

Janet Alkire
Chairwoman

TRIBAL COUNCIL
(AT LARGE)

Nola Taken Alive

Charles Walker

Avis Little Eagle

Kory McLaughlin

Warren Hawk

Jesse McLaughlin

Frank Jamerson
Vice Chairman



Susan Agard
Secretary

John Pretty Bear
Cannonball District

Sid Bailey, Jr.
Long Soldier District

Jeff Cadotte, Sr.
Wakpala District

Delray Demery
Kenel District

Joe White Mountain Jr.
Bear Soldier District

Paul Archambault
Rack Creek District

Jessica R. Porras
Running Antelope District

Wilberta Red Tomahawk
Porcupine District

PLEASE POST

NOTICE TO PUBLIC

On May 2, 2024 the Standing Rock Sioux Tribal Council approved to post revisions to **Title XV (15), Election Code** for ninety (90) days. Pursuant to Standing Rock Tribe Constitution, Article IV, Section 5 and Title XIX of the Code of Justice, any interested persons may submit comments on **Title XV (15), Election Code** which the person believes should be amended.

Members of the Judicial Committee and the Standing Rock Tribal Council will accept oral, written and electronic comments until September 9, 2024. You may submit your electronic comments to the following:

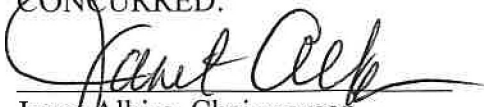
Judicial Committee Chairman, Charles Walker - cwalker@standingrock.org

If you are receiving this notice and attachments in your role as District Officer, please post a copy at your local district offices and ensure it is available to other District Officers and District Members. In addition, please have copies available to distribute upon request. The Standing Rock Tribal Council is requesting each District to schedule a meeting with their respective District members to review, discuss, and obtain comments and provide notification to the Tribal Council of the date and time of such meeting.

Please note you can also access the Title on the Tribe's website at www.standingrock.com. From the home page, click on Titles, followed by Titles for Review, and find the link to **Title XV (15), Election Code**.

Dated this 7th day of June, 2024.

CONCURRED:


Janet Alkire, Chairwoman
Standing Rock Sioux Tribe

REGULAR TRIBAL COUNCIL MEETING
INTER-OFFICE FOLLOW-UP

MEETING DATE: May 2, 2024

P A G E : 40

MOTION #80 IS CONTINUED.

ROLL CALL VOTE: ALKIRE, JANET – NOT VOTING

ARCHAMBAULT, Paul	EX.	AGARD, Susan	YES
BAILEY, Jr., Sidney	N.V	ARCHAMBAULT, Cyril	YES
CADOTTE, Sr., Jeff	N.V	BIRD HORSE, Alice	YES
DEMERY, Delray	N.V.	JAMERSON, Frank	YES
PORRAS, Jessica R.	YES	LONG FEATHER, Richard	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Nola	YES
RED TOMAHAWK, Wilberta	YES	WALKER, Charles	YES
WHITE MOUNTAIN, Jr., Joseph	YES	YELLOW HAMMER, Stephanie	YES

VOTE: YES – 12 NO – 0 NOT VOTING – 4

MOTION CARRIED 1 – EXCUSED

#81. MOTION WAS MADE BY CHARLES WALKER, SECONDED BY DELRAY DEMERY, TO APPROVE TO POST ELECTION CODE, TITLE XV FOR 90 DAYS.

ROLL CALL VOTE: ALKIRE, JANET – NOT VOTING

ARCHAMBAULT, Paul	EX.	AGARD, Susan	YES
BAILEY, Jr., Sidney	YES	ARCHAMBAULT, Cyril	YES
CADOTTE, Sr., Jeff	YES	BIRD HORSE, Alice	N.V.
DEMERY, Delray	YES	JAMERSON, Frank	YES
PORRAS, Jessica R.	YES	LONG FEATHER, Richard	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Nola	YES
RED TOMAHAWK, Wilberta	YES	WALKER, Charles	YES
WHITE MOUNTAIN, Jr., Joseph	YES	YELLOW HAMMER, Stephanie	YES

VOTE: YES – 14 NO – 0 NOT VOTING – 2

MOTION CARRIED 1 – EXCUSED

#82. MOTION WAS MADE BY DELRAY DEMER, SECONDED BY RICHARD LONG FEATHER, TO APPROVE OF JUDICIAL COMMITTEE MEETINGS FOR APRIL 8, APRIL 15, APRIL 19, APRIL 25 AND MAY 1, 2024.

ROLL CALL VOTE: ALKIRE, JANET – NOT VOTING

ARCHAMBAULT, Paul	EX.	AGARD, Susan	YES
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REGULAR TRIBAL COUNCIL MEETING
INTER-OFFICE FOLLOW-UP

MEETING DATE: May 2, 2024

P A G E : 8

MOTION #14 IS CONTINUED.

PORRAS, Jessica R.	YES	LONG FEATHER, Richard	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Nola	YES
RED TOMAHAWK, Wilberta	YES	WALKER, Charles	YES
WHITE MOUNTAIN, Jr., Joseph	YES	YELLOW HAMMER, Stephanie	YES

VOTE: YES – 15 NO – 0 NOT VOTING – 2

MOTION CARRIED

#15. MOTION WAS MADE BY SIDNEY BAILEY, JR., SECONDED BY RICHARD LONG FEATHER, TO APPROVE TO ACCEPT THE QUOTE #Q124-24 FROM JENSEN ROCK & SAND, INC. FOR THE CONSTRUCTION AREA ON SOUTH RIVER ROAD FROM YATES STREET TO OAHE STREET, 100 FEET OF BELDEN STREET AND 850 FOOT X10 FOOT WALKING PATH FROM BELDEN TO POST OFFICE IN THE AMOUNT OF \$426,148.88 AND THAT IT COMES OUT OF THE STANDING ROCK SIOUX TRIBE ARPA FUNDS.

MOTION WAS WITHDRAWN

#16. MOTION WAS MADE BY SIDNEY BAILEY, JR., SECONDED BY CYRIL ARCHAMBAULT, TO APPROVE THAT THE STANDING ROCK SIOUX TRIBE SET HEARINGS IN ALL DISTRICTS TO BE INVOLVED IN THE CHANGES OF THE ELECTION CODE REVISIONS.

ROLL CALL VOTE: ALKIRE, JANET – NOT VOTING

ARCHAMBAULT, Paul	YES	AGARD, Susan	YES
BAILEY, Jr., Sidney	YES	ARCHAMBAULT, Cyril	YES
CADOTTE, Sr., Jeff	YES	BIRD HORSE, Alice	YES
DEMERY, Delray	YES	JAMERSON, Frank [CHAIRING]	N.V.
PORRAS, Jessica R.	YES	LONG FEATHER, Richard	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Nola	YES
RED TOMAHAWK, Wilberta	YES	WALKER, Charles	YES
WHITE MOUNTAIN, Jr., Joseph	YES	YELLOW HAMMER, Stephanie	YES

VOTE: YES – 15 NO – 0 NOT VOTING – 2

MOTION CARRIED

#17. MOTION WAS MADE BY CYRIL ARCHAMBAULT, SECONDED BY ALICE BIRD HORSE, TO APPROVE OF LONG SOLDIER DISTRICT MEETING APRIL 14, 2024.

TITLE XV. ELECTIONS

CHAPTER 1. GENERAL DEFINITIONS AND ELIGIBILITY OF CANDIDATES FOR TRIBAL COUNCIL OFFICES

15-101. DEFINITIONS.

The terms listed below, whenever used in this Title, shall mean as follows:

- (a) **Challenged Ballots** shall mean ballots which are cast by a voter in a manner which another qualified voter, Watcher, or election official disputes the validity of either the voter or the ballot and which the ballot is marked by the word "challenged".
- (b) **Council** shall mean the Standing Rock Sioux Tribal Council, which is the governing body of the Tribe pursuant to Article ~~III~~ III of the Constitution of the Standing Rock Sioux Tribe and has all powers and authority as enumerated in the Constitution.
- (c) **Constitution** shall mean the Constitution of the Standing Rock Sioux Tribe.
- ~~(d)~~ **Commission** shall mean the Election Commission of the Standing Rock Sioux Tribe.
- ~~(d)~~(e) **Compliance Officer** shall mean the Compliance Officer of the Election Office employed by the Standing Rock Sioux Tribe.
- ~~(e)~~(f) **Delinquency** shall mean an arrearage by a candidate of more than sixty (60) days as to any lawful payment, due and owing to the Tribe, and/or its agencies and entities. Moreover, any check made payable to the Tribe and/or its agencies and entities returned for insufficient funds shall be deemed a delinquent debt of any person whose name is on the account on which the check is drawn, sixty (60) days after the date of the issuance of such check.
- ~~(f)~~(g) **Duty** shall mean an action which is exactly in conformity to the laws which require an individual to obey the law, a legal obligation or moral obligation.
- ~~(g)~~(h) **Dishonorable Discharge** shall mean the most severe punitive discharge that a court-martial can give a member of the military.
- ~~(i)~~ **District** shall mean one of the districts of the Reservation as set forth in Article III of the Constitution.
- ~~(h)~~
(j) **Election Coordinator** shall mean the Tribal Election Coordinator as employed by the Standing Rock Sioux Tribe.
- ~~(k)~~ **Elector** shall mean a member of the Tribe qualified to vote.

