



Attn: Election Board  
5318 Chief Brown Lane  
Darrington, Washington 98241-9420  
(360) 436-0131  
Fax (360) 436-1511  
10/01/2024

**2024** Election Board  
Checklist of Items  
Sent to Eligible Voter

- Checklist of items contained in the Election Notice Packet; and
- A statement about the positions to be filled, including the names of the current Council Members whose terms are expiring, and the number of vacant or unexpired terms that shall be filled by the election,
- A current eligible voters list; and
- Notification of Election Day, which shall be the deadline for submitting ballots to the Election Board no later than 4:30 p.m. on Election Day.
- A calendar of events setting forth the election deadlines and important dates; and
- Voter Registration Form, with return envelope addressed to the Election Board. Please fill this out to register for the 1<sup>st</sup> time or if currently a Registered Voter to **Make sure your address is up to date.**
- A statement about the method and deadline for declaring candidacy and a Candidate Application Form with return envelope addressed to the Election Board. If applying to be a Candidate please also include a biography containing your platform and how you plan on reaching bipartisanship to unite the tribe.
- A sample ballot
- A Current Copy of the Election Ordinance
- Any other information or notices consistent with the Ordinance necessary to facilitate a fair and efficient election process.

Election Board Members:





**Election Board**

**5318 Chief Brown Lane  
Darrington, Washington 98241-9420**

**(360) 436-0131  
Fax (360) 436-1511**

**Sauk-Suiattle Indian Tribe  
2024 General Election Notice**

Title	Comments: Who, What, When and Why
<b>Election Day December 3rd, <u>2024</u></b>	<b>All Ballots MUST BE RECEIVED BY 4:30PM on Election Day. Any Ballots received after 4:30pm on Election Day regardless of post-mark date, will be invalid.</b>
<b>Time 8:30 am to 4:30pm</b>	On Election day the Board shall be available between 8:30am to 4:30pm to process Voter Registration and receive hand delivered mail ballots.
<b>Place</b>	<b>Sauk-Suiattle Indian Tribe's Tribal Council Chambers</b>
<b>Terms 2 – 3 year terms 1--1 Year Term</b>	General Elections are to fill the following vacant terms: Kevin Lenon Sharmen Enick-Pizano Nino Maltos Sr.
<b>Candidacy Statement</b>	A statement about the method and deadline for declaring candidacy and a Candidate Application Form with return envelope addressed to the Election Board. If applying to be a Candidate please also include a biography containing your platform and how you plan on reaching bipartisanship to unite the tribe. Candidacy Statements and Applications are Due Oct.14th. In the event Oct.14th. is on a weekend or holiday this deadline will be postponed until the next business day.
<b>Eligible Voters List</b>	Appeal of Exclusion or removal from the Eligible Voters List must be received by the Chairman no later than Noon on Oct.31st. in the event Oct.31st. is on a weekend or holiday this deadline will be postponed until the next business day.
<b>Tribal Council Hearing</b>	Candidate denial or Eligible Voter Appeal will be held on Nov.5th. in the event Nov.5th. is on a weekend or holiday this hearing will be postponed until the next business day.
<b>Registration New Voters Voters updating their mailing address</b>	Voters Registrations must be received by November 6th. to be mailed a ballot In the event Nov.6th. is on a weekend or holiday this deadline will be postponed until the next business day. Eligible Voters who have not registered by the Mail Ballot Registration Deadline may register in person on Election Day. If a ballot is prepared at the time of the Voter's registration, the voter shall receive a Ballot.

<p>Ballots Mailed to last known address on</p>	<p>Registered voters will be sent, by mail, a ballot packet. Ballot Packets will be mailed on Nov.9th. In the event Nov.9th. Is on a weekend or holiday this mailing will be postponed until the next business day. A ballot packet will include instructions for voting and an official Ballot.</p>
<p>Voting</p>	<p>All voting shall be done by mail or hand delivery of the mail-in ballot in person up to and including Election Day. Each voter shall vote only once using only one ballot, unless properly replaced.</p> <ul style="list-style-type: none"> <li>(I) Place the ballot in the envelope marked "BALLOT ENVELOPE DO NOT MARK"</li> <li>(II) Place the Ballot envelope in the envelope marked "AFFIDAVIT OF VOTER" and sign and date the envelope and legibly print their name. Both the voter's signature and legibly printed name must be on the envelope in order for the ballot to be valid.</li> <li>(III)Place the affidavit envelop in the large self-addressed and stamped return envelope marked "ELECTIONS" above the return address.</li> </ul> <p><b>Any Ballots received after 4:30pm on Election Day regardless of post-mark date, will be invalid. Ballots must be received, regardless of post-mark date, by the Election Board no later than 4:30pm Election Day</b></p>
<p>Ballot</p>	<p>Write in candidates are not allowed and will invalidate the ballot. The Election Board shall check ballot for any irregularities. An irregularity occurs when the Election Board evaluates the ballot and determines that the intent of the voter cannot be determined or there is substantial evidence that the ballot has been tampered with. Examples of irregularities include, but are not limited to: a ballot that has more candidates selected than vacancies to be filled, a ballot containing a "write in candidate", a ballot that is unreadable due to mutilation or other cause, and a ballot that has been marked in a location that cannot be associated with only one candidate, a ballot that has been opened after mailing by any other person other than the members of the Election Board. If any three Election Board members agree that the ballot contains any irregularity, the Election Board shall invalidate the ballot and the vote(s) shall not be counted in the tally.</p>
<p>Certification of Election</p>	<p>A certifying resolution will be filed with the Secretary of the Tribal Council within five working days after Election Day, consistent with Article III of the Bylaws of the Sauk-Suiattle Indian Tribe</p>
<p>Recounts</p>	<p>Any Candidate may submit a notarized request for a recount no later than noon on Dec.12th. In the event Dec.12th. Is on a weekend or holiday this deadline will be postponed until the next business day.</p>

Protest	Any eligible voter may file a protest with the Election Board no later than noon on Dec.12th., In the event Dec.12th. Is on a weekend or holiday the deadline will be postponed until the next business day.
Court Date	Dec.17th. In the event Dec.17th. Is on a weekend or holiday this hearing will be postponed until the next business day.
Run Off Election Day	Dec.31st. The Run-Off Election Day, In the event Dec.31st. Is on a weekend or holiday this mailing will be postponed until the next business day.
Run Off Certification of Election	A certifying resolution will be filed with the Secretary of the Tribal Council within five working days after Election Day, consistent with Article III of the Bylaws of the Sauk-Suiattle Indian Tribe
Run Off Election Protest or Recounts Run Off Election Hearing Date	The deadlines for requesting a recount of the run-off election results, protesting the run-off election results, and holding a hearing on any protest of the run-off election results shall be established by the Election Board, and shall, to the extent practicable, be set so that the newly-elected Tribal Council members can be seated at a regular Council meeting in January



Sauk-Suiattle Indian Tribe

Sauk-Suiattle Indian Tribe  
5318 Chief Brown Lane  
Darrington, WA 98241  
Phone: (360) 436-0131  
Email: enrollment@sauk-suiattle.com  
Website: www.sauk-suiattle.com



