LTBB Election Board
Tribal Elections Regulations
Adopted 12/7/2024
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Little Traverse Bay Bands of Odawa Indians
Election Board

TRIBAL ELECTIONS REGULATIONS

I. Purpose

As an independent entity of the Tribe, the Constitution authorizes the Election Board (the "Board") to conduct all general and special elections and to adopt rules and regulations governing elections. In exercise of such authority, the Election Board approves these Regulations to conduct elections, register voters, and guide all activities of the Election Board. These Regulations repeal and replace all previous Regulations adopted by the Election Board.

II. Authority

A. The Election Board is an independent entity created by the Constitution and shall be adequately funded to fulfill its purposes.
B. The Election Board shall have the authority to employ its own staff to fulfill its duties.
C. The Election Board shall prepare an annual budget based on its needs to fulfill its duties and present to the Tribal Council for funding.
D. The Election Board shall conduct all general and special elections.
E. The Election Board shall adopt rules and regulations governing elections. These rules and regulations may be amended as needed. However, no amendments to such rules and regulations can take effect while an Election is in progress. Such rules and regulations shall be posted on the Election Board webpage of the Tribal website.
F. The Election Board shall adopt rules and regulations governing Voter Registration, Regular, Special and Emergency meetings, and procedures to execute the duties of the Election Board. These rules and regulations may be amended as needed. However, no amendments to such rules and regulations can take effect while an Election is in progress. Such rules and regulations shall be posted on the Election Board webpage.
G. The Election Board shall adopt policies to implement its rules and regulations. Those policies and procedures may be amended as needed. However, no amendments to such policies and procedures can take effect while an Election is in progress. Such policies and procedures shall be posted on the Election Board webpage.
H. The Election Board shall have the authority to access the Tribal Enrollment database for the limited functions of denoting voters, running reports, and generating voter lists. When database access is unavailable, the Election Board shall have the authority to request from the Tribal Enrollment Department a list of enrolled Tribal Citizens who have or will have attained the age of eighteen by the Election Date. The list of Tribal Citizens must include their names, enrollment numbers and addresses as current at the time the list is being issued.

III. Jurisdiction

These regulations shall apply to all LTBB lands whether held in fee or in federal trust, and to any person(s) under the jurisdiction of LTBB.

IV. Definitions

A. **Business Day**: Means any day of the week that the Tribal Administrative Governmental Offices are scheduled to be open to conduct business.

B. **Calendar Days and Days**: Means the period of time from midnight to midnight.

C. **Calendar Year**: Means the period of time beginning on January 1 and ending on December 31.

D. **Candidate Team**: Means the Chairperson and Vice-Chairperson candidates running together.

E. **Constitution**: Means the Constitution adopted on February 1, 2005 by the Tribal citizenship of the Little Traverse Bay Bands of Odawa Indians.

F. **Election Date**: Means the scheduled date for a General or Special Election to take place. This is the date when ballots are officially collected. A reference to the "day of the election" or “election day” also means Election Date.

G. **Election in Progress**: In the case of a General or a Special Election, means the period of time between the date the Election Notice is posted and the date the election has been certified by the Election Board. In the event of a Referendum Election, means the period of time between the date the Tribal Council submitted any proposed or enacted statute to a vote at a referendum election to the Election Board and the date the Election Board certifies the results of the election. In the event of an Initiative, means the period of time between the date the Election Board has approved the submitted Initiative for its technical sufficiency and clarity and the date the Election Board certifies the results of the election. In the event of a Recall Election, means the period of time between the date the Election Board validates the petition and the date the Election Board certifies the results of the election. Finally, in the case of any other Special Election where a petition is required, the same rules above apply: An Election is in progress from the date the Election Board validates the petition and the date the Special Election results are certified. In the event that a petition may not be required, "Election in progress" means the period of time between the date the Election Board posts the Election Notice and the date the Election Board certifies the results of the election.

H. **Election Notice**: Means the official notice or “Call to Election” that an election will be held on the Election Date as established by the Election Board.

I. **Eligible Voter**: Means a registered voter who is registered at least ninety (90) days prior to an election to be eligible to vote in said election.

J. **General Election**: Means the election of Tribal Council members every two (2) years and the Tribal Chairperson/Vice Chairperson every four (4) years, held on the last Monday in June of every odd-numbered year.

K. **Immediate Family**: Means wife, husband, son, daughter, mother, father, brother, sister, stepmother, stepfather, stepbrother, stepsister, father-in-law, mother-in-law, child and stepchild, grandmother, grandfather, brother-in-law and sister-in-law. However, a conflict of interest exists not only when an immediate family member is involved in making a decision or enforcing an action that would in any way affect another immediate family member, but also when the decision maker or action enforcer and the affected individual are related as son or daughter-in-law, or any of the individuals affected by the decision or action are, at the time the decision or action is made or enforced, members of the same household.