- ~~(#)(l)~~ **Electronic Voting Machine** shall mean a machine used to tabulate ballots electronically.
- (U) **Found Guilty by Tribal Council** shall mean an individual who, having been given twenty (20) days notice, in writing, by the Secretary of the Tribal Council, and a chance to be heard, has been found guilty of misconduct in tribal affairs-
- (k) **Illegal Ballots** shall mean ballots which are cast by a voter in a manner that the Election Judges determine to be not in compliance with this Title and which are not included in the official count. (i.e. write-in candidate, ineligible voter, etc.).
- (l) **Judge** shall mean a district election judge.
- (m) **Legal Ballots** shall mean ballots which are cast by a voter in a manner which complies with the provisions of this Title.
- (n) **Misconduct in Office** shall be defined in accordance with the definition of "misconduct in office" in Title 19 of the Standing Rock Code of Justice.
- (o) **Misconduct in Tribal Affairs** shall mean the commission of misconduct in office, neglect of duty, and/or an offense involving dishonesty as provided in Article ~~14~~**III**, Section 8 of the Constitution, and as those terms are defined in this Title.
- (p) **Neglect of Duty** shall be defined in accordance with the definition of "neglect of duty" in Title 19 of the Standing Rock Code of Justice.
- (q) **Offense Involving Dishonesty** shall mean a felony or misdemeanor conviction for conduct that is fraudulent, dishonest, involving bad faith, lack of integrity, involves a disposition to lie or cheat, untrustworthiness or contrary to justice honesty or morality.
- ~~(r)~~ **Reservation** shall mean lands within the exterior boundaries of the Standing Rock Indian Reservation.
- ~~(r)(s)~~ **Residence** shall be established in accordance with the Standing Rock Tribal Code, Title 20, § 20-104(1)(b).
- ~~(s)(t)~~ **Secretary** shall mean the Tribal Secretary or any other person designated by the Council to perform the functions of the Secretary under this Chapter.
- ~~(#)(u)~~ **Spoiled Ballots** shall mean ballots which are marked by a voter in a manner which does not accurately reflect the intentions of the voter, or from which the intentions of the voter cannot be determined.
- ~~(u)~~ **Supervisor** shall mean the Election Supervisor employed by the Standing Rock Sioux Tribe.

(v) Tribe shall mean the Standing Rock Sioux Tribe.

(v)(w) Watcher shall mean an individual, qualified to serve in such a position, who may be utilized by a candidate for office as the candidate's representative in a polling place.

15-102. ELIGIBILITY FOR TRIBAL COUNCIL OFFICES.

Any enrolled member of the Standing Rock Sioux Tribe twenty-five (25) years of age or over shall be qualified to seek and hold membership on the Tribal Council, provided:

- (a) Residence of Candidate for Chairman, Vice-Chairman or Secretary.** That a candidate for the office of Chairman, Vice-Chairman or Secretary of the Tribal Council must have been living on the Reservation for at least one (1) year preceding the date of the primary election and shall provide proof from his or her respective District by submitting the forms required by Title 20, § 20-104(1)(b).;
- (b) Residence of Candidate for Councilman.** That a candidate for Councilman at large must have been living on the Reservation for at least one (1) year preceding the date of the primary election, and that a candidate for Councilman from the district of his residence must have been living in the district of his residence for at least one (1) year preceding the date of the primary election and shall provide proof from his or her respective District by submitting the forms required by Title 20, § 20-104(1)(b).;
- (c) Disqualification Convictions and Dishonorable Discharge.** That a candidate shall not have been: 1) been convicted of a Tribal, Federal or State felony (including a plea of "no contest" that led to a felony conviction). Candidates who have been charged but not convicted of a felony shall not be disqualified; 2) or have received a Dishonorable Discharge from any branch of the United States Armed Forces; or 3) have been found guilty of, misconduct in tribal affairs by the Tribal Council of, misconduct in tribal affairs.;
- (d) Not an Employee of BIA.** That a candidate is not employed by the Bureau of Indian Affairs;
- (e) Tribal Employees.** That if the candidate is an employee of the Tribe, the candidate has given notice in accordance with the provisions of Title 18 of the Code of Justice. A copy of the Notice must be attached to the Petition;
- (f) Statement of Debts to Tribe.** Each candidate shall furnish a verified and complete statement disclosing all debts owed to or guaranteed by the Tribe, any agency or entity of the Tribe, or any corporation owned or controlled by the Tribe as of the date of the deadline for filing. The Supervisor shall make the statements available to the public for each candidate finally determined to be eligible to seek office. Statements shall not be made available until a final notice of election is posted and shall not be reproduced in any manner, i.e. xeroxing, copying by hand, etc.; and

(g) **Delinquency on Debt to Tribe.** In accordance with Article ~~IIII~~ of the Constitution , the candidate cannot be delinquent in the payment of any debt owed to or guaranteed by the Tribe, any agency or entity of the Tribe, or any corporation owned or controlled by the Tribe. For purposes of this section, delinquency shall mean arrearage by a candidate of more than sixty (60) days as to any lawful payment, due and owing to the Tribe and its entities and agencies including, but not limited to: the Tribe's Revolving Credit or Short Term Loan Program, Standing Rock Housing Authority, Standing Rock Education Loan-Grant Program, Standing Rock Enterprises, Standing Rock Development Corporation (including Standing Rock Propane, Standing Rock Telecommunications, and Rock Industries), Emergency Livestock Feed Program, Standing Rock Farms, Sitting Bull College, Standing Rock Water and Sewer Company, Section 5 Oahe Land Purchase Program, Tribal Court Fines and Fees, all Districts of the Reservation, Prairie Knights Casino and Lodge, Grand River Casino and Resort, Prairie Knights Quik Mart and any other agency of the Tribe or corporation owned or controlled by the Tribe, including, but not by way of limitation, loans co-signed or guaranteed by the Tribe, a tax debt whether owed to the Tribe through a state-Tribal tax agreement or otherwise, Agricultural and Drought Relief loans, homesite, range, or farm pasture leases on tribal lands, salary loans, entrepreneurship loans or any other tribal loans, as well as any travel advance from any such Tribal entity that was provided to the candidate but not used for its intended purpose and not reimbursed to the Tribal entity, as specified in **Form No. 7**, Debt Disclosure Statement, which is incorporated herein by reference.

(a) **FILING FOR OFFICE.**

How to Become a Candidate. Any person seeking to hold any elected Tribal Council office may become a candidate by filing, with the ~~Supervisor~~Election Coordinator, at least 60 days prior to primary election day, a nominating petition and a notice of candidacy. However, for a special election with no primary, the nominating petition and notice of candidacy shall be filed pursuant to a timeframe established for that election which adequately affords individuals the opportunity to prepare and submit such documentation after the posting of the proclamation for special election under Section 15-204(c) of this Title.

- 1) The ~~Supervisor~~Election Coordinator shall cause to be recorded on the nominating petition and notice of candidacy form, the date and time of filing.
- 2) The ~~Supervisor~~Election Coordinator~~shall not disclose, except to the Election Compliance Officer or~~ Election Commission ~~shall not disclose~~, any information pertaining to the existence of contents of any nominating petition or notice of candidacy until the Election Commission has completed its initial screening under 15-104(b). The Election ~~Supervisor~~Coordinator shall post the names of all persons who filed for elective office prior to testing eligibility.
- 3) A non-refundable filing fee of one hundred dollars (**\$100.00**) will be charged for each Candidate for Tribal elective office to defray the cost of Tribal, State and Federal Background checks. The filing fee shall be paid to the Tribal Finance Office prior to filing the nominating petition and notice of candidacy. The Filing Fee shall be paid by cash or money order only. Upon receiving the Filing Fee, the Tribal Finance Office shall generate a receipt, with one copy of the receipt provided to the Candidate, and another copy of the receipt attached to the candidate's Nominating Petition and Notice of Candidacy. A background investigation shall be good for a six (6) month period.

(b) **Nomination by Petition.** Candidates shall be nominated by nominating petitions. A nominating petition shall not be circulated by or on behalf of a candidate until after the proclamation of the tribal election is posted in the districts as provided in Section 15-204 hereof.

- 1) **Nominating Petition for Office of Chairman, Vice-Chairman or Secretary.** To be valid, a nominating petition for the office of Chairman, Vice-Chairman or Secretary must be signed by at least thirty-five (35) qualified voters of the Reservation. Nominating petitions for the office of Chairman, Vice-Chairman and Secretary shall be in the forms hereby

made part of this Title as **Form Nos. 1, 2 & 3**, respectively.