All Records

Monday, September 23, 2024 12:26 PM

Records: 204

Filters Applied: Deceased: No, Status: Enrolled, At Least Age 18 on 12/03/2024,

First Name	Suffix	Last Name
Anthony		Adams
Dorian		Adams
Yesenia		Araiza
Delores		Bahr
Christine		Banks
Keilani		Barrie
Stephanie		Benjamin
Brandon		Bigby
Desmond		Bigby
Aubry		Bigsby
Steven		Bogle
John Jack		Bogle
Christina		Booth
Brian		Bough
Jennifer		Bough
Christopher		Bough
Kara		Briggs
Kyanna		Brooks
Shawna		Brown
Evan		Brown
Cameron		Buchanan
Diangeles		Bucno
Cammie		Carrigan
Shawna		Carrigan
Michel		Carrington
Josephine		Charlie

First Name	Suffix	Last Name
Shannon		Charlie
Laura		Charlie
Wayne		Charlie
Matthew	Jr.	Charlie
Molly		Clark
Corina		Coronado
Ermina		Coronas
Monty	Jr.	Coult
Suzanne		Curtis
Scott	Jr.	Curtis
Dora		Dailey
Katie		Decoteau
Nancy		DeCoteau
Thomas		DeCoteau
Eden		Decoteau-Dominguez
Karma		Delaney
Darlyn		DePoe
Dennis		DePoe
Mikayla		Duval
Brian		Duval
Norman		Duval
Allasondra		Duval
Chenoa		Duval
Delphine		Earl
Andrea		Edwards
Austin		Edwards
Nathan	Sr.	Enick
Nathan	Jr.	Enick
Christopher		Enick
Dusty		Enick
Harlow		Enick



First Name	Suffix	Last Name
Francis		Enick
Angel		Enick
Robin		Enick
Lewis		Enick
Dorjan		Enick
John		Enick
Roger	Jr.	Enick
Emily		Enick
John		Enick
Anthony		Enick - James
Sharmen		Enick-Pizano
Michael		Ernsdorff
Miriam		Finkbonner
Sterling		Forrester
Juanita		Garcia
Alexander		Garcia
Tarrisa		Garcia
Shalena		Garcia
Phillip		Garcia
Anna		Garcia-Moses
Colleen		Gonzalez
Fernando		Gonzalez-Nunez
Yesenia		Gonzalez-Nunez
Albino	Jr.	Gonzalez-Nunez
Christina		Grendon
Zachary		Grendon
Olivia		Grendon
Cynthia		Harris
Lupita		Herrera
Jose		Herrera-Jimenez
Steven		Hoffman

First Name	Suffix	Last Name
Michael		Hoffman
Russell		Hornback
James		Ironheart
Virginia		Jack
Jonaya		James
Angelisa		Jimenez
Jamie	Jr.	Jimenez
Kaytona		Joseph
Jason		Joseph
Kevin		Joseph
Benjamin		Joseph
Angelina		Joseph
Faye		Joseph
Julianna		Joseph-Charlie
Jaimie		Kenoyer
James		Lang
Clifonda		Leake
David		Lenon
Timothy		Lenon
Joseph		Lenon
Janice		Mabee
Miguel		Maltos
Jordan		Maltos
Nino	II	Maltos
Malia		Maltos
Demi		Maltos
Nino		Maltos
Jalen		Maltos
Rachel		Matory
Jamie		Metcalf
Ronda		Metcalf

First Name	Suffix	Last Name
Sonja		Metcalf
Marliena		Mills
Elise		Mills
Robert		Mills
Carol		Mills
Daryl		Mills
Michael		Mills
Raymond	Jr.	Misanes
Katherine		Misanes
Karen		Misanes
Natalie		Misanes
James		Misanes
Kaylena		Misanes
Clarence		Moses
Ezekiel		Moses
Robert		Navarro
Travis		Navarro
Freya		Overton
Maranda		Pickernell
Pete		Pickernell
Jessica		Pierce
Monica		Pierce
Raina		Pierce
Mitchell		Pierce
Serena		Pizano
James		Pizano
Mary		Porter
Ann		Price
Allen	Jr.	Price
Mary		Price
Judah		Price

First Name	Suffix	Last Name
Kyrstyn		Price
Anna		Price
Jeffery		Price
Adreanna		Price
Shaleena		Price
Jayden		Price
William		Price
John	III	Pugh
Kohana		Redington
A J		Reynon
Keifer		Rishardt-welborn
Kenny		Rishardt-welborn
Kyson		Rishardt-welborn
David		Roberts
David	Jr.	Roberts
Dana		Roberts
Michael		Roberts
Patrick	Jr.	Roberts
Kristina		Schueller
Daniel		Sharp
Kevin		Slattum
Amber		Smith
Barbara		Snow
Eunice		Takes The Horse
Clifford		Takes The Horse
Markus		Takes The Horse
Al	Jr.	Takes The Horse
Kaleigha		Takes The Horse
Francis	Jr.	Thomas
Maria		Thornton
Trina		Thornton

First Name	Suffix	Last Name
Phoenix		Tillequots
Noah		Tillequots
Kylie		Turner
Kayli		Turner
Tritan		Turner
Andrea		Vail
Amilia		Vilyra
Timothy		Watson
Cody		Welborn
Angelina		Welborn
Kenneth John		Welborn
Deven		Welborn
Kemo	III	Welborn
Kelly		Welborn - Navarro
Sheila		Wells
Sherri		Wells
Laura		Westcott
Desiree		Willis
Angela		Wilson
Blaine		Wolten
Richard		Wolten
Zaneta		Woodward
Ray		Zarate-Tillequots



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 29	30	<b>Oct 1</b>	2	3	4	5

PRIDE WALKING

6	7	8	9	10	11	12
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13	14	15	16	17	18	19
20	21	22	23	24	25	26

CONDUCT MEALING

27	28	29	30	31	Nov 1	2
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PRIDE WALKING

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 27	28	29	30	31	Nov 1	2

3	4	5	6	7	8	9
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TRIBAL COUNCIL CANDIDATE FORUM

WATER REGISTRATION RESOLUTION

10	11	12	13	14	15	16
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BELETTI MEALING

17	18	19	20	21	22	23
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24	25	26	27	28	29	30
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Sunday  
Monday  
Tuesday  
Wednesday  
Thursday  
Friday  
Saturday

Nov 24

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Dec 1

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ELECTION DAY

PARENTS REQUIRED

CONFERENCE





# Sauk-Suiattle Indian Tribe Voter Registration Form

## You can use this form to:

- To be sent a ballot by mail.
- To complete and receive a ballot on Election Day.
- Register to vote for the first time.
- Update your registration if you move to a new address or change your name.

Please complete all the information in the boxes 1 through 10 on the voter registration form below. Be sure to include your signature in box ten (10). Once you have filled out this form, mail to the Tribe at the address below.