L. **Initiative**: Means an election held pursuant to Article XIV of the Constitution.

M. **Majority**: Means fifty percent (50%) plus one (1) of the votes cast in an election. In elections for Tribal Council and Tribal Chairperson/Vice-Chairperson, the winner is determined by the highest number of votes received by an individual.
N. **Office Hours**: Means the special times outside of meetings and work sessions announced by the Election Board that the Election Board office is open for Tribal Citizens to conduct business in person.
O. **Personal Identifiable Information (PII):** is any information connected to a specific individual that can be used to uncover that individual's identity, such as their social security number, full mailing address, date of birth, email address, phone number, or Tribal I.D. number.
P. **Petitions**: There are Nomination Petitions, Initiative Petitions, and Recall Petitions. Nomination Petitions means the nominations for candidacy to an elected office in accordance with the Constitution, Statute and Regulations. Initiative and Recall Petitions means the signature sheets used to collect the number of registered voter signatures required to meet the Constitutional and/or statutory threshold for the Petition to be placed on a ballot of an Initiative or a Recall Election, and any other required attachments. The meaning of the word "Petition" outside the context above, will be the one assigned therein.
Q. **Policies and Procedures**: Means the guidelines established by the Election Board in exercise of its authority to establish policy necessary to perform the duties of the Election Board.
R. **Poll Official**: Means an Election Board Member or any other appointee by the Election Board serving at the polls on Election Day.
S. **Poll Sitter**: Means the person who by contractual agreement with the Election Board observe the activities of the election process at the polling place on the day of the election.
T. **Poll Watcher**: Means the person designated by each candidate or sponsor on each initiative at any election who are allowed to observe the counting of the ballots at the polling place on the day of the election on behalf of the candidate or sponsor.
U. **Polling Place**: Means the location designated by the Election Board where the counting of ballots will take place.
V. **Posting**: Means providing public notice to the Tribal citizens of any Election Notice, general or special, Notice of Non-Certified Election Results, Certification of Election Notice, and any other notices the Election Board is mandated to provide per the Constitution, the Statute, these Regulations or the Policies and Procedures governing elections. The posting requirement would be met by placing the proper notice on the Election Board webpage and/or the LTBB citizens portal of the Tribal website, and, if specifically required by law, in the Tribal Offices.
W. **Referendum Election**: Means an election held pursuant to Article XIV of the Constitution.
X. **Registered Voter**: Means a tribal citizen who is eighteen (18) years of age or older and who has a Voter Registration Form on file with the Election Board.
Y. **Rejected Ballot**: Means a ballot in which the ballot is rejected by the mechanical means of ballot counting resulting in the need to hand count the ballot.
Z. **Replacement Ballot**: Means a second ballot provided to the voter in the event of a lost or spoiled ballot.
AA. **Special Election**: Means an election called by the Election Board when required under the Constitution or by appropriate laws of the Tribe which include Referendum, Initiative and Recall Elections.

BB. **Split Ballot**: Means a ballot cast only in one race but not the other.
CC. **Spoiled Ballot**: Means a ballot that has markings other than those meant to be on the ballot, such as double votes or additional marks, which make the voter's intention unclear, or a ballot cast for a candidate whose name has been withdrawn from the election.
DD. **Submission to Election Board**: Means the submission to the Election Board of any materials in accordance with the Constitution, Tribal Elections Regulations, and the Election Board Policies and Procedures, with the exception of petitions protesting the results of an election, which shall be submitted to the Tribal Court.
EE. **Tribal Citizen**: Means an enrolled member of the Little Traverse Bay Bands of Odawa Indians.
FF. **Tribal Elections Regulations**: Means the Election Board's governing document entitled Tribal Elections Regulations. A reference to "Elections Regulations" or "Regulations" also means Tribal Elections Regulations.
GG. **Tribal Offices**: Means the main Tribal Administrative Building.
HH. **Tribe**: Means the Little Traverse Bay Bands of Odawa Indians, and may be referred to as LTBB.
II. **Valid Ballot**: Means a ballot in which the intention of the voter is clear beyond any other interpretation as to the intent of the voter.
JJ. **Verified Count**: Means the tabulated number of ballots after a recount has taken place.
KK. **Verified Signatures**: Means the signatures contained in a petition that are verified as signatories of registered voters by procedures established by the Election Board to conduct the verification of signatures.
LL. **Voter Registration Form**: Means the form approved and distributed or provided by the Election Board.
MM. **Webpage**: Means the Election Board's public and/or the LTBB citizen's portal webpage, or the main webpage on the official LTBB website.
NN. **Year**: Means any period of 365 days (366 in a leap year) consecutive days.

V. General and Primary Elections

A. The members of the Tribal Council, Tribal Chairperson and Tribal Vice-Chairperson shall be elected by majority vote as stated in the Constitution.
B. A General Election will be held the last Monday in June in every odd-numbered year.
C. Members of the Tribal Council shall be elected by majority vote every two (2) years for the purpose of electing Tribal Council members to fill terms due to expire.
D. The Tribal Chairperson and Tribal Vice-Chairperson shall be elected by popular majority vote every four (4) years for the purpose of electing the Chairperson and Vice-Chairperson to fill terms due to expire.
E. If more than two (2) candidates per open seat on the Tribal Council successfully submit candidacy petitions for office, a primary election shall be conducted to reduce the number of candidates to two (2) per open seat.
F. The Tribal Chairperson and Tribal Vice-Chairperson candidates shall run as a candidate team and shall file a joint candidacy nomination petition for election.
G. If more than two (2) Candidate Teams successfully petition to run for Tribal Chairperson and Tribal Vice-Chairperson, a primary election shall be conducted to reduce the number of Candidate Teams in the general election to two (2).

H. In the event that a Primary Election is required under this Section, the Primary Election shall be conducted no less than forty-five (45) days prior to the General Election. The Primary Election will be held the first Monday in May.
I. The Notice of Election and election schedule shall take into account the potential of a Primary Election as required under this Section.
J. In the event of extraordinary circumstances beyond the Election Board's control, rendering the holding of the election impossible, the Election Board may postpone the Election Date until such event subsides.

VI. Referendum

A. The Tribal Council may elect by the vote of at least six (6) Council members to submit any proposed or any enacted statute to a vote of registered voters at a Referendum Election.
B. The Tribal Council Legislative Leader or their designee shall submit the Referendum to the Election Board and include the Tribal Council minutes in which the Referendum was passed by Tribal Council.
C. The Election Board will examine the technical sufficiency of the proposed Referendum to ensure the language is clear before it is placed on the ballot. The Election Board shall post a notice of the Referendum and election date to the Tribal website.
D. The Election Board shall schedule a Referendum election no sooner than forty-five (45) days and no later than ninety (90) days from the date the proposed or existing statute is referred was submitted to the Election Board. If a general election is scheduled to be held no sooner than forty-five (45) days and no later than ninety (90) days from the date the referendum was submitted to the Election Board, the Referendum will be scheduled for a vote at that general election. If the next general election is scheduled for a time more than ninety (90) days after submission, a special election shall be scheduled.
E. A Referendum proposal shall be enacted by the vote of a majority of those actually voting, provided that at least twenty percent (20%) of the registered voters of the Little Traverse Bay Bands of Odawa Indians who were registered on the day it was referred by the Tribal Council to the Election Board cast ballots in said election. If less than twenty percent (20%) of the registered voters of the Tribe casts ballots in said election, the Referendum shall be deemed as defeated.
F. Any statute enacted by referendum pursuant to the provisions of this Article shall take effect ten (10) days after certification of the election, unless otherwise provided in the referendum proposal adopted. No law adopted by the membership of the Little Traverse Bay Bands of Odawa Indians under the referendum provisions shall be amended or repealed except by a vote of the electors, unless otherwise provided in the referendum proposal or found to be unconstitutional by the Tribal Judiciary.