- 2) **Nominating Petition for Office of Councilman.** To be valid, a nominating petition for the office of councilman from a district must be signed by at least twenty-five (25) qualified voters of the District from which the candidate seeks to run, provided that for a District which had 50 or fewer voters in the previous election, the petition must be signed by at least seven (7) qualified voters of that District. Nominating petitions for the office of Councilman from a District shall be as provided in the form hereby made a part of this Title as **Form No. 4.**
 - 3) **Nominating Petition for Office of Councilman at Large.** To be valid, a nominating petition for the Office of Councilman at Large must be signed by at least twenty-five (25) qualified voters of the Reservation. Nominating petitions for the office of Councilman ~~-at~~ Large shall be as provided in the form hereby made a part of this Title as **Form No. 5.**
 - 4) **Signature Requirements Mandatory.** A nominating petition which is not signed by the required number of qualified voters with the proper residency as required under this subsection shall not be valid. Failure to comply with this subsection shall not be deemed a technicality.
 - 5) **Voters May Sign One or More Nominating Petitions for Each Office.** Each qualified voter may sign one or more nominating petitions for each office.
- (c) **Candidates to Accept Nominations.** All nominating petitions shall be signed by the candidate nominated, stating, in substance, as follows:
- I, _____, hereby accept the nomination for the office of (Chairman of the Tribal Council) (Vice-Chairman of the Tribal Council) (Secretary of the Tribal Council) (Councilman from the District) (Councilman at Large).
- (d) **Notice of Candidacy.** A notice of candidacy ~~for Tribal Council office,~~ on **Form No. 6** of this Title, shall be filed with the ~~appropriate~~-nominating petition. Such forms shall be distributed to the Districts by the Tribal Election Office staff upon request and availability.

- (e) **Seeking More than One Office Prohibited.** No person shall be a candidate for more than one tribal elective office at a single election. For purposes of this subsection, the term "tribal elective office" shall mean the Tribal Council Offices of Chairman, Vice-Chairman, Secretary, Councilman at Large, and Councilman from a District.
- (f) **Withdrawal of Candidacy.** Prior to the posting of the Proclamation for General Election, a candidate may have his/her name withdrawn from the ballot and the candidate receiving the next highest vote in the primary election will be placed on the ballot for that office. In the event the candidate receiving the next highest vote resulted in a tie, those candidates' names will be placed on the ballot. No individual may have his name withdrawn from the ballot for tribal elective office after the Proclamation for General Election has been posted. In cases of the death of a candidate, his/her name will automatically be withdrawn from the ballot and the candidate receiving the next highest vote in the primary election will be placed on the General Election ballot for that office. In the event the candidate receiving the next highest vote resulted in a tie, those candidates' names will be placed on the ballot.

15-104. TESTING ELIGIBILITY OF CANDIDATES.

- (a) **Applicability.** This section encompasses the procedures for the Election Commission to use in testing eligibility to determine which candidates shall be placed on the notice of election.
- (b) **Report of Tribal Entities Regarding Debt Delinquency.** The Election Coordinator shall provide Form No. 8, Tribal Agency Debt Disclosure Statement to each tribal entity listed in Section 15-102(g) to disclose whether each candidate is delinquent on any debt to that entity. Each such entity shall provide the Election Coordinator with the information requested within five (5) days of receipt of the Coordinator's request. Each agency's response shall be in writing and signed by a responsible official or officer of the entity. The Tribal agency, entity, or program's report shall be considered the official determination of whether or not a candidate is delinquent on any debt owed to the Tribe and shall be provided to the Election Commission for purposes of determining eligibility.
- (b)(c) **Background Checks.** For purposes of determining compliance with Section 15-102(c), the Election Compliance Officer or Election Coordinator shall undertake, or cause to be undertaken, the necessary background check(s) on each candidate. Such background check shall include a criminal background check, as well as obtaining from the Secretary verification that a candidate has not been previously found guilty by the Tribal Council of misconduct in tribal affairs. A prior background check on a candidate shall not be used unless conducted by the Elections Department or Election Compliance Officer within the prior six (6) months.

~~(e)(d)~~ **Initial Screening of Filings.** As soon as possible after the deadline for candidates to file their nominating petitions and notices of candidacy, the Commission shall meet and undertake an initial screening of all filings to determine whether candidates meet eligibility requirements under 15-102 and have completed and submitted the necessary filings under 15-103. ~~For purposes of determining compliance with Section 15-102(e), the Supervisor shall undertake, or cause to be undertaken, the necessary background check(s) on each candidate. Such background check shall include a criminal background check, as well as obtaining from the Secretary verification that a candidate has not been previously found guilty by the Tribal Council of misconduct in tribal affairs. A prior background check on a candidate shall not be used unless conducted by the Elections Department or Supervisor within the prior six (6) months. The filing of any~~Any candidate ~~who fails to comply with~~does not meet the requirements of Sections 15-102 ~~and or~~ fails to comply with the procedural requirements of 15-103 shall be ~~preliminarily rejected~~found preliminarily ineligible, provided that any candidate ~~that is found to be preliminarily ineligible so rejected~~ shall be given the opportunity for a hearing as provided in Sections 15-104(~~ed~~)-(if).

~~(e)~~ **Report of Tribal Entities Regarding Debt Delinquency.** ~~The Supervisor shall request from each tribal entity — whether specifically described or implicitly included — in Section 15-102(g) and/or on Title XV, Form No. 8, Tribal Agency Debt Disclosure Statement, a report as to whether each candidate is delinquent on any debt to that entity. Each such entity shall provide the Election Supervisor with the information requested within three (3) days of receipt of the Supervisor's request. Each agency's response shall be in writing, and signed by a responsible official or officer of the entity.~~

~~(e)(f)~~ **Notice of Hearing.** Any candidate ~~whose filing was preliminarily rejected who was deemed preliminarily ineligible by the Election Commission pursuant to Section 15-104(db), and any candidate who was reported to be delinquent on a debt by a tribal entity pursuant to Section 15-104(e),~~ shall be notified of the opportunity for a hearing before the Election Commission. The notice shall be in writing and shall state:

- 1) The reason(s) why the candidate has been ~~determined to be~~ preliminarily ~~determined not to be~~ ineligible to seek office;
- 2) in the case of any ~~reported~~ debt delinquency, the agency reporting the delinquency, the source, and the amount of the debt, ~~and the amount so reported;~~
- 3) All Notices of preliminary ineligibility and hearing shall be sent via certified mail to the address the candidate indicates on the Notice of Candidacy;
- 3)4) the date, time and place for the hearing; provided ~~that the hearing must be held within~~ ten (10) five (5) calendar business days after ~~receipt of the date of the notice by the candidate;~~ and

4)5) that the candidate has the right to be present at the hearing, be represented by counsel at his/her own expense, present sworn oral testimony or documentary evidence, cross-examine other witnesses, and present argument regarding the reported delinquency or the preliminary finding of ineligibility.

(g) **Resolution of determination of debt delinquency prior to Hearing.** If a candidate does not dispute the finding of ineligibility based on debt delinquency but desires to cure a debt delinquency prior to his/her scheduled hearing, he/she may pay the delinquency and provide written proof of the resolution to the Election Commission at least two (2) days prior to the scheduled hearing. The Election Commission has the authority to verify that the delinquency has been resolved and discretion to make a new finding of eligibility. In the event the Commission finds that the issue has been resolved, it may cancel the hearing for that candidate after informing the candidate that the issue of ineligibility has been resolved.

(h) **Hearings.** Hearings shall be before the Commission and shall be open to the public. The Commission shall hear all relevant evidence. With respect to any reported delinquent debt, each tribal entity shall send a representative to the hearing to present the evidence of the delinquency.

(i) **Failure to Attend Hearings.**—Any candidate who receives notice of preliminary ineligibility and a hearing pursuant to this section but fails to appear at the time and place of the hearing shall be ~~disqualified~~ deemed ineligible; provided that for good cause shown the Commission may, in its discretion, grant a request to change the time and/or place of the hearing. In no event may a hearing be changed to a date ~~after~~ within five (5) days of the deadline for the notice of election.

(j) **Burden of Proof.** In all matters regarding eligibility, the burden of proof is on the candidate to show, by a preponderance of the evidence, that he or she meets the qualifications to seek office. ~~at the time of the deadline for filing for office.~~ The Commission shall not provide an opportunity for any candidate to cure their eligibility after the hearing.

(k) **Payment or Refinancing of Delinquent Debts.** Notwithstanding the provisions in this Section, any candidate who prior to the time of his/her scheduled hearing pursuant to this section either: (1) pays a reported delinquent debt in full; or (2) with the written consent of the tribal entity reporting a debt delinquency, ~~refinances or~~ enters a new payment ~~schedule agreement~~ with respect to that delinquent debt, ~~and has not become delinquent under such new~~

~~payment schedule~~, shall not be deemed to be delinquent with respect to such debt.

For purposes of this subsection, a person may only ~~refinance or~~ enter a ~~new~~ payment ~~schedule agreement~~ on any delinquent debt once to be deemed not ~~to be~~ delinquent with respect to such debt. Any second or subsequent refinancing or ~~new~~ payment ~~schedule agreement~~ shall render such person delinquent on that debt.

~~(j)~~(k) **Determination.** At the conclusion of all arguments and evidence at the hearing on each such candidate, the Commission shall determine in open session, by majority vote, whether each such candidate is eligible to seek office. In the case of a tie, the Chairman of the Election Commission's vote controls.

~~(k)~~(l) **Commission's Decisions Final.** The decision of the Election Commission shall be final and is not subject to appeal.

CHAPTER 2. ELECTION PROCEDURES

15-201. WHO IS QUALIFIED TO VOTE.