Sauk-Suiattle Indian Tribe  
Election Board  
5318 Chief Brown Lane  
Darrington, WA 98241

### TO REGISTER TO VOTE, YOU MUST BE:

- An enrolled member of the Sauk-Suiattle Tribe.
- At least 18 years of age on Election Day.

<b>1</b>	Are you an enrolled Sauk-Suiattle Tribal Member? (Circle) Yes No Enrollment #:			
<b>2</b>	Will you be 18 years of age on or before election day? (Circle) Yes No Date of Birth:			
<b>*Note: If you checked "NO" in response to box 1 or 2, do not complete this form.</b>				
<b>3</b>	Last Name	First Name	Middle Initial	Male Female
<b>4</b>	Address Where You Live	City/Town	State	Zip
<b>5</b>	Where You Get Your Mail	City/Town	State	Zip
<b>6</b>	Phone Number	E-Mail Address: (optional)		
<b>7</b>	Would you like assistance with your ballot? Yes No			
<b>8</b>	<b>ONGOING ABSENTEE REQUEST:</b> I would like to receive an absentee ballot for all future elections: (Circle) Yes No			
<b>9</b>	Voter Declaration: "I declare the facts on this voter registration form are true <ul style="list-style-type: none"> <li>• I am an enrolled Sauk-Suiattle Tribal Member</li> <li>• I am at least 18 years of age on or before election day"</li> </ul>			
<b>Sign Here:</b> _____		<b>Date:</b> _____		





Attn: Election Board  
5318 Chief Brown Lane  
Darrington, Washington 98241-9420

(360) 436-0131  
Fax (360) 436-1511

10/1/2024

### Part 1 - Candidate Application

Candidacy Application Forms must be received, regardless of post-mark date, by the Election Board on or before Oct. 14th, 2024. In the event Oct. 14th is on a weekend or holiday this deadline will be postponed until the next business day.

To be completed by candidate

I, \_\_\_\_\_, do hereby request my name be placed on the Sauk-Suiattle Indian Tribal 2024 Official General Election Ballot, as a candidate for position of Tribal Council. The General Election is scheduled on December 3<sup>rd</sup>, 2024.

I do solemnly swear that I am an enrolled member of the Sauk-Suiattle Indian Tribe in accordance with the provisions of the Constitution and By-Laws of the Sauk-Suiattle Indian Tribe, Article II-Membership, and I am at least 21 years of age on or before December 3<sup>rd</sup>, 2024 and do not hold membership in any other tribe.

I consent to the investigation of my enrollment status with the Sauk-Suiattle Indian Tribe by the Enrollment Clerk.

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Print/Type Legal Name: \_\_\_\_\_

Legal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notary Public, in and for the State of Washington

(Seal)

Name: \_\_\_\_\_

Witness my hand and official seal

Date: \_\_\_\_\_

My commission expires: \_\_\_\_\_

### Part 2 - Enrollment Verification

To be completed by Enrollment Clerk

Applicant's Enrollment Number: \_\_\_\_\_ DOB: \_\_\_\_\_ Age: \_\_\_\_\_

Comments: (Please check for dual enrollment) \_\_\_\_\_

Enrollment Clerk's Signature: \_\_\_\_\_

### Part 3 - Certification

To be completed by Election Board

The 2024 Election Board, duly appointed by the Sauk-Suiattle Tribal Council, met to certify the status of this applicant. We find that the above named applicant  does or  does not meet all the requirements to be a candidate, as specified in the Sauk-Suiattle Constitution and Bylaws and Election Ordinance.

Candidate Certified

Candidate Denied

Applicants Name: \_\_\_\_\_

Chairperson Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Sauk-Suiattle Indian Tribe  
2024 General Elections

“SAMPLE IMAGE”

Ballot Instructions

Vote for no more than **three (3)** candidates only.

Vote by marking an “X” by the candidate of your choice in the [ ] box.

**Do not write in candidates, this will invalidate entire ballot.**

- |                                  |                                  |
|----------------------------------|----------------------------------|
| <input type="checkbox"/> ASample | <input type="checkbox"/> ESample |
| <input type="checkbox"/> BSample | <input type="checkbox"/> FSample |
| <input type="checkbox"/> CSample | <input type="checkbox"/> GSample |
| <input type="checkbox"/> DSample | <input type="checkbox"/> HSample |







**Tribal Council**

**5318  
Chief Brown Lane  
Darrington,  
Washington 98241-  
9420**

**(360) 436-0131  
Fax (360) 436-1511**

# Sauk-Suiattle Indian Tribe ELECTION ORDINANCE

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## LEGISLATIVE HISTORY

Resolution 10/14b/02 Approving 2002 Election Ordinance (October 14, 2002)  
Resolution 10/01/04 Approving Updated 2004 Election Ordinance (October 8, 2004)  
Resolution 10/20b/05 Amending Election Ordinance (October 12, 2005)  
Ordinance 9/27b/06 Enacting Updated Election Ordinance (September 9, 2006)  
Ordinance 10/15/08 Enacting Updated Election Ordinance (October 3, 2008)  
Ordinance 10/16b/08 Enacting Updated Election Ordinance (October 16, 2008)  
Ordinance 09/26a/09 Enacting Updated Election Ordinance (September 25, 2009)  
Ordinance 10/01/09 Enacting Updated Election Ordinance (October 9, 2009)  
Ordinance 09/11b/10 Enacting Updated Election Ordinance (September 8, 2010)  
Ordinance 11/1/11 Enacting Updated Election Ordinance (November 18, 2011)  
Ordinance 10/7a/2012 Enacting Updated Election Ordinance (October 19, 2012)

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## **Article 1. GENERAL PROVISIONS**

**Section 1.01** The following ordinance shall be known as the Election Ordinance of the Sauk-Suiattle Indian Tribe and shall take effect on September 19, 2018. The purpose of this Ordinance is to regulate the conduct of the General Elections for the near expired and vacant Tribal Council positions as required by Article IV of the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe. This Ordinance supersedes and revokes any prior Election Ordinance and regulations.

**Section 1.02** The standards and procedures for the General Elections may be further defined through regulations prepared and recommended by the Election Board and adopted by Tribal Council resolution. Any such regulations shall comply with this Election Ordinance and the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe.

**Section 1.03** Nothing in this Ordinance or any adopted regulations is intended to supersede the prevailing authorities of the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe. The provisions contained in this Ordinance should be interpreted, to the extent possible, in a manner so as not to be in conflict with the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe.

**Section 1.04** If any provision or part of any provision of this Election Ordinance, for any reason be held invalid, unenforceable or contrary to any applicable law, it shall be severed and the remainder of this Ordinance shall not be affected thereby and shall remain valid and fully enforceable.

**Section 1.05** By enacting this Ordinance, the Sauk-Suiattle Tribal Council makes a limited waiver of sovereign immunity to enable the Tribal Court to review certain Protest Filings as described in Article 10. This Ordinance does not, and shall not be construed to, waive in any other manner the sovereign immunity of the Sauk-Suiattle Indian Tribe or its officers or employees to suit in any action arising out of their performance under this Ordinance, except for the limited circumstances described in Article 10; nor does this limited waiver permit in any manner whatsoever the payment of monetary damages or attorneys fees relating to claims arising from election matters.