VII. Initiative

A. Initiative is the power of the Tribal citizens to propose laws and to enact or reject them in an election. The citizens of the Little Traverse Bay Bands of Odawa Indians shall have the power to adopt any statute by Initiative, and the power to repeal or amend any statute in accordance with the provisions stated in the Constitution. Statutes addressing appropriations for Tribal institutions or statutes establishing the Tribal budget shall be exempt from the Initiative process.

B. A Tribal Citizen "Petitioner" may request an Initiative Petition by completing a "Request for Initiative Petition" form and submitting it to the Election Board in person at a scheduled Election Board meeting or work session. The Petitioner presents their tribal identification card, or other form of identification. The tribal identification card is verified on the request form by an Election Board member. The Election Board shall provide a copy of the signed form to the Petitioner.
C. The Initiative shall be submitted in the format of a Tribal statute and attached to the Initiative Request Form.
D. The Election Board shall examine its compliance with the Constitution. If the Election Board determines that the Initiative involves a statute that addresses appropriations for Tribal institutions or statutes establishing the Tribal budget, the Election Board will reject the proposed Initiative and will not conduct any additional review. If the Election Board determines that the Initiative does not involve a statute that addresses appropriations for Tribal institutions or statutes establishing the Tribal budget, the Election Board will examine the technical sufficiency of the proposed Initiative and shall ensure the language is clear before it is circulated.
E. The Election Board will record the reported information in the minutes, including the name of the petitioner and the title of the Initiative.
F. The Election Board shall deliver its written comments to the proponents within thirty (30) days from the date the Initiative was submitted for examination. In order for the Initiative to meet the technical sufficiency threshold it must comply with the format requirements of Tribal statutes. The Initiative meets the clarity assessment if the proposed Initiative can be clearly understood and does not present inconsistencies and/or contextual contradictions.
G. If the Initiative meets the clarity assessment, the Election Board shall issue an Initiative Petition to the Petitioner in person at an Election Board meeting within sixty (60) days of its decision.
H. The Petitioner and two Election Board members will sign an "Acknowledgement of Initiative Petition Issuance" form. The issuance form will include:
    - Tribal Citizen Name and Tribal Identification Enrollment Number
    - Title of Initiative
    - Date of Request
    - Date of Issuance
    - Number of Petition Signature Sheets Issued
    - Minimum number of verified signatures required
    - Date of Expiration
I. The Election Board issues the Initiative Petition in the form of Petition Signature Sheets that include the title of the Initiative. Petition Signature sheets will be numbered and indicate the date of issue and date of expiration.
J. The date of issue assigned to the petition is the date of the meeting. Initiative petitions expire ninety (90) days from date of issue. Expired petitions shall be returned to the Election Board.
K. Initiative petitions must be signed by a number of registered voters, requiring a minimum number of verified signatures equaling no less than twenty percent (20%) of the registered voters who voted in the last General Election.
L. The Initiative Petition Signature Sheets must be circulated with the Initiative attached so Tribal Citizens can read the Initiative in its entirety before signing the petition.

M. If additional Petition Signature Sheets are required by the Petitioner, the Petitioner must submit a "Request for Additional Initiative Petition Signature Sheets" form. The completed and signed form may be submitted to the Election Board in person at an Election Board meeting, work session or office hours, or may be emailed to the Election Board or sent by postal mail. The Petitioner may pick up the additional Initiative Signature Sheets at the next Election Board meeting or work session. The Petitioner and two Election Board members will sign an "Acknowledgement of Additional Initiative Petition Signature Sheets" form. The Election Board shall provide a copy of the signed form to the Petitioner.

N. A Initiative Petition must be submitted in its entirety, with the full Initiative attached, to the Election Board by the Petitioner at an Election Board meeting within ninety (90) days of the date of issue.

O. The Petitioner and two Election Board members will sign a "Receipt of Initiative Petition Submission" form. The Election Board shall provide a copy of the signed form to the Petitioner. The form will include:
    - Tribal Citizen Name and Tribal Identification Enrollment Number
    - Title of the Initiative
    - Date of Submission
    - Date of Issuance
    - Number of Petition Signature Sheets Contained in Petition

P. Within ten (10) business days of receipt of the signed Initiative Petition, the Election Board shall provide a documented "Determination of Initiative Petition" (the "Determination") to the Petitioner which shall include the Petitioner's name and contact information. Said Determination shall state whether the Initiative Petition meets the requirements for the Election Board to schedule an Initiative Election, or, if it does not meet said requirements, shall state its defect(s). The Election Board shall post the Determination notice to the Election Board webpage.

Q. If the signatures have been verified and the Initiative Petition is validated by the Election Board, the Election Board shall schedule an election. If a general election is scheduled to be held less than twelve (12) months from the date the Election Board has validated the petition, the initiative will be scheduled for a vote at that general election. If the next general election is scheduled for a time more than twelve (12) months after verification, a special election shall be scheduled.

R. An initiative proposal shall be enacted by the vote of a majority of ballots cast provided that at least twenty percent (20%) of the registered voters of the Little Traverse Bay Bands of Odawa Indians who are registered on the day of submission of the petition cast ballots in said special election. If less than twenty percent (20%) of the registered voters of the Tribe cast ballots in said election, the initiative shall be deemed to be defeated.

