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Memorandum

TO: Legislative Operating Committee
FROM: Lynn A. Franzmeier, Staff Attorney
DATE: June 19, 2013
RE: Election Law and Comprehensive Policy Amendments Re: Boards, Committees and Commissions Members

Proposed changes to the Election Law and the Comprehensive Policy Governing Boards Committees and Commissions would prohibit Tribal members from (1) running for more than one elective seat per election; (2) serving on more than one Board, Committee or Commission; or (3) serving as a member on any Board, Committee or Commission while employed by the Tribe.

Running for More than One Elective Seat per Election

During the 2002 General Election, fourteen candidates ran for more than one elective seat on the ballot. Twelve candidates ran for 2 seats; one candidate ran for 3 seats and one candidate ran for 4 seats. Only two of those candidates won more than one seat. One candidate won a seat on the Oneida Gaming Commission and won the Tribal Chair seat – the candidate declined the Oneida Gaming Commission seat. The other candidate won a seat on the Trust/Enrollment Committee and on the Oneida Nation Commission on Aging. That candidate did not decline either seat.

In 2005, twelve candidates ran for more than one seat during the General Election – eleven candidates ran for 2 seats and one candidate ran for 3 seats. Only 1 candidate won more than 1 seat. That individual won a seat on both the Trust/Enrollment Committee and on the Oneida Nation Commission on Aging. Neither seat was declined.

In 2008, fourteen people ran for more than one seat - twelve candidates ran for 2 seats and 2 candidates ran for 3 seats. Three people won 2 seats and no candidate declined any seat that he or she won. The multiple winning candidates won seats on the Oneida Gaming Commission and Land Claims Commission; Trust/Enrollment Committee and Oneida Nation School Board; and the Oneida Nation Commission on Aging and Land Claims Commission.

In 2010, the Election Law was amended to prohibit individuals who run for a seat on either the Oneida Business Committee or a judicial court or commission from running for more than one seat in an election. During the 2011 General Election, only 2 people ran for more than one seat on entities other than the Oneida Business Committee or the Oneida Appeals Commission. Each candidate ran for two seats and neither candidate won more than one seat.

Limiting Tribal Members from Serving on More than One Board, Committee or Commission or on Any Board, Committee or Commission while Employed by the Tribe

There are currently 155 available seats on twenty-one different boards, committees and commissions. From the information provided, it has been determined that there are 19 individuals who serve on more than one Board, Committee or Commission.¹ Thirteen of those individuals serve on 2 Boards, Committees or Commissions and six individuals serve on 3 Boards, Committees or Commissions.

In July 2012, GTC voted down a referendum question to prohibit Tribal employees from serving on Boards, Committees or Commissions. Currently, there are approximately 55 Tribal employees² who serve on a Board, Committee or Commission. Seven of those Tribal employees serve on 2 Boards, Committees or Commissions; and two Tribal employees serve on 3 Boards, Committees or Commissions.

The proposed amendments would prohibit individuals from serving in multiple seats, whether appointed or elected, and would prohibit employees from serving in any elected or appointed seat. It is unclear what impact these amendments will have on the Tribe's Boards, Committees and Commissions.

Conclusion

Since the 2010 amendments to the Election Law, there has only been one General Election, however, there was a significant reduction in the number of Tribal members who ran for more than one seat during that election. The proposed amendments would prohibit all individuals from running for more than one seat during an election; prohibit all individuals from holding more than one election or appointed seat at the same time; and prohibit Tribal employees from holding an elected or appointed seat.

1 This does not include individuals who serve on a Tribal Corporate Board and on another Tribal Board, Committee or Commission or on more than one Tribal Corporate Board.

2 "Tribal employee" includes those individuals who are employed by a Board, Committee or Commission, such as ONCOA and/or individuals who are serving as political appointees for the OBC. There are currently 6 Tribal employees who fall into this category. "Tribal employee" does not include those individuals who are required to serve on a Board, Committee or Commission as part of their job requirements or who serve on a Tribal Corporate Board.

Notice of Public Meeting

Topic: Amendments to the Oneida Election Law

When & Where:

Thursday, July 18,
2013 at 12:15 p.m.

OBC Conference
Room

Second Floor, Norbert Hill
Center—Oneida, WI



Public Comment

Period:

June 27, 2013 to
July 25, 2013

Those who cannot attend the Public Meeting may submit written comments regarding this legislative proposal. Those who attend the Public Meeting may also submit written comments and/or a written transcript of their testimony from the meeting. All written submissions must be received by the last day of the Public Comment Period.

To submit written comments, obtain a copy of the Public Meeting documents, or learn more about the public meeting process, please visit or contact the Legislative Reference Office, located on the second floor of the Norbert Hill Center, Oneida WI.

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Summary of the Proposal

The Amendments limit Tribal members to serving 2 consecutive terms per position; limit Tribal members to run for 1 elective seat per election; prohibit any Tribal member from serving in more than 1 any elected or appointed position at any given time; prohibit Tribal members from being Tribal employees while serving on an elected board, committee or commission; and include enforcement provisions for campaign violations. The Amendments also:

- Update the duties of the Election Board.
- Streamline the caucus process by making the Election Board, instead of the Business Committee responsible for calling a caucus and decreasing the time frame for when a caucus can be held.
- Clarify where campaign activities can occur.
- Require a polling site be located on the Reservation and in Milwaukee.
- Require video surveillance of all ballots and voting devices when the polls are open.
- Allow voters to have one person of their choice assist them with marking their ballots.
- Allow election observers and set out requirements regarding the observers' actions.
- Require the Election Board to document election day incidents and other irregularities and include them in a report to the Business Committee.
- Increase the time frame for filing a challenge of the election results – from 10 to 30 days. Amends the section on "Referendums" to clarify the parameters and process for referendum questions to be placed on a ballot

The Public Meeting materials, including the draft proposal, legislative analysis and any other relevant documents, will be made available at the Public Meeting, or can be obtained in advance through the Legislative Reference Office. The Public Meeting materials are also available on the Tribal Website at:

<https://oneida-nsn.gov/PublicHearings.aspx>



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Chapter 2
ONEIDA ELECTION LAW
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People of the Standing Stone how it is we will appoint them the kind of laws we have

2.1. Purpose and Policy	14	2.7. Election Date Determination and Polling Locations
2.2. Adoption, Amendment, Repeal	15	2.8. Registration of Voters
2.3. Definitions	16	2.9. Election Process
2.4. Election Board	17	2.10. Closing Polls and Securing Ballots
2.5. Candidates Eligibility	18	2.10. Tabulating and Securing Ballots
2.6. Selection of Candidates	19	2.11. Election Outcome and Ties
2.7. Notice of Polling Places	20	2.12. Elections Referendums
2.6. Campaigning	21	

Analysis by the Legislative Reference Office

Amendments to the Election Law (Law) were requested by Oneida Business Committee (OBC) Member Vince DelaRosa. The Election Law was first adopted by General Tribal Council (GTC) through Resolution #07-06-98-A and amended through GTC Resolution # 01-04-10-A.

Overview

The purpose of this Law is to establish and govern all the procedures for the conduct of orderly Tribal elections, including caucuses, nominations and challenges. The Policy of the Oneida Tribe that write-in candidates are not allowed in Oneida elections. *See 2.1-1.* This is consistent with the current Law.

Policy Considerations

The following are policy decisions made by this draft proposal:

- Limiting Tribal members to serving two terms per position, with a one-term waiting period before the Tribal member could reassume that position.
- Limiting Tribal members to run for only one elective seat per election.
- Prohibiting any Tribal member from serving in more than any one elected or appointed position at any given time.
- Prohibiting any Tribal member from being a Tribal employee while serving on an elected BCC position.
- Unclear enforcement provisions

Two Term Limit

Amendments will limit a Tribal member to serve a maximum of two consecutive full terms in any one elected position, and a one-term waiting period is required before that person may seek to be re-elected to that specific position, but in the meantime the Tribal member may run for any other seat. In the adopting resolution, there will be a grandfather clause to allow all elected persons serving in an office on the effective date of this amendment shall have their current term counted as their first term regardless of the number of terms previously elected to that office. *See 2.5-3.*

Summary of Law	
Purpose	To govern all procedures used in the election process. Creation law for Election Board.
Authorized Entities	Election Board, Enrollment Dept., Oneida Police, Tribal Secretary, Zoning Administrator, Judiciary
Policy Mechanism	Candidate Caucus/petition application process, Eligibility determination, Registration of voters, Restricting of actions by procedural rules
Enforcement Mechanism	Tribal employees disciplined under Personnel Policy, removal of Election Board members, none for voter fraud
Due Process	Hearing for candidate eligibility, voter eligibility, Can appeal election results to Judicial System

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07/18/13

57 Alternates for the Election Board, who are appointed by the OBC, do not appear to be
58 affected by this new provision. However, the new Boards, Committees and Commissions Law
59 (BCC Law) does prohibit appointment to the same seat for more than two consecutive terms, so
60 alternates may be affected by that provision. *See 2.4-2(c) and the BCC Law.*

61 **One Position Limit**

62 The amendments add a new rule which states that a person shall not be eligible to run for
63 more than one elective office or seat per election. *See 2.5-4.*

64 **No Tribal member can serve in more than one position**

65 Amendments will also limit a Tribal member's ability to serve in other offices. In order to
66 become a candidate, a Tribal member cannot be serving on any other Tribal board, committee or
67 commission or Tribal corporate board as an elected or appointed official, unless the applicant
68 agrees that, if elected, he or she will resign from any other Tribal board, committee or
69 commission or Tribal corporate board, prior to taking the oath of office. *See 2.5-2(d).*

70 **No Tribal Employees can hold Elected Office**

71 Amendments will also limit a Tribal member to serve the Tribe either in elected office or
72 as a Tribal employee, but not both. Candidates elected to any position must resign from any
73 position with the Tribe effective prior to taking an oath of office. This provision includes any
74 full-time, part-time, seasonal, temporary or other employment position with the Tribe. *See 2.5-*
75 *2(e) and 2.11-9.*

76 **Unclear Enforcement Provisions**

77 The proposed Law includes enforcement provisions for campaign violations for
78 candidates and employees. There are unclear enforcement provisions for Election Board
79 members and no provisions for voter fraud.

80 Amendments will require Election Board members to report and document any
81 irregularities to the Election Board Chair. The Election Board Chair is required to create a report
82 based on that information and immediately forward the report to the OBC, Oneida Law Office,
83 and the entire Election Board. *See 2.4-1(a)(7) and 2.11-6.*

84 Election Board members may be removed from the Election Board for violations of this
85 law. The proposed law will require the Removal Law process for violations by elected members.
86 There is no clear process for the termination of appointed alternates who are accused of violating
87 this Law, other than the termination of appointment provisions in the Comprehensive Policy that
88 states that a two-thirds vote of the entire OBC is required. *See 2.4-4 and the Comprehensive*
89 *Policy 6-5.*

90 **Summary of Law**

91 **Election Board**

92
93
94 The amendments include a statement of authority giving the Board the duty and power to
95 implement the Law. *See 2.4-1.*

96 Duties for members include candidate eligibility, voter registration, implement and report
97 on elections, attend Board meetings, promulgate rules and regulations, and report election
98 irregularities, suspicious conduct and violations. Although duties are specifically listed for the
99 members, there are other duties listed throughout the Law. *See 2.4-1(a).*

100 Specific duties are listed for Board officers and roles during elections. *See 2.4-1(b).*

101 The amendments retain the composition of the Board at nine members with the terms
102 remaining three years. The Board Bylaws currently state there are twelve members and need to

103 be updated to reflect the change that was made in current Law¹.

104 Members are prohibited from serving more than two consecutive terms. This is consistent
105 with the current Law and with the proposed two-term limit for all Boards, Committees and
106 Commissions. An unspecified number of additional Members can be appointed by the OBC as
107 recommended by the Board. Changes will allow Tribal members in the Milwaukee area to be
108 considered to serve as alternates for the Milwaukee polling site. *See 2.4-2(c)*.

109 Members will be required to recuse themselves from the Board activities when running
110 for any elective office or an actual or perceived conflict of interest exists. *See 2.4-3*.

111 The elected Members will be subject to the removal provisions in the Removal Law. An
112 Alternate Member will be subject to termination of appointment in accordance with the
113 Comprehensive Policy. The proposed Law retains the provision if a Board member is removed
114 he or she will be ineligible to serve on the Board for three years from the date of removal. *See*
115 *2.4-4 and 2.4-6*.

116 The OBC will be responsible for filling any vacancy based on the need for another Board
117 member at the time and the balance of an unexpired term. *See 2.4-5*.

118 For meetings, Members will be compensated by a \$50 stipend in accordance with the
119 Comprehensive Policy, Article 11-3. During elections, Members will be compensated at an
120 hourly rate of \$10 in accordance with the Election Board Bylaws, section 2.8. Enrollment
121 Department personnel and Oneida Police Officers will be required to be compensated at their
122 regular rate of pay from their respective budgets. *See 2.4-7 and 2.4-8*.

123 **Candidate Eligibility**

124 The proposed Law will prohibit Tribal members from seeking more than one elective
125 office per election. Amendments will also prohibit Tribal members from serving on more than
126 one elected or appointed position of a Tribal board, committee, commission or Tribal corporate
127 board. This Law allows Candidates to be eligible to run for office if holding a position but must
128 resign from that office prior to taking the oath of office for another position. The current law
129 allows Tribal members to run and be elected to multiple elected offices on the same ballot,
130 except for the OBC member and judicial officer positions. *See 2.5-4 and 2.5-2(d)*.

131 Amendments will prohibit Tribal members from serving more than two consecutive
132 terms in any one seat. After a one-term waiting period, a Tribal member can seek and hold
133 elected office for a previously held position. Nothing prohibits a Tribal member from running for
134 a different elected office after terming out of another elected position. *See 2.5-3*.

135 Amendments will add a disclosure requirement regarding conflict of interests as defined
136 in the Comprehensive Policy. The provisions state that a conflict can exist up to 30 calendar days
137 of the election, at which time the conflict must be eliminated. *See 2.5-5*.

138 *Caucus*

139 The Board will be responsible for calling a caucus instead of the OBC. *See 2.5-6(a)*.

140 The general election caucus, which includes the OBC offices and any other needed
141 boards, committees, and commissions positions, will be required to be held at least 60 days prior
142 to the election date. This is decreased from 90 days in the current law. During non-general
143 election years, the boards, committees, and commissions caucus will be required to be held at
144 least 45 days prior to the election date. *See 2.5-6(a)*.