Any member of the Tribe who (1) is 18 years of age or older, (2) resides on the Reservation, and (3) is eligible to vote in the district in which he/she has ~~last~~ resided for a full thirty (30) days immediately preceding the election. Prisoners incarcerated in a jail or other correctional facility at the time of voting shall not be eligible to vote. Persons released on parole or probation ~~shall not be deemed prisoners and~~ shall be eligible to vote. Election Judges shall require proof that each voter meets the eligibility requirements provided for herein, which may include requesting a Tribal enrollment card, State identification card, Driver's License, Form 12 or 13 contained in Standing Rock Tribal Code, Title 20, and referenced in § 20-104(1)(b), or other form of acceptable proof.

15-202. VOTER REGISTRATION

- A. Each District shall have the responsibility of registering eligible voters who reside within their respective District. Voter registration forms shall be made available to all District Residents sixty (60) days immediately preceding the primary election until forty-five (45) days preceding the election.
- B. Each voter must submit a voter registration form, which shall be notarized by the District, at least forty-five (45) calendar days prior to the primary election. No voter registrations shall be accepted after that time.
- C. Each District shall provide the Election Office a list of all eligible voters from their respective District and attach a copy of the notarized voter registration form for each voter at least thirty (30) calendar days prior to the primary election.
- D. The Election Office shall prepare and publish on the Tribal website, the Tribal Administration Office, and each District Building, an eligible voters list at least twenty (20) days prior to the

primary election. Upon publication, a Tribal member may challenge the exclusion of his/her name from the list by submitting a written challenge to the Commission within five days of publication of the eligible voters list. If a challenge is submitted, the Commission shall make a final determination of the person's eligibility to vote within five days of receiving the challenge. Only those names appearing on the official voters list shall be entitled to vote. The decision of the Commission shall be final and not subject to appeal.

E. The Election Office shall update the official list of eligible voters for the primary election based on the Commission's final decision on any challenge presented to the eligible voters list.

F. In the event a Tribal member has moved into a District, either from off the Reservation or from another District on the Reservation, thirty (30) days prior to the General Election, he/she must establish residence in his/her District in accordance with the Title XX (20), Section § 20-104(1)(b), and the District Chairperson or delegated District Officer shall provide that individual a voter registration form, which will be immediately, and at all times within forty-eight (48) hours, be provided to the Election Compliance Officer, to update the official list of eligible voters.

~~15-202.~~

15-203 TIME OF PRIMARY AND GENERAL ELECTIONS.

Primary elections shall be held in odd-numbered years on the third Wednesday in July. General elections shall be held in odd-numbered years thereafter on the last Wednesday in September. If an election day falls on a legal holiday, the election shall be held on the first subsequent day that is not a legal holiday.

15-204 TIME OF SPECIAL ELECTIONS.

Special elections shall be held on dates specified by the Standing Rock Sioux Tribal Councilor as mandated by the Tribe's Constitution or any other Tribal Laws.

15-205.4 ELECTION PROCLAMATIONS.

- (a) **Proclamation of Primary Election.** At least ~~ninety-one hundred and twenty~~ (12090) days before a primary election, the Tribal Council shall cause to be posted and published as hereinafter set forth, a proclamation of the primary election. The proclamation of a primary election shall invite the filing of petitions for candidacy and shall set-out the time and place for filing such petitions. The proclamation shall state that the two candidates receiving the highest number of votes for each office shall be placed on the ballot for the general election, except as provided for in 15-103(f).
- (b) **Proclamation of General Election.** After the primary election - or in cases where there is no primary election, at least sixty (60) days before a general election- the Council shall cause to be posted and published as hereinafter set forth a proclamation of the general election.
- (c) **Proclamation of Special Election.** As early as practicable, but not less than twenty (20) days before the special election, unless by reason of emergency the Council fixes a

shorter period, the Council shall issue a proclamation of special election. A proclamation for a special election to fill a vacancy on the Tribal Council shall invite petitions for candidacy and set the time and place for filing such petitions. It shall also set the date for the special election. In a special election to fill a vacancy on the Tribal Council there shall be no primary, and the winner of the election shall be the candidate receiving the highest number of votes at the special election.

- (d) **Proclamations-Posting and Publication.** Every proclamation of election under subsections (a), (b) and (c) of this Section shall be posted at each polling place on the Reservation, at the District Offices, in the Tribal Office, the BIA Agency, and such other places of public notice as may be appropriate. In addition, such proclamations shall be published at least once in a tribal newspaper or a newspaper of general circulation on the Reservation, except if time does not permit, as in the case of a special election.

15-2065. **ELECTION OFFICIALS.**

- (a) **Election Supervisor**~~Compliance Officer~~. The Election ~~Supervisor~~~~Compliance Officer~~ shall be a Tribal Employee who will be the main administrative support for the Tribal Election Office and will supervise all aspects of the Tribal Election process as outlined in this Title, or as may be otherwise set forth in the Standing Rock Code of Justice. In the case of the absence or vacancy of an Election ~~Supervisor~~~~Compliance Officer~~, the Tribal Chairman shall appoint a person as a Temporary Election ~~Supervisor~~~~Compliance Officer~~ for the duration of the absence or until the position is filled. The Tribal Election ~~Supervisor~~~~Compliance Officer~~ shall have the following duties, including but not limited to other duties as set out in this Title:

- 1) The Election ~~Supervisor~~~~Compliance Officer~~ shall annually prepare and monitor all Budgets for the Tribal Election Office and budgets for all Tribal elections, including Special and Recall Elections.
- ~~2)1) The Election Supervisor shall be responsible for the Tribal Election accounts and for the payment of costs for the maintenance of the Tribal Election Office and all Tribal Elections, including the costs for any legal fees incurred.~~
- ~~3)2) The Election Supervisor~~ ~~Compliance Officer~~ shall provide oversight and technical assistance to the Tribal Election Commission and election officials to ~~insure~~~~ensure~~ that they are in compliance with this Title, and any other Tribal Laws which may apply.
- ~~4) Prior to each Primary Election, the Election Supervisor shall notify each District to appoint a qualified District Member to serve on the Tribal Election Commission.~~
- ~~5)3) Prior to each Tribal Election, the Supervisor~~ ~~Compliance Officer~~ shall prepare an Election Schedule to be followed by the Tribal Election Commission and election officials.
- ~~6) The Election Supervisor shall arrange for all election supplies including the printing of all ballots, for the printing or other reproduction of tally lists, all voting equipment~~

~~and shall arrange for the delivery of the same to the judges before the opening of the polls.~~

~~4) The Election Supervisor Compliance Officer may request any Short Term Seasonal or Temporary Employees that may be necessary to carry out the duties of the Tribal Election Office.~~

~~7)5) If Electronic Voting Machines are to be used in any Tribal Election, the Election Compliance Officer with the assistance of any Election Office staff must conduct all training and testing on such machines at least one week prior to the election and after the polls close and prior to certification by the Election Commission.~~

(b) Election Coordinator

~~1) The Election Supervisor Coordinator shall be responsible for the Tribal Election accounts and for the payment of costs for the maintenance of the Tribal Election Office and all Tribal Elections, including the costs for any legal fees incurred.~~

~~2) Prior to each Primary Election, the Election Coordinator shall notify each District to appoint a qualified District Member to serve on the Tribal Election Commission.~~

~~3) The Election Coordinator shall arrange for all election supplies including the printing of all ballots, for the printing or other reproduction of tally lists, all voting equipment and shall arrange for the delivery of the same to the judges before the opening of the polls.~~

(c) Election Commission. The Election Commission shall be composed of eight (8) members, representing the eight (8) Districts of the Reservation. At least ~~ninety-one hundred and twenty~~ (1290) days before a Primary Election and as early as practicable before a special election, the District Council of each district shall appoint a qualified voter residing in the District as a member of the Election Commission. The Election Compliance Officer shall not be a member of the Election Commission.

~~1) **Vacancy.** The Election Election Compliance Officer Supervisor, after consultation with the District Chairman, shall promptly fill any vacancy on the Commission, as documented on **Form No. 17.**~~

~~2) **Authority.** The Election Commission shall have the authority to make determinations of candidate eligibility based on information provided by the Election Office, other Tribal departments, entities, and districts, to preside over hearings and make decisions concerning eligibility, to monitor election polls, to canvass and certify the results of an election, and to hear and issue decisions in an election contest.~~

~~3) **Officers.** At the initial meeting of the full Election Commission, a Chairman, Vice-Chairman and Secretary shall be elected from within in the members to serve for that election year. The Election Supervisor shall not be a member of the Election Commission.~~

4) Term. The term of office for each member of the Election Commission shall be from the time of appointment until the election is held, all contests are completed, and all candidates sworn into office.

5) Quorum and Voting by Election Commission. A Quorum shall consist of five members. Any action by the Election Commission shall be taken by majority vote of those present.

8)6) Conflict of Interest. No member of the Election Commission shall participate in any action, hearing, or decision concerning the eligibility or involving a contest concerning a Commission member's immediate family. Immediate family for purposes of this Section shall mean mother, father, husband, wife, son, daughter, sister, or brother. A Commission member shall also recuse him/herself in the event that a relationship would prevent the Commission member from acting impartially.