S. Any statute enacted by initiative pursuant to the provisions of this Article shall take effect ten (10) days after certification of the election, unless otherwise provided in the initiative proposal adopted. No law adopted by the membership of the Little Traverse Bay Bands of Odawa Indians under the initiative provisions shall be amended or repealed except by a vote of the electors, unless otherwise provided in the initiative proposal or found to be unconstitutional by the Tribal Judiciary.

T. If an initiative is defeated in an election, the same matter cannot again be the subject of an initiative election for two (2) years.

VIII. Recall

A. The Tribal Chairperson, Tribal Vice-Chairperson or Tribal Council Members may be subject to recall pursuant to the Constitution section VII. A. Recall.

B. A Tribal Citizen "Petitioner" may request a Recall Petition by completing a "Request for Recall Petition" form and submitting it to the Election Board in person at a scheduled Election Board meeting or work session. The Petitioner presents their tribal identification card, or other form of identification. The tribal identification card is verified on the request form by an Election Board member. The Election Board shall provide a copy of the signed form to the Petitioner.

C. The Election Board may issue the Recall Petition if a meeting is in order or a special meeting is called to order, or if time is not sufficient, the Petitioner may pick up the Petition at the next Election Board meeting or work session.

D. The Election Board Secretary shall report the request, including the name of the petitioner and the elected official who is subject to the Recall, to be noted in the minutes at the next Election Board meeting.

E. The Recall Petition must be provided by the Board and obtained by the Petitioner within sixty (60) days of submitting the request form.

F. The Petitioner and two Election Board members will sign an "Acknowledgement of Recall Petition Issuance" form. The issuance form will include:
    - Tribal Citizen Name and Tribal Identification Enrollment Number
    - Name and Position of Official Sought to Be Recalled
    - Date of Request
    - Date of Issuance
    - Number of Petition Signature Sheets Issued
    - Minimum number of verified signatures required
    - Date of Expiration

G. The Election Board issues the Recall Petition in the form of Petition Signature Sheets that include the name and position of the elected official sought to be recalled. Petition Signature sheets will be numbered and indicate the date of issue and date of expiration.

H. The date of issue assigned to the petition is the date of the meeting. Recall petitions expire ninety (90) days from date of issue. Expired petitions shall be returned to the Election Board.

I. Recall petitions must be signed by a number of registered voters, requiring a minimum number of verified signatures equaling no less than twenty percent (20%) of the registered voters who voted in the last General Election.

J. If additional Petition Signature Sheets are required by the Petitioner, the Petitioner must submit a "Request for Additional Recall Petition Signature Sheets" form. The completed and signed form may be submitted to the Election Board in person at an Election Board meeting, work session or office hours, or may be emailed to the Election Board or sent by postal mail. The Petitioner may pick up the additional Petition Signature Sheets at the next Election Board meeting or work session. The Petitioner and two Election Board members will sign an "Acknowledgement of Additional Recall Petition Signature Sheets" form. The Election Board shall provide a copy of the signed form to the Petitioner.

K. A Recall Petition must be submitted in its entirety to the Election Board by the Petitioner at an Election Board meeting within ninety (90) days from the date of issue.

L. The Petitioner and two Election Board members will sign a "Receipt of Recall Petition Submission" form. The Election Board shall provide a copy of the signed form to the Petitioner. The form will include:
    - Tribal Citizen Name and Tribal Identification Enrollment Number
    - Name and Position of Official Sought to Be Recalled
    - Date of Submission
    - Date of Issuance
    - Number of Petition Signature Sheets Contained in Petition

M. Within ten (10) business days of receipt of the signed Recall Petition, the Election Board shall provide a documented "Determination of Recall Petition" (the "Determination") to the Petitioner which shall include the Petitioner's name and contact information. Said Determination shall state whether the Recall Petition meets the requirements for the Election Board to schedule a Recall Election, or, if it does not meet said requirements, shall state its defect(s). The Election Board Secretary shall post the Determination notice to the webpage and Tribal Administration office.

N. A Recall Election shall be scheduled by the Election Board within ninety (90) days upon validation of the petition. The elected official shall be recalled upon a majority vote if at least thirty percent (30%) of the registered voters vote in the Recall Election.

O. Each elected official may be subject to no more than one (1) recall election per calendar year.

P. To provide for continuity of governance, no more than four (4) Tribal Council members shall be subject to a Recall Election at any one time. If Recall petitions for four (4) Tribal Council members are in circulation, the Election Board will not accept additional requests for Recall petitions for Tribal Council members. The Election Board will qualify the petitions based on their order of filing, stopping once the fourth petition has been validated.

IX. Candidate Qualifications

A. A candidate for an elected office must be an enrolled Tribal citizen eighteen (18) years of age or older and must be a registered voter.

B. No candidate to the office of Tribal Council, Tribal Chairperson or Tribal Vice-Chairperson shall be qualified to serve within seven (7) years of completion of a sentence or probation after being convicted of a felony, unless such conviction has been vacated or overturned. The Election Board shall ensure the person seeking the candidacy nomination meets this requirement by running the proper criminal background checks.

X. Nepotism

A. Immediate family members shall not serve on the Tribal Council or as Chairperson or as Vice-Chairperson at the same time.

B. In the event that two or more immediate family members are elected, they may designate in writing which one will serve.

C. In case of a tie, and no designation being made, a run-off election shall be conducted.

D. If no such designation is made, only the family member with the highest number of votes shall serve. The other family member shall be disqualified.

E. In the event a vacancy is created upon the disqualification of a candidate due to the nepotism rules, the position shall be filled by the individual who obtained the next highest number of votes.

