

# St. Croix Chippewa Indians of Wisconsin

24663 Angeline Avenue • Webster, WI 54893 • (715) 349-2195 • Fax (715) 349-5768

## ST. CROIX TRIBAL COUNCIL RESOLUTION NO. 10-21-2024.07

### TRIBAL COUNCIL ACTION TO ADOPT AMENDMENTS TO STCCIW TITLE 2, CHAPTER 1 ELECTION ORDINANCE

**WHEREAS**, the St. Croix Chippewa Indians of Wisconsin (the “Tribe”) is federally recognized Indian Tribe duly organized under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. § 5123, as amended, and established pursuant to the Revised Constitution and By-Laws adopted by the Tribe on July 6, 2023, and approved by the Secretary of the Interior on December 15, 2023; and

**WHEREAS**, pursuant to Article IV of the Revised Constitution, the governing body of the Tribe shall be the St. Croix Tribal Council (the “Tribal Council”); and

**WHEREAS**, Article III, Section 2 of the Revised Constitution grants the Tribal Council the authority to adopt appropriate ordinances, subject to the approval of the Secretary of the Interior, governing the admission to membership of persons who are one-half or more degree Indian blood and who apply for such membership; and

**WHEREAS**, Article V, Section 1(f) of the Revised Constitution grants the Tribal Council the authority to regulate its own procedure, to appoint boards or committees, and to delegate to such subordinate agencies such powers as may be necessary in the performance of the duties assigned to them, reserving the right to review any action taken by virtue of such delegated power; and

**WHEREAS**, Article V, Section 1(j) the Revised Constitution grants the Tribal Council the authority to adopt ordinances; and

**WHEREAS**, the Tribe’s has operated under an Election Ordinance prior to 1989 which has been amended multiple times; and

**WHEREAS**, the Tribe’s Election Ordinance, “Title 2, Chapter 1, St. Croix Chippewa Indians of Wisconsin Election Ordinance” (the “St. Croix Election Ordinance”) was last revised via Resolution No. 2021.19.01.05; and

**WHEREAS**, on December 15, 2023, the Regional Director, Midwest Regional Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to the Regional Director, approved the Revised Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin; and

**WHEREAS**, the Past Election Board have proposed revisions to the St. Croix Election Ordinance to account for the changes in the Tribe’s Revised Constitution which the Tribal Council now intends to adopt; and

**WHEREAS**, the Tribal Council intends to adopt the attached St. Croix Election Ordinance in its entirety, making special note that the Election Ordinance has been revised to comply with the Tribe’s Revised Constitution and By-Laws;

**NOW THEREFORE BE IT RESOLVED** that the Tribal Council hereby adopts the attached St. Croix Chippewa Indians of Wisconsin Title 2, Chapter 1 Election Ordinance in its entirety which will replace all previous adopted versions.

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Thomas Fowler  
Chairman  
Maple Plain

Richard Benjamin  
Vice-Chairman  
Danbury

Bernice Taylor  
Secretary/Treasurer  
Sand Lake

Georgia Cobenais  
Representative  
Round Lake

Conrad St. John  
Representative  
Sand Lake

# St. Croix Chippewa Indians of Wisconsin

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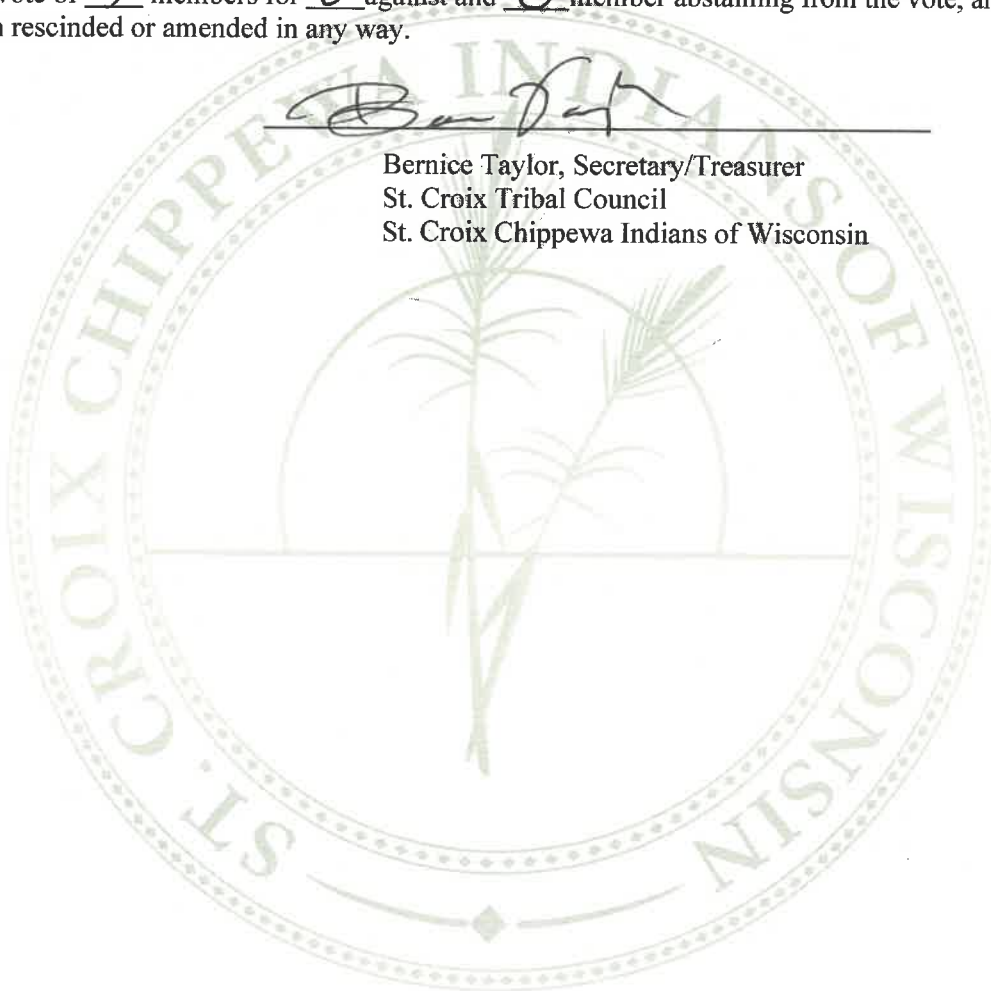
**BE IT FINALLY RESOLVED**, that the STCCIW Title 2, Chapter 1 Election Ordinance must be made available for review on the Tribe's webpage, social media page, and posted at the Tribal Government Center as soon as possible.

## CERTIFICATION

I, the undersigned as Secretary/Treasurer of the St. Croix Tribal Council hereby certify that the Tribal Council is composed of five (5) members of whom 5 were present, constituting a quorum at a meeting duly called, convened and held this 21<sup>st</sup> day of October, 2024 and that the foregoing resolution was adopted at said meeting by an affirmative vote of 5 members for 0 against and 0 member abstaining from the vote, and that said resolution has not been rescinded or amended in any way.