(b)(d) Election Judges. Each District Council, at least ninety (90) ~~forty-five (45)~~ days before a primary election, and as early as practicable for a special election shall appoint three (3) judges of election. In the event that additional Judges are needed, up to three (3) more Judges, per District, may be appointed by the Election Supervisor-Compliance Officer after consultation with the District Chairman Planning Commission and appointment by motion. If any person appointed by the District Council does not accept the appointment or fails to appear for duty, the Election Supervisor-Compliance Officer shall appoint a replacement from the District from which they were initially appointed after consultation with the District Chairman Planning Commission and appointment by motion.

(e)(e) Chief Judge and Election Clerk. The election judges of each district shall designate one of their members as the Chief Judge and another member as the Clerk of Election for that district.

(d)(f) Qualifications of Tribal Election Officials. All members of the Commission and election judges and election clerks must meet the following qualifications to serve as an election official:

- 1) Must be an enrolled member of the Standing Rock Sioux Tribe;
- 2) Must be eighteen (18) years of age or older;
- 3) Must be a resident of their appointing district for at least thirty (30) days;
- 4) Must not be a member of the Tribal Council;
- 5) Must not be a candidate in the Election or the spouse, mother or father, brother or sister of a candidate for office in the election;
- 6) Must not be an Employee of the Tribe, except that for the purpose of this subparagraph, persons participating in the TWEP, TANF, JTPA, WIA or any Tribal Work/Learn Programs shall not be considered Tribal Employees;
- 7) Must never have been convicted of a Tribal, State or Federal Felony;

- 8) Tribal Election Officials must not verbally, publicly support or campaign for any candidate on the election ballot; and
- 9) Must not, in connection with duties as an Election Official, seek or obtain criminal or other background information of the kind described in section 15- 102(c) with respect to any person who is not seeking Tribal office under this Title. ~~Violation of this provision will subject an Election official to termination by the Tribal Chairman following notice and an opportunity to be heard.~~

The Tribal Election Office will insure that all Election Officials meet the above qualifications and conduct the necessary felony background checks. All election officials must be found qualified by the Tribal Election Office before taking the Official Oath of Office and entering upon their official duties.

~~(e) **Confidentiality Statement.** All Election Officials, before entering upon their official duties, shall sign a confidentiality statement, confirming that any personal information regarding any candidate obtained in the performance of the Official's duties, shall be maintained as confidential, to be used only as necessary to fulfill the provisions of this Title or other pertinent provisions of the Standing Rock Code of Justice, or to comply with any order of the Election Commission, or a court of competent jurisdiction. Any other disclosure of any personal information regarding any candidate shall be strictly prohibited. Violation of this provision will subject an Election Official to termination by the Tribal Chairman following notice and an opportunity to be heard.~~

~~(f)~~**(g) Oath.** All Election Officials, before entering upon their official duties, shall take and subscribe to the following Oath of affirmation to be administered by a qualified Officer of the Tribe:

"I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the Standing Rock Sioux Tribe and uphold the Tribal Law and the Treaty of April 29, 1868, and will faithfully discharge the duties of my office according to the best of my ability, so help me God."

(h) Removal of Commission Officials:

~~(1) The Tribal Council Members whose office is not up for reelection (District Councilpersons in elections held in even years and At-Large Councilpersons in elections held in odd years) shall have authority to remove a member of the Commission for:~~

- ~~(a) failure to perform their official duties;~~
- ~~(b) unauthorized use of criminal background check process;~~
- ~~(c) unauthorized disclosure of confidential information;~~
- ~~(d) failure to attend three (3) consecutive scheduled meetings;~~

- (e) or failure to meet the qualifications of the Commission.
- (2) Upon belief that any Election Official has violated their oath of office or duty to maintain confidentiality, any person may file a complaint with the Secretary of the Tribal Council. The complaint shall specify the allegations, identify the Commission Official, and provide any supporting evidence.
 - (3) The Secretary of the Tribal Council shall provide a copy of the complaint and supporting evidence to the accused within five (5) business days.
 - (4) The Tribal Council members that are not up for reelection shall meet and make an initial determination as to the merit of the complaint, in the absence of the Commission member included in the complaint.
 - (5) If the Tribal Council members whose office is not up for election determine the complaint has merit, the accused commission member shall be provided a meaningful opportunity to be heard at a specially-called meeting. At the meeting, the accused commission member is entitled to legal counsel, may present witnesses and evidence, and may cross-examine any witnesses or evidence against him/her. The complainant has the burden of evidence and must prove by clear and convincing evidence that the accused Commission Member has violated their oath of office or tribal law. The accused member should be excused for deliberations on the complaint and the Tribal Council members may vote on the issue in Executive Session. A decision shall be approved by a majority of a quorum of the Tribal Council members. The Tribal Council shall reduce its decision to writing and provide a copy to the complainant and accused Commission member no later than three (3) days after the hearing.
 - (6) The complainant and accused Commission member may request voluntary resolution and settlement of the dispute upon approval of a majority of the Tribal Council members. The decision of the Tribal Council is final and is not subject to appeal.

(g)(i) Stipends for Tribal Election Officials. The compensation of Tribal Election Officials; Election Commission Members, Election Judges and Election Clerks shall be \$100.00 per day for Training, Meetings, or Hearings scheduled by the Election ~~Supervisor~~ Compliance Officer and \$200.00 on Tribal Election Days plus mileage. The Election Commission shall not receive stipends or mileage for special meetings not approved by the Election Compliance Officer.

15-206. PUBLICATION OF NOTICE OF ELECTION.

As promptly as possible, and at least thirty (30) days before a primary election. thirty (30) days before a general election, and fifteen (15) days before a special election, except that in the case of a special election, the Council may authorize a shorter period, the Election ~~Supervisor~~ Coordinator shall cause a "Notice of Election" to be posted in each polling place on the Reservation, in the Tribal Office, the Agency, and such other places of public notice as may be appropriate. If time permits, the notice shall be published either in a tribal newspaper, or if that is not possible and time permits, in a newspaper of general circulation on the Reservation. The notice shall set forth the date

of election and shall list the names of all candidates found eligible by the Election Commission, the respective offices, and the location of the polling places.

15-207. CHALLENGE OF CANDIDATES.

(a) **Challenge of Eligibility.** Any eligible voter may challenge the eligibility of any candidate to hold office, by filing with the Election ~~Supervisor~~ Compliance Officer a form provided by the Election Office to challenge candidate eligibility not later than three (3) business days after the notice of election is issued, with a written statement setting forth the grounds for the challenge.. The Election Office shall ~~and serving~~ the challenged candidate in the manner prescribed in subsection (c) of this Section, ~~not later than three (3) days after the notice of election is issued, with a written affidavit setting forth the grounds for the challenge.~~ Upon written notification from the Election Office that a Challenge of Eligibility has been filed, ~~t~~The challenged candidate shall be afforded three (3) business days in which to furnish satisfactory proof that he or she is qualified. The Commission shall rule on all questions presented by a timely challenge of the eligibility of a candidate within three (3) business days of the date the challenged candidate is required to respond to the challenge. ~~unless the last day falls on a weekend, in which case the Commission must rule on the questions present by the following Monday.~~

~~(b) **Testing Eligibility.** The Commission shall test the eligibility of each person seeking to become a candidate, whether challenged or not.~~

~~(e)~~(b) **Commission's Decisions Final.** The Commission shall make their decision on any challenge to a candidate's eligibility in writing and provide to both the challenger and the challenged candidate. The decisions of the Commission under this section shall be final and is not subject to appeal.

~~(d)~~(c) **Manner of Serving Notice.** Whenever service of notice on a candidate is required under this Title, notice shall be served by delivery by the Election ~~Supervisor~~ Compliance Officer or Election Coordinator, by delivering a copy of the notice to the candidate in person or by certified or registered mail, return receipt requested, addressed to the address shown on the candidate's notice of candidacy. If service is by personal delivery, proof of service shall be on **Form No. 18** signed by the Election ~~Supervisor~~ Compliance Officer or Election Coordinator making service and furnished to the Election Commission, showing the date, place and manner of service.

15-208. BALLOTS AND ELECTION MATERIALS.

(a) **Duties of Election ~~Supervisor~~Coordinator.** The Tribal Election ~~Supervisor~~ Coordinator shall have the following duties, including but not limited to other duties set out in this Title:

- 1) The ~~Supervisor~~ Election Coordinator shall arrange for all election supplies including the printing of all ballots and for the printing or other reproduction of tally lists and shall arrange for the delivery of the same to the judges and clerks before the opening of the polls.

- (b) **Ballots.** The paper ballots where possible shall be uniform in size, of good quality paper and printed in black ink. If Electronic Voting Machines are utilized, the paper quality and size of the ballot shall be in accordance with the requirements for using electronic machines for tabulation.
- (c) **Form of Ballot.** There shall be one single ballot per District naming all at-large Candidates for office and all Candidates from that District. The ballot with Tribal ~~seal~~ stamp shall set forth the name of the office and list all candidates under the office with the incumbent's name listed first and the names of all other candidates listed ~~next~~ in the order of the date and time of filing, with boxes for the voter's mark. Notwithstanding any other provision, ballots shall not provide for write-in candidates, and voting for write-in candidates shall be prohibited.
- (d) **Delivery and Receipt for Ballots.** The ~~Supervisor~~ Election Coordinator shall cause to be delivered to the election judges and clerks of the respective districts the printed blank ballots and the other election materials including ballot boxes, each with a lock, and fitted with one opening, and no more, of sufficient size to admit a single folded ballot. The key to the lock shall be given to the Chief Election Judge. A duplicate key shall be retained by the ~~Supervisor~~ Election Coordinator.