## **Article 2. GENERAL ELECTION**

### **Section 2.01 General Information**

- (1) Elections for the near expired terms and vacant positions of the Tribal Council shall be held in December. Election Day will be specified in the Notice of Election Packet sent to all eligible voters. Other matters to be decided by the tribal membership may be added to the ballot.
- (2) All voting shall be done in accordance with the procedures described in Article 8 of this Ordinance.
- (3) The Election Board mailing address, where all election material is to be sent is:

Sauk-Suiattle Indian Tribe ATTN: ELECTIONS  
5318 Chief Brown Lane Darrington, WA 98241

**Section 2.02 Council Positions on Ballot**

Every year, elections shall be held for the following Tribal Council positions:

- (1) Those regular year terms which are about to expire; and
- (2) Any position that where declared vacant, whether filled by appointment or not, during the previous year. Such position will be filled for the remainder of the unexpired term, as required under Article V. Vacancies and Removal, of the Constitution and By-Laws of the Sauk-Suiattle Indian Tribe.

**Article 3. ELECTION BOARD**

**Section 3.01 Appointment and Purpose**

The Tribal Council Chairman shall appoint, with the confirmation of the Tribal Council, an Election Board consisting of five members. At least one member shall also be a current member of the Enrollment Committee. The Election Board ("the Board") shall supervise and administer all elections in conformity with tribal ordinances and the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe.

**Section 3.02 Qualifications for Membership**

- (1) To be appointed to the Election Board, the appointee must meet the following requirements:
  - (i) Must be 18 years of age at the time of appointment;
  - (ii) Must agree that upon taking the oath of office, he or she is not eligible to become a candidate in the current election, even if he or she resigns prior to Election Day; and
  - (iii) Must agree in writing to serve on the Election Board.

**Section 3.03 Term**

An Election Board member's term of office is one year, starting from the date of the Oath of Office, and concluding upon the appointment of a new Election Board.

**Section 3.04 Board Confirmation**

- (1) The Tribal Council shall confirm all Election Board appointments by Tribal Council resolution.
- (2) Election Board appointees shall be sworn into office by the Tribal Council Chairman no later than the first Tribal Council meeting in August, unless otherwise designated by the Tribal Council.

- (3) Before taking office, appointees shall swear or affirm to the oath contained in Section 3.05.
- (4) Any Board Member who resigns or is removed will be replaced by an alternate member appointed by the Tribal Council Chairman, and confirmed by Tribal Council resolution.

### **Section 3.05 Oath of Office**

After confirmation by Tribal Council, each appointee to the Election Board shall give the following oath before the Tribal Council Chairman:

I, solemnly swear that I have read the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe and the Election Ordinance of the Sauk-Suiattle Indian Tribe and promise to uphold them. I promise to maintain confidentiality in carrying out all of my duties under the Election Ordinance. I understand and agree that I am not eligible to become a candidate in the current election, even if I resign from the Election Board.

The newly appointed Board Member and the Tribal Council Chairman shall sign and date document.

### **Section 3.06 Board Conduct**

- (1) No Board Member shall engage in, sanction, or permit to go unchallenged conduct which could prevent a fair election, such as participation in a Board decision that involves an immediate family member. If a board decision involves an immediate family member the board member(s) in question must exit the meeting during any deliberation, discussion, and voting.
- (2) A tribal member, board member, or council member of the Tribal Council may present a resolution requesting removal of a board member. Resolution request must have first-hand knowledge of the facts complained of in the resolution. At the time of removal, the Tribal Chairman will appoint a replacement, with the confirmation of the Tribal Council as described in Section 3.04.

### **Section 3.07 General Rules of Procedure**

- (1) The Board shall consist of five (5) members. Three (3) members of the Board shall comprise a quorum to conduct official business.
- (2) The Board shall elect from among their membership a Chairperson, Vice-Chairperson and a Secretary.
- (3) The Board shall act by majority vote, subject to Section 10.02. The Election Board Chairman shall vote only in the event of a tie or in the event described in Section 10.02.
- (4) No Board Member shall participate in any decision that involves an immediate family member, and the remaining Board Members shall make such decision outside the presence of the individual(s) with the conflict of interest. If a board decision involves an immediate family member the board member(s) in question must exit the meeting during any deliberation, discussion, and voting.

**Section 3.08 Duties of Officers**

The Board Chairperson shall perform the following duties:

- (i) Act as the official spokesperson for the Election Board, representing the decisions of the Board in all cases, including but not limited to, protests, recounts, election results, hearings, and any other conflicts or issues arising from the election;
  - (ii) When representing the Board have in his or her possession the official minutes and motions passed and signed by the Election Board Chairperson and Secretary; and
  - (iii) Transfer the representation of the Election Board to the Vice-Chairperson in the event that the Chairperson is unable to act as spokesperson in representing the Election Board, such as when there is a conflict of interest.
- (2) The Vice-Chairperson shall fill the duties of the Chairperson in his or her absence, or as delegated.
- (3) The Secretary shall perform the following duties:
  - (i) Be responsible for all Board correspondence;
  - (ii) Keep accurate records and minutes of all matters transacted or decided by the Election Board; and
  - (iii) Submit to the Tribal Council all approved minutes and resolutions.
- (4) No other Board Member shall serve as a spokesman for the Board unless so delegated by Election Board resolution.
- (5) The Board Member who is also a member of the Enrollment Committee, is charged with the responsibility of preparing the Eligible Voter List in consultation with the Enrollment Clerk.
- (6) All Board Members shall maintain the confidentiality of all enrollment or other personal information obtained in the course of their duties, other than as authorized to be disclosed as described in this Ordinance.

**Section 3.09 Authority of Board**

In addition to the authorities necessary to perform the specific mandatory duties delegated to the Board throughout this Ordinance, the Board is delegated the following authorities to be used as necessary and at its discretion:

- (1) Request the Tribal Council Chairman schedule any necessary special Tribal Council meetings for hearings including:

- (i) To notify the Secretary of the Tribal Council to schedule a special Tribal Council hearing in the event an individual appeals his or her exclusion from the Eligible Voter List; and
  - (ii) To notify the Secretary of the Tribal Council to schedule a special council hearing in the event a hearing is needed on a candidacy denial appeal.
  - (iii) Submit a request to the Sauk-Suiattle Police Department for a Sergeant-at-Arms to be present during the counting of the ballots on Election Day;
  - (iv) Contact the Court Clerk to request a court date be scheduled in case a hearing is needed;
  - (v) Recommend to the Tribal Council any supplemental rules or changes in this Ordinance which the Board believes are necessary to achieve an efficient, effective and fair election;
- (5) Develop regulations, if necessary, consistent with Sauk-Suiattle Election Ordinance and Sauk-Suiattle Indian Tribe Constitution and By-Laws subject to approval of the Tribal Council; and
  - (6) All other duties, subject to all tribal ordinances and the Sauk-Suiattle Constitution and Bylaws, necessary for efficient and proper administration of Tribal Council elections.