Bernice Taylor, Secretary/Treasurer  
St. Croix Tribal Council  
St. Croix Chippewa Indians of Wisconsin



RESOLUTION NO. 10.21.2024.07

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**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN**  
**TITLE 2**  
**CHAPTER 1**  
**ELECTION ORDINANCE**

**Resolution No. 10.21.2024.07**

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*Legislative History:*

*Established on \_\_\_\_\_ via Resolution No. \_\_\_\_\_*  
*Amended on May 8, 1989 via Resolution No. 05-08-89-01*  
*Amended on April 29, 1991 via Resolution No. 04-29-91-01*  
*Amended on May 7, 1995 via Resolution No. 05-07-95-01*  
*Amended on March 26, 1997 via Resolution No. 03-26-97-01*  
*Amended on February 8, 2005 via Resolution No. 02-08-05-01*  
*Amended on February 12, 2007 via Resolution No. 02-12-07-06*  
*Amended on March 18, 2009 via Resolution No. 03-18-09-01*  
*Amended on October 19, 2009 via Resolution No. 10-19-09-01*  
*Amended on January 24, 2011 via Resolution No. 01-24-11-01*  
*Amended on April 3, 2017 via Resolution No. 17-04-03-02*  
*Amended on January 19, 2021 via Resolution No. 2021.19.01.05*  
*Amended on October 21, 2024 via Resolution No. 10.21.2024.07*

**ELECTION ORDINANCE  
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## **ARTICLE I – GENERAL PROVISIONS**

### **2 S.C.T.C. § 01.01(1) Title**

This Ordinance, shall be referred to as the St. Croix Chippewa Indians of Wisconsin Election Ordinance (the “St. Croix Election Ordinance”).

### **2 S.C.T.C. § 01.01(2) Authority**

Pursuant to the powers vested to the Tribal Council by Article V, Section 1 of the Revised Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin, elections to the Tribal Council shall be governed by the provisions set forth herein.

### **2 S.C.T.C. § 01.01(3) Purpose**

The intent and purpose of this Ordinance is to establish procedures for fair, open, and honest elections and to ensure the secrecy and the sanctity of the ballot.

### **2 S.C.T.C. § 01.01(4) Elections to the Tribal Council**

Pursuant to Article IV, Sections 1 & 2 of the Revised Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin, general elections of the five-member Tribal Council shall be held biennially on the second Saturday in June, on every odd year.

(a) The five-member Tribal Council shall consist of:

1. One (1) candidate from the Big Round Lake Community;
2. Two (2) candidates from the Big Sand Lake Community;
3. One (1) candidate from the Danbury Community; and
4. One (1) candidate from the Maple Plain Community.

(b) At the first regular election following the adoption of this Ordinance, the three elected candidates receiving the highest number of votes shall be elected to four-year terms (2025 – 2029), and the two elected candidates receiving the next two highest votes shall be elected to two-year terms (2025 – 2027). Thereafter, all terms will be for four years. The general election will be held every two years on the second Saturday in June to fill expiring terms.

### **8 S.C.T.C. § 01.01(5) Severability and Non-Liability**

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

## **ARTICLE II – ELECTION BOARD**

### **2 S.C.T.C. § 01.02(1) Appointment and Composition**

- (a) On or about January 1<sup>st</sup> of the election year, the Tribal Council shall appoint a sixteen (16) member Election Board consisting of twelve (12) regular members and four (4) alternate members.
- (b) The Tribal Council, in making appointments to the Election Board, shall attempt to select an equal number of members to represent each of the four (4) major communities identified in 2 S.C.T.C. § 01.08(1).
- (c) Individuals must be enrolled tribal members and twenty-one (21) year of age or older to serve as an Election Board Member.
- (d) Those appointed shall be notified by mail of their appointment.
- (e) Upon the seating of the Election Board, the Board members shall nominate and confirm a Chairperson, Vice-Chairperson, and Secretary/Treasurer of the Board to act as Officers of the Board.
  - 1. The Chairperson shall be responsible for presiding over all meetings of the Board, direct the work of the Board members, have signatory authority, and all other duties delegated to him or her by the Board.
  - 2. The Vice-Chairperson shall preside over any meetings that the Chairperson is absent from.
  - 3. The Secretary/Treasurer shall keep all Board records, maintain Board meeting minutes, and any other duties delegated to him or her by the Board.

### **2 S.C.T.C. § 01.02(2) Election Board Meetings**

- (a) The Election Board shall meet no more than fifteen (15) times from the beginning of the election process until the conclusion, except for any meetings required in order to resolve post-election appeals, the day of the election, any special meetings called to resolve candidate eligibility challenges, and to assist with candidate removals, recalls, and vacancies.
- (b) The Election Board shall make all Board decisions through a majority vote of Board members present. Any vote that ends in a tie will be decided by a subsequent vote of the Officers of the Board.

### **2 S.C.T.C. § 01.02(3) Duties and Responsibilities**

- (a) The duties of the Election Board shall be to:
  - 1. Have supervisory authority over the election for which they are appointed;
  - 2. Ensure an election process which is fair, open, and impartial;

3. Determine the eligibility of candidates for office;
4. Provide each polling place with a list of eligible voters;
5. Resolve all questions as to voter eligibility;
6. Ensure each polling place has sufficient voting materials at the time of the election;
7. Maintain a secure and peaceful environment at each polling place and during Board activities;
8. Ensure the sanctity and secrecy of the ballot;
9. Ensure the safe keeping of all election materials and ballot boxes;
10. Ensure each polling place is free from campaign materials and that a 100- foot limit against electioneering is maintained;
11. Abide by general rules of procedure in the conduct of Board meetings;
12. Resolve matters involving the primary and general elections;
13. Resolve matters involving candidate removal, recall, and vacancy as described in Article XIV of this Ordinance; and
14. Fulfill other duties detailed in this Ordinance.

(b) The responsibilities of the Board shall be to:

1. Refrain from electioneering for any candidate, or for the removal or recall of any candidate;
2. Decline any nomination bid for Tribal Council made in their name if so, nominated at the General Meetings;
3. Refrain from any activity tending to cast doubt on the integrity of the election process;
4. Keep the proceedings of all Election Board meetings throughout the election process in strict confidentiality.

#### **2 S.C.T.C. § 01.02(4) Stipend**

Election Board members shall receive a stipend of one-hundred-fifty (\$150.00) dollars per attended meeting including meetings to resolve removals, recalls, and vacancies. Election Board members shall receive a stipend of five hundred (\$500.00) dollars for service involving voting including any Primary Election Day, General Election Day, and Recall Election Day.

#### **2 S.C.T.C. § 01.02(5) Removal and Vacancy**

(a) An Election Board member position may be declared vacant by a majority vote of the Election Board for the following reasons:

1. An Election Board member has been removed, pursuant to 2 S.C.T.C. § 01.02(5)(b);
2. An Election Board member has died; or
3. An Election Board member has become ill to the point of being unable to perform their duties.

