

ELECTION ORDINANCE

Table of Contents

ARTICLE VI	CONDUCT OF ELECTIONS.....	pg 3
ARTICLE VII	ELECTION PROCEDURES.....	pg 9
ARTICLE VIII	VOTING PROCEDURES.....	pg 13
ARTICLE IX	COUNTING BALLOTS.....	pg 19
ARTICLE X	INSTALLATION OF ELECTED OFFICERS.....	pg 20
ARTICLE XI	VOTING ON REFERENDUM QUESTIONS.....	pg 21
ARTICLE XII	ELECTION COMMITTEE.....	pg 22
ARTICLE XIII	CERTIFICATION OF ENACTMENT.....	pg 24

ELECTION ORDINANCE

SENECA-CAYUGA NATION ELECTION ORDINANCE

ARTICLE I - AUTHORITY

This Election Ordinance of the Nation is adopted by the Business Committee of the Nation pursuant to ARTICLE VIII ANNUAL MEETINGS of the Constitution of the Seneca-Cayuga Nation, as amended May 15, 2014.

ARTICLE II - PURPOSE

The purpose of this Ordinance is to establish guidelines, rules and orderly Election and Voting procedures of the Seneca-Cayuga Nation in accordance with ARTICLE VIII of the Constitution.

ARTICLE III - EFFECTIVE DATE

This Election Ordinance shall be effective immediately and for the conduct of the regular election of officials of the Business Committee and for the election of officials of the Grievance Committee of the Seneca-Cayuga Nation and shall continue in effect until rescinded by Resolution of the Seneca-Cayuga Nation Business Committee. No amendments to or replacement of this Ordinance shall occur within ninety (90) days of any scheduled election of the Seneca-Cayuga Nation.

ARTICLE IV - REPEALER

Any previous Election and Voting Ordinance is hereby repealed.

ARTICLE V - SEVERABILITY

Should any part of this Ordinance be determined to be unconstitutional, then and in that event, the remainder of this Ordinance shall continue to be given full effect and shall survive such determination.

ARTICLE VI - CONDUCT OF ELECTIONS

SECTION 1. ENGAGEMENT OF INDEPENDENT ELECTION ADMINISTRATOR.

By no later than the first Tuesday of January each year of a scheduled regular election of the Nation's officials or as soon as practicable prior to an election, the Business Committee shall engage the services of an Election Administrator as an independent contractor to conduct regular or special election(s) of Nation officials. The independent contractor so engaged shall perform the duties and powers cited herein and shall conduct the Nation's election(s) in compliance with this Ordinance, their engagement contract and the Constitution and By-Laws of the Seneca-Cayuga Nation.

(a) The engagement contract entered into between the Nation and Election Administrator shall contain the following provisions:

(1) Contractor agrees that no person who has a financial interest in Contractor is or shall be a candidate for an elected position of the Nation's Government, nor is or shall be related to an elected member of the Nation's Government, nor is or shall be related to a candidate for an elected position of the Nation's Government.

(2) Contractor agrees that no elected member of Nation's Government, nor a candidate for an elected position of the Nation's Government, nor a relative of an elected position of the Nation's Government, nor a relative of a candidate for an elected position of the Nation's Government may be hired or work as an employee of Contractor.

(b) The Election Administrator so engaged shall report to the Business Committee and the Enrollment Committee as directed herein.

ELECTION ORDINANCE

SECTION 2. APPLICABLE PROVISIONS OF THE CONSTITUTION AND BY-LAWS FOR THE ELECTION OF THE OFFICIALS OF THE NATION.

(a) ARTICLE V OFFICERS of the Constitution, The Officers of the Nation shall be the Chief, Second Chief, Secretary-Treasurer, and four (4) Councilmen who shall be elected by secret ballot.

(b) ARTICLE VI BUSINESS COMMITTEE of the Constitution, There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article V. The Business Committee shall have power to transact business and otherwise speak or act on behalf of the Seneca-Cayuga Nation in all matters on which the Nation is empowered to act.

(c) ARTICLE VII STANDING COMMITTEES, of the Constitution, Section 1. Grievance Committee. This Committee shall be elected by the Council and shall not include any members of the Business Committee.

(d) ARTICLE VIII ANNUAL MEETINGS of the Constitution, Annual meetings shall be held on the first Saturday of June of each year for the purpose of receiving reports and any other business which may come before the Council. Election of officers will also be held at such annual meetings, provided that such election is appropriate under this Amendment..... Regular elections of the Business Committee shall be held pursuant to a Nation election ordinance prescribed by the Business Committee.

(e) ARTICLE IX VACANCIES of the Constitution, Vacancies in any elective office shall be filled at any regular or special meeting of the Seneca-Cayuga Council.

(f) ARTICLE X REMOVAL OF OFFICERS of the Constitution, The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and upon a proper showing shall call a special meeting of the Seneca-Cayuga Council to act upon such complaints. Such council shall have power, by majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

(f) ARTICLE XI AMENDMENTS of the Constitution, Amendments to this Constitution and the attached By-Laws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 percent of the adult members of the Nation, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the Nation and shall be effective if approved by a majority vote.

(g) ARTICLE I DUTIES OF OFFICERS of the By-Laws to the Constitution, Section 1. Chief. It shall be the duty of the chief to preside at all meetings and perform all duties appertaining to the office, also to act as chairman of the Business Committee.

(h) ARTICLE II QUALIFICATIONS OF OFFICERS, of the By-Laws to the Constitution, any person elected to membership in the business council shall be not less than 25 years of age, a member of the Seneca-Cayuga Nation and reside within a radius of 150 miles in any direction from Bassett Grove Stomp Grounds.

(i) ARTICLE III Regular and Special Meetings of the By-Laws to the Constitution.

Section 1. Regular meetings of the Council shall be held on the first Saturday of June of each year at the Bassett Grove Ceremonial Grounds unless some other point under the Seneca-Cayuga Nation jurisdiction is specifically designated in the call.

Section 2. Special meetings of the Council may be called by the Chief and shall be called by him upon the written request of the majority of the Business Committee or the written request of One-hundred Seventy-Five (175) members of the Nation.

ELECTION ORDINANCE

Section 3. The principal object of the special meeting must be stated in the call for same and may include the words “and for the transaction of other business that may be presented.” Unless these words are added, no other business can be transacted except for the object stated in the call.

(j) ARTICLE IV Quorum, of the By-Laws to the Constitution, Section 2. Two-hundred Twenty-Five (225) members of the Seneca-Cayuga Council shall constitute a quorum to transact regular business.

SECTION 3. REGULAR ELECTION OF NATION BUSINESS COMMITTEE MEMBERS AND GRIEVANCE COMMITTEE MEMBERS.

(a) In keeping with ARTICLE XI AMENDMENTS of the Constitution, the quorum of the General Council to transact the election voting and the scheduled other regular business during the meeting of the Council called by the Chief for the purpose of conducting an election at the annual meeting shall be determined by the Business Committee as follows:

(1) By no later than the second Friday in January of each year of a scheduled regular election of the Nation’s officials the Business Committee shall by resolution notify the chairperson of the Enrollment Committee to convene a meeting to be conducted in accordance with ARTICLE IX B Access to Records, of the Nation’s Enrollment Ordinance and inform the members that an election of the officials of the Nation shall be conducted at the annual meeting of the General Council. By no later than the fourth Friday in January of each year of a scheduled regular election so set by the Business Committee the Enrollment Committee shall establish an alphabetized list of all the individual members of the Nation that are 18 years of age and older on the date of the scheduled election. The list shall contain for each member of the Nation the full name to include the maiden name; roll number; date of birth; residential address; and mailing address of each member and which shall be titled Eligible Voter List and shall reflect the date on which the scheduled election is to be conducted.