15-209. DUTIES OF DISTRICT ELECTION JUDGES.

- (a) **Voting Booths.** The election judges shall provide sufficient private booths or other places for the voters to mark their ballots in secrecy and privacy.
- (b) **Present at Polls.** The election judges and clerks shall be present at the district polling place on election day at least an hour before the polls open and shall remain until the polls close, all ballots have been counted, the tallies properly recorded and reported and the ballot boxes and ballots turned over for delivery as provided in Section 15-211(a)(8).
- (c) **Preparation of Ballot Boxes and Ballots.** Immediately prior to the opening of the polls, the Chief Election Judge, in the presence of the other election judges and clerks, shall open the blank ballots and count the same. The count shall be checked and registered. Before receiving any ballots, the judges must, in the presence of all persons assembled at the polling place, open and exhibit the ballot box and remove any contents thereof, and then close and lock the same, delivering the key to the Chief Judge. Thereafter, the ballot box must not be removed from the polling place or the presence of the public except as provided in Section 15-211(a)(8), nor must it be opened until after the polls are finally closed.
- ~~(d)~~ **General Duties.** The judges shall judge the election, be responsible for the ballots, voting records and materials and for canvassing and certifying the votes.

15-210. **PROCEDURE AT THE POLLS.**

- (a) **Voting Hours.** The polls in each district shall open at 8:00 a.m. on election day and shall remain open until 7:00 p.m. of that day, Central Standard or Central Standard Daylight Time, whichever is in force, when they must be closed, provided that all voters present at the polls at 7:00 p.m. shall be allowed to vote.
- (b) **Elector Must Present Tribal ID, Proof of Residency, and Sign Register Book.** Prior to voting, each elector must present a tribal identification card. Each elector must sign his/her legal name in the district register book before such elector may vote. If the elector cannot write his name, he shall sign by mark before two witnesses. The judges shall note by marking "X" or some other appropriate mark in the register book on the line opposite the name of the elector to show that the elector registered, and the elector shall then be given a ballot.
- (c) **Voting and Casting By Regular Paper Ballot.** The District Election Judge or Election Clerk, directly before submitting the ballot(s) to the elector, shall stamp each Official Ballot with a stamp provided by the Election ~~Supervisor~~ Coordinator which indicates the date of the election and which has the appropriate initials of the Election Judge or Election Clerk. Ballot(s) that are not provided to electors shall not be stamped. Upon receipt of a ballot, the elector shall retire to one of the private voting booths or other designated places and there vote his or her ballot in secret. Only one person shall occupy a voting booth at one time, except as provided in subsection (d) of this Section. The elector must mark and cast his ballot without leaving the polling place.

~~The elector shall mark the ballot with either an "X" or a check, which mark, to be valid, must be identifiable with the appropriate square or place on the ballot for which it is intended. After the ballot is so marked, the elector shall fold the ballot so that the face or printed side is completely concealed, and deposit the folded ballot in the ballot box.~~

- (d) **Electronic Voting Machines Authorized.** The Tribe shall have the option of utilizing Electronic Voting Machines. The use of Electronic Voting Machines requires that the Tribe test all Electronic Voting Machines at least one week before each election and after tabulation of ballots but before certification of the election to ascertain whether the automatic tabulating equipment accurately counts the votes cast for all offices. After the testing, the test materials and any preaudited ballots used during the test must be sealed and retained in the same manner as election materials after an election.

1. Process:

- i. The district election judges shall assist elector to enter identification into the electronic poll book and may provide information on how the system works;
- ii. The elector shall have the ability to vote by paper ballot or electronically by express vote;
- iii. After each elector votes, the elector shall place his or her printed ballot in the electronic machine which will automatically tabulate the results.

(d)(e) Disabled Electors. Any elector who cannot read the English language, or, because of blindness or other disability, cannot mark the ballot, may, upon request, be assisted by two (2) election judges or clerks in marking the ballot, but the judges or clerks shall neither by word, action or expression, influence or attempt to influence the elector.

(e)(f) Spoiled Ballots. Any elector who spoils a ballot shall be entitled to a substitute ballot upon surrender of the spoiled ballot to the election judges. No elector shall receive more than one substitute ballot. A judge shall place the name of the elector and the judge's initials on the back of the spoiled ballot. All spoiled ballots shall be kept in a separate envelope, securely sealed, marked "SPOILED BALLOTS". All spoiled ballots shall be accounted for separately on the tally sheets.

(f)(g) Removing Voting Materials. No person shall take or remove from the voting place any ballot, ballot box, or other voting records or materials furnished by the Commission or the ~~Supervisor~~Election Coordinator.

(g)(h) No Electioneering. There shall be no electioneering or campaigning, including campaign posters or literature, within the polling place or within 50 feet of the polling place, while the election polls are open.

(h)(i) No Loitering. The only persons authorized to be at a polling place during voting hours are the judges, clerks, Watchers, Election ~~Supervisor~~Compliance Officer, Election Coordinator, and Election Commission members with duties described in this Title and eligible voters exercising their right to vote. No person is authorized at the polling place for any other purpose and there shall be no loitering in the polling place during voting hours.

15-211. CANVASSING THE VOTES-DELIVERY OF BALLOTS-CANVASS OF RESULTS.

(a) Canvassing and Delivery of Regular Paper Ballots. The following method will be used when using the Regular Paper Ballots System of Voting:

- 1) Ballots to be Canvassed After Polls Close, in Public and Without Adjournment.** After the polls close and after the absentee ballots are deposited in the ballot box as prescribed in Section 15-308 of this Title, the judges and clerks shall immediately proceed to canvass the votes. The canvass shall be open to the public until completed and the result thereof publicly declared.
- 2) Method of Canvassing.** The judges shall open the ballot box and remove the ballots unopened. If two or more ballots are found so folded together so as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed. The number of ballots shall be compared to the number of names on the poll lists. If, on comparison and further considering the appearance of ballots which are laid aside as noted above, a majority of the judges are of the opinion that ballots thus folded

together were voted by one elector, such ballots must be rejected; otherwise they must be counted.

- 3) **Where Ballots are In Excess of the Names on the Poll Lists.** If the number of ballots cast in the ballot box are found to exceed the number of names on the poll lists, this fact shall be noted on the tally sheets by the clerk. No ballots shall be destroyed.
- 4) **Ascertaining the Number of Votes Cast.** The judges and clerks shall count and ascertain the number of votes cast for each candidate, office and issue. In making such count, the ballots must be opened singly by one of the judges and the contents thereof, while exposed to the view of the other judges, must be distinctly read aloud by the judge who opens the ballots. As the ballots are read, the clerk and at least one judge, independently, shall tally on a tally sheet the number of votes for each person, office and issue. The tally sheets must then be compared and their correctness ascertained. The clerk, under the supervision of the judges, immediately thereafter, shall set down, at length and in their proper places in the poll books, the total number of votes received by each person for the several offices and for each issue as shown by the tally sheets. No ballot or vote rejected by the judges shall be included in the official count.
- 5) **Ballots Rejected for Illegality.** Any ballot rejected by a majority of the judges as illegal shall be initialed and placed in an envelope marked "illegal ballots". If a challenged ballot has been determined to be illegal, the ballot shall not be included in the official count and the ballot shall be placed in the illegal ballot envelope.
- 6) **Legal Ballots to be Enclosed In Sealed Envelopes.** All legal ballots, as soon as they are counted, must be carefully sealed in a strong envelope, each of the judges writing his/her name across the seal. If a challenged ballot is determined to be legal, then the ballot shall be included in the official count and listed as a legal ballot.
- 7) **Return and Certification of Election Judges and Clerk.** Upon completion of the canvass and counting and ascertaining the number of votes, as provided in this Section, the Election Judges and Clerk shall complete and sign a return and certification specified as **Form No. 11**.
- 8) **Securing the Ballots, the Ballot Box and Election Materials and Delivery.** The judges and clerks shall place in a strong outer envelope the sealed envelope containing the ballots as provided in this Section, all check lists including the district registry book, the unused blank ballots, and the envelope containing the spoiled and illegal ballots as required by Sections 15-210(e) and 211(a)(5) of this Title, the signed Return and Certification Form, and all other election materials delivered to the election judges and clerks. The outer envelope shall be addressed to the ~~Supervisor~~Election Coordinator, securely sealed, and each judge and clerk shall sign his name on the outside of the envelope. The outer envelope and its contents and the key to the ballot box lock, held by the Chief Judge, shall be placed in the ballot

box. The locked ballot box shall then be placed in the hands of the member of the Election Commission from the district where the polling place is located. The Election Commission member shall immediately, personally deliver the locked box and its contents intact to the ~~Supervisor~~Election Coordinator.

- 9) **Telephone Results.** As soon as the unofficial count in each District is completed, the Chief Election Judge shall call in the results to the Tribal Election Office.