(b) An Election Board member may be removed by a majority vote of the Election Board for the following reasons:

1. An Election Board member has missed three scheduled Board meetings;
2. An Election Board member has violated their duties and responsibilities pursuant to 2 S.C.T.C. § 01.02(3).

(c) Upon the vacancy of an Election Board member by the circumstances described above, the Tribal Council member who represents the community from which the removed Election Board member is from shall nominate and appoint a replacement.

### **ARTICLE III – NOTICE OF ELECTION**

#### **2 S.C.T.C. § 01.03(1) Deadline and Contents**

The Election Board shall publish notice of election at least one-hundred (100) days prior to the date of elections, except such notice shall not be required in a special election to decide a tie vote. At a minimum, the notice shall set forth the following information:

- (a) Date of elections, pursuant to 2 S.C.T.C. § 01.01(4);
- (b) Time and place of the General Meetings;
- (c) Number of vacancies to be filled and from which tribal community(ies). The listing of tribal communities is found in 1 S.C.T.C. § 01.01(4)(a); and
- (d) Location of polling places.

#### **2 S.C.T.C. § 01.03(2) Distribution**

A copy of the notice shall be posted in each community center identified in 2 S.C.T.C. § 01.09(1)(a). A copy of the notice may also be posted in any Tribally owned and/or Tribally-sanctioned newspaper, website, and social media page, and at other places the Election Board determines appropriate. Public newspapers, radio and television media may be used as finances dictate.

### **ARTICLE IV – PRIMARY ELECTION**

#### **2 S.C.T.C. § 01.04(1) Primary Election Date**

Beginning in 2027, all qualified candidates will participate in a Primary Election to be held on the second Saturday in April every election year.

### **2 S.C.T.C. § 01.04(2) Notice of Candidates**

Notice of those qualified candidates whose names shall appear on the primary election ballot shall be posted in each tribal community at least fifteen (15) days prior to the date of the Primary Election and in accordance with 2 S.C.T.C. § 01.03(1) and (2).

### **2 S.C.T.C. § 01.04(3) Procedures**

Primary Election voting procedures shall conform with the procedures of this Ordinance except Article XIV. In the event this Article conflicts with any voting procedures of this Ordinance, this Article shall control.

### **2 S.C.T.C. § 01.04(4) Primary Voter Registration**

Each eligible voter must register for a tribal community prior to January 1<sup>st</sup> of the election year in order to vote in the Primary Election. To register, each eligible voter must declare their tribal community either at the prior year's general election, or with the St. Croix Tribal Enrollment Department. Tribal community registration is only required for the Primary Election and is permanent unless the requirements of 2 S.C.T.C. § 01.04(5) are met.

- (a) Tribal members should register for the community they currently reside in (i.e. if you live in the Big Sand Lake community, you should register for the Big Sand Lake community).
- (b) Tribal members who live outside of a tribal community but within a surrounding county, should register for the community closest to you (i.e. if you live in the Luck, WI, you should register for the Big Round Lake community).
- (c) Tribal members who live outside of a surrounding county should register for the community they either reside closest to or where their family is from.

### **2 S.C.T.C. § 01.04(5) Primary Voter Re-Registration**

Once registered, eligible voters may not change their tribal community except under the following circumstances:

- (a) The tribal member recently turned eighteen (18) years of age and therefore is a new eligible voter; or
- (b) The eligible voter has re-located to a different tribal community or surrounding county and can provide proof of residency in the different tribal community or surrounding county.

### **2 S.C.T.C. § 01.04(6) Primary Voter List**

The St. Croix Enrollment Department shall prepare a primary voter eligibility list. The primary voter eligibility list shall list eligible voters and their declared tribal community. Any eligible

voter who has not registered by January 1<sup>st</sup> of the election year shall not be permitted to vote in the Primary Election but may vote in the General Election.

### **2 S.C.T.C. § 01.04(7) Primary Voter Verification**

Each prospective primary voter must provide sufficient proof of identification to the Election Board Clerk prior to voting. The Clerk shall then determine whether the name of the voter appears on the primary voter eligibility list. Each eligible primary voter must register their name on the official poll list. The Clerk shall instruct the voter to print and sign their name on the list prior to voting.

- (a) A prospective voter whose name does not appear on the primary voter eligibility list for that tribal community, shall not be permitted to cast a vote. The Clerk shall instruct the voter that they are ineligible to cast a vote for the Primary Election but will be able to vote during the General Election.
- (b) A prospective voter attempting to vote in a tribal community where they are not registered, shall not be permitted to cast a vote. The Clerk shall instruct the voter which tribal community they are registered to and instruct the voter that in order to cast a vote, they must go to that tribal community (i.e. if they are attempting to vote in Big Sand Lake but are registered for Maple Plain, the tribal member must go to Maple Plain's voting location to cast their Primary Election vote).

### **2 S.C.T.C. § 01.04(8) Primary Election Purpose**

The Primary Election's purpose is to narrow the number of candidates representing each of the tribal communities in the General Election. Each tribal community will be governed by the results of the Primary Election as follows:

- (a) Big Sand Lake Community will take the top four (4) vote-getters from the Primary Election to be added to the General Election ballot;
- (b) Big Round Lake Community will take the top two (2) vote-getters from the Primary Election to be added to the General Election ballot;
- (c) Danbury Community will take the top two (2) vote-getters from the Primary Election to be added to the General Election ballot;
- (d) Maple Plain Community will take the top two (2) vote-getters from the Primary Election to be added to the General Election ballot;
- (e) If a tribal community has the same number of qualified candidates running which would move onto the General Election, that tribal community would not participate in the Primary Election and only the General Election.

## ARTICLE V – GENERAL MEETINGS

### **2 S.C.T.C. § 01.05(1) Meeting Requirements**

General Meetings shall be held in each of the four (4) major tribal communities, within thirty (30) days of posting the notice of the election(s), for the purpose of nominating persons as candidates for Tribal Council.

- (a) Notice of the General Meetings shall be made in accordance with 2 S.C.T.C. § 01.01(4).
- (b) At least two (2) Board members shall conduct and be present at each General Meeting.
- (c) The date and time of the General Meetings in each major community shall be identical.

### **2 S.C.T.C. § 01.05(2) Nominations**

Any tribal members who meet the eligible voter requirement of Article IV, Section 6 of the Revised Constitution and By-Laws may nominate a person as a candidate for Tribal Council. Self-nomination is permitted; the Election Board shall review self-nominated candidates of their eligibility or ineligibility like any other nomination. All persons making nominations will be required to show tribal identification to the Election Board before being allowed to nominate. Nominations must be made in writing on forms provided by the Election Board for the purpose of nominations. Submission of nominations must be made in person by the party making the nomination. Seconding of nominations shall not be required for that nomination to be accepted by the Election Board.

### **2 S.C.T.C. § 01.05(3) Notice to Nominees**

All persons nominated shall be notified by the Election Board of their eligibility or ineligibility as candidates within fifteen (15) days of the General Meetings.