(2) The Eligible Voter List prepared by the Enrollment Committee shall be subdivided into two (2) parts. Subpart 1 shall be titled Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residential address; and mailing address of each member who has an enrollment residence address that is within a fifty mile radius of the Nation’s headquarters office 23701 S 655 Road Grove, OK.

Subpart 2 shall be titled Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residential address; and mailing address of each member who has an enrollment residence address that is not within a fifty mile radius of the Nation’s headquarters office 23701 S 655 Road Grove, OK.

The Chairperson of the Enrollment Committee shall provide a copy of the Eligible Voter List to the Election Administrator upon its completion.

(3) The Enrollment Committee is to develop a Voter Registration Form to be mailed by the Election Administrator to each member of the Nation whose name appears on the Eligible Voter List which must be returned to the Enrollment Committee within the required timeframe as established by the Enrollment Committee prior to the date set for the election. The Voter Registration Form shall contain sufficient information to verify that the member is listed on the Eligible Voter List. The Voter Registration Form shall be utilized by the Enrollment Committee to update each member’s enrollment record to reflect the member is a registered voter of the Seneca-Cayuga Nation and as such each individual member shall be assigned a voter registration number, and the individual members voting status as to Resident Voter or Non-Resident Voter. The Chairperson of the Enrollment Committee shall provide a copy of the Voter Registration Form to the Election Administrator upon its completion.

The Election Administrator shall notify each member of the Nation whose name is contained on the Eligible Voter List that all persons desiring to vote in the election of the officials of the Seneca-Cayuga

ELECTION ORDINANCE

Nation must complete and return a Voter Registration Form to the Enrollment Committee registering to vote and shall elect to vote at the Polling Place as a resident voter, or to vote as a non-resident voter by Absentee Ballot no later than ninety (90) days before the date set for any given election.

All Voter Registration Forms must be received in the Nation Post Office Box Attention: Enrollment Officer no later than 11:00 a.m. on the 90th day prior to the date set for any given election. The Chairperson of the Enrollment Committee shall provide a copy of the Eligible Voter List to the Election Administrator upon its completion.

(4) By no less than 120 days of a scheduled regular election the Election Administrator shall notify each of the members of the Nation whose name is listed on the Eligible Voter List for the regular election that they must register to vote in order to cast their ballot in the duly called election. The members of the Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

(5) The individual members voting status shall be determined based upon the Near Reservation geographic service area designated by the Assistant Secretary-Indian Affairs for the Nation, which is defined as where financial assistance and social services programs are provided as follows: Financial assistance and social services programs are to be provided to the enrolled members of the Nation that reside within the Nation's former reservation boundary and extend to the enrolled members of the Nation that reside within a fifty (50) mile radius of the Nation's headquarters office located in Grove, Ok. Therefore, all enrolled members of the General Council with a residence address within a 50 mile radius of the Nation's headquarters office located in Grove, OK shall be established as resident voters and those with a residence address located outside of said radius shall be established as non-resident voters. The members of the Nation that returned their Voter Registration Form to the Enrollment Committee within the required timeframe as established by the Enrollment Committee prior to the date set for the election shall be placed on the Registered Voter List which shall be prepared by the Enrollment Committee. The Registered Voter List prepared by the Enrollment Committee shall be subdivided into two (2) parts.

(6) Subpart 1 shall be titled Registered Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residential address; and mailing address of each member who has an enrollment residence address that is within a fifty mile radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

(7) Subpart 2 shall be titled Registered Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residential address and mailing address of each member who has an enrollment residence address that is not within a fifty mile radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

The total number of all the members that have returned their Voter Registration Form which has been verified by the Enrollment Committee shall constitute the Registered Voter List to cast their ballot in the scheduled election.

(8) The Quorum Number of the Registered Resident Voters whose names are listed on the Registered Resident Voter List that must cast a vote in the election scheduled to be conducted at the General Council meeting shall then be determined as being 30 percent of the adult members of the Nation that are listed in the Registered Resident Voter List. If the Quorum Number of voters that must cast their ballots in the election as so determined have cast their ballot in the election then a majority vote of the members of the Seneca-Cayuga Nation voting at an election called by the Chief of the Nation in accordance with this Election Ordinance shall be effective upon the conclusion of such election.

ELECTION ORDINANCE

(9) The Quorum Number of the General Council that must cast their ballot at the annual General Council meeting to conduct the election as calculated in provision (8) of this Section shall be the Quorum Number required to transact the remaining regular business of the General Council. The any other business which may come before the Council during the annual meeting in accordance with ARTICLE VIII of the Constitution is described within ARTICLE II Processing of the Application (c) General Council of the Seneca-Cayuga Nation Enrollment Ordinance prescribed by the General Council is as follows:

Actions taken by the General Council shall include, but are not limited to:

1. Decide appeals submitted by rejected applicants.
2. Accept or reject by majority vote applications of persons who are constitutionally required to receive General Council vote for membership into the Seneca-Cayuga Nation. (ARTICLE III, Section 4 of the Constitution).
3. Upon the presentation of the facts and pertinent information from the Chair-person of the Enrollment Committee the General Council shall decide if disenrollment of a Nation member is warranted.
4. Document all decisions with resolutions.

(b) Regular Election. In accordance with ARTICLE VIII of the Constitution of the Seneca-Cayuga Nation as amended May 15, 2014, annual meetings shall be held on the first Saturday of June of each year for the purpose of receiving reports and any other business which may come before the Council. Election of officers will also be held at such annual meetings, provided that such election is appropriate under this Amendment. In order to provide for staggered terms of office, in the first annual meeting after the adoption of this Amendment, (June 2014) the Second-Chief, Secretary-Treasurer, Second Councilperson and Fourth Councilperson shall be elected for a four (4) year term of office. In the third annual meeting after the adoption of this Amendment, (June 2016) the Chief, First Councilperson and Third Councilperson shall be elected for a four (4) year term of office and shall serve until his/her successor shall be duly elected and installed in office. Regular elections of the Business Committee shall be conducted pursuant to a Nation election ordinance prescribed by the Business Committee.

(1) Regular elections of the Business Committee, consisting of seven (7) members. In accordance with ARTICLE VIII of the Seneca-Cayuga Nation Constitution as amended May 15, 2014, the officers shall be elected for a four (4) year term of office and shall serve until his/her successor shall be duly elected and installed in office.

The current terms of the membership of the Business Committee are hereby established as follows:

CHIEF	CURRENT TERM TO EXPIRE	JUNE 2024
SECOND CHIEF	CURRENT TERM TO EXPIRE	JUNE 2022
SECRETARY-TREASURER	CURRENT TERM TO EXPIRE	JUNE 2022
FIRST COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 2024
SECOND COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 2022
THIRD COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 2024
FOURTH COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 2022

(2) Regular elections of the Grievance Committee, consisting of five (5) members. In keeping with ARTICLE VIII of the Seneca-Cayuga Nation Constitution as amended May 15, 2014, the officers shall be elected for a four (4) year term of office and shall serve until his/her successor shall be duly elected and installed in office.

The current terms of the membership of the Grievance Committee are hereby established as follows:

FIRST COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 2024
SECOND COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 2022
THIRD COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 2024
FOURTH COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 2022
FIFTH COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 2024

ELECTION ORDINANCE

In accordance with ARTICLE V of the Constitution, The Officers of the Nation shall be the Chief, Second Chief, Secretary-Treasurer, and four (4) Councilmen who shall be elected by secret ballot. The candidates for each position receiving the highest number of votes at each such election shall be elected to that position.

(c) Filling of Vacancies. In accordance with ARTICLE IX Vacancies of the Constitution, Vacancies in any elective office shall be filled at any regular or special meeting of the Seneca-Cayuga Council. In the event that a vacancy in any elective office is to be filled at an annual meeting or special meeting of the General Council the election date of such candidate so elected to fill the remainder of an unexpired term, shall have no effect on the beginning or ending date of the term of any office. Vacancies may occur in the event of death, resignation, and removal from office pursuant to Grievance Ordinance.