1 Oneida Election Board Bylaws, February 25,2009

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07/18/13

145 *Petition process*
146 Amendments will change the deadline for the Tribal Secretaries office from the next
147 business day following the close of petition submissions to six business days to forward the
148 petition to the Board Chairperson. *See current law 2.6-3 and 2.5-6(c)(1).*

149 All names of candidates and positions sought will be public record after submitting a
150 completed application or petition form to the Tribal Secretary's Office. *See 2.5-7.*

151 *Eligibility Determination*

152 The Election Board determines if an applicant is eligible to be a candidate. The Board
153 provides written notification to the applicant of their eligibility. The Election Board is required to
154 notify each applicant of his or her eligibility for a position by certified mail, return receipt
155 requested. If an applicant is not eligible, the amendments provide two business days from the
156 receipt of certified mail for the applicant to appeal to an Election Board hearing body. *See 2.5-9.*

157 **Campaigning**

158 This Law allows campaign contributions be accepted from enrolled Tribal members, or
159 individuals related by blood or marriage to the candidate. Candidates will be prohibited from
160 accepting contributions from any type of business entity, including corporations. Tribal members
161 are prohibited from soliciting or accepting contributions in or on any Tribal office, business or
162 facility, with specific exceptions:

- 163
 - A lot of land not owned by the Tribe
 - 164 • Any residential dwelling
 - 165 • A privately-owned business
 - 166 • A Tribal office, business, or facility or any portion of one, which is reserved for
167 the specific purpose of holding a campaign fund raiser. This provision would
168 enable soliciting and accepting contributions at locations where people gather and
169 community events are regularly held, such as the Parish Hall, Library and Tribal
170 businesses of the Thornberry Creek at Oneida and the Radisson Hotel. *See 2.6-1.*

171 *Campaign Signs*

172 The current and proposed law specifically prohibited campaign signs from being posted
173 or erected on any Tribal property, unless the owner/tenant has given the Candidate permission.
174 Signs may be posted on private property, and all signs are required to be removed within five
175 business days of the primary or regular election. The Zoning and Shoreland Protection Ordinance
176 69.11-7(a) states that on private property "the person responsible for erection or distribution" of
177 a sign or the property owner shall remove the signs. In addition, no more than seven campaign
178 signs can be placed on a building or lot. The proposed amendments require the Zoning
179 Administrator to cause non-complying signs to be removed. *See 2.6-2*

180 All persons are prohibited from campaigning at any Tribal office, business, or facility and
181 within 280 feet of the voting area. Amendments will provide for campaigning to occur at a Tribal
182 facility during a campaign event after normal Tribal business hours that all candidates were
183 given equal notice and opportunity to participate. Campaigning can also occur on land not owned
184 by the Tribe, a privately owned business and any residential dwelling on Tribal land. *See 2.6-*
185 *3(a) and (b).*

186 The provisions for violations of campaign restrictions will be subject to a fine in
187 accordance with 2.6-4, as in the current law.

188 **Election Date Determination and Polling Locations**

189 The GTC will be required to set elections in July on a date determined at the GTC annual

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07/18/13

190 meeting or the first GTC meeting that occurs in January. The OBC is authorized to set special
191 election dates as recommended by the Board or as ordered by the Appeals Commission.
192 Amendments specify that special elections, including those for all boards, committees and
193 commissions, must follow this Law. *See 2.7-1 and 2.7-3.*

194 The proposed Law will establish the primary election date as 30 calendar days, instead of
195 45 days, prior to the election. *See 2.7-2.*

196 Amendments require that one polling site is located on the Reservation and that one
197 polling site is located in Milwaukee in a Tribal facility. *See 2.7-4.*

198 The Election Board will be required to provide notice no less than 10 calendar days
199 before the election in three ways: posted in public locations; published in Tribal newspaper; and
200 mailed to all qualified voters. *See 2.7-5.*

201 **Registration of Voters**

202 Amendments will require voters to physically register to vote at a polling location by
203 presenting a picture identification to the Oneida Enrollment Department personnel. Enrollment
204 staff will be responsible for verifying Tribal enrollment. If there is a question about the eligibility
205 of a Tribal member being able to vote, the Election Board Judge will make a decision based on
206 the facts available. If a person is not determined to be ineligible to vote, they will be allowed to
207 vote and their ballot will be secured in an envelope, and not counted until the Election Board
208 makes a final decision on the eligibility. The person will be required to submit a written appeal to
209 the Election Board within two business days of the election to challenge their ineligibility. The
210 Election Board will have five days to make a final decision. Amendments clarify that if the
211 person is found to be a qualified voter, his or her ballot will be included in the final ballot count.
212 *See 2.8-4.*

213 **Election Process**

214 All elections will be required to begin at 7:00 a.m. and end at 7:00 p.m. and any voters in
215 line at 7:00 p.m. will be allowed to vote. *See 2.9-1.*

216 Video surveillance will be required for ballot counting machines from the time the polls
217 open until the votes are tabulated. A chain of custody record is required to be maintained for
218 every memory card or device that stores the voting record, as well as for any video surveillance
219 footage of the election. Ballots, devices which store the voting record, and any video surveillance
220 footage of the election are required to be placed in a secured location until the election has been
221 declared finalized. Any person failing to properly document chain of custody will be subject to a
222 fine or disciplinary action. *See 2.9-1(b) and (c).*

223 Police Officers will be required at all polling sites. Amendments specify that Tribal
224 members serving as police officers in Milwaukee will be considered first for the Milwaukee
225 polling site. Amendments will require the Election Board budget to pay expenses for non-Tribal
226 Police Officers that work the election. *See 2.9-2 and 2.4-8.*

227 Amendments will allow one additional person to assist any voter with marking their
228 ballot in the voting booth. *See 2.9-4.*

229 *Election Observers*

230 Any Tribal member, except a candidate, will be able to observe all or part of the election.
231 The Election Board may restrict the number and access of the observers within the polling site
232 and/ or vote count/recount location. The Election Board will be required to designate the area for
233 observers so they can see all the public aspects of the voting process, including the vote count or
234 recount. Observers may be removed if that Tribal member disrupts the operation of the polling

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07/18/13

235 site, vote count or recount. Activities that will be prohibited include talking about candidates or
236 referendum questions to other people or on the phone; wearing clothing or buttons about
237 candidates or referendum questions; recording video or taking pictures inside the polling area
238 during voting hours; or any action that could be considered interacting with voters. *See 2.9-5 and*
239 *2.11-4.*

240 Amendments include the requirement for a poll list that records the number of voters at
241 each polling location. Each ballot will be required to be counted and initialed by two Members
242 just before voter enters the voting booth. The tally of the voters on the poll list must match the
243 number of votes cast with any discrepancies immediately reported to the OBC in the final report.
244 *See 2.9-5 and 2.9-6.*

245 The Ballot box must be locked and properly sealed with ballots placed in the counting
246 machine as the ballots are received. All voters will be allowed a certain amount of privacy while
247 putting a ballot in the counting machine but their ballot may be observed by a Member or Police
248 Officer. *See 2.9-8.*

249 A ballot will be spoiled if there are not two initials from Members. A voter must be given
250 a new ballot if he spoils his/her ballot. Once spoiled, a ballot will be marked "VOID," initialed
251 by two Members, put into an envelope and stored for 15 calendar days following the final
252 decision of a challenged election. *See 2.9-10.*

253 Ballots rejected by the computer-counting machine will be reviewed by Members for
254 authenticity. If the rejected ballot is due to mutilation, it may be add to the final computer total,
255 as long as the voter did not receive a new ballot. If the rejected ballot is an illegal or not an
256 official ballot, it will be marked "VOID," and place in a sealed container labeled "Rejected
257 Ballots." *See 2.9-11.*

Tabulating and Securing Ballots

259 Amendments will require that all votes be tabulated at the polling location and that the
260 vote tallying be recorded by videotaping. If there are unforeseen circumstances, tabulation may
261 occur at a location other than the polling site, with the ballots being transported in a sealed
262 container accompanied by a Police Officer and at least three members. The Election Board will
263 be responsible for the secure transportation of the ballots from the Milwaukee polling site. *See*
264 *2.10-1(b).*

265 On the election day, a Police Officer will be required to move locked and sealed ballots
266 to a predetermined location for storage, rather than the Records Management Department for
267 retention. *See 2.10-4.*

Election Outcome

269 The tentative results of an election shall be announced and posted by the Election Board
270 within 24 hours after the closing of the polls. *See 2.11-1.*

Ties

272 If an election results in a tie, an automatic recount of the ballots will be required. Except
273 for any OBC positions, if the recount tally still results in a tie a winner, then the winner will be
274 determined through a lot drawing. Any ties within OBC positions, whether officers or council
275 members, will result in a run-off election to be held within 21 calendar days after the recount.
276 This section was revised in format only and the content remains the same as the current Law. *See*
277 *2.11-3.*

Recounts

279 Formatting and additional details were added to the section regarding recounts. This

Public Meeting Draft (redline)
07/18/13

280 section was revised in format only and the content remains the same as the current Law. *See*
281 *2.11-4.*

Challenges

282
283 Amendments change the period for a challenge of the results of an election from 10
284 calendar days to 30 days after the election. A qualified voter must file a complaint with the
285 Tribe's judicial system to challenge election results. The Tribe's judicial system will be required
286 to hear and make a decision on the challenge within two business days. An appeal may be made
287 within one business day of the lower body's decision and the Tribe's judicial system will have
288 two business days to make a final decision. If the election is invalidated, the Tribe's judicial
289 system is authorized to order a special election to be held for those offices affected. *See 2.11-6.*

Final Report on the Election

291 The Board will send the Final Report on the election to the OBC immediately after the
292 period for recounts and challenges has elapsed. The amendments add that the accounting of all
293 ballots - including the number of spoiled, rejected and valid ballots, and any reports generated
294 which document any irregularities, suspicious conduct or violations of the Election Law which
295 occurred during the election - are required information within the final report. The OBC will be
296 required to declare the official election results within 10 business days after receiving the final
297 report from the Board. A new provision adds that the final report and statement are required to be
298 kept by Records Management as the official election file. *See 2.11-7 and 2.11-8.*

Referendum

299
300 Provisions were added to clarify the parameters and process for advisory referendum
301 questions to be placed before GTC during elections. Parameters include wording the referendum
302 question as one single question regarding a proposal to amend, create or repeal all or any portion
303 of an existing or proposed law or policy. Amendments will require the referendum question to be
304 submitted to the Election Board at the caucus with signatures of ten endorsees. The referendum
305 question will be placed on the next available ballot once determined to meet requirements. *See*
306 *2.12-2, 2.12-3, and 2.12-5(a).*

307 After the election, the Board will forward the results of the advisory referendum to the
308 OBC who must report the determination to act or not act on the question to the GTC. After
309 reporting to the results to GTC, no further action will be required. *See 2.12-5.*

Definitions

311 Amendments to the definition of "Election" specify the types of elections including
312 primaries, general, special and other elections to elect Tribal members to the OBC, Tribe's
313 judicial system, a board, committee or commission and/or to vote on a referendum question. A
314 definition was added for "petition form" and "Tribal member." "Oneida Market" replaced the
315 Tsyunhehkwa retail store in the definition of "prominent locations." *See 2.3-1(i) and (o).*

Effective Date

316
317 The Law does not specify an effective date so the provisions of the Legislative
318 Procedures Act would apply and the effective date would be 10 days after the date of adoption of
319 the resolution. *See 16.9-3.*

Public Hearing

320
321 A public meeting has not been held.

322
323 Submitted by: Taniquelle J Thurner, Legislative Analyst
324 Legislative Reference Office

ONEIDA ELECTION LAW

2.1. Purpose and Policy

2.1-1. It is the policy purpose of ~~the Tribe that~~ this law shall to govern the procedures for the conduct of orderly Tribal elections, including pre-election activities such as caucuses and nominations. Because of the desire for orderly and easily understood elections, there has not been an allowance made for write-in candidates on ballots.

2.1-2. This law defines the duties and responsibilities of the candidates and potential candidates for elected office. Election Board members and other persons employed by the Oneida Tribe in the conduct of elections. It is intended to govern all procedures used in the election process.

2.2. Adoption, Amendment, Repeal

2.2-1. This law was adopted by the Oneida General Tribal Council by resolution #GTC 7-06-98-A and amended by resolution #GTC-01-04-10--A- and _____. The amendments adopted by resolution #GTC-01-04-10-A- _____ shall be effective January 4, 2010.

2.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to the procedures set out in the Oneida Administrative Legislative Procedures Act ~~by the Business Committee or the Oneida General Tribal Council. Actions of the Election Board regarding amendments to this law and policies adopted regarding implementation of this law are to be presented to the Business Committee who shall then adopt or forward action(s) to the General Tribal Council for adoption.~~

2.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

2.2-4. ~~Any law, policy, regulation, rule, resolution or motion, or portion thereof, which directly conflicts with the provisions of this law is hereby repealed to the extent that it is inconsistent with or is contrary to this law.~~ In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

2.2-5. This law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

2.3. Definitions

2.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

~~2.3-2.(a)~~ 2.3-2.(a) “Alternate” shall mean an individual appointed by the Business Committee to serve on the Election Board during an election and until election results have been certified.

~~2.3-3.(b)~~ 2.3-3.(b) “Applicant” shall mean a potential candidate who has not yet been officially approved for acceptance on a ballot.

~~2.3-4.(c)~~ 2.3-4.(c) “Business day” shall mean Monday through Friday, 8:00 a.m. ~~to~~ 4:30 p.m., excluding Tribal holidays.

~~2.3-5.(d)~~ 2.3-5.(d) “Campaigning” shall mean all efforts designed to influence Tribal members to support or reject a particular Tribal candidate including, without limitation, advertising,

Public Meeting Draft (redline)
07/18/13

370 rallying, public speaking, or other communications with Tribal members.
 371 ~~2.3-6.(e)~~ “Candidate” shall mean a petitioner or nominee for an elected position whose
 372 name is placed on the ballot by the Election Board after successful application.
 373 ~~2.3-7.(f)~~ “Clerk” shall mean ~~the election official~~an Election Board member who
 374 identifies proper registration for the purpose of determining voter eligibility.
 375 ~~2.3-8.(g)~~ “Close of business” shall mean 4:30 p.m. Monday through Friday.
 376 ~~2.3-9.(h)~~ “Conflict of interest” shall mean any interest, whether it be personal, financial,
 377 political or otherwise, in which a Tribal elected official, employee, consultant, appointed
 378 or elected, member of any board, committee or commission, or their immediate relatives,
 379 friends or associates, or any other person with whom they have contact, that conflicts
 380 with any right of the Tribe to property, information, or any other right to own and operate
 381 its enterprises, free from undisclosed competition or other violation of such rights of the
 382 ~~Oneida~~ Tribe, or as defined in any law or policy of the Tribe.
 383 ~~2.3-10.(i)~~ “Election” shall mean every primary ~~and~~, general election, special election and
 384 other election held to elect Tribal members to the Business Committee, Tribe’s judicial
 385 system, a board, committee or commission and/or to vote on a referendum question.
 386 ~~2.3-11.(j)~~ “General election” shall mean the election held every three (3) years in July to
 387 elect the Chairperson, Vice-Chairperson, Secretary, Treasurer, and the five ~~C~~council
 388 ~~M~~members of the Business Committee and may include contests for ~~elected boards,~~
 389 ~~committees and commissions~~ positions on a board, committee or commission and/or the
 390 Tribe’s judicial system.
 391 ~~2.3-12.(k)~~ “Judge” shall mean the ~~election official~~Election Board member who ~~informs~~
 392 ~~and advises the Chairperson of~~makes determinations when discrepancies, complaints and
 393 controversy regarding voter eligibility arise.
 394 ~~2.3-13.(l)~~ “Lot drawing” shall mean the equal chance method used to select a candidate
 395 as the winner of an elected position, in the case of a tie between two (2) or more
 396 candidates.
 397 ~~2.3-14.(m)~~ “Petition form” shall mean the form approved by the Business
 398 Committee or General Tribal Council to enable a Tribal member who was not nominated
 399 at a caucus to become a candidate in an upcoming election.
 400 ~~(n)~~ “Police Officer” shall mean ~~an enrolled a Tribal~~ member ~~of the Oneida Tribe of~~
 401 ~~Indians~~ who is a police officer on any police force.
 402 ~~2.3-15.~~ “Private property” shall mean ~~any lot of land not owned by the Tribe, a~~
 403 ~~residential dwelling or a privately owned business within the boundaries of the~~
 404 ~~Reservation~~.
 405 ~~2.3-16.(o)~~ “Prominent locations” shall mean the main doors of: the polling places, ~~main~~
 406 ~~doors of the~~ Norbert Hill Center, ~~main doors of the~~ Oneida Community Library,
 407 ~~Tsyunhehkwa Retail Store, the~~Oneida Market, Oneida Community Health Center, ~~the~~
 408 Southeastern Wisconsin Oneida Tribal Services (SEOTS) building and all One-~~Stop~~
 409 ~~locations~~Stops.
 410 ~~2.3-17.(p)~~ “Qualified voter” shall mean ~~an enrolled a~~ Tribal member who is ~~21 years of~~
 411 ~~age or older~~qualified to vote in accordance with the Oneida Tribal Constitution Article
 412 III, Section 2.
 413 ~~2.3-18.(q)~~ “Rejected Ballots” shall mean ~~those a~~ ballots which ~~are is~~ rejected by the vote
 414 tabulating machine.