### **2 S.C.T.C. § 01.05(4) Declination of Candidacy**

Eligible candidates shall have an opportunity to decline such nomination within fifteen (15) days of the General Meetings. Declination of candidacy shall be made in writing to the Election Board. "Writing" shall include both letters and email correspondence.

### **2 S.C.T.C. § 01.05(5) Background Information Disclosures**

Eligible candidates who choose to accept their nomination will be required to fill out and submit to the Election Board a "Background Information Disclosure ("BID") Form and consent to a background check provided by the Wisconsin Department of Justice.

- (a) The candidate will be required to submit seven dollars (\$7.00), by either cash or check, with checks made out to the Election Board, to cover the cost of running the background check. The BID Form and seven-dollar (\$7.00) fee must be submitted within fifteen (15) days of the General Meetings.

- (b) If the BID Form is not received by the Election Board within the fifteen (15) day deadline the candidate will be disqualified as an eligible candidate for the respective election process.
- (c) BID Form submission and the completion of background checks are for the purpose of compliance with 2 S.C.T.C. § 01.05(2) in order to determine the eligibility of a candidate for Tribal Council. However, the Election Board is not limited to only using the BID for purposes of determining eligibility pursuant to 2 S.C.T.C. § 01.06(2).

## **ARTICLE VI – QUALIFIED CANDIDATES**

### **2 S.C.T.C. § 01.06(1) Qualifications**

A nominee shall be considered a qualified candidate provided that:

- (a) The nominee is a resident of the reservation wherein nomination is made. The nominee must reside in a home on reservation land, or lands directly adjacent or contiguous, of the St. Croix Chippewa Indians of Wisconsin; and
- (b) The nominee is a resident of the reservation, or lands directly adjacent or contiguous to the reservation, where the nomination is made for a minimum of one (1) year prior to the date of nominations; and
- (c) The nominee is a resident of the tribal community pursuant to 1 S.C.T.C. § 01.01(4)(a) in which they were nominated; and
- (d) The nominee is an eligible voter as defined in 2 S.C.T.C. § 01.07(1) of this Ordinance; and
- (e) The nominee is an enrolled member for a period of three (3) years prior to the date of nominations; and
- (f) The nominee has not been disqualified as defined in 2 S.C.T.C. § 01.06(2); and
- (g) The nominee meets the age requirement of twenty-five (25) years of age or older as of the date of the election, pursuant to Article IV, Section 4 of the Revised Constitution and By-Laws; and
- (h) Beginning in 2031, the nominee has not served two (2) consecutive elected terms in compliance to Article IV, Section 5 of the Revised Constitution and By-Laws.

### **2 S.C.T.C. § 01.06(2) Disqualifications**

A nominee **will not** be considered a qualified candidate provided that:

- (a) **The nominee has been found, by a court of competent jurisdiction, in a civil and/or criminal action, to have misappropriated, embezzled, stolen, misapplied, converted, or willfully permitted the misapplication, of any monies, funds, credits, goods, assets, or other property.**
- (b) **The nominee has been found, by a court of competent jurisdiction, to have been convicted of a felony for violent offenses committed against a person. This classification includes but is not limited to felony convictions for homicide, battery, sexual assault, domestic violence, strangulation, and/or child abuse.**

**2 S.C.T.C. § 01.06(3) Balsam, Bashaw, Gaslyn, and Clam Lake Residents**

For purposes of this Section, residents of Bashaw, Gaslyn, and Clam Lake shall be considered residents of Big Sand Lake. Residents of Balsam Lake shall be considered residents of Big Round Lake.

**2 S.C.T.C. § 01.06(4) Residence Definition**

“Residence” means the place where an individual actually physically resides for a period of one (1) year prior to the date of nomination. The individual must maintain residency on the reservation community that originally elected them during their entire elected term.

**2 S.C.T.C. § 01.06(5) Reservation Definition**

“Reservation” means any lands proclaimed by the Secretary of the Interior to be reservation lands held in trust for the St. Croix Chippewa Indians of Wisconsin or any lands held in trust by the United States for the benefit of the Tribe. Reservation shall include lands directly adjacent or contiguous to the reservation.

**ARTICLE VII – ELIGIBLE VOTERS**

**2 S.C.T.C. § 01.07(1) Eligibility**

All tribal members who are eighteen (18) years of age or older, meet the eligible voter requirement of Article IV, Section 6 of the Revised Constitution and By-Laws and therefore are eligible to cast a ballot on General Election Day.

**2 S.C.T.C. § 01.07(2) Primary Voter Eligibility**

Any tribal member who meets the requirements of Article IV and is the age of eighteen (18) years of age or older, meet the requirements to be eligible to cast a ballot on Primary Election Day.

## **ARTICLE VIII – VOTER LIST**

### **2 S.C.T.C. § 01.08(1) Procedure for Obtaining Voter List**

The Election Board shall be responsible for obtaining a list of eligible voters from the St. Croix Tribal Enrollment Department.

### **2 S.C.T.C. § 01.08(2) Reproduction/Distribution Restricted**

The Election Board may reproduce from the original copies of the list provided that such copies are utilized only by the Election Board during election activities.

### **2 S.C.T.C. § 01.08(3) Public Inspection**

The Election Board shall make available for public inspection the voter eligibility list at least thirty (30) days prior to the date of the elections. Inspection of the list shall be restricted to eligible voters during regular business hours in the Office of the Tribal Attorney.

## **ARTICLE IX – POLLING PLACES**

### **2 S.C.T.C. § 01.09(1) Location of the Polling Places**

(a) There shall be four (4) polling places, located as follows:

Big Sand Lake Community – Tri-County Center  
Big Round Lake Community – Community Center  
Maple Plain Community – Community Center  
Danbury Community – Community Center

(b) The Election Board may change the location of any polling place for good cause; the Election Board shall publish notice of the new polling place location pursuant to 2 S.C.T.C. §01.03(1). Good cause includes but is not limited to: pandemic, construction, hazardous conditions such as plumbing or electrical issues, or other reason deemed appropriate by the Election Board.

### **2 S.C.T.C. § 01.09(2) Local and Non-Local Voting Procedures**

(a) An eligible voter residing in any of the above communities is encouraged but not required to vote at the local polling place. In the event that a voter does not vote at the local polling place:

1. The Clerk of each of the above communities shall create a “group text” wherein each Clerk will send the first and last name of a voter who casts a vote at a “non-local” polling place;
2. The Clerks at the remaining communities will make note of the voter having cast their vote and the community wherein the vote was cast.

3. A “non-local polling place” means any polling place outside of the voter’s residential community.
- (c) “Residence” means the place where an individual’s habitation is fixed, without any present intent to move, and to which, when absent, the individual intends to return.