1. Within thirty (30) days from the date a vacancy occurs, either by death, resignation or removal from office, the remaining members shall issue a Declaration by resolution of the Business Committee pursuant to ARTICLE IX Vacancies of the Constitution that an elected position in the Business Committee or Grievance Committee is vacant due to death, resignation, or removal of an elected official, a special meeting of the General Council shall be called by the Chief for the purpose of the conduct of an election to fill the position(s) that have been declared as vacant by said Business Committee resolution and for any other special business which may come before the General Council at such meeting. The special election so called by the Business Committee shall be conducted by the Election Administrator no later than 90 days after the date of the resolution of the Business Committee and in accordance with this Election and Voting Ordinance. The special election notice issued by the Election Administrator shall specify the address and deadline for filing of candidacy. The special election notice shall also announce that the special election will be conducted at the special meeting of the General Council called for the conduct of the special election and shall be mailed to all members of the Nation eighteen years of age or older whose name is listed on the Eligible Voter List prepared by the Enrollment Committee on the date set for the special election and published no later than 75 days before the date set for the Special Election.

2. The special meeting of the General Council so called shall be held at the Nation's Community Center Building located at the Bassett Grove Stomp Grounds unless, some other point under the Seneca-Cayuga Nation jurisdiction is specifically designated in the call.

SECTION 4. NATION SUPPORT STAFF

(a) The Business Committee has delegated certain ministerial duties to perform on its behalf within ARTICLE VII Section's 4 through 9 of this Ordinance to the Election Committee. The Election Committee shall be responsible to provide notice of the election; to maintain a list of candidates; to receive Declarations of Candidacy; to record and prepare receipts of candidate filing fees; to verify the qualifications of candidates; to publish the list of qualified candidates; to observe the pickup of the absentee ballots from the post office box and the placement of the contents into the absentee ballot box and the delivery of the absentee ballot box to the polling place on the day of the election. Members of the Election Committee shall be available at the polling place at all times during the polling period. The Election Committee shall be available to the Election Administrator at Election Administrator's request, throughout the election period to perform such support services as may be required by the Election Administrator to include but not to be limited to mail services and assistance to the Election Administrator at the polling place on the day of the election. Additional Nation support staff may be appointed by the Business Committee upon the written request of the Election Administrator.

(b) The members of the Enrollment Committee shall provide verifications or certifications pertaining to the Election and Voting Ordinance in accordance with ARTICLE VII Section 6 Declarations of Candidacy Filing Period, Section 8 Verification of the Qualifications of Elected Officials and Grievance Committee Members and Section 9 Verification of the Qualifications of Candidates to the Election Administrator or to the Election Committee. The Nation's Enrollment

ELECTION ORDINANCE

Committee shall be available at the Election Day General Council meeting to provide verification of attendees.

(c) The Election Administrator or authorized representative(s) shall be available at any General Council meeting to oversee all General Council votes to be conducted by "secret ballot".

ARTICLE VII - ELECTION PROCEDURES

SECTION 1. COMMITTEE POSITIONS TO BE ELECTED

The Secretary-Treasurer of the Nation shall maintain a record of all elected officials, committees, and their respective members to include the official title of each elected office and its beginning and ending term. The Secretary-Treasurer shall record the names, addresses, titles and or position designation of each member of each Committee and the date that each member was elected.

The Nation's Secretary-Treasurer shall notify the Election Committee and the Election Administrator engaged by the Business Committee of the positions required to appear on the ballot prior to the date specified for the mailing of the Election Notice.

The regular election of the Business Committee positions to be contested on June 4, 2022, and the terms of office shall be:

SECOND CHIEF	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026
SECRETARY-TREASURER	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026
SECOND COUNCILPERSON	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026
FOURTH COUNCILPERSON	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026

The regular election of the Grievance Committee positions to be contested on June 4, 2022, and the terms of office shall be:

SECOND COMMITTEE MEMBER	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026
FOURTH COMMITTEE MEMBER	TERM TO BEGIN JUNE 4, 2022, AND END JUNE 6, 2026

SECTION 2. POLLING PLACE

The polling place shall be held at the Nation Community Building located at 24805 South 660 Road, Grove, Oklahoma for each Election, unless otherwise specified in the call for the Election. The Election Administrator shall ensure that the polling place is staffed by at least two (2) polling officials at all times during the polling period. The voting hours shall be 8:00 a.m. to 1:00 p.m. The agenda for the regular annual General Council meeting to be conducted on the day of the election shall state that the casting of ballots at the polling place shall be in person and the hours shall be 8:00 a.m. to 1:00 p.m.

SECTION 3. VOTER REGISTRATION AND ABSENTEE VOTING

By no less than 120 days of a scheduled regular election the Election Administrator shall notify each of the members of the Nation whose name is listed on the Eligible Voter List for the regular election that they must register to vote in order to cast their ballot in the duly called election. The members of the Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

The Election Administrator shall notify each member of the Nation whose name is contained on the Eligible Voter List that all persons desiring to vote in the election of the officials of the Seneca-Cayuga Nation must complete and return a Voter Registration Form to the Enrollment Committee registering to vote and shall elect to vote at the Polling Place as a resident voter, or to vote as a non-resident voter by Absentee Ballot no later than ninety (90) days before the date set for any given election.

All Voter Registration Forms must be received in the Nation Post Office Box Attention: Enrollment Officer no later than 11:00 a.m. on the 90th day prior to the date set for any given election.

ELECTION ORDINANCE

The members of the Nation that returned their Voter Registration Form to the Enrollment Committee within the required timeframe prior to the date set for the election shall be placed on either the Registered Resident Voter List or the Registered Non-Resident Voter List which shall be prepared by the Enrollment Committee.

The Registered Resident Voter List prepared by the Enrollment Committee shall contain the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residence address; and mailing address of each member of the General Council that has returned their Voter Registration Form and whose residence address is within a fifty (50) mile radius from the Nation's headquarters office located in Grove, OK.

The Registered Non-Resident Voter List prepared by the Enrollment Committee shall contain the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residence address; and mailing address of each member of the General Council that has returned their Voter Registration Form and whose residence address is not within a fifty (50) mile radius from the Nation's headquarters office located in Grove, OK.

The total number of all the members that have returned their Voter Registration Form which has been verified by the Enrollment Committee shall constitute the Registered Voter List to cast their ballot in the scheduled election.

The Registered Voter List, prepared by the Enrollment Committee shall record each member's election as to vote as a resident voter at the Polling Place or to vote as a non-resident voter by Absentee Ballot. The Chairperson of the Enrollment Committee shall provide a copy of the Registered Voter List to the Election Administrator and to the Chairperson of the Election Committee upon its completion.

All Nation members listed on the Registered Resident Voter List who reside within a 50 mile radius in any direction from the Nation's headquarters office located in Grove, OK shall be considered as resident voters in the election of the officials of the Seneca-Cayuga Nation and must vote at the polling place on the Election Day unless the member has a legitimate reason for being absent from the polling place on the Election Day and so states the reason on the Voter Registration Form. All Nation members listed on the Registered Non-Resident Voter List who reside out-side of the 50 mile radius in any direction from the Nation's headquarters office located in Grove, OK shall be considered as non-resident voters and shall be eligible to receive an absentee ballot Packet when electing to vote as such within their Voter Registration Form.

A Registered Non-Resident Voter who has requested and has been mailed an Absentee Ballot for a particular election shall be permitted to vote at the poll for such election, only if the Absentee Ballot has not been received by the Election Administrator.