Public Meeting Draft (redline)
07/18/13

415 | ~~2.3-19.~~(r) “Spoiled ~~B~~ballot” shall mean a ballot which contains a voter error or is
416 | otherwise marred and is not tabulated.

417 | ~~2.3-20.~~(s) “Teller” shall mean the ~~election official~~Election Board member in charge of
418 | collecting and storing ~~of~~ all ballots.

419 | ~~2.3-21.~~(t) “Tribal” or “Tribe” shall mean the Oneida Tribe of Indians of Wisconsin.

420 | (u) “Tribal member” shall mean any person whose name appears on the official rolls of
421 | the Oneida Tribe of Indians of Wisconsin.

422 | (v) “Tribal newspaper” shall mean the Kalihwisaks, or any other newspaper operated by
423 | the Tribe for the benefit of transmitting news to Tribal members which is designated by
424 | the Election Board as a source for election related news.

425 | ~~2.3-22.~~ “Tribe” means the Oneida Tribe of Indians of Wisconsin.

427 | **2.4. Election Board**

428 | ~~Section A~~2.4-1. ~~Establishment, Composition and Election~~

429 | ~~2.4-1~~Authority. An Election Board is hereby created ~~for the purpose of carrying and shall have~~
430 | ~~the duty and power to carry~~ out the provisions of this law and Article III, Sections 2 and 3 of the
431 | Oneida Constitution.

432 | ~~Section B.~~ Duties of the Election Board

433 | ~~2.4-9.~~ The Election Board shall have the following duties, along with other responsibilities listed
434 | throughout this law.

435 | (a) In addition to other duties and responsibilities listed throughout this law, Election
436 | Board members shall:

437 | (a1) ~~The Election Board shall be~~ in charge of all registration and election
438 | procedures; ~~and~~

439 | ~~2.4-6.~~ The Election Board shall (2) Review the qualifications of each applicant
440 | to verify eligibility to be placed on a ballot;

441 | (3) ~~Identify~~ tellers, judges and clerks in advance of an election;:

442 | (4) Be present at all Election Board meetings;

443 | (b5) ~~Upon completion of an election, the Election Board shall m~~Make a final
444 | report on the election results as set out in this law upon completion of an election;

445 | (6) Promulgate rules and regulations governing all elections, not in conflict with
446 | the provisions of this law, in accordance with Tribal law; and

447 | (7) Immediately document any irregularities, suspicious conduct, or violations of
448 | this law and report them to the Election Board Chairperson. The Election Board
449 | Chairperson shall create a report based on this information and immediately
450 | forward said report to the Business Committee, Oneida Law Office and the entire
451 | Election Board.

452 | ~~Section C.~~ Specific Duties of Officers and Election Board Members

453 | ~~2.4-10.~~(b) Specific duties of the Election Board Chairperson and other Election Board
454 | members, ~~in addition to being present at all Election Board meetings and assisting the~~
455 | ~~handicapped through the voting process,~~ are as set out herein:

456 | (a1) Chairperson: Shall preside over meetings of the Election Board; shall select
457 | polling place judges, shall select ~~the an Election Board~~ hearing body ~~for~~
458 | ~~applicants found to be ineligible in accordance with 2.5-6 in the event of an~~
459 | ~~appeal;~~in accordance with 2.5-10 as needed; shall oversee the conduct of the

Public Meeting Draft (redline)
07/18/13

460 election; shall dismiss the alternates and Oneida Enrollment Department
461 personnel when their election day duties are complete; and shall post and report
462 election results.

463 (b~~2~~) Vice-Chairperson: ~~Shall preside over all meetings i~~In the absence of the
464 Chairperson, ~~shall conduct all Chairperson duties.~~

465 (e~~3~~) Secretary: Shall keep a record of ~~all the Board~~ meetings and make them
466 available to the Tribal Secretary, other Election Board members and the public as
467 required in the Open Records and Open Meetings Law.

468 (d~~4~~) Clerks: Shall implement the requirements of identifying and registering all
469 voters and determining voter eligibility. Clerks shall work in conjunction with the
470 Oneida Enrollment Department personnel in the registration process, and assist
471 the Chairperson as directed in conducting the election. ~~Clerks cannot be currently~~
472 ~~employed by the Oneida Enrollment Department.~~

473 (e~~5~~) Tellers: Shall collect and keep safe all ballots, until the election is complete,
474 as determined by this law. Shall assist the Chairperson in conducting the election.

475 (f~~6~~) Judges: Shall inform and advise the Chairperson of all aspects of the election
476 conducted under this law. In case of disputes among Election Board members, or
477 between Tribal members and Election Board members, or any controversy
478 regarding voter eligibility, the Judge(s) shall ~~assist the Chairperson in making~~
479 ~~make~~ a determination ~~as to the voter's eligibility~~. The Judge(s) shall also ensure
480 that all ballots of voters whose eligibility may be in question, remain confidential.

481 2.4-2. Composition. The Election Board shall consist of nine (9) elected members.

482 (a) ~~All~~ Election Board members shall be elected to terms of three (3) years, not to exceed
483 two (2) consecutive terms.

484 ~~2.4-8.~~ (b) Officers. The Election Board shall choose a Chairperson from amongst
485 themselves as set out in the ~~By-laws~~ bylaws of the Election Board, to preside over the
486 meetings. This selection shall be carried out at the first meeting of the Election Board
487 following an election. The Chairperson shall then ask the Election Board to select a
488 Vice-Chairperson and Secretary.

489 ~~2.4-7.~~ (c) Alternates. The Business Committee may appoint or reappoint a sufficient
490 number of alternates to the Election Board, as recommended by the Election Board, ~~to~~
491 ~~assist with election day and pre-election activities~~ provided that Tribal members in the
492 Milwaukee area shall be considered to serve as alternates for the purpose of serving at the
493 Milwaukee polling site.

494 2.4-3. Recusal. An Election Board member shall recuse himself/herself from participating as an
495 Election Board member in any pre-election, election day, or post-election activities while he or
496 she is a petitioner, applicant or candidate ~~in~~ for any ~~election~~ elected position or where there is
497 otherwise an actual or perceived conflict of interest.

498 2.4-4. Removal: and Termination of Appointment. Violation of this law may result in an elected
499 Election Board member being removed from the Election Board. Removal of elected Election
500 Board members shall be pursuant to the ~~Oneida Removal Law.~~ Tribe's removal law. A member
501 or alternate who was appointed by the Business Committee shall be subject to a termination of
502 appointment in accordance with the Tribe's law governing boards, committees and commissions.

503 2.4-5. Vacancies. Any vacancy in an unexpired term shall be filled by appointment by the
504 Business Committee for the balance of the unexpired term. The filling of a vacancy may be

Public Meeting Draft (redline)
07/18/13

505 | timed to correspond with the pre-election activities and the needs of the Election Board.

506 | ~~Section D. Compensation Rates~~

507 | ~~2.4-11. Election Board members are to~~

508 | ~~2.4-6 Any Election Board member or alternate~~ who is removed ~~from the Election Board or has~~
509 | ~~his or her appointment terminated~~ shall be ineligible to serve on the Election Board for three (3)
510 | years from the time he or she is removed ~~from the Election Board or has his or her appointment~~
511 | ~~terminated~~^[LF1].

512 | ~~2.4-67. Election Board members shall~~ be compensated at an hourly rate when conducting
513 | elections as provided for in the Election Board's bylaws as approved by the Business Committee.
514 | The Election Board shall have a budget, approved through the budgeting process of the Tribe.

515 | ~~2.4-128. The Oneida Enrollment Department personnel and~~ Police Officers from the Oneida
516 | ~~Police Officer(s) Department~~ shall be compensated at their regular rate of pay out of their
517 | respective budgets. Police Officers from departments other than the Oneida Police Department
518 | shall be compensated out of the Election Board's budget.

519 |

520 | **2.5. Candidates Eligibility**

521 | ~~Section A. Requirements~~

522 | 2.5-1. In addition to any specific requirements and/or exceptions set out in duly adopted by-laws
523 | ~~or other documents~~, all applicants shall meet the minimum requirements set out in this section in
524 | order to become a candidate.

525 | 2.5-2. *Minimum Requirements.* In order to be eligible to be a candidate, an applicants shall:

526 | (a) be an enrolled Tribal member, as verified by membership rolls of the Tribe.

527 | (b) be a qualified voter on the day of the election.

528 | (c) provide proof of physical residency as required for the position ~~for which they have~~
529 | ~~been nominated or for which they have petitioned~~. Proof of residency may be through
530 | one (1) or more of the following:

531 | (1) a valid Wisconsin driver's license;

532 | (2) a bill ~~or~~ pay-check stub, or other form of proof showing name and physical
533 | address of the candidate from the prior or current month;

534 | ~~(3) another form of proof that identifies the candidate and that the candidate has~~
535 | ~~physically resided at the address and~~ which identifies that address as the
536 | candidate's primary residence.

537 | (d) not be serving on any other Tribal board, committee or commission or Tribal
538 | corporate board whether elected or appointed. Provided that said applicant may be
539 | allowed to run for an elected seat but shall be required to agree to resign from any other
540 | seat he or she holds on a Tribal board, committee or commission or Tribal corporate
541 | board prior to taking the oath of office.

542 | (e) not be employed by the Tribe. Provided that said applicant may be allowed to run for
543 | an elected seat but shall be required to agree to resign from his or her position with the
544 | Tribe prior to taking the oath of office.

545 | 2.5-3. A person may serve a maximum of two (2) consecutive full terms in any one (1) seat. A
546 | minimum period equivalent to one (1) term shall lapse in order for a prior member to be eligible
547 | for another term in the same seat for the same office. Nothing shall bar a person from seeking

Public Meeting Draft (redline)
07/18/13

548 | election for a different seat or office.²

549 | ~~2.6~~4. A person ~~who runs for a position on the Oneida Business Committee, or a position on a~~
550 | ~~judicial court or commission, shall not~~ shall not be eligible to run for more than one (1) elective
551 | office or seat per election.

552 | 2.5-5. An applicant shall disclose any and all possible conflicts of interests in accordance with
553 | the Comprehensive Policy Governing Boards, Committees and Commissions. An applicant shall
554 | not ~~2.5-3. No applicant may~~ have a conflict of interest with the position for which ~~they are~~ he or
555 | she is being considered, provided that any conflict of interest which may be eliminated within
556 | thirty (30) calendar days of being elected shall not be considered as a bar to nomination or
557 | election.

558 | ~~2.5-4. Applications and petitions where the applicant was not nominated during caucus shall be~~
559 | ~~filed by presenting the information to the Tribal Secretary, or designated agent, during normal~~
560 | ~~business hours, 8:00 to 4:30 Monday through Friday, within five (5) business days after the~~
561 | ~~caucus. No mailed internal Tribal mail delivery, faxed or other delivery method shall be~~
562 | ~~accepted.~~

563 | ~~2.6. Selection of Candidates~~

564 | ~~Section A. Setting of Caucus~~

565 | 2.5-6. Becoming a Candidate.

566 | ~~2.6-1(a)~~ The Election Board shall ~~be responsible for calling notice and call~~ a caucus
567 | before any election is held to nominate candidates to be placed on the ballot for an
568 | upcoming election. In a general election year, caucuses shall be combined so that
569 | candidates for the Business Committee, Tribe's judicial system and elected boards,
570 | committees and commissions are nominated at the same caucus.

571 | (1) The caucus for the general election shall be held at least ~~ninety~~ sixty (960)
572 | calendar days prior to the election date.

573 | (2) Caucuses for other elections shall be held at least forty-five (45) calendar
574 | days prior to the election date.

575 | ~~2.6-2(3)~~ The procedures for the caucus shall be as follows:

576 | ~~(a)~~ Candidates shall be nominated from the floor.

577 | ~~(b)~~ Candidates present at the caucus ~~will~~ shall accept ~~or~~ decline their
578 | nomination at the caucus. Candidates nominated at the caucus, but not
579 | present to accept the nomination or declining a nomination, shall be
580 | required to follow the petition process.

581 | ~~(c)~~ ~~Nominations shall consist of the following positions: Chairperson,~~
582 | ~~Vice Chairperson, Treasurer, Secretary, Council Member and other~~
583 | ~~elected positions as required by by laws or creating documents of a board,~~
584 | ~~committee, or commission.~~

585 | (4) A Tribal member who accepts a nomination at a caucus shall file a completed
586 | application in accordance with 2.5-6(c) within five (5) business days after the
587 | caucus.

588 | ~~Section B. Petition~~

² In accordance with Resolution X, all elected persons serving in an office on the effective date of this amendment shall have their current term counted as their first term regardless of the number of terms previously elected to that office.

Public Meeting Draft (redline)
07/18/13

589 ~~2.6-3.(b)~~ Any eligible Tribal member, who did not accept a nomination at a caucus, may
590 petition to be placed on the ballot ~~according to the following procedures:~~for an upcoming
591 election.

592 ~~(a) Each petitioner, not nominated at caucus, shall file a petition containing endorsee's~~
593 ~~original signatures; photocopies shall not be accepted.~~

594 ~~(b) Petitioners shall use an official petition form as designated by this law which may be~~
595 ~~obtained in the Tribal Secretary's Office or from the mailing for that caucus.~~

596 ~~(c) The petition form shall consist of each endorsee's:~~

597 (1) A completed petition form shall be filed in accordance with 2.5-6(c), within
598 five (5) business days after the caucus and shall have no less than ten (10)
599 signatures which shall consist of each endorsee's:

600 (1A) printed name and address;

601 (2B) date of birth;

602 (3C) Oneida Tribal Enrollment Number; and

603 (4D) original signature by the endorsee; a photocopied or faxed signature
604 shall not be accepted.

605 ~~(d) Petitioners shall obtain not less than ten (10) signatures of qualified voters as defined~~
606 ~~under this law.~~

607 ~~(e) Petitions shall be presented to the Tribal Secretary, or designated agent, during~~
608 ~~normal business hours, 8:00 to 4:30 Monday through Friday, but no later than prior to~~
609 ~~close of business five (5) business days after the caucus. The location to drop off~~
610 ~~petitions shall be identified in the mailing identifying the caucus date.~~

611 (c) A completed application and petition form, if required, shall be filed in person with
612 the Tribal Secretary, or designated agent, during normal business hours, 8:00 a.m. to 4:30
613 p.m. Monday through Friday. An application and petition form shall not be accepted as
614 filed if it was mailed, sent by internal Tribal mail delivery, faxed or delivered by any
615 other method.

616 (f1) The Tribal Secretary shall forward all petitions forms to the Election Board
617 Chairperson the next business day following the close of petition submissions no
618 later than six (6) business days after the caucus.

619 (g2) The Election Board shall have the Oneida Enrollment Department verify all
620 signatures contained on the petition forms.

621 ~~2.5-57.~~ The names of ~~the candidates~~ an applicant and the positions sought shall be a public
622 record and made available to the public upon ~~the determination of eligibility by the Election~~
623 ~~Board or the Board's designated agent~~ filing of an application and petition form, where
624 applicable, in accordance with 2.5-6(c).

625 *Section B. Eligibility Review*

626 2.5-8. The Election Board shall be responsible for reviewing the qualifications of each applicant
627 to verify eligibility.

628 2.5-79. The Election Board shall notify each applicant of his or her eligibility for a position by
629 certified mail return receipt requested.