## **ARTICLE X – BALLOTS**

### **2 S.C.T.C. § 01.10(1) Ballots**

The Election Board shall be responsible for the preparation of the ballots. All ballots shall be counted and the number certified by the Board prior to the opening of the polls. Only officially, printed ballots shall be recognized as valid. To be valid, each ballot must:

- (a) Bear the name of the St. Croix Chippewa Indians of Wisconsin; and
- (b) Indicate that it is an official ballot; and
- (c) List the names of all candidates for Tribal Council arranged alphabetically and by Tribal Community.

### **2 S.C.T.C. § 01.10(2) Non-Removal of Ballots**

No person may take or remove any ballot from the polling place before the close of the polls.

## **ARTICLE XI – ELECTION PROCEDURE**

### **2 S.C.T.C. § 01.11(1) Enrollment Office**

The St. Croix Tribal Enrollment Department will be open for the express purpose of providing tribal identification for tribal members:

- (a) The night of the General Meetings from 5:00 p.m. to 7:00 p.m.;
- (b) The Friday preceding the Primary Election from 8:00 a.m. to 4:00 p.m.;
- (c) The day of the Primary Election for the duration of the polling hours;
- (d) The Friday preceding the General Election from 8:00 a.m. until 4:00 p.m.; and
- (e) The day of the General Election for the duration of polling hours.

### **2 S.C.T.C. § 01.11(2) Hours of Voting**

The hours of the polls on the day of the Primary Election and General Election shall be from 8:00 am until 6:00 pm. Any voter in line but unable to vote before the close of the polls shall be permitted to vote.

### **2 S.C.T.C. § 01.11(3) Security**

Security Personnel shall be present at each polling place for the duration of the hours of the polls, described in 2 S.C.T.C. § 01.11(2). Whenever available, Security Personnel employed by the Tribal Government should be utilized. Otherwise, Security Personnel from the St. Croix Casino locations or hired temporary security may work the day of the election.

- (a) Beginning at 6:00pm on the day of the Primary Election and General Election and continuing throughout the counting of ballots, Security Personnel shall be present. Whenever available, Security Personnel employed by the Tribal Government shall be utilized. Otherwise, Security Personnel from St. Croix Casino – Hertel shall be utilized.

### **2 S.C.T.C. § 01.11(4) Ballot Box**

The ballot box shall be handled in the following manner:

- (a) The day preceding the election the Legal Department will obtain the ballot boxes from the Tribal Police Department.
- (b) Each Election Board Judge will receive their respective ballot box and retain the ballot box overnight. Each Election Board Judge will bring the ballot box to their respective community center the morning of the election.
- (c) The Clerk from each community will receive the keys to their respective ballot box and retain the keys overnight. The Clerk will bring the keys to their respective community center the morning of the election.
- (d) Each Election Board Judge, at each polling place and in the presence of the members of the Election Board and any authorized Poll Watchers (see 2 S.C.T.C. § 01.11(15)), shall verify that the ballot box is empty of all material prior to the opening of the polls. Each Election Board Judge shall then lock the ballot box closed for the duration of the poll hours.

### **2 S.C.T.C. § 01.11(5) Election Materials**

Prior to the opening of the polls, the Election Board shall ensure that each polling place has sufficient ballots, voters' lists, tally and registration sheets, and other materials required for the election. The number of blank ballots at each polling place shall be counted and certified prior to the opening of the polls.

### **2 S.C.T.C. § 01.11(6) Spoiled Ballots**

If a voter spoils a ballot, the voter shall be entitled to receive an additional ballot. Upon return of the spoiled ballot to the Election Board Judge, the voter is to be issued another ballot. Spoiled ballots shall be so marked and kept separately by the Election Board Judge. At the close of the polls, spoiled ballots shall be counted, and the number recorded on the tally sheet. The ballots shall then be sealed in an evidence envelope that is marked SPOILED BALLOTS.

### **2 S.C.T.C. § 01.11(7) Method of Voting**

Voting must occur in person. There shall be no provision for absentee voting or voting by proxy.

### **2 S.C.T.C. § 01.11(8) Voter Verification**

Each prospective voter must provide sufficient proof of identification to the Election Board Clerk prior to voting. The Clerk shall then determine whether the name of the voter appears on the voter eligibility list. A prospective voter whose name does not appear on the voter eligibility list or the supplemental document indicating that person's eligibility to vote, shall not be permitted to cast a vote. Each eligible voter must register their name on the official poll list. The Clerk shall instruct the voter to print and sign their name on the list prior to voting.

### **2 S.C.T.C. § 01.11(9) Proof of Identification**

Proof of identification is limited to a tribal identification card. Name changes by marriage or otherwise shall be noted on the poll list by the Election Board clerk.

### **2 S.C.T.C. § 01.11(10) Handling of Ballots**

Once the voter is properly identified and determined eligible to vote, the Clerk shall initial or stamp the ballot before it is issued to the voter.

### **2 S.C.T.C. § 01.11(11) Secret Vote**

Upon receipt of the ballot, the voter shall promptly retire to the voting booth or other designated area and there mark the ballot. No more than one (1) person may be permitted to occupy a booth or voting area at the same time. If a voter requires assistance due to a disability, only the Judge and Teller may assist the voter. In no way may the assisting Board members influence the voter.

### **2 S.C.T.C. § 01.11(12) Marking the Ballot**

The voter shall mark the ballot in ink in a space opposite the name of the candidate for whom the vote is intended. Voters shall not vote for more candidates than indicated allowable on the ballot, or the ballot will be spoiled. Voters may vote for less candidates than indicated allowable on the ballot, and the ballot shall still be counted as long as it is not otherwise spoiled.

- (a) For the 2025 General Election, each of the five seats for Tribal Council will be included on the ballot. The three elected candidates receiving the highest number of votes at the

General Election shall be elected to four-year terms (2025 – 2029), and the two elected candidates receiving the next two highest votes at the General Election shall be elected to two-year terms (2025 – 2027).

- (b) For the 2027 General Election, the seats of the two elected candidates serving the two-year term from the 2025 election will be included on the ballot. The winners of the General Election will be elected to four (4) year terms.
- (c) For the 2029 General Election, the seats of the three elected candidates serving the four-year term from the 2025 election will be included on the ballot. The winners of the General Election will be elected to four (4) year terms.
- (d) Ballots will continue to include the staggered tribal community(ies) as above described for each election cycle thereafter.

### **2 S.C.T.C. § 01.11(13) Casting the Ballot**

Once completed, the voter shall fold and deliver the ballot to the Election Board teller who shall check the ballot to ensure the proper initialing or stamp is visible. The voter shall then deposit the ballot in the ballot box.

### **2 S.C.T.C. § 01.11(14) Ascertainment of Intent**

Ballots will be reviewed and counted for correctness as follows:

- (a) If a voter marks the ballot with a cross mark or any mark, it shall be considered sufficient to be tallied as a vote for the candidate whose name it is opposite.
- (b) If a voter voted for a greater number of candidates than specified on the face of the ballot, the ballot shall be considered and declared to have been spoiled.
- (c) If a voter included a “write in” candidate that is not officially printed on the face of the ballot then the ballot shall be considered and declared to have been spoiled.
- (d) If a ballot is determined and declared to have been spoiled the Judge shall then fold the ballot and immediately under the name or initial of the Clerk, shall write “SPOILED”, the reason(s) for spoiling the ballot, and their signature. Spoiled ballots shall be stored separately as described in 2 S.C.T.C. § 01.11(6).