XI. Candidate Nomination Procedures

A. Nominations for candidates are placed on nomination forms developed, approved and provided by the Election Board.
B. Nominees must meet the Candidate Qualifications stated in section IX. above.
C. Nomination Applications will be included with the Call to Election to be mailed by the Election Board to all registered voters at least one hundred thirty-four (134) calendar days prior to the election.
D. In addition to mailing the Nomination Application to all registered voters, the Election Board shall post a fillable, printable Nomination Application on the Election Board webpage.
E. All other candidate forms will be made available on the Election Board webpage.
F. Nominees shall submit their Nomination Packet in its entirety including all required forms as originals with original signatures and petition signature sheets with original signatures. The Nomination Packet must include all required documents completed, signed and submitted together. Copies or electronic submissions will not be accepted.
G. Required documents shall include a completed Nomination Application, Petition Signature Sheets, Criminal Background Authorization, and any other documentation duly required by the Election Board.
H. A Chairperson and Vice-Chairperson team shall file a joint candidacy petition. Candidate teams shall utilize the "Signature Sheet for Chairperson and Vice-Chairperson Nomination" form to collect a total of twenty-five (25) verifiable petition signatures of registered voters. The Nomination Packet for a candidate team shall include a Nomination Application and Criminal Background Authorization for each member of the candidate team.
I. A registered voter may sign more than one Nomination Petition.
J. Nomination Packets must be submitted in person by the potential candidate, or by both members of a candidate team, at an Election Board meeting, work session or office hours and received by the Election Board no less than one hundred four (104) calendar days prior to the Election Date. The Election Board shall post the Election Schedule with the dates and times of Election Board meetings, work sessions and office hours to the Election Board webpage. The Election Board shall provide special office hours on the deadline date that Nomination Packets are due.
K. If a nominee chooses to have their photograph placed on the ballot, the nominee shall email a quality headshot photo in a common photo file format to the Election Board no less than one hundred four (104) calendar days prior to the Election Date, by the same date the Nomination Packet is due, or may include the photo with their Nomination Packet. A Chairperson and Vice-Chairperson team may submit a team photo.
L. Upon receiving a Nomination Packet, the Election Board shall review the packet with the nominee and complete a Nomination Packet Checklist form. Both the nominee and the Election Board member will sign the form, and a copy will be provided to the nominee.
M. The Nomination Petition Signature Sheets shall contain verified signatures and Tribal enrollment numbers of at least twenty-five (25) registered voters. Pursuant to section VII. Verification of Signatures, of the Election Board Policies and Procedures, if a petition signature cannot be verified by the Election Board, said signature shall not be counted toward the minimum number of signatures required.
N. The Election Board shall examine all Nomination Packets that are received no less than one hundred four (104) calendar days prior to the Election Date. The Election Board shall review the accuracy and clarity of the Nomination Application to the best of its ability. The Election

Board will verify a minimum of twenty-five (25) registered voter signatures on the Petition Sheets. The Election Board will complete a criminal background check. Upon completion of these results, the Election Board shall deem the Nomination as either valid, or invalid, and shall notify the nominee.

O. The Election Board shall prepare a final list of candidates no later than ninety (90) calendar days prior to the Election Date and shall post a candidates list to the Election Board webpage.
P. The Election Board shall post all validated candidate Nomination Applications to the Election Board webpage, with redaction of any Personal Identifiable Information (PII). The Nomination Applications will remain posted for the duration of election cycle/duration of the term.
Q. Candidates wishing to withdraw their names must do so in accordance with section XIV. Notice of Candidate Withdrawal, below.
R. Names on the ballots will appear in the order in which their complete Nomination Packet was received.
S. The spelling of names shall appear on the ballot as they are printed on the Nomination Application Form.
T. Election Board members are prohibited from signing any Nomination Petition. Their signatures can only appear in exercise of their duly established functions during the petition validation process.

XII. Criminal Background Disclosure

A. Per the Constitution, Article VII. H. 3. No person shall serve as a Tribal Council member within seven (7) years of completion of a sentence or probation upon being convicted of a felony, unless such conviction has been vacated or overturned.
B. Nominees must include a completed and signed Criminal Background Disclosure Authorization and Release form with the submission of their Nomination Packet.
C. The Election Board shall run criminal background checks on all nominees running for Chairperson, Vice-Chairperson and Tribal Council.
D. If a nominee is found to be ineligible to serve in office due to the results of the criminal background check, the Election Board will disqualify the nominee from candidacy and will send the nominee the results of the background check via certified mail.
E. If a team member of a Chairperson and Vice-Chairperson ‘team’ is disqualified due to their criminal record, then the ‘team’ is disqualified and the nomination will be invalid.
F. If the results from the criminal background check indicate a sexual offense, the nomination will be invalid and the Election Board will proceed in accordance with the laws of Little Traverse Bay Bands of Odawa Indians and the LTBB Sex Offender Registration and Notification Statute.
G. The criminal background information shall be kept in a sealed file and permanently destroyed within ninety (90) days upon certification of the election for which the nomination was made.
H. The criminal background information of nominated candidates accessed by the Election Board is confidential and shall be exempt from any public document request procedures with exception of a sexual offense as stated above.