(b) Canvassing with Electronic Machines. The following method will be used when utilizing electronic machines:

- 1) When the polls close, the electronic machine will give the official count of the ballots, no unofficial count will be necessary.
- 2) The Chief Election Judge shall telephonically provide the results of the election to the Tribal Election Office.
- 3) After the results are reported to the Election Office, the Election Commission Member shall immediately deliver the ballots, ballot boxes, and equipment, as necessary and required, to the Tribal Election Office.
- 4) An official recount of the votes is not required, but may be ordered by the Election Commission, in the event of a Contest of the Election.

(b)(c) Watchers. Each candidate in any or all elections under this Title shall be entitled to one Watcher in each District in which the Candidate's name appears on the ballot.

- 1) Each candidate shall provide in writing to the Election ~~Supervisor~~Compliance Officer, by the close of the business day on the last Monday before the election, with the names and addresses of the candidate's Watcher for each District.
- 2) Watchers shall not be compensated by the Election Commission.
- 3) All Watchers must be eligible voters of the Standing Rock Sioux Tribe and a resident in the District in which they serve as a Watcher.
- 4) The Commission shall provide designated Watchers with identification badges to be worn during the election. Only persons designated as Watchers in accordance with this Section shall be entitled to serve as Watchers.
- 5) The Watcher may watch the conduct of the election and may challenge any voter or ballot. The judges shall immediately rule on any challenge. No ballot shall be given to a challenged voter until the challenge has been denied by the election judges. Where a ballot is challenged the judges shall write the word "CHALLENGED," the basis of the challenge, their decision on the challenge and their initials on the back of any CHALLENGED BALLOT.
- 6) Watchers must conduct themselves in an orderly manner and must not interfere with the voting process. Challenges to voters shall be conducted in accordance with this section and shall not impede the rights of other voters.

- 7) The Tribal Election ~~Supervisor-Compliance Officer~~ will have the discretion whether to allow Watchers for Special and Recall Tribal Elections.

~~(e)~~(d) **Tie Votes.** In the event of a tie vote for an office, a run-off election between or among the candidates tied for office shall be held within ten (10) days after the completion of the canvass. The candidates shall have five (5) days after the Notice of Special Run-Off Election is posted, to withdraw his/her name from the Run-Off Election, in writing. If such withdrawal results in only one (1) candidate remaining in contention for the office, the remaining candidate shall be declared the winner for that office.

15-212. PARTIAL INVALIDITY SHALL NOT INVALIDATE THE ENTIRE BALLOT.

Where the vote for one or more offices or issues on a single ballot is rejected as illegal, it shall not affect the validity of the vote for other offices or issues on the same ballot.

15-213. CERTIFICATION OF ELECTION TO THE COUNCIL.

(a) **For Election By Regular Paper Ballot Voting.** The Election Commission shall constitute the board of canvassers. It shall meet no later than the day following the election, shall canvass the results of the election in public until the canvass is completed and the results of the election are certified by the Commission to the Tribal Council.

~~(b)~~ **For Election by Electronic Machine.** ~~The Election Commission shall constitute the board of canvassers. It shall meet no later than the day following the election to certify the results of the election to Tribal Council.~~

~~(b)~~(c) **Certification Of Election.** The Election ~~Supervisor-Coordinator~~ shall deliver copies of the Election Commission Certification of the Election to ~~the Tribal Council Secretary for distribution to~~ all members of the Standing Rock Sioux Tribal Council. The Certification of Election ~~does not require the must be approval~~ approved by a majority vote of the Tribal Council. The approval of the certification of election by the ~~Election-Commission Tribal Council~~ is final subject to contest of election and appeal as provided in Section 15-214 of this Title.

15-214. CONTEST OF ELECTION.

(a) **Filing a Contest.** Any eligible voter may file a contest of the election on the grounds that (1) that the election substantially deviated from the requirements of this Title and (2) that if the election had been held without these deviations, the result would have been different. A contest of election may be brought by filing with the ~~Supervisor-Election Compliance Officer~~ a complaint on the prescribed form provided by the Election Office ~~duly verified under oath~~, setting forth a concise statement of the facts on which the contest is based. No complaint shall be considered unless filed within three business (3) days ~~(not including the day of certification, but excluding Saturdays, Sundays and Tribal holidays)~~ after Tribal Council approval of the certification of the election results by the Commission and accompanied by a fee of \$100.00 for the contest. The Election Office shall date stamp and

initial all contests filed and attach receipt of filing fee. Failure to follow the procedures set out in this section by filing a contest with the Tribal Election Compliance Officer shall constitute a bar to hearing the contest.

1. A contest complaint must contain the following information:

- i. Complainant's name, address, telephone number and email address (if any);
- ii. A Statement, sworn and witnessed by the Election Compliance Officer or Election Coordinator, containing the specific facts alleged to evidence how the election deviated from the requirements of this Title and proof that without such deviations, the results of the election would have been different;
- iii. Any Constitutional or Tribal Code provision(s) that were violated;
- iv. Identity of the individual(s) involved in the alleged violation(s);
- v. Date and time of the alleged violation(s);
- vi. Location of alleged violation(s);
- vii. Estimated number of votes affected by the alleged violation(s);
- viii. Name and telephone number of any witnesses to the alleged violation(s); and

~~The Commission shall render its decision within three (3) days (not including the day of certification, but excluding Saturdays, Sundays and Tribal holidays) on any contest growing out of the primary, general or special election. The decision of the Election Commission on any such contest shall be final. If the Election Commission, by majority vote determines the challenge to be frivolous or made in bad faith, it may assess costs against the challenger.~~

2. A Complainant may include any documents, photographs, or other supporting material to be attached to the Complaint.

3. More than one person may file a contest of election and each contest shall be considered on its own merits.

(b) Notice and Hearing. The Commission shall hold a hearing and render its decision within ten (10) days of receiving a properly filed contest of the primary, general or special election.

1. Upon receipt of a complaint regarding a Contest of Election, the Election ~~Supervisor~~ Compliance Officer shall, as promptly as possible, and in all instances within twenty-four (24) hours: (1) ~~immediately~~ notify the Election Commission that a ~~challenge~~ contest has been filed, (2) notify the prevailing candidate, and all other candidates for that office, that a contest has been filed, providing a copy of the filed ~~complaint~~ contest to each, (3) set a time and place for the hearing on the contest, and (4) notify all candidates for the office as to why the contest has been filed, of the time and place for the hearing, and the fact that each has the right to be present at the hearing, to be represented by counsel at his own expense, present sworn oral testimony and documentary evidence, cross-examine other witnesses, and present argument regarding the contest of election.

2. The Tribal Election Commission must investigate each contest submitted.

~~(a)(c)~~ **Hearings.** Hearings shall be open to the public. The Commission may consult, or have present at the hearing, legal counsel. Witnesses shall present only sworn testimony which is within their personal knowledge. Unsworn statements and hearsay shall not be received or deemed admissible by the Commission. All witnesses shall be subject to cross-examination by the candidates or their attorneys, and shall be subject to questioning by the Commission or its attorney.

~~(d)~~ **Burden of Proof.** The burden of proof shall be on the person contesting the election, to demonstrate by clear and convincing evidence (1) that the election substantially deviated from the requirements of this Title and (2) that if the election had been held without these deviations, the result would have been different. Errors which would not have changed the outcome of an election shall be deemed harmless error and shall not be grounds for upsetting an election result.

~~(e)~~ **Tribal Election Commission Findings and Decision**

1. Following the hearing and review of properly submitted evidence before the Tribal Election Commission, the Election Commission shall issue specific findings and a decision in writing:

- i. To dismiss the contest; or
- ii. To acknowledge the merit of the contest but to reaffirm the election based on a lack of proof it would have changed the results of the election; or
- iii. To acknowledge the merit of the contest, conclude that absent the deviations the result of the election would have been different, and void the election and order a new election be held.

2. In the event that the Tribal Election Commission voids the tribal election as provided above, the Election Commission shall set a special election to fill the positions affected in accordance with this Title. All requirements governing official regular tribal elections and special elections, as specified in this Code, shall also govern a special election set under this subsection.

~~(b)(f)~~ **Judicial Review.**

If the Contester, or the winning candidate of an election that is voided by the Commission, is not satisfied with the decision of the Tribal Election Commission, that party may seek judicial review of the decision by filing an appeal with the Standing Rock Supreme Court in accordance with the procedures below. The Standing Rock Supreme Court may consolidate more than one appeal in its discretion.

1. Only the Contester who has exhausted remedies with the Election Commission or the winning candidate of an election voided by the Election Commission, may file an appeal with the Standing Rock Supreme Court. An appeal shall be filed with the Standing Rock Supreme Court no later than five (5) business days of receipt of the Tribal Election Commission's decision. The appeal shall name the party filing the appeal as the "Petitioner" and name the Tribal Election Commission as "Respondent."

