) Write-in candidates who receive the necessary votes to be moved to the General Election, must first meet the prerequisites and have a negative drug test pursuant to § 1.503(1)(a)-(c) and § 1.506 prior to being added to a ballot for the General Election. They are further required to sign the Code of Ethics within three (3) working days of the Primary Election.

(5) Candidates from the Primary Election, equal in number to twice the number of offices to be filled in the Election, that receive the greatest number of votes shall be named as candidates in the General Election, subject to meeting all the requirements of § 1.503(1)(a)-(c) and § 1.506.

§ 1.506 Candidate Prerequisites Prior to Being Placed on the General Ballot.

(1) Prior to being placed on the Ballot for the General Election, the prospective candidate must test negative for illegal drugs and prescribed medication for which they do not have a valid prescription for.

(a) The prospective candidate shall undergo testing at the LCO-CHC at the times established for candidate testing for illegal drugs and prescribed medication for which they do not have a valid prescription as a prerequisite requirement for being placed on the ballot for the General Election. The laboratory evaluation of the sample will be carried out by a laboratory that is contracted with the LCO-CHC and is certified by either the College of American Pathologists or the National Institute on Drug Abuse. Such drug tests require laboratory testing as provided by the Mandatory guidelines for Federal Workplace Drug Testing Programs pursuant to 94 FR 28101, May 15, 2015 as amended, as minimum standards for the following five classes of drug and correlative cutoff concentrations: Marijuana; Cocaine; Opiates including opium and codeine derivatives such as Oxycodone, Oxymorphone, Hydrocodone, Hydromorphone; Amphetamines and Methamphetamines including Methylenedioxyamphetamine (MDA) and Methylenedioxyethylamphetamine (MDEA); Phencyclidine (PCP).

(i) In the event of a positive test result, a confirmation test will be performed by a laboratory specified in subs. (a) above, using the original sample (not a new sample). The confirmation test will be based on a different analytical method of higher analytical certainty.

(ii) A prospective candidate who tests positive (upon completion of a confirmation test) for illegal drugs and/or prescribed medication for which they do not have a valid prescription, shall be prohibited from being placed on the ballot for the General Election. The prospective candidate with the next highest votes from the Primary Election will be elevated in the process. This new individual shall meet the same drug testing prerequisites prior to being approved to be placed on the ballot for the General Election.

(iii) A prospective candidate who declines a drug test shall be prohibited from being placed on the ballot for the General Election. The prospective candidate with the next highest votes from the Primary Election will be elevated in the process. This new individual shall meet the same drug testing prerequisites prior to being approved to be placed on the ballot for the General Election.

(iv) A prospective candidate whose drug test is adulterated or diluted shall be prohibited from being placed on the ballot for the General Election. The prospective candidate with the next highest votes from the Primary Election will be elevated in the process. This new individual shall meet the same drug testing prerequisites prior to being approved to be placed on the ballot for the General Election.

(b) The results of the tests will be released to the Election Committee. The Election Committee Chairperson, or designee, shall contact each of the prospective candidates to let them know if their test was positive or negative, and whether they will be placed on the ballot for the General Election. The Election Committee Chairperson, or designee, shall also contact any prospective candidate with the next highest votes from the Primary Election, if necessary, to elevate them in the process to be drug tested. This process shall continue until there are candidates numbering no more than twice the number of offices to be filled in the Election who meeting the requirements of § 1.503(1)(a)-(c) and § 1.506.

§ 1.507 General Ballot Order.

(1) The names of all candidates shall be drawn from a “hat” and placed in that order on the official ballot for the General Election, provided the candidates meet the prerequisites and have a negative drug test pursuant to § 1.503(1)(a)-(c) and § 1.506.

(2) In the event that a candidate subsequently withdraws from the Election, the candidates will be moved up in proper order.

§ 1.508 Absentee Ballot Information.

(1) No absentee ballot can be received without first being requested for in writing, by the person desiring to vote. Each eligible voter must request his or her own separate ballot in a separate envelope, and sign the request. (See Sample Request Form – Attachment “B”).

(a) The use of the form established in Attachment B is not required, but recommended.

(2) “Absentee Ballot” requests are only filed under these circumstances pursuant to Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians:

(a) Member is in a Health Care Facility;

(b) Member is serving in the Military and away from the reservation on the day of the Election.