(b) The Election Administrator shall update the Registered Non-Resident Voter List prepared by the Enrollment Committee to record the date the Absentee Ballot requests were made, the date the Absentee Ballot Packets were mailed, and the address the packets were mailed to. Any individual requesting an absentee ballot prior to the deadline and that for any reason was not mailed an Absentee Ballot Packet shall be notified by return mail of the reason(s) why and informed as to their eligibility or non-eligibility to vote in person at the polling place on the scheduled Election Day. The Election Administrator shall cause to have stamped the words "ISSUED ABSENTEE BALLOT" in the signature space provided beside each eligible voters name on the Registered Non-Resident Voter List that requested and was mailed an Absentee Ballot Packet. Absentee ballots will be counted first at the polling place on the Election Day.

The Election Administrator shall update the Registered Resident Voter List prepared by the Enrollment Committee of those that have registered to vote at the Polling Place on the date of the scheduled election and shall cause to have stamped the words "Vote at the polling place" before the signature space provided beside each eligible voters name on the Registered Resident Voter List that requested to vote at the polling place on the Election Day.

ELECTION ORDINANCE

A copy of each completed and submitted Voter Registration Form received by the Election Administrator must be provided to the Seneca-Cayuga Nation Enrollment Committee attn: Enrollment Officer within five (5) days of the receipt by the Election Administrator.

SECTION 4. ELECTION NOTICE

The Regular Election Notice packet shall be mailed to all members of the Nation 18 years of age and older on the date of the election and whose names appear on the Registered Voter List prepared by the Enrollment Committee. The Election Administrator through the Election Committee shall publish the Regular Election Notice no less than ninety (90) calendar days prior to a Regular or Special Election. The Election Notice shall include, but not be limited to the following:

- (a) Position(s), by Committee, to be elected, if any.
- (b) The term of office of each position.
- (c) The date of the Election.
- (d) The qualification for candidacy for each office being contested in the election.
- (e) The location, calendar dates and times for the filing of Declarations of Candidacy period, which shall be no less than 10 days from the publication of the Election Notice.
- (f) The documentary evidence to prove the qualification of officials for candidacy and filing fee requirements for each office contested in the election.
- (g) The Election Notice shall also include the pertinent information regarding the Ballot Process.
- (h) The Polling Place for the Election Day in accordance with Section 2 of this Article.
- (i) Shall notify each member of the Nation whose name is contained on the Registered Non-Resident Voter List that in order to be counted, all absentee ballots must be received by return mail no later than 5:00 p.m. on the Friday prior to the scheduled Election Day to the Election post office box. No hand carried absentee ballots shall be accepted.

The Election Committee shall cause the Election Notice to be published in the Miami News Record, the Grove Sun newspaper, and the Seneca-Cayuga Nation Newsletter. The Election Committee shall cause the Election Notice to be posted in such places as the Nation's Headquarters Building, the Nation's Community Center Building, the Nation's Human Resources Building, the Nation's Tobacco Company Building, the Nation's Casino Building and the Bureau of Indian Affairs Miami Agency Building.

SECTION 5. SPECIAL EDITION NEWSLETTER

The Chief shall ensure that the Special Edition Notice of Election Newsletter shall contain all pertinent election information. Each qualified candidate for office shall be allowed to submit for publication in the newsletter a one-page biography and/or political platform letter. Qualified candidates may also submit a picture for publication. Candidate's letters shall be listed according to the official list of candidates. The Special Edition Newsletter shall be mailed to every member of the Nation 18 years of age and older on the day of the election with an address listed on the Registered Voter List.

SECTION 6. DECLARATION OF CANDIDACY - FILING PERIOD

Any qualified member of the Seneca-Cayuga Nation who desires his/her name to be placed on the ballot as a candidate for office shall file a Declaration of Candidacy with the Election Committee at the Nation Headquarters Office in Grove, Oklahoma in the form prescribed by the Election Administrator. The Burden of Proof shall be on the candidate to present evidence that the candidate meets the qualifications of elected officials. The form prescribed by the Election Administrator shall require prospective candidates to present sufficient documentary evidence that the requirements set forth within Section 8 QUALIFICATIONS OF ELECTED OFFICERS AND GREIVANCE COMMITTEE MEMBERS of this Article are met. Such required documentary evidence will consist of:

ELECTION ORDINANCE

(a) The Candidate's Seneca-Cayuga Nation Membership Card to verify the Candidate's membership in the Seneca-Cayuga Nation, to verify that the Candidate is not less than twenty-five (25) years of age and to verify that the Candidate resides within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds, or

(b) A valid driver's license, state identification card or a valid United States passport to verify the identity of the Candidate, to verify that the Candidate is not less than twenty-five (25) years of age and to verify that the Candidate resides within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds.

The Declaration of Candidacy must be filed in writing and in person with the Election Committee at the time and manner specified in the election notice. In the event that a Special Election is called by the Business Committee pursuant to ARTICLE VI, Section 2(b) of this Ordinance, the election notice shall specify the address and deadline for filing. No person shall be a candidate for more than one (1) office at any time.

SECTION 7. FILING FEE

There shall be a non-refundable filing fee of One Thousand Dollars (\$1,000.00) for Chief position, Seven Hundred Fifty Dollars (\$750.00) for Business Committee positions and Three Hundred (\$300.00) for Grievance Committee positions. Filing fees will be paid by cashier's check or money order only. The filing fee shall be paid on the same date the prospective candidate submits his/her declaration of candidacy. The filing fee shall be deposited into the Nation's General Operations Account to defray the expenses incurred during the election. Upon submission of the Declaration of Candidacy and payment of the required filing fee, candidates shall not be allowed to withdraw from the election or file for a different elected position.

SECTION 8. QUALIFICATIONS OF ELECTED OFFICIALS

(a) A prospective candidate for elective office of the Seneca-Cayuga Nation must meet all of the requirements contained within Article II of the By-Laws to the Constitution of the Seneca-Cayuga Nation as follows:

- (1) Be a member of the Seneca-Cayuga Nation.
- (2) Be not less than twenty-five (25) years of age, and
- (3) Reside within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds.

At the close of the filing period, the Election Committee shall verify the qualification of the candidates who have filed their Declaration's of Candidacy with the Enrollment Officer or the Enrollment Committee who shall verify and attest to the fact that each filing candidate is not less than twenty-five (25) years of age, resides within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds and is a member of the Nation. However, in determining if the candidate "is a member of the Nation," the Election Committee shall not attempt to redetermine the candidates eligibility for membership but shall only verify said candidate is a current member of the Seneca-Cayuga Nation.

SECTION 9. VERIFICATION OF THE QUALIFICATIONS OF CANDIDATES

By no later than the end of the second business day following the close of the filing period set forth within Section 6 of this Article, the Election Committee shall meet with the Enrollment Officer or the Enrollment Committee to review all fillings for the elected offices to verify that the prospective candidates meet the qualifications set forth in Section 6 of this Article. The Enrollment Officer or a member of the Enrollment Committee shall attest to as if each prospective candidate for elective office of the Seneca-Cayuga Nation meets all of the requirements contained within Section 6 of this Article.

ELECTION ORDINANCE

If the Enrollment Officer or a member of the Enrollment Committee cannot attest to the Election Committee that a prospective candidate meets all of the requirements contained within Section 8 of this Article, the Election Committee shall immediately notify that person via telephone, email, and regular mail of the finding and request the specific additional documentary evidence that is required to verify that the prospective candidate meets the requirements contained within Section 8 of this Article.

Upon receipt of notice from the Election Committee request for the additional evidence to verify the candidates qualification to hold elective office of the Nation, the prospective candidate shall be given three business days to provide the specific additional documentary evidence required to establish their qualification. Failure of the prospective candidate to provide said requested documentation by said deadline shall result in the person's name not being included on the ballots.