XIII. Campaign Finance Statement

A. All campaign contributions must be reported on a candidate Campaign Finance Statement form.
B. The Campaign Finance Statement form is issued by the Election Board and available to candidates on the Election Board webpage.
C. Candidates may solicit and accept campaign contributions from LTBB Tribal citizens provided they are fully disclosed on the Campaign Finance Statement form.
D. Candidates may not solicit or accept contributions from non-tribal members unless those individuals are immediate family members related to the candidate and provided they are fully disclosed on the Campaign Finance Statement.
E. Each candidate, including each team member of a candidate team, shall submit a completed and signed Campaign Finance Statement form for the Primary Election, if a primary election is held, within ten (10) days of the Primary Election date.
F. Each candidate, including each team member of a candidate team, shall submit a completed and signed Campaign Finance Statement form for the General Election, if the candidate was eligible to run in the General Election, within ten (10) days of the General Election date.
G. Candidates shall submit separate Campaign Finance Statements, for both the Primary Election and the General Election, in which the candidate ran.
H. Each candidate, including each team member of a candidate team, shall submit a Campaign Finance Statement form regardless of whether they were elected or not.
I. Each candidate, including each team member of a candidate team, shall submit a Campaign Finance Statement form regardless of whether they received contributions or not. If a candidate did not receive any contributions, donations or anything of value, they shall state "No campaign contributions received" on the form.
J. The Election Board shall review campaign finance information to determine whether any policies have been breached or to assess any possible conflict of interest that may arise in the future.
K. Campaign Finance Statements may be submitted to the Election Board in person at an Election Board meeting, work session or office hours, or the completed and signed form may be emailed to the Election Board or sent by postal mail.
L. It is unlawful for any Tribal Citizen over whom the Tribe may properly exercise criminal jurisdiction to interfere with any Tribal Election campaign by using Tribal resources to actively and overtly encourage and support any candidate, or accepting or soliciting contributions, in the form of payment, gift, subscription, assessment, expenditure, contract, payment for services, dues, advance, forbearance, loan, or donation of money or anything of ascertainable monetary value, or a transfer of anything of ascertainable monetary value to a person, made for the purpose of influencing the nomination or election of a candidate. Each candidate has the obligation to submit a Campaign Finance Statement disclosing all contributions received in occasion of his/her campaign. Failure to submit said Campaign Finance Statement will be considered a willful violation of this section.
M. The Election Board shall document receipt of all Campaign Finance Statements and will post them to the Election Board webpage, with redaction of any Personal Identifiable Information (PII). The Campaign Finance Statements will remain posted for the duration of election cycle/duration of the term.

N. The Election Board may report this information - as to whether a candidate submitted or failed to submit Campaign Finance Statements - on the Election Board webpage, in the final Election Report Summary, at the Annual Community Meeting, or in the Tribal newsletter.

XIV. Notice of Candidate Withdrawal

A. A candidate may withdraw his/her candidacy but must do so in writing no less than forty-five (45) days prior to the Election Date.
B. A candidate team shall utilize the "Candidate Team Withdrawal" form to withdraw their candidacy for Chairperson and Vice-Chairperson.
C. A Tribal Council candidate shall utilize the "Candidate Withdrawal" form to withdraw their candidacy.
D. The Candidate Withdrawal Forms shall be available on the Election Board webpage and may be submitted in person at an Election Board meeting, work session or office hours or the completed and signed form may be emailed to the Election Board.
E. If the candidate's withdrawal is given once the ballots have been printed, the Election Board shall mail a Notice of Candidate Withdrawal to all registered voters advising the registered voters that the name of the withdrawn candidate on the ballot should not be considered as a choice. Provided there is insufficient time to mail a notice to all registered voters, the Election Board shall post the notice to the Tribal website.
F. If the candidate's withdrawal is given once the ballots have been printed, the Election Board reserves the right at its discretion, to assess the candidate the cost of mailing a Notice of Candidate Withdrawal to all registered voters.
G. The Election Board shall not count the votes cast for the candidate subject of said Notice.
H. All candidates withdrawing from the race are not exempt from filing the proper candidate Campaign Finance Statement form.

XV. Call to Election Notice

A. The Election Board shall prepare a Call to Election Notice and mail it to all registered voters via U.S. first class/bulk mail at least one hundred thirty-four (134) calendar days prior to the election.
B. The Call to Election Notice will include the Election schedule and a Nomination Application.
C. The Election schedule will include the date of the primary election if needed, the date of the general election, deadline dates for voter registrations, and other deadlines and due dates pertinent to the election.
D. The Election Board will mail the Call to Election and a Voter Registration form to all tribal citizens who are not registered to vote and who will be eighteen (18) years of age or older on the general election date.
E. The Election Board shall post the Call to Election, election schedule, Nomination Application and candidate forms to the Election Board webpage.
F. In the case of initiative Petitions or Recall Election Petitions, and any other Special Election, the Election Board shall post the date of the election and all pertinent information affecting the Initiative or Recall Election on the Election Board webpage.

XVI. Mailing of Ballots

The Election Board shall prepare the Election Ballots and mail them to all eligible registered voters via U.S. first class/bulk mail no less than thirty (30) days prior to the Election. The mailing shall include a self-addressed stamped return envelope.

XVII. Voter Registration

A. Only Citizens of Little Traverse Bay Bands of Odawa Indians (LTBB) are eligible to register to vote in LTBB elections.
B. LTBB Tribal Citizens must be registered to vote at least ninety (90) days before an election to be eligible to vote in that election.
C. Registered Voters must be at least eighteen (18) years of age on the day of the election to be eligible to vote in that election.
D. The Voter Registration Form shall be in a format approved by the Election Board and shall be available on the Election Board webpage as a printable and fillable form.
E. The Voter Registration Form may be submitted in person at an Election Board meeting, work session or office hours, or the completed and signed form may be emailed to the Election Board or sent by postal mail. The form must be complete and legible, and must be signed by the Tribal Citizen who is registering. The Election Board shall provide special office hours on the last date to register to vote in an election.
F. Once the Voter Registration Form has been accepted, the Election Board shall notify the Tribal Citizen that their Voter Registration has been processed.
G. A voter is registered for life, with the exception of a name-change or relinquishment of citizenship. Any voter who changes their name shall submit a new Voter Registration Form to the Election Board.
H. Any Tribal Citizen who relinquishes their citizenship of LTBB, will be disqualified as a Registered Voter effective the date of relinquishment.
I. It is the responsibility of each Tribal Citizen who wishes to vote in an election to ensure that he or she is registered to vote.
J. Since voting is done via U.S. mail, the mailing address on record is very important. Ballots are mailed to the voter's address on record. This record is based on the addresses kept by the Enrollment Department. It is the responsibility of the voter to notify the Enrollment Department of any change of address. The Election Board is not responsible for ballots mailed to invalid addresses due to voter negligence in maintaining an up-to-date address on record with the Enrollment Department.
K. The Election Board shall maintain a public record of all registered voters known as the "Registered Voters List." The Election Board shall update the Registered Voter List on a continual basis to reflect registrations, updated name-changes, and deceased or relinquished voters.