#### **Article 4. NOTICE OF THE GENERAL ELECTIONS**

**Section 4.01** The Election Board shall prepare and send an Election Notice Packet to each eligible voter, on or before Oct 1<sup>st</sup>. In the event Oct. 1<sup>st</sup> is on a weekend or holiday, all actions will be postponed until the next business day.

- (1) A checklist of items contained in the Packet;
- (2) A statement about the positions to be filled, including the names of Council Members whose terms are expiring, and the vacant or unexpired terms that shall be filled by the current election;
- (3) A Current Eligible Voter List;
- (4) Notification of Election Day, which shall be the dead line for submitting ballots to the Election Board Ballots must be received No Later than 4:30 pm on Election Day ;
- (5) A calendar of events setting forth the election deadlines and important dates;
- (6) A Voter Registration Form with return envelope addressed to the Election Board;
- (7) A statement about the method and deadline for declaring candidacy and a Candidate Application Form with return envelope addressed to the Election Board;
- (8) A sample ballot;
- (9) A current copy of the Election Ordinance



- (10) Any other information or notices consistent with this Ordinance necessary to facilitate a fair and efficient election process.

**Section 4.02** Election Notice Packets shall be posted within 24 hours after Election Notice Packet at the following locations:

Web Page: [www.sauk-suiattle.com](http://www.sauk-suiattle.com)

Sauk-Suiattle Social Service Building

Location Address:

5318 Chief Brown Lane  
Darrington, WA 98241-9420

Sauk-Suiattle Tribal Administration Offices

Location Address:

5318 Chief Brown Lane  
Darrington, WA 98241-9420

Sauk-Suiattle Longhouse

Location Address:

5306 Chief Brown Lane  
Darrington, WA 98241

Bureau of Indian Affairs

Location Address:

Puget Sound Agency 3006 Colby Avenue  
Everett, WA 98201

Sauk-Suiattle Natural Resources Building

Location Address:

43724 SR 530  
Arlington, WA 98223

Education

Location Address:

5318 Chief Brown Lane  
Darrington, WA 98241-9420

Police Department

Location Address:

5318 Chief Brown Lane  
Darrington, WA 98241-9420

**Section 4.03** The Election Board shall place in the U.S. mail the Election Notice Packets addressed to the most recent address of record for each individual listed on the Eligible Voter List. It is the responsibility of the voter to notify the Election Board of his or her current address.

**Section 4.04** Election Notice Packets shall be available within 24 hours of the Election Notice Packet Mailing at the Sauk-Suiattle Administrative Offices during regular business hours.  
SSIT Election Ordinance

## **Article 5. ELIGIBILITY TO VOTE AND REGISTRATION**

### **Section 5.01 Eligible Voter List**

- (1) Any Sauk-Suiattle tribal member who is at least eighteen years of age on Election Day is eligible to vote.
- (2) The Election Board shall prepare and update as necessary a list of all eligible voters, the Eligible Voter List in coordination with the Enrollment Clerk, who shall provide verification of membership for each person on the Eligible Voter List; and
- (3) The Election Board shall distribute the Eligible Voter List in the Election Notice Packet.
- (4) The Election Board shall update the Eligible Voter List upon receipt of new information regarding eligibility. In the event an individual is removed from or added to the Eligible Voter List that was sent in the Election Notice Packet, that individual will be so notified by certified mail. An individual that is removed from the list may appeal such decision as described in Section 5.02.

### **Section 5.02 Appeal of Exclusion or Removal from the Eligible Voter List**

- (1) An individual who is excluded or removed from the Eligible Voter List may appeal to the Tribal Council. An appeal must be in writing, state the basis on which the individual should be included on the list, and be received (either by mail or hand delivery) by the Tribal Council Chairman (or other Council officer in the event the Chairman is a candidate in the current election) no later than noon on Oct. 31<sup>st</sup>. In the event Oct. 31<sup>st</sup> is on a weekend or holiday, this deadline will be postponed until the next business day.
- (2) The Tribal Council shall hold a hearing on any properly submitted appeal on Nov. 5<sup>th</sup>. In the event Nov. 5<sup>th</sup> is on a weekend or holiday, this hearing will be postponed until the next business day. At the hearing, the Election Board Chairman or Delegate will present the reason for omission from the list. The individual appealing will be given the opportunity to speak on his or her own behalf and present any relevant documentation.
- (3) At the conclusion of the hearing, the Tribal Council shall, by resolution, either affirm the decision of the Election Board or order that the individual be added to the Eligible Voter List. In either case, the Tribal Council shall immediately give written notice of its decision (in the form of the resolution) to the Election Board and the individual.

### **Section 5.03 Voter Registration Form**

The Voter Registration Form provides the Election Board with an eligible voter's current address, date of birth, and signature. All tribal members must have a Voter Registration Form on file with the Election Board in order to be sent a ballot or vote. Voter Registration Forms do not need to be submitted every year and will remain on file with the Election Board for succeeding years' elections.

Voter Registration Forms shall be included in the Election Notice Packet. In order for the voter to receive a ballot by mail, any new or revised registration form must be received by the Mail Ballot Registration Deadline, which is no later than 4:30 pm. Nov.6<sup>th</sup>. In the event Nov.6<sup>th</sup> is on a weekend or holiday, this deadline will be postponed until the next business day. A voter may also register at the Tribal Administration Office on any regular business day or on Election Day. If a ballot is prepared at the time of the Voter's registration, the Voter shall receive a Ballot.

In order to request a blank Voter Registration Form, a voter should contact the Election Board at (360) 436-0131 and one will be mailed or faxed. Voter Registration Form's may be downloaded from the Tribe's website at [www.sauk-suiattle.com](http://www.sauk-suiattle.com).

## **Article 6. CANDIDACY**

### **Section 6.01 Eligibility**

- (1) In order to be a candidate in the election, an individual must be at the time of filing Candidacy Application Form:
  - (i) An enrolled member of the Sauk-Suiattle Indian Tribe; and
  - (ii) At least 21 years of age.
- (2) Disqualifying criteria for candidacy:
  - (i) No member of the Election Board shall be eligible to be a candidate in the current election, even if that individual shall resign from the Election Board prior to Election Day.

### **Section 6.02 Application**

- (1) In order to declare intent to be a candidate, an individual must submit (via mail or hand delivery) a signed, notarized, Candidacy Application Form (available at the Tribal Administration Office) to the Election Board at the following address:

Sauk-Suiattle Indian Tribe  
ATTN: Election Board  
5318 Chief Brown Lane  
Darrington, WA 98241
- (2) The Candidacy Application Form will contain a statement that the candidate declares, by signing the Form, that he or she does not hold membership in another tribe. The Candidacy Application Form will also contain a statement that the candidate authorizes, by signing the Application Form, the Enrollment Clerk to disclose all relevant information relating to verification of enrollment and date of birth.
- (3) Candidacy Application Forms must be received, regardless of post-mark date, by the Election Board The Candidacy Application Deadline, which is no later than 4:30 pm. Oct.14<sup>th</sup>. In the event Oct.14<sup>th</sup> is on a weekend or holiday, this deadline will be postponed until the next business day.