The Election Committee shall make its final verification regarding qualified candidates no later than two business days following receipt of the requested candidate documentation. All such contested verifications of the Election Committee shall be made during an open meeting called by the Election Committee Chairman and with a majority vote of a quorum of the committee members being present. If the Election Committee's finding is that a candidate has not provided the required evidence to prove the qualifications of elected officials has been met, the candidate shall be disqualified from participation and their name shall not be placed on the list of qualified candidates and their name shall not be placed on the ballot.

SECTION 10. APPEAL OF ELECTION COMMITTEE DECISION

The Election Committee's decision may only be appealed to the Business Committee. Such must be done in writing by the disqualified candidate within three business days following the finding of the Election Committee. Within five (5) days upon receipt of a written appeal, the Business Committee shall hold an open hearing to consider the appeal. The hearing shall be conducted by a quorum of Business Committee members with prior notice to all parties and render a decision on the appeal within five business days following the hearing on the appeal. The Business Committee may only consider the evidence provided by the prospective candidate at the time of the filing of the candidacy and any additional evidence requested by the Election Committee and which was returned to the Election Committee within the required time frame.

All such appeals to the Business Committee are final on behalf of the Nation and are not subject to appeal or other review. Business Committee members that have a personal interest in the specific office subject of appeal; that are immediate family of appellant and/or incumbent; or outcome of the appeal must abstain from voting on the decision.

Immediately following the meeting of the Business Committee to decide on the appeal filed by a candidate for elected office the Election Committee shall post a list of qualified candidates on the Nation website and at the Nation's Headquarters Building. The Election Committee shall promptly notify the candidates via telephone, email, and regular mail.

ARTICLE VIII - VOTING PROCEDURES

SECTION 1. PERSONS ELIGIBLE TO VOTE

Pursuant to ARTICLE IV of the Constitution of the Seneca-Cayuga Nation, eligible voters shall be the Seneca-Cayuga General Council, consisting of all enrolled members of the Seneca-Cayuga Nation eighteen (18) years of age and older on the day of the election.

If a deceased member's outside return envelope is properly completed and postmarked on or before their date of death, the ballot will be counted. If the outer envelope is postmarked after the date of death, the ballot will not be counted.

ELECTION ORDINANCE

SECTION 2. ELIGIBLE VOTER LIST

At the request of the Chairperson of the Enrollment Committee, the Enrollment Officer shall compile an up-to-date and accurate Eligible Voter List of the enrolled members of the Nation who are at the time of the preparation of said list eighteen years of age or older and shall include in the list those enrolled members that will turn eighteen years of age on or before the date set for the election.

(a.) The Nation's Enrollment Officer will, upon receipt of the written request of the Election Administrator engaged by the Business Committee pursuant to ARTICLE VI, Section 1 of this Ordinance, provide for said Election Administrator's use during the election and voting period the up-to-date Eligible Voter List of the individuals on the Nation's Membership Roll meeting the requirements as set forth within Section 1 of this Article. The Election Administrator will exercise extreme care to ensure the list remains only within the Election Administrator's possession and used only for the purposes of the election of officers of the Seneca-Cayuga Nation. The Eligible Voter List shall remain in the possession of the Election Administrator during the election and voting period and shall not be released to any other person. The Election Administrator shall install adequate safeguards to ensure the Eligible Voter List is not removed, copied, or otherwise made available to anyone outside of the Election Administrator. Updating Records: Upon receipt of appropriate documentation, as defined within the Enrollment Ordinance of the Seneca-Cayuga Nation, the Nation's Enrollment Officer shall update the Official Nation Membership Roll. The Nation Membership Roll will be updated following the annual meeting of the General Council. The membership roll will also be updated throughout the year to ensure persons enrolled pursuant to the Enrollment Ordinance not requiring General Council vote are included and will be purged throughout the year to ensure that persons who have relinquished their membership, or who are deceased are removed from the list. The up-to-date Eligible Voter List as of one hundred twenty (120) days prior to the date of a scheduled election shall be subdivided into two (2) parts. Subpart 1 shall be titled Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residential address; and mailing address of each member who has an enrollment residence address that is within a fifty mile radius of the Nation's headquarters office 23701 S 655 Road Grove, OK. Subpart 2 shall be titled Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residential address; and mailing address of each member who has an enrollment residence address that is not within a fifty mile radius of the Nation's headquarters office 23701 S 655 Road Grove, OK. The Chairperson of the Enrollment Committee shall provide a copy of the Eligible Voter List to the Election Administrator upon its completion.

(b.) The Election Administrator shall notify each of the members of the Nation whose name is listed on the Eligible Voter List for the regular election that they must register to vote in order to cast their ballot in the duly called election. The members of the Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

The Enrollment Department shall immediately notify the Election Administrator of any changes to the status of any member whose name appears on the Eligible Voter List. The Enrollment Department shall notify the Election Administrator of any deaths, relinquishments, disenrollments, or enrollments that affect the Eligible Voter List.

The Registered Voter List Subpart 2 titled Registered Non-Resident Voter List in conjunction with the Voter Registration Forms returned by each member expressing the member's desire to vote in the election set to be conducted shall be used by the Election Administrator for mailing of Absentee Ballots.

ELECTION ORDINANCE

Absentee Ballot Packets shall include:

- (1) Election Notice
- (2) Ballot Instructions for filling out and date for returning of Ballot
- (3) Pre-addressed, stamped envelopes to be returned to Election Administrator.

Only those members on the Registered Resident Voter List who have requested an absentee ballot and have demonstrated a legitimate reason to vote absentee, and those members of the Nation whose name is contained on the Registered Non-Resident Voter List and who have requested an Absentee Ballot within the submitted Voter Registration Form in accordance with ARTICLE VII Section 3 shall be allowed to vote by Absentee Ballot. All Absentee Ballots must be received in the post office box so designated by the Election Administrator by the date specified in order to be counted on the date set for the Nation's Elections.

The Election Administrator shall cause to have stamped the words "ISSUED ABSENTEE BALLOT" in the signature space provided beside each eligible voters name on the Registered Non-Resident Voter List that requested and was mailed an Absentee Ballot Packet. Absentee ballots will be counted first at the polling place on the Election Day.

(c.) If a person is inadvertently left off the Registered Non-Resident Voter List and does not receive an Absentee Ballot, after submitting a Voter Registration Form electing to vote by Absentee Ballot such person can present evidence to the Enrollment Officer, in writing, of their eligibility to vote, full name, date of birth, Nation roll number, phone number and resident and mailing address. The Enrollment Officer shall then confirm the member is eighteen years of age or older on the day of the election, will then manually add the individuals full name and the supplied information to the Registered Non-Resident Voter List, and notify the Election Administrator to mail such individual an Absentee Ballot Packet.

Upon the receipt of a Voter Registration Form from a member electing to vote by Absentee Ballot, if the Registered Non-Resident Voters List does not contain an address for a member, the member will not be mailed an Absentee Ballot Packet. If the member who was not mailed a ballot packet due to no address subsequently requests an Absentee Ballot, the member must provide a written request for a Ballot Packet to the Nation's Enrollment Officer with their full name, a mailing address, Nation roll number and phone number. The Enrollment Officer will then immediately forward the written request (information included) to the Election Administrator.

(d.) All Qualified Candidates shall receive a copy of both the Resident Voter Mailing List and the Non-Resident Voter Mailing List: The Election Administrator shall see that every Qualified Candidate for office shall receive a copy of both Mailing Lists at the time of filing for elective office. The Voter Mailing Lists thus provided, shall contain the full name of each member listed on the Resident Voter List or the Non-Resident Voter List.