### **2 S.C.T.C. § 01.11(15) Poll Watchers**

- (a) Each candidate shall be entitled to have one (1) poll watcher at each polling place on election day. Candidates must return the “Poll Watcher Verification Form” naming their poll watchers by the date prescribed on the form if they wish to utilize poll watchers. Forms returned after the date prescribed on the form will disqualify the candidate from utilizing poll watchers.

- (b) Each poll watcher will be required to fill out and return the “Poll Watcher Pledge” by the date prescribed on the “Poll Watcher Verification Form” that was sent to the candidate they agree to act as a poll watcher for. Persons who were named as poll watchers but fail to return the “Poll Watcher Pledge” will not be allowed to serve as poll watchers on election day.
- (c) Poll watchers may observe voting procedures but shall in no way interfere with the conduct of the election or the tallying of votes. Poll watchers shall not be members of the Election Board. Poll watchers must identify themselves and their candidates to the Election Board upon their arrival at the polling place.

## **2 S.C.T.C. § 01.11(16) Closing of Polls**

- (a) Upon the closing of the polls, the Election Board members shall proceed in the following manner:
  - 1. Count and make note of the number of unused ballots. Seal all unused ballots in manila envelopes provided, including thirty (30) ballots per envelope. Deposit sealed envelopes into the ballot box.
  - 2. Count and make note of the number of spoiled ballots. Seal all spoiled ballots in evidence bag provided. Deposit sealed evidence bag into the ballot box.
  - 3. Lock the ballot box in the presence of the Election Board members and any poll watchers.
  - 4. Deliver the ballot box to the Tribal Police Department officer assigned to the polling place for delivery to the polling place at Big Sand Lake.
  - 5. Deliver the ballot box keys to the Election Board Judge; and
  - 6. Secure all other election materials for delivery.

## **2 S.C.T.C. § 01.11(17) Delivery of Ballots**

- (a) All ballots and ballot boxes shall be brought by the members of the Election Board to the Big Sand Lake polling place for cumulative tally and certification of the results by the full Election Board.
- (b) The Election Board Judge shall not share the same vehicle with the Tribal Police Department officer and the ballot box.
- (c) Immediately upon arrival to the Big Sand Lake polling place all election materials, not including the ballot boxes and keys, shall be delivered to and locked in the Legal Department.

## **2 S.C.T.C. § 01.11(18) Counting of Votes**

The official count shall be open to the public and shall continue without adjournment until completed and the results thereof publicly declared. The Election Board Judge from each polling place shall, in turn, open the ballot box and proceed in the following manner:

- (a) Inform the Election Board and those present of the number of ballots issued, the number of ballots cast, the number of ballots spoiled, and the number of ballots unused. This information shall be recorded by the Teller on the official tally sheet for that community.
- (b) Begin to read off the votes. The votes cast for each candidate shall be recorded by the Teller of each community. Following the ballot being read by the Judge, the ballot will then be passed to the Clerk and Teller for that respective polling place for their inspection of the ballot.
- (c) Following inspection of the ballot, the ballot will then be passed to the remaining Board members for their inspection.

## **2 S.C.T.C. § 01.11(19) Disposition of Ballots**

Upon completion of the counting of votes, the entire Election Board will retire to the Legal Department in order to certify the election results. All ballot boxes, properly locked, shall be deposited in the evidence lockers and held by the Tribal Police Department on behalf of the Election Board. All tally sheets, registration sheets, ballot box keys, and any other election materials, shall be sealed and held within the Legal Department, on behalf of the Election Board. The Election Board shall destroy the election ballots and seal and store the remaining materials between the initiation of the next election process and the date of that next election. The Election Board shall destroy the primary election ballots prior to the General Election.

## **ARTIVLE XII – TIE VOTES**

### **2 S.C.T.C. § 01.12(1) Run-Off Elections**

In the event of a tie vote between one or more candidates, a run-off election shall be held until the tie is broken.

### **2 S.C.T.C. § 01.12(2) Declination by Candidate**

A candidate who has tied with one or more candidates may choose to waive their right to participate in a run-off election by declination. To be valid, a declination must be submitted in writing and in person to the Secretary of the Election Board or to the Legal Department. Submission of the declination must occur within three (3) working days following the date of the elections. Where the effect of any declination produces only one remaining candidate, that candidate shall be declared the winner by default.

### **2 S.C.T.C. § 01.12(3) Deadline**

The Election Board shall conduct run-off elections as soon as practical.

## **ARTICLE XIII – ELECTION CHALLENGES**

### **2 S.C.T.C. § 01.13(1) Accuracy of the Count**

If a defeated candidate alleges an inaccurate count of the votes, the defeated candidate may demand a recount. The procedure for filing and content of such challenge shall be governed by 2 S.C.T.C. § 01.13(2), below.

### **2 S.C.T.C. § 01.13(2) Other Challenges**

Any eligible voter may challenge the election results by filing a challenge of election complaint with the Election Board. The deadline for filing a contest of election shall be 12:00pm of the second Monday following the date of the election. Each challenge must be submitted in writing to the Legal Department and include:

- (a) A concise statement of the facts upon which the challenge is based;
- (b) The signature of the challenger; and
- (c) A five-hundred-dollar (\$500.00) filing fee paid in cash, by certified check, or money order payable to the Election Board.
- (d) Challenger has the burden of demonstrating:
  - 1. Is a party damaged as a result of the subject matter being challenged; and
  - 2. That the challenge, if successful, provides a material remedy for the damage.
- (e) All challengers must file their complaints (challenges) in regards to the election results individually. Complaints (challenges) may include multiple counts (claims), but may not include multiple petitioners (challengers). Any consolidation of complaints (challenges) will be at the sole discretion of the Election Board. Only one challenger shall be allowed to file per five-hundred-dollar (\$500.00) filing fee.

### **2 S.C.T.C. § 01.13(3) Dismissal of Challenges**

The Election Board may summarily dismiss any contest not properly submitted in accordance with 2 S.C.T.C. § 01.13(2), above.

### **2 S.C.T.C. § 01.13(4) Burden of Proof; Election Fraud; New Elections**

- (a) The challenger shall have the burden of proof to show by clear and convincing evidence that any portion of this Ordinance has been violated or that the Election Board or any

eligible voter engaged in conduct so unfair and dishonest as to cast doubt on the integrity of the election process and that a different outcome would have resulted.

- (b) If election fraud or any other voter irregularities or improprieties are sufficiently established pursuant to subsection (a) above, the entire vote from the polling place shall be discarded, and the Election Board shall recommend a new election.

### **2 S.C.T.C. § 01.13(5) Deadline to Render Decisions**

The Election Board shall consider each challenge and render a final decision within five (5) working days following the filing deadline.