### **Section 6.03 Certification**

- (1) The Election Board shall prepare a Candidate Certification Record for each individual who submits a Candidacy Application Form. The Candidate Certification Record shall contain the following information:
  - (i) Signed Candidacy Application Form;
  - (ii) Verification of Enrollment and date of birth signed by the Enrollment Clerk or Council Chairman; and
  - (iii) A duly approved resolution of the Election Board that finds the individual either eligible or not eligible to be a candidate for office. If determined to be not eligible, a copy of the denial letter sent to candidate that details the reason(s) for denial and how to appeal.
- (2) Election Board determinations of eligibility shall be by resolution.
- (3) The Election Board shall post the Certified Candidates List in the locations identified in Section 4.02 on or before Oct.21<sup>st</sup>. In the event Oct.21<sup>st</sup> is on a weekend or holiday, this posting will be postponed until the next business day.
- (4) The Election Board will send a copy of the Certified Candidates List via overnight mail to each individual that submitted an application.
- (5) If the Election Board has determined that an individual is not eligible, the individual shall also receive a statement explaining the basis for denial and explaining the procedure for appeal as described in Section 6.05.

### **Section 6.04 Notice to Voters of Certified Candidates**

The Election Board shall mail the Certified Candidates List to all persons on the Eligible Voter List on the same day the candidates are certified. The Certified Candidates List shall also be posted that same day at the locations identified in Section 4.02.

### **Section 6.05 Appeal of Certification Denial**

- (1) Any individual that submitted a Candidate Application Form who is not included on the Certified Candidates List may appeal the Election Board's decision to the Tribal Council.
- (2) An appeal must be in writing, state the basis on which the individual believes he or she should have been certified, and be received (either by mail or hand delivery) by the Tribal Council Chairman (or other Council officer in the event the Chairman is a candidate in the current election) no later than the noon on Oct.31<sup>st</sup>. In the event Oct.31<sup>st</sup> is on a weekend or holiday, this appeal will be postponed until the next business day.

- (3) The Tribal Council shall hold a hearing on Nov.5<sup>th</sup> In the event Nov.5<sup>th</sup> is on a weekend or holiday, this hearing will be postponed until the next business day. At the hearing the Election Board Chairman or Delegate will present the reason for denial of candidacy. The applicant appellant will be given the opportunity to speak on his or her own behalf, and submit any relevant documentation.
- (4) At the conclusion of the hearing, the Tribal Council shall, by resolution, either affirm the decision of the Election Board or order that the applicant appellant be added to the Certified Candidate List. In either case, the Tribal Council shall immediately give written notice of its decision (in the form of the resolution) to the Election Board and the appellant.

#### **Section 6.06 Withdrawal from Candidacy**

- (1) A candidate may withdraw his or her candidacy by submitting a signed and notarized statement requesting removal from the Certified Candidates List and the ballot. A request to be removed will be final and non-reversible.
- (2) If a candidate withdraws after certification of candidacy, notice of withdrawal shall be mailed to all eligible voters within two working days of receipt by the Election Board of such statement.
- (3) Failure of any voter to receive actual notice of a candidate's withdrawal shall not be grounds for an election protest provided the Election Board complied with the notice required of this section.
- (4) If the notice of withdrawal is received after ballots have been sent to voters, the withdrawn candidate's name will still be on the ballot. In that event, any vote cast for the candidate shall not be counted but such vote shall not invalidate the entire ballot.

### **Article 7. BALLOT PREPARATION**

#### **Section 7.01 Ballot Contents and Format**

- (1) The ballots shall clearly identify all those on the Certified Candidates List.
- (2) Candidates shall be listed on the ballot alphabetically by last name.
- (3) Instruction shall be printed on each ballot stating the number of candidates that each voter may vote for and how to vote.
- (4) A box shall appear next to the name of each candidate to be filled in by voter to indicate a vote for that candidate.
- (5) The ballot shall contain a statement that write-in votes are not valid, will not be counted, and will result in invalidation of the entire ballot.
- (6) Other measures to be voted on in the election shall be clearly identified.

**Section 7.02 Type and Amount**

Regular Ballots: The same number of regular ballots shall be prepared as the number of eligible voters.

Replacement Ballots: A reasonable surplus of ballots shall be prepared for use as replacements, which shall be identified as "Replacement #" on the numbered corner that is clipped.

Sample Ballots: The Election Board shall prepare sample ballots in the same form as regular ballots but without the names of the candidates or other ballot measure. Sample ballots shall be clearly marked "sample" and shall be mailed with the Election Notice Packet.

**Article 8. VOTING**

**Section 8.01 Generally**

All voting shall be done by mail or hand delivery of the mail-in ballot.

Eligible voters who have registered by the Mail Ballot Registration Deadline on Nov.6<sup>th</sup> will be mailed a Ballot. In the event Nov.6<sup>th</sup> is on a weekend or holiday, this deadline will be postponed until the next business day.

Registered voters will be sent, by mail, a ballot packet. Ballot Packets will be mailed on Nov.9<sup>th</sup>. In the event Nov.9<sup>th</sup> is on a weekend or holiday, this mailing will be postponed until the next business day. A ballot packet will include instructions for voting and an official Ballot.

Eligible voters who have not registered by the Mail Ballot Registration Deadline may register in person at the Tribal Administration Office on Election Day and receive a ballot at that time, which may be voted and hand delivered in the Ballot Box.

Each voter shall vote only once using only one ballot, unless properly replaced.

Only official ballots properly marked shall be counted.

## **Section 8.02 Voting**

- (1) All eligible voters must vote in accordance with the following procedures:
  - (i) The Election Board will mail out ballots on Nov.9<sup>th</sup>. To all registered voters. In the event Nov.9<sup>th</sup> is on a weekend or holiday, this mailing will be postponed until the next business day.
  - (ii) The voter will receive a ballot form from which the identification number has been cut off.
  - (iv) The voter shall vote for no more than the number of positions to be filled which shall be specified in the instructions.
- (2) Write in candidates are not allowed and will invalidate the ballot. The Election Board shall only count valid votes for certified candidates printed on the ballot.
- (3) After the voter votes for the appropriate number of candidates, he or she shall:
  - (i) Place the ballot in the envelope marked "BALLOT ENVELOPE DO NOT MARK."
  - (ii) Place the "ballot envelope" in the envelope marked "AFFIDAVIT OF VOTER", sign and date the envelope and legibly print their name. Both the voter's signature and legibly printed name **MUST** be on the envelope in order for the ballot to be valid.
  - (iii) Place the affidavit envelope in the large self addressed and stamped return envelope marked "ELECTIONS" above the return address.
  - (iv) Ballots of persons personally casting their vote must be hand delivered to the Election Board no later than 4:30 p.m. on Election Day Dec. 3<sup>rd</sup>. In the event Dec.3<sup>rd</sup> is on a weekend or holiday, Election Day will be postponed until the next business day. Envelopes containing ballots of persons voting by mail must be *received* no later than 4:30 p.m. on Election Day. Ballots not conforming to this subsection will not be counted.
- (4) The Election Board will compare the signature against the signature on the "Voter Registration Form."
- (5) If a registered voter does not receive or misplaces his or her ballot, he or she may obtain a replacement ballot from the Election Board.