(e.) The Eligible Voter List shall include all of the enrolled members of the Nation who are at the time of the preparation of said list eighteen years of age or older and shall include in the list those enrolled members that will turn eighteen years of age on or before the date set for the election. All Nation members listed on the Eligible Voter List who reside within a 50 mile radius in any direction from the Nation's headquarters office located in Grove, OK shall be considered as resident voters in the election of the officials of the Seneca-Cayuga Nation and shall be listed on the Resident Voter List and must vote at the polling place on the Election Day unless the member has a legitimate reason for being absent from the polling place on the Election Day and so states the reason on the Voter Registration Form required in accordance with Article VII Section 3 of this ordinance. All Nation members listed on the Eligible Voter List who reside out-side of the 50 mile radius in any direction from the Nation's headquarter office located in Grove, OK shall be considered as non-resident members and shall be listed on the Non-Resident Voter List and shall automatically be eligible to receive an absentee ballot

ELECTION ORDINANCE

Packet when electing to vote as such within their Voter Registration Form required in accordance with ARTICLE VII Section 3 of this ordinance.

SECTION 3. BALLOT BOXES, ELECTRONIC TABULATORS AND/OR LAPTOP COMPUTERS

There shall be no less than two (2) Electronic Tabulators provided by the Election Administrator for use during the election: one (1) for absentee ballots, and one (1) at the polling place. Said Electronic Tabulator Machines shall be constructed of substantial material, and each shall be equipped for the security of ballots by the Election Administrator.

Electronic Tabulation software, Scanners and Laptop Computers: The Election Administrator shall provide sufficient Electronic Tabulation software, Scanners and Laptop Computers to conduct the counting and auditing of returned Absentee Ballots and the votes cast at the polling place on the date of the election pursuant to ARTICLE VII SECTION 2. POLLING PLACE of this ordinance.

(a) Said Electronic Tabulation software, Scanners & Laptop Computers shall provide clear and auditable tabulation capability that can be demonstrated as accurate by the Election Administrator.

(b) Keys to Ballot Box Locks and Electronic Tabulators: Keys and locks to be placed on the ballot boxes shall be furnished by and maintained only by the Election Administrator during the election and voting period. Any keys for the Electronic Tabulators used shall be furnished by and maintained only by the Election Administrator during the election and voting period.

Ballot Boxes: Absentee Ballots will be picked up the day of the election at 9:00 A.M. The Election Administrator shall open the ballot boxes and show them to be empty of all materials in front of two (2) Election Committee Members. The Post Office Box is then opened, and all returned absentee ballots are placed in the ballot boxes, the ballot boxes locked and sealed for transport to the Polling Place designed pursuant to ARTICLE VII SECTION 2. POLLING PLACE of this ordinance.

(c) Upon arrival at the Polling Place the Election Administrator shall unlock and empty the ballot boxes in the presence of not less than two (2) Election Committee Members. The emptied ballot boxes shall then be re-closed and re-locked in the presence of the two (2) Election Committee Members. All envelopes containing returned absentee ballots will then be checked to determine if the envelope contains the required elements in order that the ballot is to be counted. Only one (1) ballot shall be allowed per envelope. The Election Administrator shall proceed to verify that the name contained on each pre-addressed and stamped outer envelope is contained on the Registered Non-Resident Voter List of persons who were mailed absentee ballots pursuant to Section 3(b) ABSENTEE VOTING of Article VII of this ordinance. If the name contained on the outer envelope is contained on the list of persons who requested and were mailed an Absentee Ballot Packet and marked as Absentee Ballot Mailed next to their name on the Registered Non-Resident Voters List, the sealed outer envelope will be removed and the inner envelope containing the ballot will then be placed back into the locked ballot box. Once the voter eligibility verification process has been completed, the Election Administrator shall proceed to the counting of the ballots. At the polling place on Election Day absentee ballots shall be counted first.

(d) Election Records and Ballot Boxes: After each election, all election records and ballots shall be placed in locked ballot boxes and stored at Tribal Headquarters by the Election Administrator in a secure location. No later than the following day after the election results are certified and posted the ballot boxes and all materials used in the election shall be delivered to the Seneca-Cayuga Nation 2nd Chief and placed in the vault and shall be maintained as a permanent record of the Seneca-Cayuga

ELECTION ORDINANCE

Nation. Ballots shall only be held for three (3) months after the election results are certified; thereafter, the 2nd Chief of the Nation shall cause them to be destroyed.

SECTION 4. BALLOTS

(a) Appearance of Candidate's Name: The name of any candidate for office shall be printed on the official ballot as it appears on the Declaration for Candidacy form as filled out by the qualified candidate. Each qualified candidate shall not have any prefix, suffix or title placed before or after his/her name.

(b) Unopposed Candidates: Any candidate who is unopposed in any election shall be deemed to have been elected, and his/her name will not appear on the ballot in any election in which he/she is so unopposed.

(c) Manner of Printing Ballots for Elections: The official ballot for the election shall be printed so that the candidate's name will appear with an appropriate location indicating a voter's choice alongside each candidate's name.

(d) Order of Name on Ballots for Elections: On all election ballots, the names of the candidates for each office shall be listed in alphabetical order according to the candidate's last name.

(e) Number of Ballots: The Election Administrator shall ensure that for every election a sufficient number of ballots shall be printed so that all members contained on the Registered Resident Voter List and the Registered Non-Resident Voter List receive a ballot and a number of additional ballots are available in case of spoiled ballots.

SECTION 5. BALLOT PACKET VOTING PROCEDURES

(a) Mailing of Ballot Packets: The Election Administrator shall mail a ballot packet to each eligible voter on the Registered Non-Resident Voter List that has requested to vote by absentee ballot in accordance with ARTICLE VII Section 3(b).

(1) Registered Voter Lists Obtained: No later than ninety (90) days before the date set for any given election the Election Administrator shall submit a written request to the Seneca-Cayuga Nation Enrollment Committee-Attention Enrollment Officer, requesting to be provided with the Registered Voter List which shall consist of the Registered Resident Voter List and the Registered Non-Resident Voter List for the pending Nation election. The Election Administrator shall utilize the Registered Non-Resident Voter List and any members on the Resident Voter List that have demonstrated a legitimate reason to vote absentee, to complete the mailing of Ballot Packets to all eligible voters who elected to vote by absentee ballot in accordance with Article VII Section 3(b) of this ordinance. Ballot Packets must be mailed not less than 30 days prior to Election Day.

(2) Upon return of any ballot packet to the Election Administrator as undeliverable, the Election Administrator shall verify the mailing address is the same address shown on the Registered Non-Resident Voting List. If the address is incorrect then the Election Administrator will mail the ballot packet to the corrected address. If the address is correct, the Election Administrator shall use his best efforts to mail the ballot to the eligible voter based on corrected information so provided by the US Postal Service.

(b) Ballot Packet Instructions: All absentee ballot voters shall be notified that in order to be counted, all ballots must be received by return mail no later than 5:00 p.m. on the Friday prior to the "The Election Day". No hand carried ballots shall be accepted, it is required that the official envelope assigned to the Nation Member by the Election Administrator be used, otherwise ballot will not be counted.

After the ballots are picked up and processed the day of the election, the Election Administrator will cancel all the ballots returned as undeliverable and in his/her possession. The Election Administrator will open the ballot mailing and write, "VOID" across the face of the ballot and sign and date the

ELECTION ORDINANCE

ballot. The voided ballot must be retained as part of the election records.

If a ballot is mutilated upon receipt in mail or by the voter, then the voter may return the ballot in its entirety to the Election Administrator and request in writing issuance of a new ballot so long as request is received prior to Election Day. Upon receipt of the mutilated ballot the Election Administrator will sign and date the ballot and write "SPOILED- Replaced by Ballot No." and write the number of the replacement ballot in the blank space. The spoiled ballot shall be retained as part of the election records. The Election Administrator will then issue the proper replacement ballot to the voter.