XVIII. Voting

A. Voting shall be done by secret ballot mailed via U.S. first class/bulk mail to all eligible Registered Voters.
B. All ballots shall be sent with a self-addressed stamped return envelope.
C. All ballots mailed to the Election Board must be received at the designated office of the U.S. Postal Service in Michigan no later than 4:00 p.m. on the Election Date or hand delivered to

the Polling Place by 6:00 p.m. Ballots may be hand delivered to the Polling Place on the Election Date only.

D. No voter shall cast more than one ballot in any election.
E. Ballots that contain a write-in candidate will be considered null and void.
F. No person who has been judicially determined to be mentally incompetent may register, remain registered, or vote unless the disability has been removed. A copy of a court disposition declaring such incompetence will be the only accepted means to prove whether the disability exists or has been removed.

XIX. Ballot Replacement

A. If a ballot is spoiled, lost or otherwise cannot be used, a registered voter may request a replacement ballot. The requester must complete and sign a Replacement Ballot Request form stating the reason(s) why a replacement ballot is requested.
B. The Replacement Ballot Request form is available on the Election Board webpage and may be submitted in person at an Election Board meeting, work session or office hours, or emailed to the Election Board or sent by postal mail. The form must be received by the Election Board no less than ten (10) days prior to the Election Date.
C. Every effort will be made by the Election Board to replace the ballot. Replacement ballots may be mailed to the requester up to seven (7) days prior to the Election Date.

XX. Election Date Procedures

A. All ballots will be opened, counted, and recorded by the Election Board in an open meeting. Polls and election day proceedings are open to Tribal Citizens, Poll Watchers and Election Officials only.
B. Polls open at 12:00 pm at a place designated by the Election Board and announced to the citizenship through the Election Notice.
C. Ballots received by the post office are kept in a locked container. The locked containers will be retrieved from the post office twice on the day of the election.
D. Two Election Board Members and a Tribal Police Officer will go to the Post Office to retrieve the ballots at approximately 11:00 am.
E. The ballots are brought back to the polling place, removed from the envelopes, and placed in the ballot box.
F. The envelopes are counted.
G. The ballots are opened and counted. The result of the counting is recorded by the Election Board. The Election Board may use electronic means to process and count the ballots.
H. A second retrieval of ballots from the post office will be done in the same manner at approximately 4:00 pm, thus retrieving all ballots delivered to the Post Office Box on the day of the election. These ballots are then processed as described above.
I. Ballots that contain a write-in candidate will be considered null and void.
J. In the event of a split ballot, only the vote for the race cast will be counted.
K. If the intent of a given ballot cannot be inferred from normal observation, the ballot will be considered null and void.
L. If the count is made by mechanical means, any rejected ballot will be hand counted. The Election Board must include in its report of the election the number of ballots rejected by the mechanical means utilized and a signed tally sheet of all hand counted ballots.

M. Polls close at 6:00 p.m. and the counting and recording continue until all the ballots are counted and recorded.
N. Ballots will not be accepted after 6:00 p.m. Eastern Standard Time (EST).
O. The non-certified results are read aloud and posted as stated in section XXIII. Posting and Certification of Election Results, below. Only the certified results will be used to determine who the winners of the election are.
P. In the event of a tie, the Election Board must proceed in accordance with section XXV. Recount, below.

XXI. Poll Sitters

A. Poll sitters contracted by the Election Board observe the activities of the election process and assist at the polling place on the Election Date.
B. Poll Sitters shall not be Tribal Citizens or immediate family members of a candidate and must be at least eighteen (18) years of age or older to be qualified as a Poll Sitter.
C. At least thirty (30) days before the Election Date, the Election Board will publish an announcement on the Tribal website seeking qualified individuals to serve as Poll Sitters on the day of the election.
D. Poll Sitter applications will be available on the Election Board webpage. The Poll Sitter Application form may be submitted to the Election Board in person at an Election Board meeting, work session or office hours, or the completed and signed form may be emailed to the Election Board or sent by postal mail.
E. The Election Board may conduct interviews in the selection of Poll Sitters or may select Poll Sitters based on the first applications received from qualified applicants.
F. The Election Board shall select two (2) Poll Sitters from the pool of qualified applicants and may select an alternate.
G. The Poll Sitters will sign a Poll Sitter Agreement form prior to performing their duties on election day.
H. The Poll Sitters must sign a Poll Sitter Acknowledgment form when polling is complete and after all ballots have been counted.
I. Poll Sitters must report in writing any irregularities observed during the election day and sign an affidavit. The affidavit shall be attached to the Acknowledgement form and a copy will be provided to the Tribal Council Secretary.
J. Poll Sitters will be provided a daily stipend and mileage reimbursement after completion of their election day duties.

XXII. Poll Watchers

A. Each candidate, sponsor, or subject of an election may assign a Poll Watcher to observe the election and counting of the ballots on election day by submitting a Poll Watcher Appointment form to the Election Board at least seven (7) days prior to the Election Date and may submit the appointment of up to two (2) alternate Poll Watchers.
B. The Poll Watcher Appointment form shall be posted and available on the Election Board webpage and may be submitted in person at an Election Board meeting, work session, or office hours, or the completed and signed form may be emailed to the Election Board or sent by postal mail.
C. Each candidate, sponsor, or subject of an election may have only one (1) Poll Watcher observing the election at any given time during election day.

D. On the day of election, Poll Watchers must identify themselves as such with the Election Board members working at the polling site. To that effect, they must show a copy of their appointment form signed by the candidate on behalf of whom they are observing the election.
E. Poll Watchers are allowed to physically position themselves in a location at the polling place where they can fulfill their duties as observers, without obstructing the duties being performed by election officials and no less than eight (8) feet from the ballots that are being processed.
F. Poll Watchers are not permitted to take photographs or videos or to record the proceedings in any manner. Poll Watchers shall not interfere in any way with the election day proceedings. Poll Watchers whose behavior is disruptive or contrary to their functions may be removed from the polling place.
G. A Poll Watcher's observations of any discrepancies or deviations from standard procedures must be addressed with the candidate or sponsor who appointed them to perform the duties of Poll Watcher.
H. Upon completion of their appointed duty to observe the election, Poll Watchers shall sign a Poll Watchers Acknowledgement form stating they observed the election and provide it to the Election Board prior to leaving the polling location.
I. In the event of unusual or emergency situations on election day, the Election Board may preclude any and all Poll Watchers from participating at the polling place.