## **Section 8.03 Assistance to Disabled Voters *and Active Military Duty Personnel***

- (1) The Election Board may, at its discretion, provide reasonable assistance to a voter who is disabled or Active Military Duty Personnel and requires help in completing the Voter

Registration Form or the ballot.

- (2) Disabled voters or Active Military Duty Personnel are encouraged to contact the Election Board to request assistance. A request for assistance must be in writing, or if verbal, it must be communicated to at least two Election Board members. If the request was verbal, the two board members shall sign a statement reporting the request. The request should be detailed and explain what specific assistance is needed.
- (3) The Election Board shall consider the request and take reasonable measures to assist, or arrange for assistance. A grant of a request for assistance is subject to the discretion of the Election Board and that decision is final.
- (4) In the event the Election Board authorizes such assistance, the Election Board Members must take every precaution to insure that the disabled person is voting according to his or her own free will and that the secrecy of the ballot is maintained to the greatest degree possible.

#### Section 8.04 Election Board Procedure for Receipt and Processing of Ballots

The Election Board will adhere to the following procedures:

- (1) The Board shall prepare a Ballot Record Form, which shall serve as the recording log for processing of ballots. Entries are made by a member of the Election Board only when at least two members are present. This Form is a list of eligible voters on Election Day.
- (2) Upon receiving a completed, dated, and signed Voter Registration Form, the Election Board will:
  - (i) Record the received date;
  - (ii) Enter the full legal name of the voter;
  - (iii) Enter the selected source for signature verification; and
  - (iv) The processors will initial and date the Ballot Record Form.
- (3) Upon receiving the ballot the Election Board members will:
  - (i) Check the outer envelope for time of receipt and record entry on Ballot Record Form.
  - (ii) Check the inner envelope "AFFIDAVIT OF ABSENTEE VOTER"



signature against the Voter Registration Form.

- a. Enter the full legal name of the voter on the Ballot Record Form.
  - b. Initial and date the Ballot Record Form.
- (iii) Place the sealed "BALLOT ENVELOPE DO NOT MARK" containing the ballot into the ballot box so long as it meets the above requirements.
- (iv) Place the sealed envelopes in a secure receptacle to be dealt with by the Election Board during the reconciliation and audit process pursuant to Section 9.05, herein, "RECONCILIATION & AUDIT REPORT OF THE ELECTION BOARD" if it does not meet the above requirements.

## **Article 9. RESULTS OF ELECTION**

### **Section 9.01 General Process for Counting of Ballots**

On the day that the Election Board certifies the election results, the Election Board shall count all ballot in the presence of a Sauk-Suiattle Law Enforcement Officer.

The Election Board shall remove all envelopes marked "BALLOT ENVELOPE DO NOT MARK" from the ballot box.

The Election Board shall carefully remove each ballot from the envelope marked "BALLOT ENVELOPE DO NOT MARK."

The Election Board shall check ballot for any irregularities. An irregularity occurs when the Election Board evaluates the ballot and determines that the intent of the voter cannot be determined or there is substantial evidence that the ballot has been tampered with. Examples of irregularities include, but are not limited to: a ballot that has more candidates selected than vacancies to be filled, a ballot containing a "write in candidate," a ballot that is unreadable due to mutilation or other cause, and a ballot that has been marked in a location that cannot be associated with only one candidate, a ballot that has been opened after mailing by any person other than the members of the Election Board. If three Election Board members agree that the ballot contains any irregularity, the Election Board shall invalidate the ballot and the vote(s) shall not be counted in the tally.

- (1) The Election Board shall place all ballots with irregularities in a large envelope. The Election Board will process these ballots in accordance with the Reconciliation and Audit procedures.
- (2) The Election Board shall count all the ballots at least three times and create a list of number of votes received by each candidate.
- (3) After the Election Board tallies the number of votes cast for each candidate, it shall list the candidates in order from highest number of votes received, to lowest. Starting with the candidate with the most votes and proceeding down the list in order, it shall certify as winners the number of persons needed to fill the positions. For example, if three positions are to be filled the three candidates with the highest numbers of votes shall win the election. In the event

that unexpired terms are being filled, see Section 9.02.

### **Section 9.02 Filling Unexpired Terms**

If an unexpired term must be filled as well as the regular full terms, those candidates who received the highest number of votes will fill the available full terms, and the next highest candidate will fill the unexpired term. In the event there are more than one unexpired terms, the candidates will fill the terms in order of votes. The candidate with more votes will fill the longer unexpired term.

### **Section 9.03 Certification of Election**

- (1) Certification of the election results setting out the official count shall be made by a formal Election Board resolution.
- (2) A certifying resolution will be filed with the Secretary of the Tribal Council within five working days after Election Day, consistent with Article III of the Bylaws of the Sauk-Suiattle Indian Tribe.
- (3) A copy of the certification resolution shall be posted at the locations identified in Section 4.02.
- (4) The Election Board shall send each candidate a copy of the certification via overnight mail on the date of certification. If the date of certification is on a weekend or holiday certification mailing will be postponed until the next business day.

### **Section 9.04 Recounts**

Any candidate may submit a notarized request for a recount no later than noon on Dec. 12th. In the event Dec. 12<sup>th</sup> is on a weekend or holiday, this deadline will be postponed until the next business day. The Election Board may grant the request if it determines by resolution that:

- (i) A vote is so close as to justify a recount, OR
  - (ii) There is some evidence of irregularity sufficient to justify a recount.
- (2) In the event the Election Board grants the recount request, two members of the Tribal Council whose positions were not up for election shall participate with the Election Board in the actual recounting of ballots. The Election Board's decision whether to have a recount shall be final.

### **Section 9.05 Reconciliation & Audit Report of the Election Board**

- (1) After all ballots have been counted by the Election Board including unused ballots, ballots invalidated due to irregularities as described in Section 9.01, "spoiled" ballots, and replacement ballots, they shall be placed in a secured envelope to prevent tampering. The certification of the general election results shall be backed by an Election Board "RECONCILIATION & AUDIT REPORT OF FINDINGS."

- (2) The Election Board shall count all ballots to compare the total number of ballots sent out against the number of ballots received.
- (3) The legitimate ballots shall be listed by the number counted and accounted for at the time of the reconciliation audit.
- (4) Outstanding ballots shall be noted and listed by the number not accounted for at the time of the reconciliation audit.
- (5) Invalidated ballots shall be noted and listed by the number of ballots invalidated at the time of the reconciliation audit.
- (6) "Spoiled ballots" shall be noted and listed by the number of ballots marked as "spoiled" from the course of the elections process at the time of the reconciliation audit. The number of "spoiled" ballots should equal the number of "replacement ballots" issued during the course of the election.
- (7) Unused ballots shall be noted and listed by the number remaining.
- (8) After accounting for the ballots as described above, the Election Board shall seal the envelope and at least three board members sign the back where the seal occurs as witnesses to each other's signatures.
- (9) Finally, the Election Board shall tape over the signatures of the board members with clear tape.