(3) All “Absentee Ballot” requests must be mailed to:

Election Committee Chairperson
c/o LCO Tribal Administration Building
13394W Trepania Road
Hayward, WI 54843

(4) All “Absentee Ballot” requests must be received no later than two (2) weeks prior to the election date. No Absentee Ballots will be distributed after the Monday preceding the election date.

(5) All “Absentee Ballot” requests shall include all of the voter’s previously-used surnames (i.e. maiden, previous marriage, etc.).

(6) All requests for Absentee Ballots will be processed as follows:

(a) Determine if absentee voter meets the eligibility requirements by checking the enrollment status of the absentee voter; and

(b) Deliver the Official Ballot, Absentee Ballot Certification (Attachment “E”), and Instructions for Voting by Absenteeism (Attachment “H”) to the requesting voter by:

(i) Mail; or

(ii) Hand delivery by a member of the Election Committee, as requested, if the voter resides within Sawyer County.

(c) Log the listing and numbering of all individuals that have requested, and will receive, an “Absentee Ballot.”

(d) Log all Absentee Ballots returned to the Election Committee.

(e) Provide a copy of the absentee ballot log to the Head Teller at each polling site.

(7) Cast Absentee Ballots shall be received as follows:

(a) Via regular mail to the Tribal Administration Building; or

(b) For those members in a Health Care Facility within Sawyer County only, via collection by a member of the Election Committee accompanied by an Election Security Officer; and

(c) No later than 5:30 pm on the day of the Election;

(8) Once an "Absentee Ballot" is received, the voter will not be allowed to vote at the polling site.

(9) All Absentee Ballots, however received, shall be placed and maintained by the Election Committee in a locked ballot box until counted.

§ 1.509 Certification of Election Results.

Upon completion of the ballot counting, the Election Committee Chairperson shall, on a form approved by the Election Committee, certify the number of votes received by each candidate (Attachment "G"). The Chairperson shall then certify the Election results and declare the Election winners in accordance with Article IV of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. The Election Committee must complete their respective tasks of ballot counting, certification of election results, and the declaration of Election winners in one sitting without recess or adjournment. Once the Election results have been certified and the Election winners declared, the Election Committee Chairperson shall ensure that the ballots are placed in a locked location to which all persons having access are known by the Chairperson. No person shall gain access to the locked ballot storage location without prior approval of the Election Committee Chairperson and the Executive Committee. The Chairperson shall maintain a log of all persons obtaining access to the ballots indicating the date and time of such access.

§ 1.510 Recounts.

Any candidate may request a ballot recount within three (3) working days of the date of the Election. The request for recount shall be directed to the Election Committee Chairperson who shall convene the Election Committee within three (3) working days of the receipt of the request to conduct the recount. The Election Committee shall prescribe the procedures by which a recount shall be conducted. Upon completion of the recount, the Election Committee, by majority vote, shall either affirm the original certification of election results and declaration of election winners or modify such certification and declaration in accordance with the results of the recount. If necessary, the Election Committee Chairperson shall issue a new certification of election results and/or a new declaration of election winners. The time limit prescribed for instituting the election challenges shall not be affected by any request for election recount. However, the Election Committee may withhold its decision of any election challenge until the completion of election recounts.

§ 1.511 Challenges.

(1) Challenges to the eligibility of any individual to be placed on either the Primary or General Election Ballot must be made to the Election Committee within three (3) working days after the date of the ballot order being established pursuant to § 1.504 or § 1.507 of this ordinance. Challenges must indicate with specificity, the grounds for the challenge. Within three (3) working days of receipt of the challenge, the Election Committee Chairperson shall then

convene the Election Committee. At that time, the Election Committee shall consider the challenge, including the grounds and supporting documentation. The Election Committee shall then, by absolute majority vote:

(i) Issue a decision to stand by original ballot order;

(ii) Modify the ballot order; or

(iii) Withdraw its ballot order and forward the challenge to the Tribal Court within twenty-four (24) hours, so that the Tribal Court may decide the appropriate course of action.