XXIII. Posting and Certification of Election Results

A. The Election Board shall post preliminary non-certified (unofficial) election results within three (3) business days from the election date on the Election Board webpage, in the next issue of the Tribal newsletter and in the Tribal Offices.
B. The election shall be certified by the Election Board at an Election Board meeting held the tenth (10th) business day after the closing of the polls, provided the Election Board has not been served notice of any unresolved Election Challenges.
C. Prior to issuing the certification the Election Board must issue an affidavit that the Board has not been served any notice of pending challenges.
D. The Certified Results shall be posted by the Election Board on the Election Board webpage, in the next issue of the Tribal newsletter and in the Tribal Offices within three (3) business days upon certification.
E. The Election Board shall provide the certified results to the Tribal Council Secretary and to the Tribal Chairperson.
F. The same procedures as stated above will be followed when circumstances warrant a run-off election.

XXIV. Challenges of Election Results

A. Any registered voter of the Tribe may challenge for cause the results of any election by filing a written challenge with the Tribal Court within ten (10) days after the Election Date.
B. Upon being served an Election Challenge filed in Tribal Court, the Election Board shall review the Election Challenge and prepare the background documentation to file a response.
C. The Election Board shall post an announcement to the Election Board webpage that the Election is being contested and cannot be certified until the challenge is resolved.

D. The Tribal Court shall act on a challenge to any election within twenty (20) days of receiving the challenge in Tribal Court. To that effect the Tribal Court must schedule a hearing to hear the complaint and to receive evidence within twenty (20) days of the challenge being filed.

XXV. Recount

A. In the event that at the completion of the canvas of any election the count reveals that any two candidates for one single office have received the same number of votes in a particular contest, the Election Board will conduct a recount of the ballots cast in that contest.
B. The Election Board has the authority to either utilize the same machine, a second machine (if one is available), to complete the recount through a hand count, or both a second machine count along with a hand count.
C. Should a tie still exist at the completion of the recount, the Election Board will conduct a special run-off election limited to the tied candidates only if breaking such tie will affect the outcome of the election. Immediate Notice of such a run-off election shall be given, with the run-off Election to be held not more than forty-five (45) days from the Election Date the tie occurred.
D. In the event that at the completion of the special run-off election a tie still exists, the winner will be determined by the flipping of a coin under the supervision of the Election Board and in the presence of Poll Sitter(s) and any designated Poll Watcher(s).
E. The same procedure will be followed for a tie in an Initiative or a Referendum Election.
F. Any election that ends with a margin of less than one percent shall be subject to a recount. The purpose of the recount is to reach a verified count of the ballots cast in the election. In order to do that, the Election Board has the authority to utilize the same machine or a second machine (if one is available), to complete the recount through a hand count, or both a second machine count along with a hand count. The Election Board will verify the new count and will issue the results of the recount as preliminary non-certified results.
G. The Election Board must in all recount situations provide assurances regarding the fidelity of the process by allowing Poll Sitters, Poll Watchers and/or the involved candidates, if available, to be present at any recount. An affidavit signed by the Chairperson of the Election Board will attest to the efforts made to assure the fidelity of the recount process and will contain the names of the people present at the recount.
H. Elections that end with a margin of one percent or greater shall not be subject to a recount except in cases where a candidate has filed a challenge and shown the Tribal Court credible evidence of fraud that would change the election results.
I. Any contest involving a recount of the votes cast with a margin of one percent or greater shall be done at the expense of those requesting such a recount for a non-refundable fee of $500.00. In the event that the outcome of the election has been changed as a result of the recount the $500.00 shall be refunded.
J. Any recounts must occur before the certification of the election.

XXVI. Retention of Ballots

A. The Election Board shall retain all valid ballots in sealed containers.
B. Ballots that were determined not to be valid during the election process shall be retained separately from valid ballots.
C. Upon certification of election results, both valid and non-valid ballots will be retained in secure containers for at least one (1) year.

XXVII. Amendments

The Tribal Elections Regulations and/or the Election Board Policies and Procedures may be amended by a majority vote of a quorum of the Board at a meeting. No amendments to the Tribal Elections Regulations or Election Board Policies can take effect while an Election is in Progress. Any amendment adopted by the Board is effective immediately, or after certification of the election if adopted during an election cycle, and continues in effect unless the amendment is subsequently rescinded by the Board. The Election Board shall post all approved amendments on the Election Board webpage.

XXVIII. Savings Clause

In the event that any phrase, provision, part, paragraph, subsection or section of these Regulations is found by a court of competent jurisdiction to violate the Constitution, statutes or ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from these Regulations. The entirety of the balance of the Regulations shall remain in full and binding force and effect.

CERTIFICATION OF APPROVAL

As Board Members of the Little Traverse Bay Bands of Odawa Indians Election Board, we certify that at a duly-called meeting of the Election Board held on December 7, 2024 these Tribal Elections Regulations were adopted by a vote of 5 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Andrea Pierce	X			
Regina Kiogima	X			
Jon Shawa	X			
Carla Osawamick	X			
Melissa Wiatrolik	X			

Date: 12/7/24 Andrea Pierce
Andrea Pierce, Election Board Chairperson

Date: 12-7-24
Regina Kiogima, Election Board Vice-Chairperson

Date: 12-7-24 Jon Shawa
Jon Shawa, Election Board Treasurer

Date: 12-7-24 Carla Osawamick
Carla Osawamick, Election Board Secretary

Date: 12-7-24 Melissa Wiatrolik
Melissa Wiatrolik, Election Board Member