630 (a) Any applicant found to be ineligible for a nominated or petitioned for position shall be
631 notified by certified mail return receipt requested. An applicant shall have two (2)
632 business days from receipt of notification to appeal to a hearing body created in
633 accordance with 2.5-10. An appeal shall be filed by hand delivery at the location

Public Meeting Draft (redline)
07/18/13

designated on the notice. The location designated shall be on the Reservation. No mailed, internal Tribal mail, faxed or other delivery method will be accepted.

(b) The notice shall provide the following information:

(a1) Position for which ~~they were~~ the applicant was considered.

(b2) Qualification of the position and citation of the source. ~~(Copies of source may be attached.)~~

(e3) ~~A b~~ Brief summary explaining why/whether the applicant was found to be ~~ineligible~~ and, if not, why.

(d4) ~~That the applicant has two (2) business days from notification to make an appeal. Appeals must be filed at the location designated on the notice by hand delivery. The location designated shall be on the Reservation. No mailed, internal Tribal mail, faxed or other delivery method will be accepted.~~ Instructions and deadlines on appealing the decision in accordance with (a).

~~2.5-610. Hearing Body. Applicants found to be ineligible shall have two (2) business days to request an appeal. At least four (4) Election Board members, selected by the Chairperson, shall constitute a hearing body. The Chairperson shall select the hearing body. The hearing shall be held within two (2) business days of receipt of the appeal. The applicant shall be notified by phone of the time and place of the hearing. The decision of the hearing body shall be sent to the applicant via certified mail or hand delivery within two (2) business days of the hearing. Any appeal from a decision of the Election Board hearing body shall be to the Oneida Appeals Commission. Tribe's judicial system on an accelerated schedule and in compliance with the Administrative Procedures Act.~~

~~Section D. Candidate Withdrawal~~

~~2.5-10 Any candidate may withdraw his or her name from a ballot if submitted in writing by the candidate prior to submission of the ballot for printing to any Election Board member, excluding alternates.~~

~~2.5-11 After printing of the ballot, any candidate may withdraw his or her name from the election by submitting in writing a statement indicating they are withdrawing from the election prior to the opening of the polls to any Election Board member, excluding alternates. This statement shall be posted alongside any sample ballot printed prior to the election in the newspaper or any posting at the polling places.~~

2.5-11. Request to be Removed from the Ballot. A candidate may request to be removed from the ballot by submitting a written statement to any Election Board member, excluding alternates.

If the written statement requesting to be removed from the ballot is received:

(a) Prior to the submission of the ballot for printing, the candidate's name shall be excluded from the ballot;

(b) After ballots have been printed but prior to the opening of the polls, the candidate's written statement shall be posted alongside any sample ballot printed prior to the election in the Tribal newspaper and alongside any sample ballot posted at the polling locations; or

(c) 2.5-12. Candidates withdrawing after opening of the polls shall request, in writing to the Election Board members in charge of the polling place, to be removed from the ballot. The After the polls are open, the candidate's written statement shall be posted next to any posted sample ballot posted at the polling locations.

~~2.5-132. Candidates withdrawing~~ A candidate who withdrew by any method listed herein shall

Public Meeting Draft (redline)
07/18/13

679 | be denied any position from which ~~they have~~he or she has withdrawn regardless of the number of
680 | votes cast for that candidate. A written statement shall be considered the only necessary
681 | evidence of withdrawal and acceptance of denial of any position withdrawn from.
682 |

683 | **Section C2.6. Campaigning**

684 | **2.6-1. Campaign Financing**

685 | ~~2.5-8. Contributions:~~

686 | ~~(a) Solicitation of Contributions by Candidates. (1) Candidates~~ (a) A candidate shall
687 | only accept contributions from individuals who are members of the Tribe or individuals
688 | related by blood or marriage to the candidate.

689 | (b) Candidates may not accept contributions from any business, whether sole
690 | proprietorship, partnership, corporation, or other business entity.-

691 | ~~(2) Candidates shall not solicit or accept~~ (c) All persons, including candidates and
692 | employees of the Tribe, shall be prohibited from soliciting or accepting contributions for
693 | a candidate in or on the property of any Tribal office, business, or facility, excluding
694 | the following:-

695 | ~~(b) Fines. Violation of the contribution restrictions shall result in a fine imposed by the~~
696 | ~~Election Board in an amount specified in a resolution adopted by the Business~~
697 | ~~Committee.~~

698 | (1) a lot of land not owned by the Tribe;

699 | (2) any residential dwelling;

700 | (3) a privately owned business; or

701 | (4) a Tribal office, business or facility or any portion thereof which is reserved
702 | for the specific purpose of holding a campaign fund raiser.

703 | ~~2.6-2.5-9. Campaign Signs and Campaigning:~~

704 | ~~(a) Placement of~~ A campaign signs ~~shall not:~~

705 | ~~(1) Campaign signs shall not b~~ Be posted or erected on any Tribal property except
706 | for private property with the owner/tenant's permission.

707 | ~~(2) No campaign sign shall e~~ Exceed sixteen (16) square feet in area. A
708 | maximum of seven (7) such signs may be placed on a building or on a lot.

709 | ~~(3) No campaign sign shall p~~ Project beyond the property line into the public right
710 | of way.

711 | (b) Removal of campaign signs. All campaign signs shall be removed within five (5)
712 | business days after an election. Candidates not advancing after a primary shall cause
713 | their campaign signs to be removed within five (5) business days after the primary.

714 | ~~(d)~~ (c) Enforcement. The Zoning Administrator shall cause to be removed any campaign
715 | signs that are not in compliance with this law, in accordance with the Zoning and
716 | Shoreland Protection Law.

717 | **2.6-3. Where Campaigning may Occur.**

718 | (a) All persons, including candidates and employees of the Tribe, are prohibited from
719 | engaging in campaigning for a candidate at any Tribal office, business, or facility, except
720 | that persons may campaign in a Tribal facility during a campaign event occurring after
721 | normal Tribal business hours in which all candidates were given an equal notice and
722 | opportunity to participate.

723 | ~~2.9-6.(b)~~ No campaigning of any type shall be conducted within two hundred eighty

Public Meeting Draft (redline)
07/18/13

(280) feet of the voting area, excluding ~~private property~~any lot of land not owned by the Tribe, any residential dwelling or a privately owned business.

2.6-4. Violations.

(~~ea~~) ~~Fines.—Violation of the campaign sign restrictions shall result in~~Any person who is in violation of 2.6 shall be subject to a fine imposed by the Election Board in an amount specified in a resolution adopted by the Business Committee.

(~~eb~~) ~~Employees of the Tribe shall not engage in campaigning for Tribal offices during work hours.—A~~ Tribal employees ~~shall~~may be subject to disciplinary action under the personnel policies and procedures ~~for political campaigning during work hours~~if campaigning in violation of this section during Tribal business hours or during a work shift in which a salary or wage is received.

2.7. Election Date Determination and Polling Locations

~~2.97-1.~~ In accordance with Article III, Section 4 of the Tribal Constitution, elections shall be held in the month of July on a date set by the General Tribal Council. The General Tribal Council shall set the election date at the January annual meeting, or at the first ~~GTC~~General Tribal Council meeting held during a given year.—~~Special Elections shall be set in accordance with 2.12-6.~~

~~Section A. Primary Elections; Business Committee~~

~~2.12-1.~~2.7-2. Primary Election. When a primary is required under ~~2.12-2(a)~~, it shall be held on a Saturday at least ~~sixty~~thirty (~~630~~) calendar days prior to the election.

~~2.12-2(a)~~ There shall be a primary election for Business Committee positions whenever there are three (3) or more candidates for any officer position or ~~sixteen~~eleven (~~161~~) or more candidates for the ~~at large~~ council member positions.³

~~2.12-3(b)~~ The Election Board shall cancel the primary election if none of the Business Committee positions ~~did not draw~~drew the requisite number of candidates for a primary by the ~~petitioning~~ deadline set for the primary.

(~~ac~~) The two (2) primary candidates receiving the highest number of votes cast for each officer position shall be placed on the general election ballot.

(~~bd~~) The ~~fifteen~~ten (~~150~~) candidates receiving the highest number of votes cast for the ~~at large~~Business Committee council member positions shall be placed on the general election ballot.

(~~ee~~) Any position where a tie exists to determine the candidates to be placed on the ballot shall include all candidates where the tie exists.

~~Section B. Special Elections~~

~~2.12-6.~~2.7-3. Special Election. ~~Dates of all~~ Special ~~E~~lections dates shall be set, as provided for in this law, by the Business Committee as recommended by the Election Board or as ordered by the ~~Oneida Appeals Commission~~Tribe's judicial ~~court or commission, shall not run~~system in connection with an election challenge. All special elections shall follow this Law and

³October 11, 2008 GTC motion: Motion by Ed Delgado to amend the main motion that we adopt today the primary election portion of the proposal Section 2.12.b, seconded by Yvonne Metivier. Motion carried. Motion by Madelyn Genskow to defer the Election Law amendments to the GTC meeting on Saturday July 11, 2009, seconded by Linda Dallas. Motion carried.

Public Meeting Draft (redline)
07/18/13

763 procedures established for all other elections. This includes positions for all boards, committees
764 and commissions.

765 Section D. Initiation of Special Elections

766 2.12-10.(a) Special Elections may be initiated by a request or directive of the General
767 Tribal Council or the Oneida Business Committee or may be submitted by a Tribal
768 member to the Business Committee or General Tribal Council for consideration.

769 2.12-11. Special Election may be requested by a Tribal member to the Business Committee or
770 General Tribal Council.

771 2.12-5.(b) Matters subject to a Special Election, i.e., referendum, vacancies, petitions,
772 etc., as defined in this law, may be placed on the same ballot as the subject matter of an
773 election.

774 2.9-27-4. Polling Location. Elections shall be held in Each polling site shall be located in an
775 Oneida Tribal facility(s) as determined by the Election Board; provided that at least one (1)
776 polling site shall be located within the Reservation boundaries and one (1) polling site shall be
777 located in Milwaukee⁴.

778 2.7-15. Notice. The Election Board shall provide notice in
779 of an election, which shall include the prominent locations, stating the location of the polling
780 places and the time the polls will be open. This notice shall also be posted in an easily visible
781 position, close to the entrance of Tribal businesses/facilities. date, all polling locations, and the
782 polling times; said notices shall be:

783 2.7-2.(a) Posted in prominent locations. Polling information shall be posted no less than
784 ten (10) calendar days prior to the election, and shall remain posted until the polls closes
785 on the day of the election.

786 2.7-3. Except for a Special Election, notice for the election shall be mailed to all Tribal
787 members, stating the time and place of the election and a sample of the ballot, no (b)
788 Published in the Tribal newspaper.

789 (c) Sent to all qualified voters not less than ten (10) calendar days prior to the an election;
790 through a mass mailing. The Oneida Enrollment Department shall be notified, by the
791 Election Board Chairperson, no less than twenty (20) calendar days prior to the requested
792 mailing. Notices sent to qualified voters shall also include a sample ballot.

793 2.7-4. Notice of the election shall be placed in the Tribal newspaper.

794 2.12-4. In the event a candidate withdraws or is unable to run for office after being declared a
795 winner in the primary, the Election Board shall declare the next highest primary vote recipient
796 the primary winner. This procedure shall be repeated as necessary until the ballot is full or until
797 there are no available candidates. If the ballot has already been printed, the procedures for
798 notifying the Oneida public in section 2.5-11 and 2.5-12 shall be followed, including the
799 requirement to print a notice in the Tribal newspaper if time lines allow.

800 2.12-8.2.7-6. In the event of an emergency, the Election Board may reschedule an election,
801 provided that no less than a twenty-four (24) hours notice of the rescheduled election date is
802 given to the voters, by posting notices in the prominent locations.

803 2.12-7. Notice of said Special Election shall be posted by the Election Board in the prominent
804 locations, and placed in the Tribal newspaper not less than ten (10) calendar days prior to the

⁴BC Resolution 03-13-02-O established a Milwaukee Polling Site, provided for a police presence, appropriated funds for personnel costs, and provided for transmission of Milwaukee results.

805 ~~Special Election.~~

806 ~~2.12-12. All Special Elections shall follow rules established for all other elections. This~~
807 ~~includes positions for all Boards, Committees and Commissions.~~

808

809 **2.8. Registration of Voters**

810 ~~Section A. Requirements~~

811 ~~2.8-1. Registration of Voters. All enrolled members of the Tribe, who are twenty-one (21) years~~
812 ~~of age or over, are qualified voters of such election(s) as defined in Article III, Section 2 of the~~
813 ~~Oneida Tribal Constitution.~~

814 ~~2.8-41. Oneida Enrollment Department personnel shall be responsible for verifying Tribal~~
815 ~~enrollment. Conduct of Oneida Enrollment Department personnel is governed by the Election~~
816 ~~Officials Board members during the voting period.~~

817 ~~Section B. Identification of Voters~~

818 ~~2.8-52. Every person who intends~~ Voters shall physically register to vote ~~must sign~~ at a polling
819 location by:

820 ~~2.8-2.(a) All voters must present:~~ Presenting one of the following picture identifications
821 ~~in order to be able to vote to the Oneida Enrollment Department personnel:~~

822 (a1) Tribal I.D;

823 (b2) Drivers License; or

824 (e3) Other government issued I.D. which contains a with-name and photo.

825 (b) Signing his/ or her name on an official Voter Registration Form ~~containing the~~
826 ~~voter's following information;~~ as approved by the Election Board.

827 (a) ~~name and maiden name (if any);~~

828 (b) ~~current address;~~

829 (c) ~~date of birth; and~~

830 (d) ~~enrollment number.~~

831 ~~Section C. Registration Procedures~~

832 ~~2.8-3. Voters shall physically register, on the day of the election, at the polls.~~

833 ~~Section D. Qualification/Verification of Voter Eligibility~~

834 ~~2.8-6. Should a question or dispute arise as to the eligibility of a voter being qualified to vote,~~
835 ~~the Judges of the Election Officials appointed by the Election Board Chairperson shall meet with~~
836 ~~the Enrollment Department personnel who are registering voters, to decide the voting member's~~
837 ~~eligibility currently being questioned and Judge(s) shall make such a decisions from the facts~~
838 ~~available, and determine whether the applicant is, in fact, a qualified/verifiable voter under the~~
839 ~~Oneida Tribal Constitution, Article III Section 2, to vote in tribal elections.~~

840 ~~2.8-74. Any voter denied eligibility~~ individual deemed ineligible to vote shall be allowed to vote,
841 provided that the ballot shall be placed in an envelope, initialed by two (2) Election
842 ~~Officials,~~ Board members, appropriately sealed and numbered.

843 (a) The ~~name of the voter~~ individual shall ~~be written next to a numbered list which~~
844 ~~corresponds to the numbered and sealed envelope. The voter shall be required to mail a~~
845 ~~written appeal to the Election Board at P.O. Box 413, Oneida, Wisconsin, 54155,~~
846 ~~postmarked within two (2) business days of the election if they desire to challenge the~~
847 ~~decision made by the Election Officials.~~ The Election Board shall make a final decision,
848 within five (5) business days of receiving the appeal and shall report this decision to the
849 individual and in the final report sent to the Oneida Business Committee.

850 (b) If the individual is deemed a qualified voter, his or her ballot shall be included in the
851 final ballot count.

853 **2.9. Election Process**

854 *Section A. Polling Places and Times*

855 ~~2.9-3.~~2.9-1. Voting for elections shall begin at 7:00 a.m. and shall end at 7:00 p.m. All voters in
856 line to vote at 7:00 p.m. shall be allowed to vote.

857 (a) ~~If a ballot counting machine is used, the ballot counting machine shall be prepared~~
858 ~~prior to 7:00 a.m. on the day of the election.~~ The Judges shall open the polls only after
859 four (4) Tribal members and a Police Officer verify, through signature on the tape, the
860 ballot box is empty and the ballot counting machine printer tape has a zero (0) total
861 count. for every candidate and referendum. The zero count shall not be separated or
862 removed from the ballot counting machine printer tape.