(c) **Records/Receipt of Ballot Packets:** The Election Administrator shall keep a record of the name of the voter, date, and address and when the ballot packets were mailed, in addition to the complete ballot packet envelope and store such materials in accordance with the requirements for storage and preservation of ballots and information contained herein. Election Administrator shall also record if an individual requested a ballot packet and record if individual was a voter or not. Beside each voter's name, Election Administrator shall cause to have the words "BALLOT RECEIVED" beside each voter's name in which the ballot was received back in mail.

(d) **NO ELECTIONEERING OR LOITERING SHALL BE ALLOWED WITHIN FIVE-HUNDRED FEET OF POLLING PLACE PREMISES.** This includes inside or outside the Polling Place premises, during such time as ballots are being counted. The Election Administrator shall request security personnel for assistance as may be required to maintain order about the building during the hours of election. The Business Committee shall cause a misdemeanor complaint to be filed with the Court of Indian Offenses against any such violators (offenders) of this section.

SECTION 6. POLLING PLACE INSTRUCTION TO VOTERS

Instructions to voters describing the manner for castings one's vote shall be posted inside the polling place. Said instructions shall be prescribed by the Election Administrator.

SECTION 7. POLLING PLACE VOTING BOOTHS

The Election Administrator shall cause at least six (6) voting booths to be provided at the polling place. Said booths shall contain a counter or shelf or some means of writing and shall be constructed in such a manner that personnel of the Election Administrator can determine whether more than one person is in the booth, but in such a manner as to ensure secrecy by the voter in marking his/her ballot.

The following are exceptions to the rule that only one person is allowed in a voting booth:

Physically disabled persons may have assistance in marking a ballot.

Visually disabled persons may have assistance in marking a ballot.

Hearing impaired persons may have assistance in marking a ballot.

In no case shall any type of assistance be provided to a voter by a candidate or their representative.

SECTION 8. METHOD OF VOTING AT THE POLLING PLACE.

Voting procedures will consist of the following:

Secret Balloting. All voting shall be by secret ballot.

Casting Ballots. By the Voter:

The voter will state his/her name to the poll official.

The voter must show identification to the poll official.

The voter's name shall be verified with the Registered Resident Voter List.

The voter shall be required to sign the space on the Registered Resident Voter List next to his/her

ELECTION ORDINANCE

printed name.

The voter shall then be given the necessary ballot by a poll official, instructed to go directly to a booth, mark the ballot, and then place the ballot in the Electronic Tabulator. Voters must cast their ballot at the time of receipt and shall not be allowed to complete the ballot at any other time.

Spoiled Ballots. If a voter spoils the ballot given to him/her by a polling official, the Election Administrator shall provide procedures for spoiled ballots. The poll official will therefore issue a new ballot to the voter. Spoiled ballots will be preserved for review by the Election Administrator.

Closing of Polls. At the closing of the polls, all persons in line at the closing hour shall be given an opportunity to cast a ballot. No other voters will be allowed to join the line past the closing hour.

ARTICLE IX - COUNTING BALLOTS

SECTION 1. PROCEDURE FOR COUNTING BALLOTS

The Election Administrator and or designated personnel shall deliver at least two (2) Electronic Tabulator Machines to the polling place empty of all material, where the Electronic Tabulator Machines will be closed and locked in the presence of not less than two (2) members of the Election Committee.

(a) Securing Ballot Boxes: On the day of election the Election Administrator shall secure in his or her possession the ballot boxes and shall retire to a private room for counting. The Election Administrator will count the ballots. In addition to the Election Administrator, Election Committee and Election Administrator personnel and such staff support personnel requested by Election Administrator pursuant to this Ordinance. The presence of one (1) Observer per candidate as hereafter described will be permitted in the room where the votes are being counted.

(b) Counting Ballots: Upon removing the lock and opening the box, the Election Administrator personnel shall insert each ballot into the electronic tabulator for counting, giving due consideration to examining spoiled and replacement ballots.

(c) Rules Governing Counting: The following rules shall govern the counting and recounting of votes:

(1) If the name of any person is handwritten on a ballot, said ballot shall not be counted for any office or question thereon.

(2) The marking of the ballots shall be in accordance with the instructions set out in the ballot packet.

(3) Marks used to designate the intention of the voter, other than those set out in the ballot packet as valid markings shall not be counted.

(4) Failure to properly mark a ballot as to one or more candidates shall not of itself invalidate the entire ballot if the same has been properly marked as to other candidates.

(5) Any ballot or part of a ballot on which it is impossible to determine the voter's choice of question or candidate shall be void as to the question, candidate or candidates thereby affected. If a ballot is not counted for any reason, the reason shall be written on the back of said ballot and signed by the Election Administrator.

(6) A ballot which was placed in the ballot box without being voted upon shall be considered as a mutilated ballot and shall be retained separately from the ballots which have been counted in whole or in part. Such ballots will not be counted.

(7) Each candidate, if desired, may select one (1) person in writing as his/her representative,

ELECTION ORDINANCE

who is not a candidate or incumbent, to serve as an observer to watch the counting of the ballots. Such designation must be presented to any Member of the Election Committee no later than 1:00 p.m. seven (7) days prior to the day of the Election. Observers are cautioned to minimize conversation, refrain from making favorable comments or exclamations with regard to candidates or Nation matters and know not to question Election Committee and Election Administrator personnel with regard to matters other than the vote counting process. Observers can be ejected for inappropriate behavior or a violation of the foregoing or at the discretion of the Election Administrator.

(8) The Election Administrator personnel shall place each ballot in the Electronic Tabulation scanner(s) for ballot image capture and electronic counting.

(9) The Election Administrator may use any ballot image captured by the Tabulation Software to adjust the Scanner's interpretation of any ballot marking. Should the Election Administrator rule the voter intent to be different than that registered by the Scanner and Tabulation Software on any one ballot, the Election Administrator will correct the Tabulation Software accordingly. Each such adjudication of the counting of any Ballot so captured by the Tabulation Software will be projected for stakeholder observation and be verbally announced by the Election Administrator.

SECTION 2. TIE VOTES

In the event two (2) or more candidates tie for the same position, the Election Administrator shall conduct a recount of the ballots cast in that election as provided in Section 1 of this Article.

Should there be a tie vote after the recount, a Special Election will be held for the run-off as soon as possible. Date shall be set by Business Committee (not more than 60 days from original Election Day).

SECTION 3. RECOUNT

(a) Recount: In the event that any eligible voter or candidate for Nation Office wishes to request a recount of the voting results of a given election for office, such eligible voter or qualified candidate must file a written or typed Request for Recount with the Election Committee Chairman no later than 4:30p.m., the Monday following the Regular Election or no later than 4:30P.M. on the second business day following a Special Election, legal holidays excluded. A non-refundable fee of Five Hundred dollars (\$500.00) shall be paid to the Chair of Election Committee by certified check or money order made payable to the Seneca-Cayuga Nation for recount. The recount shall then be conducted in the same manner as the original count and shall be conducted immediately or within twenty-four hours of Request for Recount being filed.

The certified results will be posted in the Seneca-Cayuga Nation's Headquarters Office Building. The fee shall be paid on the same date the Request for Recount is submitted and said filing fee shall be deposited into the Nation's General Operation Account to defray the expenses incurred during the election.

SECTION 4. CERTIFICATION AND ANNOUNCEMENT OF ELECTION RESULTS

Two (2) business days after the protest period has expired, or on the day following resolution of an election protest or recount, the Election Administrator shall certify and issue an Official Notice of Election Results. The certified results will be posted at the Seneca-Cayuga Nation's Headquarters Office Building.

ARTICLE X - INSTALLATION OF ELECTED OFFICERS

SECTION 1. PROCEDURE

All duly elected officers of the Seneca-Cayuga Nation shall be sworn into office immediately

ELECTION ORDINANCE

following the official certification of the election results.

SECTION 2. OATH OF OFFICE

The oath of office shall be administered by the Chief or a Pot Hanger of the Nation.