(2) All election irregularity challenges must be made within three (3) working days from the date of the Election. Challenges must indicate with specificity, the grounds for the challenge. Within three (3) working days of receipt of the challenge, the Election Committee Chairperson shall then convene the Election Committee. At that time, the Election Committee shall then consider the challenge, including the grounds and supporting documentation. The Election Committee shall then, by absolute majority vote:

(i) Issue a decision to stand by original certification of election results;

(ii) Modify the results originally certified and issue a new certification of results;

or

(iii) Withdraw its certification of election results and forward the challenge to the Tribal Court within twenty-four (24) hours, so that the Tribal Court may decide the appropriate course of action.

(3) Tribal Court Challenges. Upon receipt of the challenge from the Election Committee, the Tribal Court shall provide for a hearing and render a decision within twenty-four (24) hours of the hearing. The decision of the tribal court shall be final and not subject to further appeal.



13394 W Trepania Road, Hayward, Wisconsin, 54843
Phone 715-634-8934, Fax 715-634-4797

RESOLUTION NO. 20-2021

**AMENDMENT OF TITLE V, CHAPTER 1
OF THE
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
TRIBAL CODE OF LAW
ELECTION CODE**

WHEREAS, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians ("Tribe") is a federally recognized Indian tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. § 461, *et seq.*; and

WHEREAS, the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, Section 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and

WHEREAS, pursuant to Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, the Tribal Governing Board is empowered to "prescribe rules and regulations conducting all subsequent elections. Such rules and regulations shall include, but not limited to, the following: (a) voting shall be by secret ballot; (b) beginning in 1979, elections shall be held every year in the month of June; (c) absentee voting, provided that absentee voting shall be limited to persons who verify that they are unable to vote at designated polling places on the date of an election because of confinement in a nursing home, hospital or other health care facility, or because of service in a branch of the United States Armed Forces; and (d) filing and posting of election notices."

WHEREAS, the Tribal Governing Board duly enacted the Lac Courte Oreilles Election Code on April 29, 2005 pursuant to Tribal Governing Board Resolution No. 05-29; as amended on May 16, 2005 pursuant to Tribal Governing Board Resolution No. 05-50; as amended on May 29, 2007 pursuant to Tribal Governing Board Resolution No. 07-59; as amended on March 11, 2011 by the Tribal Governing Board at the Lac Courte Oreilles Tribal General Membership Meeting; and as amended on May 27, 2015 pursuant to Tribal Governing Board Resolution No. 15-53 and amended on April 18, 2017 pursuant to Tribal Governing Board Resolution No. 17-53 and

amended on April 1, 2019 pursuant to Tribal Governing Board Resolution No. 19-39.

WHEREAS, the Tribal Governing Board determines that it is in the best interests of the Tribe to amend the Election Code.

NOW THEREFORE BE IT RESOLVED that the attached amendment to Title V, Chapter 1 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law "Election Code" shall be, and hereby is, enacted as an ordinance of the Tribe, pursuant to Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians and this section as it exists at this time is hereby repealed in its entirety.

NOW THEREFORE BE IT FINALLY RESOLVED, that any conflicting language that may exist between the amended Title V, Chapter 1 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law "Election Code" and any policy, by-laws or other preexisting operational documents shall be guided by the language contained in the hereby amended Code.

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 6 being present, constituted a quorum on this 1st day of March, 2021; that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that said Resolution has not been rescinded or amended in any way.



Michelle Beaudin, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board



Pride of the Ojibwe

Attachment "A"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

DISTRIBUTION OF OFFICIAL BALLOTS CERTIFICATION

I, _____, 20____ Election Committee Chairperson for the
Lac Courte Oreilles Band of Lake Superior Chippewa Indians, hereby certify that I delivered
_____ official ballots to, _____, Teller at the Tribal
Administration Building polling site, at 8:00 a.m. on _____.

(Date)

Chairperson's Signature

Receipt of _____ official ballots acknowledgement:

Teller's Signature



Pride of the Ojibwe

Attachment "B"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

ABSENTEE BALLOT REQUEST

I, the undersigned, hereby request an "Absentee Ballot" for the upcoming election.

On the date of the election I will not be able to be in attendance at the polling site due to:

(Only those in a Medical Facility or Military Service can vote by "Absentee Ballot". Include address of Medical Facility/Military Base so this can be verified).