### **2 S.C.T.C. § 01.13(6) Public Hearing Requirement**

The Election Board shall hold a public hearing to resolve all election challenges filed pursuant to 2 S.C.T.C. § 01.13(2), above. Written notice of such challenges shall be provided to the candidates and to the challengers. The challenger's arguments shall be heard entirely in open session. The Election Board reserves the right to conduct portions of the hearing in closed session to protect confidential and/or privileged information, provided that all action taken by the Election Board are ratified in open session. The Election Board may summarily dismiss, without public hearing, any complaint which it finds to be frivolous and without merit.

### **2 S.C.T.C. § 01.13(7) Administrative Review of Final Decisions**

Administrative Review of final decisions of the Election Board are made to the St. Croix Tribal Court. A petition for Administrative Review must be filed with the Tribal Court within five (5) business days of the Election Board's decision. Administrative Review means that the Tribal Court can reverse a decision of the Election Board only if the decision was arbitrary or capricious as defined by St. Croix Tribal Law or a violation of St. Croix Tribal Law. Decisions of the St. Croix Tribal Court are final and are not subject to further appeal.

### **2 S.C.T.C. § 01.13(8) Appeal of Final Decision**

Any appeal to the St. Croix Tribal Court of a decision of the Election Board shall be heard by a non-St. Croix Judge appointed by the Chief Judge of the St. Croix Tribal Court pursuant to procedures set forth in the St. Croix Tribal Court Code. For the purpose of this Ordinance, Non-St. Croix Judge means a Judge who is not an enrolled St. Croix Chippewa Indians of Wisconsin tribal member; if any St. Croix Tribal Court judge is not enrolled in St. Croix Chippewa Indians of Wisconsin, they may preside over the appeal.

### **2 S.C.T.C. § 01.13(9) Swearing In of Elected Tribal Council Members**

Newly elected St. Croix Tribal Council members must be sworn in within five (5) business days of the finalization of the election results by the Election Board, or the Tribal Court Judge if the finalization is a result of the conclusion of an appellate process.

## ARTICLE XIV – REMOVAL, RECALL, AND VACANCY

### 2 S.C.T.C. § 01.14(1) Removal

Removal of a Tribal Council member shall be dictated by Article VI of the Revised Constitution and By-Laws which states:

“Section 1. *Removal.* A Tribal Council member who is proposed for removal shall be afforded due process rights including a written statement of the charges, the right to respond to those charges, and the right to present witnesses and other evidence in defense. Cause for removal include:

- (a) Failure to comply with the Constitution and Bylaws of the St. Croix Chippewa Indians of Wisconsin.
- (b) Final conviction of a felony by a tribal, federal, or state court while serving on the Tribal Council.
  - 1. The Tribal Council may suspend a Tribal Council member pending the outcome of a trial and appeals.
- (c) Final judgment in a civil action involving fraud, embezzlement, or misuse of funds by a tribal, federal, or state court while serving on the Tribal Council.
  - 1. The Tribal Council may suspend a Tribal Council member pending the outcome of a trial and appeals.
- (d) Converting tribal property or monies for personal use.
- (e) Misconduct or gross neglect of duty.
  - 1. Gross incompetency – unable or unwilling to perform the duties of the office.
  - 2. Failure to assign through payroll deduction, any debt owed to the Tribe.
  - 3. Abandonment of Office – Relocating outside the community of representation; or failing to attend four (4) regular or special meetings consecutively without good cause.
- (f) Violations of Tribal Code of Ethics
  - 1. Includes use of illegal substances or unprescribed medication during term of office.”

### **2 S.C.T.C. § 01.14(2) Removal Request**

An eligible voter pursuant to 2 S.C.T.C. § 01.07(1) may initiate recall proceedings by filing a written removal request with the Election Board. Each removal request must be submitted in writing to the Legal Department and include:

- (a) The name of the Tribal Council member proposed for recall proceedings; and
- (b) A concise statement of the facts upon which the removal is based pursuant to 2 S.C.T.C. § 01.14(1); and
- (c) Any evidence or supplemental information on which the eligible voter bases their cause for removal upon; and
- (d) The date and signature of the eligible voter initiating the removal proceedings.

### **2 S.C.T.C. § 01.14(3) Removal Receipt**

Upon receipt of a removal request, the Legal Department will deliver a copy of the removal request to the Election Board and the Tribal Council member proposed for recall proceedings as soon as practical.

- (a) Unless suspended pursuant to 2 S.C.T.C. § 01.14(1), the Tribal Council member proposed for recall proceedings shall continue to have their full Tribal Council powers pending the outcome of the proceedings.

### **2 S.C.T.C. § 01.14(4) Removal Initial Review**

Upon receipt of a removal request, the Election Board shall meet within ten (10) days. The Election Board will not be defunct in the event the full sixteen (16) member Election Board cannot participate in any part of the removal or recall proceedings. At this Removal Initial Review Meeting the Election Board shall:

- (a) Review the removal request for the following:
  - 1. Whether the initiator is an eligible voter pursuant to 2 S.C.T.C. § 01.07(1); and
  - 2. Whether the removal request proposes only one Tribal Council member for recall; and
  - 3. Whether the removal request includes a written statement including which charge(s) the initiator alleges should result in removal pursuant to 2 S.C.T.C. § 01.14(1); and
  - 4. Whether the alleged causes of removal cited have enough possible facts that a reasonable person would infer the allegations could be shown by clear and convincing evidence.
- (b) The Election Board shall summarily dismiss any removal request if:

1. The removal request has not met the requirements of 2 S.C.T.C. § 01.14(4)(a); or
  2. The Tribal Council member proposed for recall term expires in six (6) months or less from the date the initiator must return the official recall petition forms; or
  3. Another recall election was held in the same calendar year; or
  4. After given the official recall petition forms, the initiator fails to return the signed petition with the required number of signatures; and/or
  5. After given the official recall petition forms, the initiator fails to return the signed petition within the sixty (60) day, time limit.
- (c) If Election Board does not find grounds to summarily dismiss pursuant to 2 S.C.T.C. § 01.14(4)(b), they shall prepare official recall petition forms for the initiator to collect signatures from one-third (1/3) of eligible voters. At a minimum the official petition forms must contain:
1. The Title: St. Croix Official Recall Petition, or similar iteration; and
  2. The name of the Tribal Council member proposed for recall; and
  3. The number of signatures required to reach one-third (1/3) of eligible voters; and
  4. Enough numbered spaces for at least one-third (1/3) of eligible voters to write their enrollment ID number, print and sign their name; and
  5. The date the petition forms must be submitted; and
  6. The signature of the Election Board Chair.

## **2 S.C.T.C. § 01.14(5) Recall**

Recall which is the method of removal of a Tribal Council member shall be dictated by Article VI of the Revised Constitution and By-Laws which states:

“Section 2.*Recall.* Any Tribal Council member may be subject to recall from office by a petition signed by one-third (1/3) of the eligible voters.