863 (b) Video surveillance of the ballot counting machine shall be conducted from the time
864 the polls open until the votes are tabulated.

865 ~~2.9-4.~~(c) A chain-of-custody record shall be maintained for every memory card or
866 device which stores the voting record and any video surveillance footage of the election.
867 Further, all ballots, any device which stores the voting record and any video surveillance
868 footage of the election shall be placed in a secured location until the election has been
869 declared finalized in accordance with 2.11-8. All ballots, election equipment, and
870 election specific supplies shall be appropriately inventoried, accounted for and stored at a
871 Tribal facility with appropriate chain of custody documentation. Any person failing to
872 properly document chain of custody shall be subject to a fine or disciplinary action.

873 ~~2.9-2.~~ At least one (1) Oneida Police Officer shall be present within each polling location during
874 the time the polls are open, and until the counting of ballots is completed, and tentative results
875 have been posted. Tribal members serving as local police in the Milwaukee area shall be
876 considered first for offering their services at a Milwaukee polling site.

877 ~~2.9-53.~~ The Election Board shall provide a voting booth area sufficiently isolated for each voter
878 such that there is an area with at least two (2) sides and a back enclosure.

879 ~~2.9-7. No one causing a disturbance shall be allowed in the voting area.~~

880 ~~2.9-84.~~ The Election Board members may restrict the voting booth and ballot machine area to
881 qualified voters only. This restriction is in the interest of maintaining security and one (1) person
882 of the ballots and each voter's choosing to provide assistance to the voter in marking the voter's
883 ballot.

884 2.9-5. A poll list shall be maintained by the Election Board which indicates the number of voters
885 who vote at a particular polling location. At the close of the election, the number of votes on the
886 poll list shall be compared to the number of votes cast. Discrepancies shall be immediately
887 documented, resolved and reported to the Business Committee in the final report.

888 2.9-6. Each ballot shall be initialed by two (2) Election Board members prior to the voter
889 entering the voting booth. Ballots shall not be initialed in advance and shall be properly stored
890 as to not allow the public access to uncast ballots. If a voter receives a ballot which has not been
891 properly counted and initialed, the ballot shall be returned and the voter shall be provided a
892 properly validated ballot.

893 2.9-7. Election Observers.

894 (a) Any Tribal member of voting age, may be present at any polling place for the

895 purpose of observing all or part of an election, except that:

896 (1) A candidate whose name appears on the ballot shall not be allowed to be an
897 election observer while the polls are open.

898 (2) A candidate shall be allowed to be present during any vote count or recount
899 occurring after the polls have closed.

900 (b) The Election Board may restrict the location of election observers to certain areas
901 within a polling place or vote count or recount location. The Election Board shall clearly
902 designate such an area as an observation area. Designated observation areas shall be so
903 positioned to permit an eligible election observer to readily observe all public aspects of
904 the voting process, including any vote count or recount.

905 (1) The Election Board may reasonably limit the number of election observers
906 who are permitted at a single polling place in order to ensure the safety of all
907 voters. Any limitations shall be applied on a first come first serve basis and
908 uniformly.

909 (c) The Election Board may order the removal of any election observer if that individual
910 commits an overt act which disrupts the operation of the polling place, vote count or
911 recount location. Specifically, an election observer is prohibited from the following:

912 (1) Having conversations about candidates or referendum questions.

913 (2) Making phone calls or using cell phones for voice calls inside the polling
914 area.

915 (3) Wearing clothing or buttons related to candidates or referendum questions.

916 (4) Recording video or taking pictures inside the polling area during the voting
917 hours.

918 (5) Interacting with voters.

919 *Section B. ~~Ballot Box~~*

920 2.9-98. All ballots being votes, shall be placed in a receptacle clearly marked "Ballot Box" and
921 shall be locked and properly sealed until counting at the close of polls. Provided that, with
922 electronic ballot counting, the ballots may be placed within the ballot counting machine as
923 ~~they~~the ballots are received.

924 (a) All voters shall be allowed sufficient privacy of their ballot vote when placing a
925 ballot in a ballot machine, provided that the placement of the ballot in a ballot machine
926 may be observed by an Election Board member or Police Officer at a sufficient distance
927 in order to ensure the voting process is not being compromised.

928 2.9-9. The Election Board shall create a standardized form or log for documenting any election
929 day incidents, including but not limited to spoiled and rejected ballots, challenges, disturbances
930 and any other election irregularities.

931 *Section C. ~~2.9-10. Spoiled Ballots~~*

932 2.9-10. If a voter spoils his/her ballot, he/she shall be given a new ballot: upon return of the
933 spoiled ballot.

934 2.9-11. (a) If a ballot has not been initialed by two (2) Election Board members, it shall
935 be deemed spoiled.

936 (b) ~~The~~A spoiled ballot shall be marked "VOID" and initialed by two (2) Election
937 Officials~~Board members~~ and placed in an envelope marked as "Spoiled Ballots."

938 2.9-12. (c) The ~~Spoiled Ballot~~ envelope(s) containing the spoiled ballots shall be retained
939 and secured at the predetermined location for storage for no less than fifteen (15)

Public Meeting Draft (redline)
07/18/13

940 | calendar days following finalization of any challenge of the election, ~~at the Records~~
941 | ~~Management Department.~~

942 | ~~Section D. 2.9-11. Rejected Ballots~~

943 | ~~2.9-13.~~ Rejected ~~B~~ballots ~~are to~~shall be placed in a specially marked container and sealed.

944 | (a) Computer rejected ballots shall be reviewed by the Election ~~Officials~~Board members
945 | to verify the authenticity of the ballot. Ballots rejected because of mutilation shall be
946 | added to the final computer total, provided that, the voter was not given a new ballot ~~was~~
947 | ~~not received as set out in sections 2.9-10 through 2.9-12~~upon return of the rejected ballot.

948 | (b) Ballots rejected, either during the computer process or during a manual counting,
949 | shall be reviewed by the Election ~~Officials~~Board members to verify that they are
950 | authentic. If the Election ~~Officials~~Board members determine that the ballot is not an
951 | official ballot, or that it is an illegal ballot, the ballot shall be designated ~~“void;”~~“VOID;”
952 | and placed in a sealed container marked ~~“Void~~Rejected Ballots.”

953 |

954 | **2.10. Tabulating and Securing Ballots**

955 | ~~Section A. Machine-Counted Ballots~~

956 | ~~2.10-1.~~ All votes shall be tabulated at the location where the votes were cast. The Election
957 | Board shall arrange for the video taping of the vote tallying at each polling location.

958 | ~~2.10-4.(a)~~ If the ballots ~~need~~are required to be counted at a location other than the
959 | polling site due to unforeseen circumstances, the ballots shall be secured in a sealed
960 | container for transportation to the ballot counting location. The sealed ballots shall be
961 | transported by ~~an Oneida~~ Police Officer with at least three (3) of the Election
962 | ~~Officials~~Board members for counting/tallying of ballots.

963 | (b) The Election Board Chairman and the Election Board members designated to serve at
964 | the Milwaukee polling site shall arrange for the secured transmission of the Milwaukee
965 | preliminary election results to the Oneida Reservation polling site.

966 | ~~2.10-12.~~ When ballots are counted by machine, at the close of polls the Judges shall generate
967 | from the ballot counting machine copies of the election totals from the votes cast.

968 | ~~2.10-2.~~ At least six (6) Election Board members shall sign the election totals, which shall
969 | include the tape signed ~~by the Tribal members before the polls were opened per~~in accordance
970 | with section 2.9-~~3~~1(a).

971 | ~~Section B. Manually Counted Ballots~~

972 | 2.10-3. When ballots are manually counted, at the close of polls the Judges shall unlock the
973 | ballot box and remove the ballots.

974 | ~~2.10-5.(a)~~ The sealed ballots shall be opened at the time of counting by the Election
975 | ~~Officials~~Board members and witnessed/monitored by ~~an Oneida~~ Police Officer.

976 | ~~2.10-6.(b)~~ Ballots ~~must~~shall be counted by two (2) different Election ~~Officials~~Board
977 | members until two (2) final tallies are equal in back to back counting. Final tallies shall
978 | be verified by the ~~Election Judges.~~Judge(s).

979 | ~~Section C. 2.10-4. Securing Ballots~~

980 | ~~2.10-7.~~ The Judges shall place together all ballots counted and secure them together so that they
981 | cannot be untied or tampered with without breaking the seal. The secured ballots, and the
982 | election totals with the signed tape, if applicable, shall then be secured by the Judges in a sealed
983 | container in such a manner that the container cannot be opened without breaking the seals or
984 | locks, or destroying the container. The ~~Oneida~~ Police Officer shall then deliver, on the day of

Public Meeting Draft (redline)
07/18/13

985 | the election, the sealed container to ~~the Records Management Department~~ a predetermined
986 | location for ~~retaining storage~~.

987

988 | **2.11. Election Outcome and Ties**

989 | ~~Section A. Election Results Announcement~~

990 | 2.11-1. The tentative results of an election shall be announced and posted by the Election Board
991 | within twenty-four (24) hours after the closing of the polls. Notices of election results shall
992 | contain the following statement:

993 | *“The election results posted here are tentative results. Final election results are*
994 | *forwarded by the Oneida Election Board to the Oneida Business Committee via a Final*
995 | *Report after time has lapsed for recount requests, or challenges or after all recounts or*
996 | *challenges have been completed, whichever is longer”*

997 | 2.11-2. The Election Board shall post, in the prominent locations, and publish in the Tribal
998 | newspaper, the tentative results of an election.

999 | ~~Section B. Tie~~

1000 | 2.11-3. Ties. In the event of a tie for any office, and where the breaking of a tie is necessary to
1001 | determine the outcome of an election, the Election Board shall conduct an automatic recount of
1002 | the votes for each candidate receiving the same number of votes. Any recount conducted shall
1003 | be the only recount allowed for the tied candidates.

1004 | ~~2.11 4. For Business Committee positions, a run-off election between~~(a) In the
1005 | ~~candidates with the same number of votes shall be held if~~event there remains a tie after
1006 | the recount. ~~Said run-off election shall be held within twenty one (21) calendar days after~~
1007 | ~~the recount. For all other positions, if there remains~~ for any position except a tie after the
1008 | ~~recount~~Business Committee position, the Election Board shall decide the winner of the
1009 | tied positions at least two (2) business days after, but no more than five (5) business days
1010 | after the recount through a lot drawing, which shall be open to the public.

1011 | (a1) The Election Board shall notify each of the tied candidates and the public of
1012 | the date, time, and place of the drawing at least one (1) business day before the
1013 | drawing. Notice to the tied candidates shall be in writing. -Notice to the public
1014 | shall be posted by the Election Board in the prominent locations.

1015 | (b2) On the date and at the time and place the drawing was noticed, the Election
1016 | Board Chairperson shall clearly write the name of each tied candidate on separate
1017 | pieces of paper in front of any witnesses present. The pieces of paper shall be the
1018 | same, or approximately the same, color, size, and type. The papers shall be
1019 | folded in half and placed in a container selected by the Election Board
1020 | Chairperson.

1021 | (e3) The Election Board Chairperson shall designate an uninterested party to
1022 | draw a name from the container. The candidate whose name is drawn from the
1023 | container first shall be declared the winner. An Election Board member other
1024 | than the Chairperson shall remove the remaining pieces of paper from the
1025 | container and show them to the witnesses present.

1026 | (b) In the event there remains a tie after the recount for a Business Committee position, a
1027 | run-off election between the candidates with the same number of votes shall be held
1028 | within twenty one (21) calendar days after the recount.

1029 | ~~Section C. Recount Procedures~~

Public Meeting Draft (redline)

07/18/13

1030 | 2.11-~~54~~. Recounts. A candidate may make one (1) request to the Election Board ~~to complete for~~
 1031 | a recount, provided the margin between the requesting candidate's vote total and vote total for
 1032 | the unofficial winner was within two percent (2%) of the total votes for the office being sought
 1033 | or twenty (20) votes, whichever is greater. A ~~candidate requests a recount by hand delivering a~~
 1034 | ~~written request~~ shall be in writing and shall be hand delivered to the Tribal Secretary's Office, or
 1035 | noticed designated agent, within five (5) business days after the election. ~~Requests shall be~~
 1036 | ~~limited to one (1) request per candidate.~~ The Tribal Secretary shall contact the Election Board
 1037 | Chairperson by the next business day after the request for ~~recounts~~ a recount is received.

1038 | ~~2.11-8(a)~~ The ~~Oneida~~ Police Officer shall be responsible for picking up the locked, sealed
 1039 | containers ~~s~~ with the ballots from the ~~Records Management Department~~ storage location and
 1040 | transporting it to the ballot recounting locations.

1041 | ~~2.11-9~~. The locked, sealed ballots shall be opened by the Election Board Chairperson, or
 1042 | designee and ~~an Oneida~~ Police Officer shall witness the recount.

1043 | (b) A recount shall be conducted by a quorum of the Election Board, including at least
 1044 | three (3) of the original Election ~~Officials~~ Board members who conducted the election.

1045 | ~~2.11-7(c)~~ ~~All recounts shall be conducted manually with, if possible, the original~~
 1046 | ~~Election Officials and Oneida Police Officer present, regardless of the original type of~~
 1047 | ~~counting process.~~ ~~Manual recounts~~ A recount may, at the discretion of the Election
 1048 | ~~Officials~~ Board members, be of the total election results, or of the challenged sub-section
 1049 | of the election results. A recount request need not be completed where two (2) recounts
 1050 | have already been completed of the whole election results, or of that sub-section.

1051 | ~~2.11-10~~. (d) Recounting of ballots may be performed manually or by computer
 1052 | regardless of the original type of counting process. All ballots shall be counted until two
 1053 | (2) final tallies are equal in back to back counting and the total count of ballots reconciles
 1054 | with the total count from the ballot counting machine. Sub-sections of candidates may be
 1055 | recounted in lieu of a full recount provided that, at a minimum, the recount shall include a
 1056 | recount of the requesting candidate's vote total and the applicable unofficial winner's
 1057 | vote total.

1058 | (a1) Manually counted ballots shall be recounted by the Election Board. Ballots
 1059 | shall be counted twice by different persons and certified by the Judges.

1060 | (b2) Computer counted ballots shall be recounted twice and certified by the
 1061 | Judges. Prior to using an electronic ballot counting device, it shall be certified as
 1062 | correct either by the maker, lessor of the machine, or Election Board.

1063 | (e) Any Tribal member of voting age, including any candidates, may be present at a
 1064 | ballot recounting location for the purpose of observing all or part of a recount in
 1065 | accordance with section 2.9-7.

1066 | ~~2.11-6~~ (f) The Election Board shall respond to the requesting candidate by the close of
 1067 | business on the fifth (5th) business day after ~~the~~ a request is received regarding the results
 1068 | of the recount. ~~Provided that, no recount request need be honored where there have been~~
 1069 | ~~two (2) recounts completed as a result of a request either as a recount of the whole~~
 1070 | ~~election results, or of that sub-section.~~

1071 | 2.11-~~5~~-~~14~~. *Candidate Withdrawal After Winning an Election.*

1072 | (a) In the event a candidate declines an office after winning an election, the Election
 1073 | Board shall declare the next highest vote recipient the winner. This procedure shall be
 1074 | repeated as necessary until a winner is declared.

Public Meeting Draft (redline)
07/18/13

1075 (b) If all vote recipients decline or are otherwise unable to be declared the winner, then a
1076 Special Election shall be held.

1077 ~~Section D. Challenges and Declaration of Results~~

1078 ~~2.11-11.~~ 2.11-6. *Challenges.* Any qualified voter may challenge the results of an election by
1079 filing a complaint with the ~~Oneida Appeals Commission~~Tribe's judicial system within ~~ten~~
1080 ~~(10)~~thirty (30) calendar days after the election. The ~~Oneida Appeals Commission~~Tribe's judicial
1081 system shall hear and decide a challenge to any election within two (2) business days after the
1082 challenge is filed. Any appeal to the appellate body of the ~~Oneida Appeals Commission~~Tribe's
1083 judicial system shall be filed within one (1) business day after the issuance of the lower body's
1084 decision and decided within two (2) business days after the appeal is filed.