PRINTED NAME

MEDICAL FACILITY/MILITARY BASE

MAILING ADDRESS

MAILING ADDRESS

CITY / STATE / ZIP CODE

CITY / STATE / ZIP CODE

SIGNATURE

DATE



Pride of the Ojibwe

Attachment "C"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

ACCEPTANCE FORM

I, _____, hereby
(printed name)

____ **ACCEPT**

____ **DECLINE**

my nomination to be a candidate for the June 20____ Tribal Election. I also certify that I will be twenty-one (21) years of age or older on or before the date of election.

My date of birth is: _____.

My home address is: _____.

Street

City/State

Zip Code

I further certify I am an enrolled Tribal Member of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

SIGNATURE

DATE

WITNESS

DATE

LAC COURTE OREILLES ELECTION COMMITTEE

CODE OF ETHICS

1. PURPOSE: It is the purpose of this code to provide rules of conduct for members of the Lac Courte Oreilles Election Committee and for all persons appointed by said Committee to carry out duties and responsibilities in conjunction with all tribal elections conducted pursuant to the Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.
2. SCOPE OF APPLICATION: This code shall apply to conduct of all members of Election Committee from time of their selection as members. It shall also apply to any and all persons appointed by the Committee to carry out official duties in conjunction with the tribal elections during the term and duration of their official duties.
3. PROTECTION OF THE RIGHTS OF FREEDOM OF SPEECH AND EXPRESSION: All persons subject to the provisions of this Code shall have the right to express their personal preference for elective office and their position concerning issues subject to referendum. This Code is meant to ensure that the personal preferences and positions of said persons is not expressed in such a manner and at such a time as to create the appearance that the duties and responsibilities of the Committee and its appointees are carried out in a biased improper manner so as to call into question the validity of an election.
4. CONFIDENTIALITY: All persons subject to this Code shall maintain in strict confidence any and all information received or reviewed by them in connection with their official duties.
5. CAMPAIGN ACTIVITIES: All persons subject to this Code shall refrain from any comment of conduct which would cause a reasonable person to believe that personal preference or opinions are being expressed concerning a tribal election.
6. CANDIDACY PROHIBITED: Any person accepting appointment to the Election Committee or as an Election Day worker shall not be a candidate for tribal office during the term of said employment.
7. VIOLATION OF THIS CODE: Any person subject to this Code who purposely and knowingly violates its provisions shall be subject to immediate removal from his/her official duties by the Chairperson of the Election Committee.

I, _____, UPON ACCEPTANCE OF MY APPOINTMENT TO THE ELECTION COMMITTEE, HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THE ABOVE CODE OF ETHICS AND FURTHER AGREE TO ABIDE BY SAID CODE OF ETHICS DURING MY TENURE ON THIS COMMITTEE.

SIGNATURE

DATE

WITNESS

DATE



Pride of the Ojibwe

Attachment "E"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

ABSENTEE BALLOT CERTIFICATION

I, _____, hereby certify that I am a member of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to all membership qualifications of the Lac Courte Oreilles Constitution and Bylaws. I further certify that I will be eighteen (18) years of age or older, on or before the day of election and am entitled to vote in the election to be held on the date set.

STREET

CITY STATE ZIP CODE

SIGNATURE

DATE



Pride of the Ojibwe

Attachment "F"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

OFFICIAL OBSERVER CERTIFICATION

I, _____, served as an Observer in the 20____ Lac Courte Oreilles Tribal Election held on _____, and I found that Election to have run according to policies and procedures afforded to said elections.

Observer's Signature

Date

I, _____, served as an Observer in the 20____ Lac Courte Oreilles Tribal Election held on _____, and I found that Election to be in non-compliance with policies and procedures afforded to said elections. I have stated such observances below.

Observer's Signature

Date

(Observer must state for the record that which they found to be in non-compliance; if no written statement is made then this will be deemed as an approval of said election process.)

(attachments may be provided)

Chairperson's Signature Verification



Pride of the Ojibwe

Attachment "G"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

CERTIFICATION OF ELECTION RESULTS

(1)	_____	_____
	Name	Number of Votes
(2)	_____	_____
	Name	Number of Votes
(3)	_____	_____
	Name	Number of Votes
(4)	_____	_____
	Name	Number of Votes
(5)	_____	_____
	Name	Number of Votes
(6)	_____	_____
	Name	Number of Votes
(7)	_____	_____
	Name	Number of Votes
(8)	_____	_____
	Name	Number of Votes

WE, THE UNDERSIGNED, HEREBY CERTIFY THE ELECTION RESULTS TO BE AS ACCURATE AS TO THE BEST OF OUR ABILITY FOR THE _____ ELECTION. ATTACHED IS THE OFFICIAL OBSERVER CERTIFICATION.