ARTICLE XI - VOTING ON REFERENDUM QUESTIONS

In the event that referendum questions are to be brought to a vote of the General Council of the Seneca-Cayuga Nation, all members of the Seneca-Cayuga Nation eighteen (18) years of age and older on Election Day shall be given the opportunity to cast their vote and the voting on such questions shall be conducted in accordance with this Article.

SECTION 1. FORM OF PROPOSITION AND DEADLINE

(a) The question is to be written in the form of a proposition couched in language with clearly states that a "yes" vote is a vote in favor of the proposition, and a "no" vote is a vote against the proposition. The proposition shall not exceed 150 words.

(b) Deadline: In order to allow sufficient time for the preparation and printing of ballots, any proposition that is to be submitted to a vote during the annual election held the first Saturday of June of each year shall be prepared and submitted to the Nation Secretary for provision to the Election Administrator no later than the second Tuesday in March of each year. In order to allow sufficient time for the preparation and printing of ballots, any proposition that is to be submitted to a vote at any other time during the year must be presented to the Election Administrator sixty (60) days prior to the date set for the special election or proposition voting date.

SECTION 2. BALLOTS FOR REFERENDUM VOTES

Ballots for referendum questions shall be printed by the Election Administrator in such manner as to include the ballot title and the following language, "Shall the proposed (Amendment) or (Act) or (Ordinance) be approved?" followed by the words "YES" and "NO", one above the other, each preceded by an empty square.

(a) Ballot Title: The ballot title shall contain the gist of the proposition couched in language which clearly states that a "yes" vote is a vote in favor of the proposition, and a "no" vote is a vote against the proposition. The ballot question shall not:

- (1) Exceed one hundred fifty (150) words.
- (2) Reflect partiality in its composition or contain any argument for or against the measure,

(b) Position on Ballot: The written question(s) shall be on a separate ballot and may not be put on the same ballot with candidate's names who are seeking office.

SECTION 3. METHOD OF VOTING

Eligible voters shall vote on written questions by secret ballot. Method of voting shall be in the same manner as the voting for the Nation's Elected Officials pursuant to ARTICLE VIII of this Election and Voting Ordinance.

SECTION 4. COUNTING OF BALLOTS

Counting of ballots shall be conducted in the same manner as ARTICLE IX of this Election and Voting Ordinance.

SECTION 5. CERTIFICATION OF BALLOTS

Certification and announcement of the results of the voting on said written question(s) shall state the passage or failure of any measure.

ELECTION ORDINANCE

The Certification and announcement including disputes shall be made in accordance with ARTICLE IX of the Election and Voting Ordinance.

SECTION 6. EFFECT OF LAW

Propositions passed by the General Council of the Seneca-Cayuga Nation shall become law immediately following passage, unless otherwise provided and after Official Certification by the Election Administrator.

ARTICLE XII- ELECTION COMMITTEE

SECTION 1. AUTHORITY

The Seneca-Cayuga Election Committee is hereby established, to uphold and enforce the approved Election and Voting Ordinance.

SECTION 2. ELECTION COMMITTEE COMPOSITION

The Election Committee shall be appointed by the Business Committee.

(a) Appointment: It shall consist of at least three (3) members; the Business Committee may appoint additional members as necessary to fulfill the Election Committee duties and shall at no time consist of any elected official of any duly elected Committee or an immediate family member of the Business Committee. No Election Committee member shall be immediate family to any other Election Committee member. For the purposes of this Section immediate family member shall mean husband-wife, parent, offspring, or sibling and all persons who live in the same household related by blood or not. An alternate member shall also be selected to serve in case a regular member is unable to perform due to illness, absence from the area, a conflict of interest, or upon the resignation or death of any member.

Furthermore, the Business Committee may add quorum members any time the Election Committee fails to meet for lack of quorum. Such quorum members shall serve only when their presence is required to make a quorum. The Business Committee shall appoint the members of the Election Committee and shall inform the appointed members that they are to elect from their membership individuals to serve in the following capacities:

- (1) Chairperson
- (2) Vice Chairperson
- (3) Clerk
- (4) Alternate Member

An Election Committee member must resign his/her committee position upon officially filing for candidacy.

(b) Oaths of Office: All persons appointed as Members of the Election Committee shall, before entering upon the duties of their offices, take an oath of office as prescribed by the Business Committee. Said oath shall be retained by the Secretary-Treasurer of the Business Committee.

(c) Terms: The Election Committee Members shall serve at the discretion of the Business Committee. An Election Committee Member may be removed from office by a majority vote of the Business Committee and a replacement may be appointed.

(d) Costs: The cost of conducting a meeting of the Election Committee, including a stipend cost to cover travel costs of Committee members to attend the meeting, shall be paid from the Tribe's General Operations Account. The amount of any such stipend or necessary supplies shall be determined by and approved by the Business Committee.

ELECTION ORDINANCE

SECTION 3. MEETINGS

(a) Calling of Meeting: A meeting of the Election Committee shall be called by the Election Committee Chairperson providing notice to the other Committee members and notice to the Business Committee as necessary to fulfill the Committees duties and obligations set forth in this Ordinance; or upon notice and copy of the proposed agenda to the Business Committee that a meeting is necessary to address matters put before the Election Committee. All meetings shall be held at Nation headquarters or other places as directed by the Business Committee.

(b) Quorum: A quorum shall consist of three (3) members of the Election Committee. No vote of the Election Committee shall be valid in the absence of a quorum.

SECTION 4. RECORDS

The Election Committee shall maintain complete and accurate minutes of its meetings. A copy of these records shall be filed with the Secretary-Treasurer's Office within two days of the completion of an election or referendum vote.

SECTION 5. DUTIES OF ELECTION COMMITTEE

(a) Chairperson: Shall be the presiding member responsible for the overall activities of the Election Committee, including safekeeping of Committee records.

(b) Vice Chairperson: In the absence of the Chairperson shall assume and perform the duties of the Chairperson.

(c) Clerk: Shall record and maintain accurate minutes of meeting and records pertaining to the Election Committee including but not limited to: Providing mail services, receive/record, prepare receipts of all fees received and keep an accurate account of receipts and all disbursements.

(d) Alternate Member: Shall be ready to act as an additional member in any meeting in which one or more of the Election Committee members are absent or have been disqualified due to conflict of interest.

(e) Quorum Member: Shall serve as member until a quorum is established by regular or alternate member or shall serve as a member if required due to one or more of the Election Committee members being disqualified due to conflict of interest.

SECTION 6. CONFLICT OF INTEREST

Members of the Election Committee and the Enrollment Officer are required to meet Conflict of Interest requirements immediately after the Certification of Candidates. Committee Members and/or Enrollment Officer are required to recuse themselves from the business of the Committee and Election in the event a conflict is determined. For the purposes of this Section, immediate family members shall mean, husband-wife, parent-offspring, or sibling and all persons who live in the same household related by blood or not. Each member of the Election Committee and the Enrollment Officer shall provide the Chairperson of the Election Committee with a list of their immediate family members and shall keep said list current at all times.

In the event the Nation's Enrollment Officer is disqualified from participating in an Election, the Business Committee shall appoint an Official Designee to perform such duties as assigned to the Enrollment Officer as outlined in this Ordinance. The Nation's Secretary-Treasurer shall inform the

ELECTION ORDINANCE

Election Administrator, in writing, if an Official Designee has been appointed.

ARTICLE XIII – CERTIFICATION OF ENACTMENT

This Election and Voting Ordinance was approved and enacted by the Business Committee of the Seneca-Cayuga Nation at a meeting of the Business Committee conducted on the 21 day of December, 2021, with a vote of 6 for, 0 against, and 0 abstain.

ATTEST:



Kim Guyett, Secretary-Treasurer

Charles Diebold

Charles Diebold (Jan 3, 2022 12:21 CST)

Chief, Charles Diebold