1085 (a) The person challenging the election results shall prove by clear and convincing
1086 evidence that the Election Law was violated or an unfair election was conducted, and that
1087 the outcome of the election would have been different but for the violation.

1088 (b) If the ~~Oneida Appeals Commission~~Tribe's judicial system invalidates the election
1089 results, a Special Election shall be ordered by the ~~Commission~~Tribe's judicial system
1090 for the office(s) affected to be held on a date set by the ~~Commission~~Tribe's judicial
1091 system for as soon as the Election Law allows for a Special Election.

1092 ~~2.11-12.~~ 7. *The Final Report.* The Election Board shall immediately forward a Final Report
1093 and any statements that recorded the adding or counting of ballots to the Tribal Secretary after
1094 time has lapsed for recount requests, or challenges or after all recounts or challenges have been
1095 completed, whichever is longer. The Final Report and the statement shall be kept by Records
1096 Management as the official election file, is an open record and shall consist of the following
1097 information:

1098 (a) Total number of persons voting.

1099 (b) Total votes cast for each candidate by subsection of the ballot.

1100 (c) List of any ties and final results of those ties, including the method of resolution.

1101 (d) List of candidates elected and position elected to.

1102 (e) ~~Number~~An accounting of all ballots, including the number of spoiled ballots, rejected
1103 ballots and validated ballots.

1104 (f) Cost of the election, including the compensation paid to each Election Board member.

1105 (g) Any reports generated which document any irregularities, suspicious conduct, or
1106 violations of this law that occurred during the election process.

1107 ~~2.11-13.~~ 8. *Declaration of Results.* ~~The~~Within ten (10) business days after receipt of the final
1108 report, the Business Committee shall declare the official results of the election and send notices
1109 regarding when the swearing in of newly elected officials shall take place ~~within ten (10)~~
1110 business days after receipt of the Final Report.

1111 ~~2.11-15.~~(a) Except in the event of an emergency, as determined by the Business
1112 Committee, newly elected officials shall be sworn into office no later than thirty (30)
1113 calendar days after the official results of an election are declared by the Business
1114 Committee.

1115 ~~(a)~~ 1) If a newly elected official is not sworn in within thirty (30) calendar days,
1116 the seat shall be considered vacant and the Election Board shall declare the next
1117 highest vote recipient the winner. This procedure shall be repeated as necessary
1118 until a winner is declared.

1119 ~~(b)~~ 2) If all vote recipients decline or are otherwise unable to be declared the

Public Meeting Draft (redline)
07/18/13

winner, then a ~~S~~special ~~E~~election shall be held.

2.11-149. Candidates elected to the Business Committee shall resign from any salaried position outside of the Tribe or any full-time, part-time, seasonal, temporary or other employment position with the Tribe effective prior to taking a Business Committee oath of office. Candidates elected to any other position shall resign from any position with the Tribe effective prior to taking an oath of office.

2.11-160. The Election Board shall send a notice to the ~~Records—Management Department~~individual in charge of each storage location when to destroy the ballots, which shall be thirty (30) calendar days after the election or after the final declaration of official election results occurs, whichever is longer.

2.12. ~~Elections~~Referendums

~~Section C. Referendums~~

~~2.12-9. Registered voters may indicate opinions on any development, law or resolution, proposed, enacted, or directed by the Business Committee, or General Tribal Council, in a special referendum election.~~

~~(a) Referendum elections in which a majority of the qualified voters who cast votes shall be binding on the Business Committee to present the issue for action/decision at General Tribal Council.~~

~~(b) Referendum requests may appear on the next called for election.~~

~~(c) Referendum questions are to be presented to the Tribal Secretary, in writing, at the caucus prior to election, regarding issues directly affecting the Tribe or general membership.~~

2.12-1. Any Tribal member may submit an advisory referendum question seeking to accept or reject a proposal to amend, create or repeal all or any portion of an existing or proposed law of policy.

2.12-2. A referendum question shall be worded as one (1) single question so as an affirmative response indicates a desire for a change to an existing or proposed law or policy. The Legislative Operating Committee shall designate and notice a Tribal office or position that will assist Tribal members with the correct wording of a referendum question.

2.12-3. A referendum question shall be submitted to the Election Board at the caucus on a referendum form made available through the Tribal Secretary's Office. Each referendum question shall contain no less than ten (10) signatures from the endorsees and contain the following for each endorsee:

(a) printed name and address;

(b) date of birth;

(c) Oneida Tribal Enrollment Number; and

(d) original signature by the endorsee; a photocopied or faxed signature shall not be accepted.

2.12-4. The Election Board shall have the Oneida Enrollment Department verify all signatures.

2.12-5. Advisory Referendum Question. An advisory referendum question shall be non-binding.

(a) The Election Board shall place the advisory referendum question on the next available ballot provided that the question meets the requirements for an advisory referendum question in accordance with this section.

(b) The Election Board shall forward the results of an advisory referendum to the

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07/18/13

1165 | Business Committee who shall fully consider the results and report the determination to
1166 | act or not act on the question to the Oneida General Tribal Council. No further action is
1167 | required.
1168 |

1169 | *End.*

~~1170~~ |

1173 | Adopted - June 19, 1993
1174 | Amended - June 28, 1995 (Adopted by BC on Behalf of GTC, Completion of Agenda)
1175 | Presented for Adoption of 1997 Revisions - GTC-7-6-98-A
1176 | Amended- October 11, 2008 (General Tribal Council Meeting)
1177 | Amended-GTC-01-04-10-A
1178 |

Chapter 2**ONEIDA ELECTION LAW****On<yote>a-k@- Tho Ni= Y%t Tsi> <yethiyatal@ko Tsi> Kayanl^hsla**

People of the Standing Stone how it is we will appoint them the kind of laws we have

6	2.1. Purpose and Policy	12	2.7. Election Date Determination and Polling Locations
7	2.2. Adoption, Amendment, Repeal	13	2.8. Registration of Voters
8	2.3. Definitions	14	2.9. Election Process
9	2.4. Election Board	15	2.10. Tabulating and Securing Ballots
10	2.5. Candidates	16	2.11. Election Outcome
11	2.6. Campaigning	17	2.12. Referendums

19

2.1. Purpose and Policy

2.1-1. It is the purpose of this law to govern the procedures for the conduct of orderly Tribal elections, including pre-election activities such as caucuses and nominations. Because of the desire for orderly and easily understood elections, there has not been an allowance made for write-in candidates on ballots.

2.1-2. This law defines the duties and responsibilities of candidates and potential candidates for elected office, Election Board members and other persons employed by the Oneida Tribe in the conduct of elections. It is intended to govern all procedures used in the election process.

28

2.2. Adoption, Amendment, Repeal

2.2-1. This law was adopted by the Oneida General Tribal Council by resolution GTC 7-06-98-A and amended by resolution GTC-01-04-10-A and _____. The amendments adopted by resolution GTC-_____ shall be effective _____.

2.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

2.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

2.2-5. This law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

42

2.3. Definitions

2.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Alternate" shall mean an individual appointed by the Business Committee to serve on the Election Board during an election and until election results have been certified.

(b) "Applicant" shall mean a potential candidate who has not yet been officially approved for acceptance on a ballot.

(c) "Business day" shall mean Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding Tribal holidays.

(d) "Campaigning" shall mean all efforts designed to influence Tribal members to support or reject a particular Tribal candidate including, without limitation, advertising, rallying, public speaking, or other communications with Tribal members.

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07/18/13

- 55 (e) "Candidate" shall mean a petitioner or nominee for an elected position whose name is
56 placed on the ballot by the Election Board after successful application.
- 57 (f) "Clerk" shall mean an Election Board member who identifies proper registration for
58 the purpose of determining voter eligibility.
- 59 (g) "Close of business" shall mean 4:30 p.m. Monday through Friday.
- 60 (h) "Conflict of interest" shall mean any interest, whether it be personal, financial,
61 political or otherwise, in which a Tribal elected official, employee, consultant, appointed
62 or elected, member of any board, committee or commission, or their immediate relatives,
63 friends or associates, or any other person with whom they have contact, that conflicts
64 with any right of the Tribe to property, information, or any other right to own and operate
65 its enterprises, free from undisclosed competition or other violation of such rights of the
66 Tribe, or as defined in any law or policy of the Tribe.
- 67 (i) "Election" shall mean every primary, general election, special election and other
68 election held to elect Tribal members to the Business Committee, Tribe's judicial system,
69 a board, committee or commission and/or to vote on a referendum question.
- 70 (j) "General election" shall mean the election held every three (3) years in July to elect
71 the Chairperson, Vice-Chairperson, Secretary, Treasurer, and the five council members of
72 the Business Committee and may include contests for positions on a board, committee or
73 commission and/or the Tribe's judicial system.
- 74 (k) "Judge" shall mean the Election Board member who makes determinations when
75 discrepancies, complaints and controversy regarding voter eligibility arise.
- 76 (l) "Lot drawing" shall mean the equal chance method used to select a candidate as the
77 winner of an elected position, in the case of a tie between two (2) or more candidates.
- 78 (m) "Petition form" shall mean the form approved by the Business Committee or
79 General Tribal Council to enable a Tribal member who was not nominated at a caucus to
80 become a candidate in an upcoming election.
- 81 (n) "Police Officer" shall mean a Tribal member who is a police officer on any police
82 force.
- 83 (o) "Prominent locations" shall mean the main doors of: the polling places, Norbert Hill
84 Center, Oneida Community Library, Oneida Market, Oneida Community Health Center,
85 Southeastern Wisconsin Oneida Tribal Services (SEOTS) building and all One-Stops.
- 86 (p) "Qualified voter" shall mean a Tribal member who is qualified to vote in accordance
87 with the Oneida Tribal Constitution Article III, Section 2.
- 88 (q) "Rejected ballot" shall mean a ballot which is rejected by the vote tabulating
89 machine.
- 90 (r) "Spoiled ballot" shall mean a ballot which contains a voter error or is otherwise
91 marred and is not tabulated.
- 92 (s) "Teller" shall mean the Election Board member in charge of collecting and storing all
93 ballots.
- 94 (t) "Tribal" or "Tribe" shall mean the Oneida Tribe of Indians of Wisconsin.
- 95 (u) "Tribal member" shall mean any person whose name appears on the official rolls of
96 the Oneida Tribe of Indians of Wisconsin.
- 97 (v) "Tribal newspaper" shall mean the Kalihwisaks, or any other newspaper operated by
98 the Tribe for the benefit of transmitting news to Tribal members which is designated by
99 the Election Board as a source for election related news.

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2.4. Election Board

2.4-1. *Establishment and Authority.* An Election Board is hereby created and shall have the duty and power to carry out the provisions of this law and Article III, Sections 2 and 3 of the Oneida Constitution.

(a) In addition to other duties and responsibilities listed throughout this law, Election Board members shall:

- (1) Be in charge of all registration and election procedures;
- (2) Review the qualifications of each applicant to verify eligibility to be placed on a ballot;
- (3) Identify tellers, judges and clerks in advance of an election;
- (4) Be present at all Election Board meetings;
- (5) Make a final report on the election results as set out in this law upon completion of an election;
- (6) Promulgate rules and regulations governing all elections, not in conflict with the provisions of this law, in accordance with Tribal law; and
- (7) Immediately document any irregularities, suspicious conduct, or violations of this law and report them to the Election Board Chairperson. The Election Board Chairperson shall create a report based on this information and immediately forward said report to the Business Committee, Oneida Law Office and the entire Election Board.

(b) Specific duties of the Election Board Chairperson and other Election Board members are as set out herein:

- (1) Chairperson: Shall preside over meetings of the Election Board; shall select polling place judges, shall select an Election Board hearing body in accordance with 2.5-10 as needed; shall oversee the conduct of the election; shall dismiss the alternates and Oneida Enrollment Department personnel when their election day duties are complete; and shall post and report election results.
- (2) Vice-Chairperson: In the absence of the Chairperson, shall conduct all Chairperson duties.
- (3) Secretary: Shall keep a record of all Board meetings and make them available to the Tribal Secretary, other Election Board members and the public as required in the Open Records and Open Meetings Law.
- (4) Clerks: Shall implement the requirements of identifying and registering all voters and determining voter eligibility. Clerks shall work in conjunction with the Oneida Enrollment Department personnel in the registration process, and assist the Chairperson as directed in conducting the election.
- (5) Tellers: Shall collect and keep safe all ballots, until the election is complete, as determined by this law. Shall assist the Chairperson in conducting the election.
- (6) Judges: Shall inform and advise the Chairperson of all aspects of the election conducted under this law. In case of disputes among Election Board members, or between Tribal members and Election Board members, or any controversy regarding voter eligibility, the Judge(s) shall make a determination as to the voter's eligibility. The Judge(s) shall also ensure that all ballots of voters whose eligibility may be in question, remain confidential.

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07/18/13

- 145 2.4-2. *Composition.* The Election Board shall consist of nine (9) elected members.
146 (a) Election Board members shall be elected to terms of three (3) years, not to exceed
147 two (2) consecutive terms.
148 (b) Officers. The Election Board shall choose a Chairperson from amongst themselves
149 as set out in the bylaws of the Election Board, to preside over the meetings. This
150 selection shall be carried out at the first meeting of the Election Board following an
151 election. The Chairperson shall then ask the Election Board to select a Vice-Chairperson
152 and Secretary.
153 (c) Alternates. The Business Committee may appoint or reappoint a sufficient number of
154 alternates to the Election Board, as recommended by the Election Board provided that
155 Tribal members in the Milwaukee area shall be considered to serve as alternates for the
156 purpose of serving at the Milwaukee polling site.
- 157 2.4-3. *Recusal.* An Election Board member shall recuse himself/herself from participating as an
158 Election Board member in any pre-election, election day, or post-election activities while he or
159 she is a petitioner, applicant or candidate for any elected position or where there is otherwise an
160 actual or perceived conflict of interest.
- 161 2.4-4. *Removal and Termination of Appointment.* Violation of this law may result in an elected
162 Election Board member being removed from the Election Board. Removal of elected Election
163 Board members shall be pursuant to the Tribe's removal law. A member or alternate who was
164 appointed by the Business Committee shall be subject to a termination of appointment in
165 accordance with the Tribe's law governing boards, committees and commissions.
- 166 2.4-5. *Vacancies.* Any vacancy in an unexpired term shall be filled by appointment by the
167 Business Committee for the balance of the unexpired term. The filling of a vacancy may be
168 timed to correspond with the pre-election activities and the needs of the Election Board.
- 169 2.4-6. Any Election Board member or alternate who is removed or has his or her appointment
170 terminated shall be ineligible to serve on the Election Board for three (3) years from the time he
171 or she is removed or has his or her appointment terminated.
- 172 2.4-7. Election Board members shall be compensated at an hourly rate when conducting
173 elections as provided for in the Election Board's bylaws as approved by the Business Committee.
174 The Election Board shall have a budget, approved through the budgeting process of the Tribe.
- 175 2.4-8. The Oneida Enrollment Department personnel and Police Officers from the Oneida Police
176 Department shall be compensated at their regular rate of pay out of their respective budgets.
177 Police Officers from departments other than the Oneida Police Department shall be compensated
178 out of the Election Board's budget.

179
180 **2.5. Candidates**

- 181 2.5-1. In addition to any specific requirements and/or exceptions set out in duly adopted bylaws,
182 all applicants shall meet the minimum requirements set out in this section in order to become a
183 candidate.
- 184 2.5-2. *Minimum Requirements.* In order to be eligible to be a candidate, an applicant shall:
185 (a) be a Tribal member, as verified by membership rolls of the Tribe.
186 (b) be a qualified voter on the day of the election.
187 (c) provide proof of physical residency as required for the position. Proof of residency
188 may be through one (1) or more of the following:
189 (1) a valid Wisconsin driver's license.