DATE

Chairperson

Member

Member

Member

Member

Member

Enrollment Clerk



Attachment "H"

Pride of the Ojibwe

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

INSTRUCTIONS FOR VOTING BY ABSENTEEISM

1. Elections will be held every two (2) years for four-year staggered terms. In 2021, 2025, 2029, etc. three (3) officials will be elected. In 2023, 2027, 2031, etc. four (4) officials will be elected.
2. Mark an "X" in the box that coincides with the candidate of your choice.
3. If you choose to "write-in" a candidate, write the name/names on the bottom of the ballot in the space provided. Remember, that the "write-in" counts as one of your three/four choices.
4. Place your ballot in the envelope marked "ABSENTEE BALLOT" and seal. Place the sealed envelope and your Absentee Ballot Certification form (Attachment "E") in the pre-addressed envelope, (the one addressed back to the Tribal Administration Building), seal, and place in the mail. Include your name and address on the outer envelope only.
5. Cast absentee ballots must be received, whether via regular mail or hand delivered (only by yourself) at the Tribal Administration Building no later than 5:30 p.m. on the day of the election.
6. A hand delivered ballot will be acknowledged by the Election Committee only if presented by the voter in person.
7. Once you have received an absentee ballot, you cannot vote at the polling site.

Lac Courte Oreilles Tribal Government
13394W Trepania Road
Hayward, WI 54843



Attachment "I"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

PREREQUISITE CERTIFICATION FOR PRIMARY BALLOT

Prospective Candidate

Election Year

- I. By initialing the following, I hereby certify that the following prerequisites as established pursuant to 5 LCOTCL § 1.503 (1) have been presented to the Human Resources Department and are on file for verification of the Election Committee pursuant to 5 LCOTCL § 1.503 (2).

A. Consent to Comprehensive Background Check _____

- II. By initialing the following, I hereby certify that the following prerequisites as established pursuant to 5 LCOTCL § 1.503 (1) have been presented to the Enrollment Department and are on file for verification of the Election Committee pursuant to 5 LCOTCL § 1.503 (2).

A. Membership Requirement (Attachment C – Acceptance Form) _____

B. Age Requirement (Attachment C – Acceptance Form) _____

I hereby certify that the Candidate identified above, has satisfied the prerequisites pursuant to 5 LCOTCL § 1.503.

WITNESS

DATE



Pride of the Ojibwe

Attachment "J"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

PREREQUISITE CERTIFICATION FOR GENERAL BALLOT

Prospective Candidate

Election Year

- I. By initialing the following, I hereby certify that the following prerequisites as established pursuant to 5 LCOTCL § 1.506 (1)(a) have been presented to the Human Resources Department and are on file for verification of the Election Committee pursuant to 5 LCOTCL § 1.506 (1)(b).

A. Drug Test Appointment Scheduled _____

I hereby certify that the Candidate identified above, has satisfied the prerequisites pursuant to 5 LCOTCL § 1.506.

WITNESS

DATE



Pride of the Ojibwe

Attachment "K"

13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

PREREQUISITE CERTIFICATION INSTRUCTIONS

As a prospective candidate, once you have been nominated to the Tribal Governing Board; you shall complete the following in order to satisfy the prerequisites pursuant to 5 LCOTCL § 1.503 (Primary Election) and §1.506 (General Election):

Primary Election

1. Decide whether you want to accept the nomination for the Tribal Governing Board:
 - a. If you decide you want to decline the nomination, please go to the Enrollment Department and decline the nomination on the Acceptance Form (Attachment C);
 - b. If you decide you want to accept the nomination, please proceed to #2, below.
2. Upon arrival at the Human Resources Department, please complete the following:
 - a. Provide consent for the completion of a comprehensive background check. This consent must be provided within three (3) working days of the day of the caucus;

Upon completion, please ensure that Section I of the Prerequisite Certification Form for Primary Ballot (Attachment I) is initialed. Take the form to the Enrollment Department and proceed to #3, below.