- (a) An eligible voter may initiate recall proceedings against any Tribal Council member by filing a written request with the Election Board, provided that a recall proceeding may not be initiated against any Tribal Council member whose term expires within six (6) months.
- (b) After receipt of the written request, the Election Board shall issue official petition forms to the member who initiated the recall. The member shall have sixty (60) days to collect the signatures from one-third (1/3) of eligible voters.
- (c) No more than one recall election shall be held in any one calendar year and only one Tribal Council member may be recalled at one time.
- (d) The Election Board shall verify the signatures on the recall petition within ten (10) days of its receipt. If the member seeking the recall has collected the required number of signatures in the allotted time, then the Election Board shall hold a public recall meeting within sixty (60) days from receipt of the petition. Notice of the public recall meeting

shall be mailed to eligible tribal voters at least thirty-days (30) prior to the public recall meeting. The member initiating the recall and the Tribal Council member who is subject to the recall shall be given reasonable opportunity to present evidence and to speak.

- (e) A majority vote, by secret written ballot, of the eligible voters attending the public recall shall determine the outcome of the recall petition, provided that at least thirty percent (30%) of the eligible voters vote at the recall meeting.
- (f) The public recall meeting shall be held in accordance with the provisions of the election ordinance which shall include a section on recall procedures.”

### **2 S.C.T.C. § 01.14(6) Recall Petition Receipt**

The official recall petition forms should be addressed to the Election Board and submitted to the Legal Department. Upon receipt of the official recall petition forms, the Election Board shall meet within ten (10) days. At this meeting the Election Board shall:

- (a) Verify the signatures on the official recall petition forms by confirming the initiator has collected the required number of signatures, and each signer is an eligible voter pursuant to 2 S.C.T.C. § 01.07(1); and
- (b) The Election Board shall summarily dismiss if the initiator failed to obtain the required number of signatures of eligible voters, or if the initiator failed to return the official recall petition forms by the required date; or
- (c) The Election Board shall schedule a public recall meeting within sixty (60) days from receipt of the official recall petition if the initiator has collected the required number of signatures from eligible voters in the allotted time.

### **2 S.C.T.C. § 01.14(7) Failed Recall Petition**

Notice of the failed Recall Petition shall be mailed to the initiator and the Tribal Council member proposed for recall within ten (10) days from the date the Election Board summarily dismissed the Recall Petition. Notice of a failed Recall Petition shall be posted at each of the community centers identified 2 S.C.T.C § 01.09(1)(a) within thirty (30) days from the date the Election Board summarily dismissed the Recall Petition.

### **2 S.C.T.C. § 01.14(8) Public Recall Meeting Notice**

Notice of the Public Recall Meeting must be mailed and posted at least thirty-days (30) prior to the date of the meeting at each of the community centers identified in 2 S.C.T.C § 01.09(1)(a), and wherever else the Election Board deems appropriate. Mailed notice shall be mailed to the most recent address on file with the Per Capita Department. At a minimum, the notice shall set forth the following information:

- (a) The date, time, and location of the Public Recall Meeting;

1. The Election Board shall schedule the Public Recall Meeting on a Friday.
2. The location of the Public Recall Meeting shall be the tribal community which the Tribal Council member proposed for recall represents.
3. The Public Recall Meeting shall be livestreamed.

(b) The date, time, and location of voting, including the time when polls will open and close;

1. The Election Board shall schedule voting on the Saturday immediately following the Public Recall Meeting.
2. The location of polls shall be in accordance with 2 S.C.T.C. §01.09(1).
3. The ballots will be counted at the Big Sand Lake Community polling location.

(c) The Tribal Council member proposed for recall.

### **2 S.C.T.C. § 01.14(9) Public Recall Meeting**

At the Public Recall Meeting the Election Board shall ensure the following occurs:

- (a) The member initiating the recall and the Tribal Council member who is subject to the recall shall be given reasonable opportunity to present evidence and to speak;
- (b) After both have had a chance to speak, voting by secret written ballot, of the eligible voters attending the public recall shall occur and will close by the specified time on the notice;
- (c) Upon the closing of voting, the Election Board shall count the ballots at the Big Sand Lake Community polling location and determine the outcome of the recall petition as follows:
  1. A majority of the votes must vote affirmatively to recall the Tribal Council member or the recall shall fail.
  2. If the vote results in a tie, the recall shall fail.
  3. At least thirty percent (30%) of the eligible voters must vote at the Public Recall Meeting or the recall shall fail.

### **2 S.C.T.C. § 01.14(10) Recall Procedures**

Voting procedures at the Public Recall Meeting, including but not limited to assisting voters, spoiled ballots, counting, etc. shall generally conform with the procedures above; however, the Election Board may make reasonable changes necessary to either streamline the process, adjust to a smaller Election Board, or to accomplish the intent of this Article.

### **2 S.C.T.C. § 01.14(11) Vacancies**

Vacancies of a Tribal Council member shall be dictated by Article VI of the Revised Constitution and By-Laws which states:

“Section 3. *Vacancies*. If a Tribal Council member should die, resign, or be removed or recalled from office, the Chief Judge of the St. Croix Tribal Court shall declare the position vacant and shall appoint, without further review of the Tribal Council, the individual who received the next highest number of votes from the last election and from the same community to fill the unexpired term of the Tribal Council member who left the position vacant.

(a) All resignations from the Tribal Council shall be in writing.”

### **2 S.C.T.C. § 01.14(12) Vacancy Appointment**

Vacancy appointed St. Croix Tribal Council members must be sworn in within ten (10) business days of the finalization of the vacancy results by the Tribal Court Judge or the Election Board, if the finalization is a result of the conclusion of a recall.

## **ARTICLE XV – INTENT OF ORDINANCE**

### **2 S.C.T.C. § 01.15(1) Intent**

This Ordinance is intended to establish procedures through which fair, open and honest elections for the Tribal Council of the St. Croix Chippewa Indians of Wisconsin may be conducted. This Ordinance shall be interpreted liberally, in order to accomplish such intent. Substantial compliance shall satisfy this Ordinance. Technicalities shall not be used to interfere with, delay, or block elections, or to cause confusion or a loss of confidence in the election system.

**ST. CROIX OFFICIAL RECALL PETITION**  
**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER: \_\_\_\_\_**

**Initiator:** \_\_\_\_\_

**# of Signatures Required:** \_\_\_\_\_

**Date Petition Must be Returned by:** \_\_\_\_\_

I the Election Board Chair, certify that the Election Board met and voted to issue this Recall Petition to the above-named Initiator:

Signature: \_\_\_\_\_

	<b>Printed Name</b>	<b>Signature</b>	<b>Tribal ID #</b>
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## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

	Printed Name	Signature	Tribal ID #
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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

	Printed Name	Signature	Tribal ID #
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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_

## ST. CROIX OFFICIAL RECALL PETITION

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**PROPOSED RECALL OF TRIBAL COUNCIL MEMBER:** \_\_\_\_\_