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07/18/13

190 (2) a bill, paycheck stub, or other form of proof showing name and physical
191 address of the candidate from the prior or current month which identifies that
192 address as the candidate's primary residence.

193 (d) not be serving on any other Tribal board, committee or commission or Tribal
194 corporate board whether elected or appointed. Provided that said applicant may be
195 allowed to run for an elected seat but shall be required to agree to resign from any other
196 seat he or she holds on a Tribal board, committee or commission or Tribal corporate
197 board prior to taking the oath of office.

198 (e) not be employed by the Tribe. Provided that said applicant may be allowed to run for
199 an elected seat but shall be required to agree to resign from his or her position with the
200 Tribe prior to taking the oath of office.

201 2.5-3. A person may serve a maximum of two (2) consecutive full terms in any one (1) seat. A
202 minimum period equivalent to one (1) term shall lapse in order for a prior member to be eligible
203 for another term in the same seat for the same office. Nothing shall bar a person from seeking
204 election for a different seat or office.¹

205 2.5-4. A person shall not be eligible to run for more than one (1) elective office or seat per
206 election.

207 2.5-5. An applicant shall disclose any and all possible conflicts of interests in accordance with
208 the Comprehensive Policy Governing Boards, Committees and Commissions. An applicant shall
209 not have a conflict of interest with the position for which he or she is being considered, provided
210 that any conflict of interest which may be eliminated within thirty (30) calendar days of being
211 elected shall not be considered as a bar to nomination or election.

212 2.5-6. *Becoming a Candidate.*

213 (a) The Election Board shall notice and call a caucus before any election is held to
214 nominate candidates to be placed on the ballot for an upcoming election. In a general
215 election year, caucuses shall be combined so that candidates for the Business Committee,
216 Tribe's judicial system and elected boards, committees and commissions are nominated
217 at the same caucus.

218 (1) The caucus for the general election shall be held at least sixty (60) calendar
219 days prior to the election date.

220 (2) Caucuses for other elections shall be held at least forty-five (45) calendar
221 days prior to the election date.

222 (3) The procedures for the caucus shall be as follows:

223 (A) Candidates shall be nominated from the floor.

224 (B) Candidates present at the caucus shall accept or decline their
225 nomination at the caucus. Candidates nominated at the caucus, but not
226 present to accept the nomination or declining a nomination, shall be
227 required to follow the petition process.

228 (4) A Tribal member who accepts a nomination at a caucus shall file a completed
229 application in accordance with 2.5-6(c) within five (5) business days after the
230 caucus.

231 (b) Any eligible Tribal member, who did not accept a nomination at a caucus, may

¹ In accordance with Resolution X, all elected persons serving in an office on the effective date of this amendment shall have their current term counted as their first term regardless of the number of terms previously elected to that office.

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07/18/13

- 232 petition to be placed on the ballot for an upcoming election.
- 233 (1) A completed petition form shall be filed in accordance with 2.5-6(c), within
- 234 five (5) business days after the caucus and shall have no less than ten (10)
- 235 signatures which shall consist of each endorsee's:
- 236 (A) printed name and address;
- 237 (B) date of birth;
- 238 (C) Oneida Tribal Enrollment Number; and
- 239 (D) original signature by the endorsee; a photocopied or faxed signature
- 240 shall not be accepted.
- 241 (c) A completed application and petition form, if required, shall be filed in person with
- 242 the Tribal Secretary, or designated agent, during normal business hours, 8:00 a.m. to 4:30
- 243 p.m. Monday through Friday. An application and petition form shall not be accepted as
- 244 filed if it was mailed, sent by internal Tribal mail delivery, faxed or delivered by any
- 245 other method.
- 246 (1) The Tribal Secretary shall forward all petition forms to the Election Board
- 247 Chairperson no later than six (6) business days after the caucus.
- 248 (2) The Election Board shall have the Oneida Enrollment Department verify all
- 249 signatures contained on the petition forms.
- 250 2.5-7. The name of an applicant and the position sought shall be a public record and made
- 251 available to the public upon filing of an application and petition form, where applicable, in
- 252 accordance with 2.5-6(c).
- 253 2.5-8. The Election Board shall be responsible for reviewing the qualifications of each applicant
- 254 to verify eligibility.
- 255 2.5-9. The Election Board shall notify each applicant of his or her eligibility for a position by
- 256 certified mail return receipt requested.
- 257 (a) An applicant shall have two (2) business days from receipt of notification to appeal to
- 258 a hearing body created in accordance with 2.5-10. An appeal shall be filed by hand
- 259 delivery at the location designated on the notice. The location designated shall be on the
- 260 Reservation. No mailed, internal Tribal mail, faxed or other delivery method will be
- 261 accepted.
- 262 (b) The notice shall provide the following information:
- 263 (1) Position for which the applicant was considered.
- 264 (2) Qualification of the position and citation of the source.
- 265 (3) Brief summary explaining whether the applicant was found to be eligible and,
- 266 if not, why.
- 267 (4) Instructions and deadlines on appealing the decision in accordance with (a).
- 268 2.5-10. *Hearing Body*. At least four (4) Election Board members, selected by the Chairperson,
- 269 shall constitute a hearing body. The hearing shall be held within two (2) business days of receipt
- 270 of the appeal. The applicant shall be notified by phone of the time and place of the hearing. The
- 271 decision of the hearing body shall be sent to the applicant via certified mail or hand delivery
- 272 within two (2) business days of the hearing. Any appeal from a decision of the Election Board
- 273 hearing body shall be to the Tribe's judicial system on an accelerated schedule.
- 274 2.5-11. *Request to be Removed from the Ballot*. A candidate may request to be removed from
- 275 the ballot by submitting a written statement to any Election Board member, excluding alternates.
- 276 If the written statement requesting to be removed from the ballot is received:

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07/18/13

277 (a) Prior to the submission of the ballot for printing, the candidate's name shall be
278 excluded from the ballot;

279 (b) After ballots have been printed but prior to the opening of the polls, the candidate's
280 written statement shall be posted alongside any sample ballot printed prior to the election
281 in the Tribal newspaper and alongside any sample ballot posted at the polling locations;
282 or

283 (c) After the polls are open, the candidate's written statement shall be posted next to any
284 sample ballot posted at the polling locations.

285 2.5-12. A candidate who withdrew by any method listed herein shall be denied any position
286 from which he or she has withdrawn regardless of the number of votes cast for that candidate. A
287 written statement shall be considered the only necessary evidence of withdrawal and acceptance
288 of denial of any position withdrawn from.
289

290 **2.6. Campaigning**

291 2.6-1. *Campaign Contributions.*

292 (a) A candidate shall only accept contributions from individuals who are members of the
293 Tribe or individuals related by blood or marriage to the candidate.

294 (b) Candidates may not accept contributions from any business, whether sole
295 proprietorship, partnership, corporation or other business entity.

296 (c) All persons, including candidates and employees of the Tribe, shall be prohibited
297 from soliciting or accepting contributions for a candidate in or on the property of any
298 Tribal office, business, or facility, excluding the following:

299 (1) a lot of land not owned by the Tribe;

300 (2) any residential dwelling;

301 (3) a privately owned business; or

302 (4) a Tribal office, business or facility or any portion thereof which is reserved for
303 the specific purpose of holding a campaign fund raiser.

304 2.6-2. *Campaign Signs.*

305 (a) A campaign sign shall not:

306 (1) Be posted or erected on any Tribal property except for any residential
307 dwelling owned by the Tribe with the occupant/tenant's permission.

308 (2) Exceed sixteen (16) square feet in area. A maximum of seven (7) such signs
309 may be placed on a building or on a lot.

310 (3) Project beyond the property line into the public right of way.

311 (b) Removal of campaign signs. All campaign signs shall be removed within five (5)
312 business days after an election. Candidates not advancing after a primary shall cause
313 their campaign signs to be removed within five (5) business days after the primary.

314 (c) Enforcement. The Zoning Administrator shall cause to be removed any campaign
315 signs that are not in compliance with this law, in accordance with the Zoning and
316 Shoreland Protection Law.

317 2.6-3. *Where Campaigning may Occur.*

318 (a) All persons, including candidates and employees of the Tribe, are prohibited from
319 engaging in campaigning for a candidate at any Tribal office, business, or facility, except
320 that persons may campaign in a Tribal facility during a campaign event occurring after
321 normal Tribal business hours in which all candidates were given an equal notice and

322 opportunity to participate.

323 (b) No campaigning of any type shall be conducted within two hundred eighty (280) feet
324 of the voting area, excluding any lot of land not owned by the Tribe, any residential
325 dwelling or a privately owned business.

326 2.6-4. *Violations.*

327 (a) Any person who is in violation of 2.6 shall be subject to a fine imposed by the
328 Election Board in an amount specified in a resolution adopted by the Business
329 Committee.

330 (b) A Tribal employee may be subject to disciplinary action under the personnel policies
331 and procedures if campaigning in violation of this section during Tribal business hours or
332 during a work shift in which a salary or wage is received.

333

334 **2.7. Election Date Determination and Polling Locations**

335 2.7-1. In accordance with Article III, Section 4 of the Tribal Constitution, elections shall be held
336 in the month of July on a date set by the General Tribal Council. The General Tribal Council
337 shall set the election date at the January annual meeting, or at the first General Tribal Council
338 meeting held during a given year.

339 2.7-2. *Primary Election.* When a primary is required under (a), it shall be held on a Saturday at
340 least thirty (30) calendar days prior to the election.

341 (a) There shall be a primary election for Business Committee positions whenever there
342 are three (3) or more candidates for any officer position or eleven (11) or more candidates
343 for the council member positions.²

344 (b) The Election Board shall cancel the primary election if none of the Business
345 Committee positions drew the requisite number of candidates for a primary by the
346 deadline set for the primary.

347 (c) The two (2) primary candidates receiving the highest number of votes cast for each
348 officer position shall be placed on the general election ballot.

349 (d) The ten (10) candidates receiving the highest number of votes cast for the Business
350 Committee council member positions shall be placed on the general election ballot.

351 (e) Any position where a tie exists to determine the candidates to be placed on the ballot
352 shall include all candidates where the tie exists.

353 2.7-3. *Special Election.* Special election dates shall be set, as provided for in this law, by the
354 Business Committee as recommended by the Election Board or as ordered by the Tribe's judicial
355 system in connection with an election challenge. All special elections shall follow this Law and
356 procedures established for all other elections. This includes positions for all boards, committees
357 and commissions.

358 (a) Special elections may be initiated by a directive of the General Tribal Council or the
359 Business Committee or may be submitted by a Tribal member to the Business Committee
360 or General Tribal Council for consideration.

361 (b) Matters subject to a special election, i.e., referendum, vacancies, petitions, etc., as
362 defined in this law, may be placed on the same ballot as the subject matter of an election.

²October 11, 2008 GTC motion: Motion by Ed Delgado to amend the main motion that we adopt today the primary election portion of the proposal Section 2.12.b, seconded by Yvonne Metivier. Motion carried. Motion by Madelyn Genskow to defer the Election Law amendments to the GTC meeting on Saturday July 11, 2009, seconded by Linda Dallas. Motion carried.

Public Meeting Draft (clean)
07/18/13

363 2.7-4. *Polling Location.* Each polling site shall be located in a Tribal facility as determined by
364 the Election Board; provided that at least one (1) polling site shall be located within the
365 Reservation boundaries and one (1) polling site shall be located in Milwaukee³.

366 2.7-5. *Notice.* The Election Board shall provide notice of an election, which shall include the
367 date, all polling locations, and the polling times; said notices shall be:

368 (a) Posted in prominent locations. Polling information shall be posted no less than ten
369 (10) calendar days prior to the election, and shall remain posted until the polls close on
370 the day of the election.

371 (b) Published in the Tribal newspaper.

372 (c) Sent to all qualified voters not less than ten (10) calendar days prior to an election.
373 Notices sent to qualified voters shall also include a sample ballot.

374 2.7-6. In the event of an emergency, the Election Board may reschedule an election, provided
375 that no less than a twenty-four (24) hour notice of the rescheduled election date is given to the
376 voters, by posting notices in the prominent locations.

377

378 **2.8. Registration of Voters**

379 2.8-1. Oneida Enrollment Department personnel shall be responsible for verifying Tribal
380 enrollment. Conduct of Oneida Enrollment Department personnel is governed by the Election
381 Board members during the voting period.

382 2.8-2. Voters shall physically register to vote at a polling location by:

383 (a) Presenting one of the following picture identifications to the Oneida Enrollment
384 Department personnel:

385 (1) Tribal I.D;

386 (2) Drivers License; or

387 (3) Other government issued I.D. which contains a name and photo.

388 (b) Signing his or her name on an official Voter Registration Form, as approved by the
389 Election Board.

390 2.8-3. Should a question or dispute arise as to the eligibility of a voter being qualified to vote,
391 the Judge(s) shall make a decision from the facts available and determine whether the applicant
392 is, in fact a qualified voter under the Oneida Tribal Constitution, Article III Section 2.

393 2.8-4. Any individual deemed ineligible to vote shall be allowed to vote, provided that the ballot
394 shall be placed in an envelope, initialed by two (2) Election Board members, appropriately sealed
395 and numbered.

396 (a) The individual shall mail a written appeal to the Election Board at P.O. Box 413,
397 Oneida, Wisconsin, 54155, postmarked within two (2) business days of the election if
398 they desire to challenge the decision. The Election Board shall make a final decision,
399 within five (5) business days of receiving the appeal and shall report this decision to the
400 individual and in the final report sent to the Oneida Business Committee.

401 (b) If the individual is deemed a qualified voter, his or her ballot shall be included in the
402 final ballot count.

403

³ BC Resolution 03-13-02-O established a Milwaukee Polling Site, provided for a police presence, appropriated funds for personnel costs, and provided for transmission of Milwaukee results.

404 **2.9. Election Process**

405 2.9-1. Voting for elections shall begin at 7:00 a.m. and shall end at 7:00 p.m. All voters in line
406 to vote at 7:00 p.m. shall be allowed to vote.

407 (a) The Judge shall open the polls only after four (4) Tribal members and a Police
408 Officer verify, through signature on the tape, the ballot box is empty and the ballot
409 counting machine printer tape has a zero (0) total count for every candidate and
410 referendum. The zero count shall not be separated or removed from the ballot counting
411 machine printer tape.

412 (b) Video surveillance of the ballot counting machine shall be conducted from the time
413 the polls open until the votes are tabulated.

414 (c) A chain-of-custody record shall be maintained for every memory card or device
415 which stores the voting record and any video surveillance footage of the election.
416 Further, all ballots, any device which stores the voting record and any video surveillance
417 footage of the election shall be placed in a secured location until the election has been
418 declared finalized in accordance with 2.11-8. All ballots, election equipment, and
419 election specific supplies shall be appropriately inventoried, accounted for and stored at a
420 Tribal facility with appropriate chain of custody documentation. Any person failing to
421 properly document chain of custody shall be subject to a fine or disciplinary action.

422 2.9-2. At least one (1) Police Officer shall be present within each polling location during the
423 time the polls are open, and until the counting of ballots is completed and tentative results have
424 been posted. Tribal members serving as local police in the Milwaukee area shall be considered
425 first for offering their services at a Milwaukee polling site.

426 2.9-3. The Election Board shall provide a voting booth area sufficiently isolated for each voter
427 such that there is an area with at least two (2) sides and a back enclosure.

428 2.9-4. The Election Board may restrict the voting booth and ballot machine area to qualified
429 voters and one (1) person of each voter's choosing to provide assistance to the voter in marking
430 the voter's ballot.