3. Upon arrival at the Enrollment Department, please provide the Prerequisite Certification Form (Attachment I) to the Enrollment Clerk. Once the form is provided to the Enrollment Clerk, please complete the following:
 - a. Accept the nomination on the Acceptance Form (Attachment C);
 - b. List your date of birth on the Acceptance Form (Attachment C), certifying that you will be twenty-one (21) years of age or older on or before the date of the election. The Enrollment Clerk will verify your age by a valid identification card or your tribal membership records;
 - c. Sign the Acceptance Form (Attachment C);

d. Upon completion, please ensure the Enrollment Clerk has initialed Section II and signed the on the witness line of the Prerequisite Certification Form For Primary Ballot (Attachment I);

e. The Enrollment Clerk will verify your tribal membership (enrollment) with the Tribe. Once your enrollment is verified, the Enrollment Clerk will sign the Acceptance Form (Attachment C) on the witness line.

Upon completion of a-e, the Enrollment Department will maintain both the completed Acceptance Form (Attachment C) and Prerequisite Form For Primary Ballot (Attachment I). Proceed to #4, below.

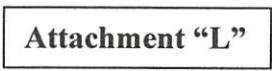
4. Once the results of the comprehensive background check are received, the results will be kept in the candidate's election file for review by the Election Committee.
5. Upon the Election Committee's review of your prerequisites, the results of your comprehensive background check, the Election Committee will notify the Human Resources Department of whether each primary candidate has satisfied or failed to meet the prerequisites. The primary candidate shall call the Human Resources Department five (5) working days from the close of the three (3) working day period allowed to accept or reject his/her nomination to learn if he/she have satisfied or failed to meet the primary election prerequisites established in §1.503.

General Election

1. Please go to the Human Resources Department and complete the following:
 - a. Schedule an appointment to undergo testing for illegal drugs and prescribed medication for which you do not have a valid prescription;

Upon completion, please ensure that Section I of the Prerequisite Certification Form For General Ballot (Attachment J) is initialed. Take the form to the Enrollment Department. The Enrollment Department will maintain the Prerequisite Certification Form.

2. At your scheduled appointment time (to undergo testing for illegal drugs and prescribed medication(s) for which you do not have a valid prescription), report to the LCO-CHC lower level waiting area for testing. The technician will then come to the waiting area and retrieve you. The technician will escort you to the location where the testing will be conducted. You then complete and sign the necessary paperwork and present a current identification card verifying your identity to the technician. A copy of your identification card will be made for the file. The technician will then go over the process of the drug test. No backpacks, purses, heavy sweatshirts, will be allowed to be taken into the bathroom with you. The technician will proceed to label the sample and seal it in your presence. The technician will then ship the sample for processing.
3. Once the results of the drug test are received, the results will be kept in the candidate's election file for review by the Election Committee.
4. Upon the Election Committee's review of your prerequisites, the results of your drug test, the Election Committee will contact you to let you know if your test was positive or negative and whether you will be placed on the ballot for the General Election.



13394 W Trepania Road . Hayward . Wisconsin . 54843
Phone 715-634-8934 . Fax 715-634-4797

ELECTION BACKGROUND WAIVER PETITION

Election Year

I hereby petition the Election Committee pursuant to 5 LCOTCL § 1.503 (1) (c) (i) for an Election Background Waiver. I hereby attest that fifteen years or more have passed since the disposition and punishment (including sentencing and probation) of the following felony or other serious offense charge(s) (bribery, embezzlement, extortion, fraud, perjury, theft, deceit, dishonesty, or misappropriation of funds). List your entire criminal history involving a felony or other serious offense charge(s) (bribery, embezzlement, extortion, fraud, perjury, theft, deceit, dishonesty, or misappropriation of funds). Please include crime(s) for which you were arrested; the crime for which you were convicted (or indicate if dismissed or null pros.); name and address of court or agency; disposition (include sentence and conviction date).

[illegible]

Page 2

Blank lined paper with a faint, large, diagonal watermark reading "SAMPLE" across the top half.

ELECTION BACKGROUND WAIVER PETITION

Page 3

I understand that any misrepresentation or omission of information in the request for election background waiver can result in denial of the request.

Signature

Printed Name

Date