#### **Section 9.06 Retention of Ballots**

After the count has been made official and winners certified, all ballots should be placed by the Election Board in a marked, sealed envelope and placed in a locked file. After thirty (30) days all ballots shall be destroyed in the presence of the Election Board Chairman and the Tribal Council Chairman unless a protest has been made contesting the election, in which case the ballots shall be kept until the hearing process concludes. The official results of the election shall be recorded and kept in Tribal Council archives.

#### **Section 9.07 Run-Off Election**

- (1) In the event of a tie, unless one candidate withdraws, a run-off election will be held. Ballots will be sent out no later than Dec. 14<sup>th</sup>.
- (2) The election board shall mail ballots to all registered voters.
- (3) To be valid, the returned ballot must be received, regardless of post-mark date, by the Election Board no later than 4:30 p.m. on Dec. 31<sup>st</sup>, The Run-Off Election Day. In the event Dec. 31<sup>st</sup> is on a weekend or holiday, this mailing will be postponed until the next business day, which shall be established by the Election Board on the election calendar.
- (4) The results of the run-off election shall be certified on Dec. 31<sup>st</sup> as established by the Election Board in the election calendar.
- (5) The deadlines for requesting a recount of the run-off election results, protesting the run-off

election results, and holding a hearing on any protest of the run-off election results shall be established by the Election Board, and shall, to the extent practicable, be set so that the newly-elected Tribal Council members can be seated at the regular Council meeting in January.

- (6) The rules governing the General Election, such as secrecy of the ballots, counting the ballots, invalidation of ballots and certification of winners, shall all apply to the run-off elections.

## **Article 10. ELECTION PROTEST**

### **Section 10.01 Filing**

- (1) Any eligible voter may file a protest with the Election Board no later than noon on Dec.12<sup>th</sup>. In the event Dec.12<sup>th</sup> is on a weekend or holiday, the deadline will be postponed until the next business day. The protest must be in writing and must state:
  - (2) The name of the person protesting;
  - (3) The specific facts on which the protest is based;
  - (4) The specific section of the Election Ordinance or the Constitution and By-laws that the protest claims has been violated;
  - (5) That the protester must have first-hand knowledge of the facts complained of in the protest;
  - (6) An address and phone number where the protester may be notified, directly or by message.

### **Section 10.02 Review by Election Board**

The Election Board shall review any protest and shall notify the Court and protester that a hearing will take place, as previously scheduled by the Board, unless the Election Board finds, by unanimous vote, that the protest fails to meet the requirements of Section 10.01.

### **Section 10.03 Court Hearing**

In the event a protest hearing is needed, it shall take place on a date set by the Election Board in the election calendar, which shall be Dec.17<sup>th</sup>. In the event Dec17<sup>th</sup> is on a weekend or holiday, this hearing will be postponed until the next business day. Court Hearings will take place at 11:00 a.m. in the Sauk-Suiattle Tribal Courtroom. The Court may hear testimony from all persons with firsthand knowledge of the facts and any other evidence that it deems necessary and relevant to resolving the dispute. If the protester or representative fails to appear at the hearing the Court shall dismiss the protest without hearing.

### **Section 10.04 Protest Decision**

- (1) The Court's power at a protest hearing shall be limited to the power to declare the election invalid and order a new election.
- (2) The Court shall consider all evidence presented in the written protest, evidence submitted by

the Election Board, and testimony and argument presented at the hearing.

- (3) If after consideration of all the evidence the Court finds clear and convincing evidence that a violation of Sauk-Suiattle law occurred and that violation affected the outcome of the election, the Court shall vacate the election results and order a new election to take place prior to the first Friday in January. The Court shall issue a written decision.

## **Article 11. ELECTIONEERING DISRUPTION OF ELECTIONS PROHIBITED**

**Section 11.01** No person shall unduly disrupt the election process in any way. No person may harass, coerce, or intimidate an Election Board Member in any way.

**Section 11.02** Failure to comply with this Article may result in criminal charges pursuant to the Sauk-Suiattle Indian Tribe's Law and Order Code.

## **Article 12. RETAINED LEGISLATIVE AUTHORITIES**

### **Section 12.01**

- (1) Except as explicitly delegated herein, the Tribal Council of the Sauk-Suiattle Indian Tribe shall retain all authorities pursuant to the Sauk-Suiattle Constitution and By-Laws, including but not limited to, declaring a new election schedule under the following circumstances:
- (2) The election is off schedule due to an unavoidable condition and the only corrective means available is to reorder a new Election Schedule.
- (3) The Election Board, by majority vote, determines that there are major violations, irregularities, or inconsistencies in compliance with the Election Ordinance or the Constitution and By-Laws of the Sauk-Suiattle Indian Tribe. It is the Election Board Chairman's duty to notify the Tribal Council of the violations, irregularities or inconsistencies and to request the Tribal Council declare the need for a new election schedule. A report of the findings of the violations, irregularities, or inconsistencies shall be presented in writing to the Tribal Council.

## **Article 13. INSTALLATION OF NEW COUNCIL MEMBERS**

**Section 13.01** Installation of newly elected members of the Tribal Council shall take place at the first Regular Council meeting in January following the completion of the election process.

**Section 13.02** The seated Tribal Council shall be the governing body of the Tribe until authority has been passed. Exiting Tribal Council members shall hold office until their successors take the oath of office and are seated to the Sauk-Suiattle Tribal Council at the first regular meeting. The individual authority of office and installation shall commence at the time of oath of office.

**Section 13.03** The outgoing Tribal Council Members will return all Sauk-Suiattle Indian Tribal property (documents and equipment) in their possession to the Tribal Chairman upon installation of the new Tribal Council members. Failure to transfer tribal property shall result in a penalty not to

exceed five hundred dollars (\$500.00).

**Section 13.04.** All terms of office start on the first Friday in January to maintain the consistency of the staggered terms of office, whether:

- (1) A particular elected individual is installed on that day; or
- (2) A particular appointed individual is installed later by virtue of a mid-term vacancy; or
- (3) At the result of an election dispute; or
- (4) Other contingency cited under the Constitution and By-Laws of the Sauk-Suiattle Indian Tribe.

#### **CERTIFICATION**

Pursuant to the authority contained in Article IV, Section 3 of the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe, the foregoing ordinance was amended by the Sauk-Suiattle Tribal Council through Resolution number \_\_\_/\_\_\_/\_\_\_ at a regular Council meeting held on \_\_\_\_, at which a quorum was present, by a vote of: \_\_ For, \_\_ Against, \_\_ Abstain, and \_\_ Absent.