431 2.9-5. A poll list shall be maintained by the Election Board which indicates the number of voters
432 who vote at a particular polling location. At the close of the election, the number of votes on the
433 poll list shall be compared to the number of votes cast. Discrepancies shall be immediately
434 documented, resolved and reported to the Business Committee in the final report.

435 2.9-6. Each ballot shall be initialed by two (2) Election Board members prior to the voter
436 entering the voting booth. Ballots shall not be initialed in advance and shall be properly stored as
437 to not allow the public access to uncast ballots. If a voter receives a ballot which has not been
438 properly counted and initialed, the ballot shall be returned and the voter shall be provided a
439 properly validated ballot.

440 2.9-7. *Election Observers.*

441 (a) Any Tribal member of voting age, may be present at any polling place for the
442 purpose of observing all or part of an election, except that:

443 (1) A candidate whose name appears on the ballot shall not be allowed to be an
444 election observer while the polls are open.

445 (2) A candidate shall be allowed to be present during any vote count or recount
446 occurring after the polls have closed.

447 (b) The Election Board may restrict the location of election observers to certain areas
448 within a polling place or vote count or recount location. The Election Board shall clearly

Public Meeting Draft (clean)
07/18/13

449 designate such an area as an observation area. Designated observation areas shall be so
450 positioned to permit an eligible election observer to readily observe all public aspects of
451 the voting process, including any vote count or recount.

452 (1) The Election Board may reasonably limit the number of election observers
453 who are permitted at a single polling place in order to ensure the safety of all
454 voters. Any limitations shall be applied on a first come first serve basis and
455 uniformly.

456 (c) The Election Board may order the removal of any election observer if that individual
457 commits an overt act which disrupts the operation of the polling place, vote count or
458 recount location. Specifically, an election observer is prohibited from the following:

459 (1) Having conversations about candidates or referendum questions.

460 (2) Making phone calls or using cell phones for voice calls inside the polling
461 area.

462 (3) Wearing clothing or buttons related to candidates or referendum questions.

463 (4) Recording video or taking pictures inside the polling area during the voting
464 hours.

465 (5) Interacting with voters.

466 2.9-8. All ballots being votes, shall be placed in a receptacle clearly marked "Ballot Box" and
467 shall be locked and properly sealed until counting at the close of polls. Provided that, with
468 electronic ballot counting, the ballots may be placed within the ballot counting machine as the
469 ballots are received.

470 (a) All voters shall be allowed sufficient privacy of their ballot vote when placing a
471 ballot in a ballot machine, provided that the placement of the ballot in a ballot machine
472 may be observed by an Election Board member or Police Officer at a sufficient distance
473 in order to ensure the voting process is not being compromised.

474 2.9-9. The Election Board shall create a standardized form or log for documenting any election
475 day incidents, including but not limited to spoiled and rejected ballots, challenges, disturbances
476 and any other election irregularities.

477 2.9-10. *Spoiled Ballots*. If a voter spoils his/her ballot, he/she shall be given a new ballot upon
478 return of the spoiled ballot.

479 (a) If a ballot has not been initialed by two (2) Election Board members, it shall be
480 deemed spoiled.

481 (b) A spoiled ballot shall be marked "VOID" and initialed by two (2) Election Board
482 members and placed in an envelope marked "Spoiled Ballots."

483 (c) The envelope(s) containing the spoiled ballots shall be retained and secured at the
484 predetermined location for storage for no less than fifteen (15) calendar days following
485 finalization of any challenge of the election.

486 2.9-11. *Rejected Ballots*. Rejected ballots shall be placed in a specially marked container and
487 sealed.

488 (a) Computer rejected ballots shall be reviewed by the Election Board members to verify
489 the authenticity of the ballot. Ballots rejected because of mutilation shall be added to the
490 final computer total, provided that, the voter was not given a new ballot upon return of
491 the rejected ballot.

492 (b) Ballots rejected, either during the computer process or during a manual counting,
493 shall be reviewed by the Election Board members to verify that they are authentic. If the

Public Meeting Draft (clean)
07/18/13

494 Election Board members determine that the ballot is not an official ballot, or that it is an
495 illegal ballot, the ballot shall be designated "VOID," and placed in a sealed container
496 marked "Rejected Ballots."
497

498 **2.10. Tabulating and Securing Ballots**

499 2.10-1. All votes shall be tabulated at the location where the votes were cast. The Election
500 Board shall arrange for the video taping of the vote tallying at each polling location.

501 (a) If the ballots are required to be counted at a location other than the polling site due to
502 unforeseen circumstances, the ballots shall be secured in a sealed container for
503 transportation to the ballot counting location. The sealed ballots shall be transported by a
504 Police Officer with at least three (3) of the Election Board members for counting/tallying
505 of ballots.

506 (b) The Election Board Chairman and the Election Board members designated to serve at
507 the Milwaukee polling site shall arrange for the secured transmission of the Milwaukee
508 preliminary election results to the Oneida Reservation polling site.

509 2.10-2. When ballots are counted by machine, at the close of polls the Judges shall generate
510 from the ballot counting machine copies of the election totals from the votes cast. At least six
511 (6) Election Board members shall sign the election totals, which shall include the tape signed in
512 accordance with section 2.9-1(a).

513 2.10-3. When ballots are manually counted, at the close of polls the Judges shall unlock the
514 ballot box and remove the ballots.

515 (a) The sealed ballots shall be opened at the time of counting by the Election Board
516 members and witnessed/monitored by a Police Officer.

517 (b) Ballots shall be counted by two (2) different Election Board members until two (2)
518 final tallies are equal in back to back counting. Final tallies shall be verified by the
519 Judge(s).

520 2.10-4. *Securing Ballots.* The Judges shall place together all ballots counted and secure them
521 together so that they cannot be untied or tampered with without breaking the seal. The secured
522 ballots, and the election totals with the signed tape, if applicable, shall then be secured by the
523 Judges in a sealed container in such a manner that the container cannot be opened without
524 breaking the seals or locks, or destroying the container. The Police Officer shall then deliver, on
525 the day of the election, the sealed container to a predetermined location for storage.
526

527 **2.11. Election Outcome**

528 2.11-1. The tentative results of an election shall be announced and posted by the Election Board
529 within twenty-four (24) hours after the closing of the polls. Notices of election results shall
530 contain the following statement:

531 *"The election results posted here are tentative results. Final election results are*
532 *forwarded by the Oneida Election Board to the Oneida Business Committee via a Final*
533 *Report after time has lapsed for recount requests, or challenges or after all recounts or*
534 *challenges have been completed, whichever is longer"*

535 2.11-2. The Election Board shall post, in the prominent locations, and publish in the Tribal
536 newspaper, the tentative results of an election.

537 2.11-3. *Ties.* In the event of a tie for any office, and where the breaking of a tie is necessary to
538 determine the outcome of an election, the Election Board shall conduct an automatic recount of

Public Meeting Draft (clean)
07/18/13

539 the votes for each candidate receiving the same number of votes. Any recount conducted shall
540 be the only recount allowed for the tied candidates.

541 (a) In the event there remains a tie after the recount for any position except a Business
542 Committee position, the Election Board shall decide the winner of the tied position at
543 least two (2) business days after, but no more than five (5) business days after the recount
544 through a lot drawing, which shall be open to the public.

545 (1) The Election Board shall notify each of the tied candidates and the public of
546 the date, time, and place of the drawing at least one (1) business day before the
547 drawing. Notice to the tied candidates shall be in writing. Notice to the public
548 shall be posted by the Election Board in the prominent locations.

549 (2) On the date and at the time and place the drawing was noticed, the Election
550 Board Chairperson shall clearly write the name of each tied candidate on separate
551 pieces of paper in front of any witnesses present. The pieces of paper shall be the
552 same, or approximately the same, color, size, and type. The papers shall be
553 folded in half and placed in a container selected by the Election Board
554 Chairperson.

555 (3) The Election Board Chairperson shall designate an uninterested party to draw
556 a name from the container. The candidate whose name is drawn from the
557 container first shall be declared the winner. An Election Board member other
558 than the Chairperson shall remove the remaining pieces of paper from the
559 container and show them to the witnesses present.

560 (b) In the event there remains a tie after the recount for a Business Committee position, a
561 run-off election between the candidates with the same number of votes shall be held
562 within twenty one (21) calendar days after the recount.

563 2.11-4. *Recounts.* A candidate may make one (1) request to the Election Board for a recount,
564 provided the margin between the requesting candidate's vote total and vote total for the
565 unofficial winner was within two percent (2%) of the total votes for the office being sought or
566 twenty (20) votes, whichever is greater. A recount request shall be in writing and shall be hand
567 delivered to the Tribal Secretary's Office, or noticed designated agent, within five (5) business
568 days after the election. The Tribal Secretary shall contact the Election Board Chairperson by the
569 next business day after the request for a recount is received.

570 (a) The Police Officer shall be responsible for picking up the locked, sealed containers
571 with the ballots from the storage location and transporting it to the ballot recounting
572 locations. The locked, sealed ballots shall be opened by the Election Board Chairperson,
573 or designee and a Police Officer shall witness the recount.

574 (b) A recount shall be conducted by a quorum of the Election Board, including at least
575 three (3) of the original Election Board members who conducted the election.

576 (c) A recount may, at the discretion of the Election Board members, be of the total
577 election results, or of the challenged sub-section of the election results. A recount request
578 need not be completed where two (2) recounts have already been completed of the whole
579 election results, or of that sub-section.

580 (d) Recounting of ballots may be performed manually or by computer regardless of the
581 original type of counting process. All ballots shall be counted until two (2) final tallies
582 are equal in back to back counting and the total count of ballots reconciles with the total
583 count from the ballot counting machine. Sub-sections of candidates may be recounted in

Public Meeting Draft (clean)
07/18/13

584 lieu of a full recount provided that, at a minimum, the recount shall include a recount of
585 the requesting candidate's vote total and the applicable unofficial winner's vote total.

586 (1) Manually counted ballots shall be recounted by the Election Board. Ballots
587 shall be counted twice by different persons and certified by the Judges.

588 (2) Computer counted ballots shall be recounted twice and certified by the
589 Judges. Prior to using an electronic ballot counting device, it shall be certified as
590 correct either by the maker, lessor of the machine or Election Board.

591 (e) Any Tribal member of voting age, including any candidates, may be present at a
592 ballot recounting location for the purpose of observing all or part of a recount in
593 accordance with section 2.9-7.

594 (f) The Election Board shall respond to the requesting candidate by the close of business
595 on the fifth (5th) business day after a request is received regarding the results of the
596 recount.

597 2.11-5. *Candidate Withdrawal After Winning an Election.*

598 (a) In the event a candidate declines an office after winning an election, the Election
599 Board shall declare the next highest vote recipient the winner. This procedure shall be
600 repeated as necessary until a winner is declared.

601 (b) If all vote recipients decline or are otherwise unable to be declared the winner, then a
602 special election shall be held.

603 2.11-6. *Challenges.* Any qualified voter may challenge the results of an election by filing a
604 complaint with the Tribe's judicial system within thirty (30) calendar days after the election.
605 The Tribe's judicial system shall hear and decide a challenge to any election within two (2)
606 business days after the challenge is filed. Any appeal to the appellate body of the Tribe's judicial
607 system shall be filed within one (1) business day after the issuance of the lower body's decision
608 and decided within two (2) business days after the appeal is filed.

609 (a) The person challenging the election results shall prove by clear and convincing
610 evidence that the Election Law was violated or an unfair election was conducted, and that
611 the outcome of the election would have been different but for the violation.

612 (b) If the Tribe's judicial system invalidates the election results, a special election shall
613 be ordered by the Tribe's judicial system for the office(s) affected to be held on a date set
614 by the Tribe's judicial system for as soon as the Election Law allows for a special
615 election.

616 2.11-7. *The Final Report.* The Election Board shall immediately forward a final report and any
617 statements that recorded the adding or counting of ballots to the Tribal Secretary after time has
618 lapsed for recount requests, or challenges or after all recounts or challenges have been
619 completed, whichever is longer. The final report and the statement shall be kept by Records
620 Management as the official election file, is an open record and shall consist of the following
621 information:

622 (a) Total number of persons voting.

623 (b) Total votes cast for each candidate by subsection of the ballot.

624 (c) List of any ties and final results of those ties, including the method of resolution.

625 (d) List of candidates elected and position elected to.

626 (e) An accounting of all ballots, including the number of spoiled ballots, rejected ballots
627 and validated ballots.

628 (f) Cost of the election, including the compensation paid to each Election Board member.

Public Meeting Draft (clean)
07/18/13

629 (g) Any reports generated which document any irregularities, suspicious conduct, or
630 violations of this law that occurred during the election process.

631 2.11-8. *Declaration of Results.* Within ten (10) business days after receipt of the final report,
632 the Business Committee shall declare the official results of the election and send notices
633 regarding when the swearing in of newly elected officials shall take place.

634 (a) Except in the event of an emergency, as determined by the Business Committee,
635 newly elected officials shall be sworn into office no later than thirty (30) calendar days
636 after the official results of an election are declared by the Business Committee.

637 (1) If a newly elected official is not sworn in within thirty (30) calendar days, the
638 seat shall be considered vacant and the Election Board shall declare the next
639 highest vote recipient the winner. This procedure shall be repeated as necessary
640 until a winner is declared.

641 (2) If all vote recipients decline or are otherwise unable to be declared the
642 winner, then a special election shall be held.

643 2.11-9. Candidates elected to the Business Committee shall resign from any salaried position
644 outside of the Tribe or any full-time, part-time, seasonal, temporary or other employment
645 position with the Tribe effective prior to taking a Business Committee oath of office. Candidates
646 elected to any other position shall resign from any position with the Tribe effective prior to
647 taking an oath of office.

648 2.11-10. The Election Board shall send a notice to the individual in charge of each storage
649 location when to destroy the ballots, which shall be thirty (30) calendar days after the election or
650 after the final declaration of official election results occurs, whichever is longer.

651

652 **2.12. Referendums**

653 2.12-1. Any Tribal member may submit an advisory referendum question seeking to accept or
654 reject a proposal to amend, create or repeal all or any portion of an existing or proposed law of
655 policy.

656 2.12-2. A referendum question shall be worded as one (1) single question so as an affirmative
657 response indicates a desire for a change to an existing or proposed law or policy. The Legislative
658 Operating Committee shall designate and notice a Tribal office or position that will assist Tribal
659 members with the correct wording of a referendum question.

660 2.12-3. A referendum question shall be submitted to the Election Board at the caucus on a
661 referendum form made available through the Tribal Secretary's Office. Each referendum
662 question shall contain no less than ten (10) signatures from the endorsees and contain the
663 following for each endorsee:

664 (a) printed name and address;

665 (b) date of birth;

666 (c) Oneida Tribal Enrollment Number; and

667 (d) original signature by the endorsee; a photocopied or faxed signature shall not be
668 accepted.

669 2.12-4. The Election Board shall have the Oneida Enrollment Department verify all signatures.

670 2.12-5. *Advisory Referendum Question.* An advisory referendum question shall be non-binding.

671 (a) The Election Board shall place the advisory referendum question on the next
672 available ballot provided that the question meets the requirements for an advisory
673 referendum question in accordance with this section.

Public Meeting Draft (clean)
07/18/13

674 (b) The Election Board shall forward the results of an advisory referendum to the
675 Business Committee who shall fully consider the results and report the determination to
676 act or not act on the question to the Oneida General Tribal Council. No further action is
677 required.
678

679 *End.*

~~680~~

682 Adopted - June 19, 1993

683 Amended - June 28, 1995 (Adopted by BC on Behalf of GTC, Completion of Agenda)

684 Presented for Adoption of 1997 Revisions - GTC-7-6-98-A

685 Amended- October 11, 2008 (General Tribal Council Meeting)

686 Amended-GTC-01-04-10-A

687