2. Any appeal must be sworn and notarized and must include a copy of the decision by the Tribal Election Commission and a statement of reasons setting out the factual and legal basis for why the Tribal Election Commission decision should be overturned. The appeal must also set out the legal basis which meets one or more of the legal standards of review identified in §15-214(f)(7).
3. A Petitioner may not submit any evidence which was not presented before the Tribal Election Commission.
4. Any petition must be accompanied by a non-refundable filing fee as required by the Standing Rock Tribal Court and comply with all requirements of notice and service. In addition to serving the Tribal Election Commission, the party filing the appeal must also deliver a copy to the Tribal Chairperson.
5. After the deadline for all appeal petitions to be filed has passed, the Standing Rock Supreme Court:
 - i. may set a hearing on its own motion or motion of a party;
 - ii. shall, after determining the appeal is proper, set the appeal for hearing as expeditiously as possible, but no later than ten (10) business days after the receipt of an answer by Respondents. A continuance of the hearing shall not be granted except upon a showing of good cause.
 - iii. All parties at a hearing shall have the right to be represented by legal counsel, present evidence on its behalf, and cross-examine the other party and any other witnesses called.
6. The standard of review of the Tribal Election Commission's decision is clear and convincing evidence based on the same evidence that was before the Election Commission when its decision was made as shown by the record.
7. **Standard of Review.** The Supreme Court shall not overturn the decision of the Tribal Election Commission unless it is shown by clear and convincing evidence that Petitioner is clearly entitled to the relief requested because the Tribal Election Commission decision was:
 - i. arbitrary and capricious;
 - iii. Not supported by the evidence of record; or
 - iv. was contrary to Standing Rock tribal law.
7. No party shall be entitled to recover costs or attorney's fees in any action filed under this Section.
8. The decision of the Standing Rock Supreme Court is final and not subject to further review.

15-215. ELECTED CANDIDATES SWORN INTO OFFICE.

The candidates, certified by the Commission and approved by Tribal Council as elected to office, shall as soon as possible following the certification of the results and approval of the certification of the election and the expiration of the time period allowed for the contest and appeal of results under Section 15-214, but not later than ~~two~~ four (42) weeks following the general election, unless additional time is required to exhaust the appeal process, take the Official Tribal Oath of Office as prescribed in Article 111, Section 9, of the Constitution and shall assume their respective offices.

15-216. INTENT, PURPOSE AND CONSTRUCTION OF THIS TITLE.

The intent and purpose of this Title is to establish procedures for fair elections and to insure the secrecy and sanctity of the ballot. This Title shall be construed to accomplish such purpose and intent. Cognizance shall be given to substantial compliance. Lack of form shall not destroy the privilege of voting on the ballot if the intent is clear. Technicalities, as such, shall not be employed to obstruct or impede elections, or cause confusion or loss of confidence in the election system.

15-217. FALSE STATEMENTS MADE IN DOCUMENTATION OR DECLARATION FILED WITH THE STANDING ROCK SIOUX ELECTION COMMISSION.

A person who, in any document, statement or declaration furnished to the Election Commission, knowingly makes or files a false, misleading, or fraudulent document, statement or declaration of a material fact to the Election Commission, under oath or equivalent affirmation, or affirms the truth of a statement previously made is guilty of making or filing a false, misleading or fraudulent document, statement or declaration to the Standing Rock Tribal Election Commission. Making or filing a false, misleading or fraudulent document, statement or declaration to the Tribal Election Commission is a felony under Tribal law, punishable in accordance with Title IV of the Standing Rock Tribal Code and shall disqualify that person from running elective office at all times in the future.

15-218. VOTING SYSTEMS OR PROCEDURE VIOLATION AND PENALTY

Any person who knowingly :

- a. violates this Code relating to voting systems or the voting process and procedure as provided in this Title;
- b. tampers with or injures any voting system, ballot, or device to be used or being used in any election, or
- c. prevents the correct operation of any such system or device to be used or being used in any election

is guilty of a Felony under Tribal law punishable in accordance with Title IV of the Standing Rock Tribal Code.

15-21~~9~~8. RECORDS RETENTION.

Those documents required for destruction under the Tribal Files and Records Disposition Manual - including nominating petitions, background checks, debt disclosure statements, DD214s, copies of drivers licenses, birth certificates, and certificates of degree of Indian blood - shall be shredded as required by law~~—~~. All other official documents relating to candidates for elections shall be retained for three (3) years after the elected candidates are seated, and shall thereafter be provided to and maintained in the tribal archives.

15-22019 FORMS.

The Tribal Election Department shall keep and maintain forms referenced or made necessary by this Title. All such forms shall be constructed and/or amended to comport with this Title or any amendments thereto. Such forms or amendments thereto shall be approved in the manner required for the passage of or amendment to ordinances under Title 19 of the Code of Justice.

CHAPTER III: ABSENTEE VOTING

15-301. ABSENTEE VOTERS.

Any elector duly qualified to vote under Section 15-201 of this Title, upon making written proof satisfactory to the ~~Supervisor~~ Election Compliance officer that he expects: 1) to be absent from the Reservation on the day of election; 2) who is physically incapacitated so as to be unable to go to the polls;

3) who is attending school off the Reservation, or who is residing with a legal spouse who is attending school off the Reservation; 4) who is a member of the Armed Forces of the United states stationed off the Reservation, or, 5) who is residing with a legal spouse who is a member of the Armed Forces of the United states stationed off the reservation, may vote by absentee ballot.

15-302. HOW TO OBTAIN AN ABSENTEE BALLOT.

- (a) Any elector, eligible to vote by absentee ballot, may file with the Election ~~Supervisor~~ Compliance Officer, at least fourteen (14) days before the election, a completed and signed application for an absentee ballot in the form set out as **Form No.9** of this Title.
- (b) For any elector, eligible to vote by absentee ballot, who is elderly or handicapped and residing in an off-Reservation retirement, long-term care, rehabilitation or medical facility, a family member or court-appointed guardian may submit an application for an absentee ballot on their behalf. In such case, absentee ballots will be mailed directly to the facility, and the correct name and address of the facility shall be listed on the application.
- (c) At least sixty (60) days prior to the election (or by other timeframe for a special election to be held in fewer than sixty (60) days which provides individuals adequate time to request an absentee ballot):
 - (1) The Election ~~Supervisor~~ Coordinator shall cause to be published, in a newspaper of general circulation on the Reservation, notice that applications for absentee ballots will be available for those voters eligible for absentee ballots, and
 - (2) Each Election Commission member shall personally inform the District Council for the District in which he or she resides that absentee ballots are available for those voters eligible for absentee ballots.
- (d) For each application for an absentee ballot based on being a member of the Armed Forces or based on being a full time student, the Election ~~Supervisor~~ Coordinator shall seek to

confirm the necessary residence information contained on **Form 9** by consulting with the Tribe's Veterans' Affairs Department, Education Department or other Tribal offices with relevant information.

15-303. DELIVERY OF ABSENTEE BALLOTS.

Each absentee ballot shall be sealed in an envelope marked on the outside:

"Absentee Ballot Within. Do not open except in the presence of a notary public, or before the Election ~~Supervisor~~Compliance Officer or Election Coordinator, or any commissioned officer if the applicant be in the Armed Services."

The absentee ballot so sealed in an envelope shall be placed in an outer envelope marked "**OFFICIAL BALLOT**", together with a return envelope pre-addressed to the Election ~~Supervisor~~Compliance Officer or Election Coordinator and marked "**ABSENTEE VOTER'S BALLOT**" on the front. On the back of the return envelope there shall be set forth the following:

State of _____

County of _____,ss

I, _____, do solemnly swear that I am at least eighteen (18) years of age, a member of the Standing Rock Sioux Tribe of the Standing Rock Indian Reservation, and entitled to cast the enclosed ballot, and a resident of the Reservation, _____ District, duly qualified to vote by absentee ballot.

Voter's Signature

Subscribed and sworn to me before this _____ day of _____, 20____ : and I hereby certify that the affiant exhibited to me the enclosed ballot(s) for inspection before marking, and that the same was (were) then unmarked and that affiant then, in my presence and the presence of no other person, marked and folded said ballot(s) without assistance and without making known the manner of marking the same and in such manner that I could not see affiant vote. Affiant then and there placed the ballot(s) in this envelope, sealed the same and signed the voucher above in my presence.

I further certify that the affiant was not solicited or advised by me to vote for or against any candidate.

Notary Public
Residing at _____

Absentee ballots shall be provided to the eligible applicant by the Election ~~Supervisor~~ Coordinator only. Absentee Ballots for absentee voters who are located off the Reservation on the day of the election, who meet the qualifications under 15-301, shall be mailed to the Absentee voter by the Election ~~Supervisor~~ Coordinator, postmarked not less than ten (10) days prior to the date of the Election. Absentee Ballots must be received by or returned to the Election ~~Supervisor~~ Office by the close of the business day before the day of the election. There will be no exceptions to this requirement.

15-304. HOW ABSENTEE BALLOTS ARE MARKED AND RETURNED.

Upon receipt of the absentee ballot, the voter shall open the sealed envelope marked "Absentee Ballot Within", only in the presence of a notary public, the Election ~~Supervisor~~ Compliance Officer or Election Coordinator, or, in the case of an elector in the Armed Forces stationed outside the Reservation, any commissioned officer, and in the presence of such person as herein provided, shall then and there mark and refold the ballot without assistance and without making known the manner of marking same, and shall place the ballot in the preaddressed, return envelope provided for the purpose, seal the envelope and fill in and sign the affidavit printed on the back of the envelope in the presence of a notary or other person herein above provided, who shall execute the acknowledgment and certification printed on the envelope. The voter shall then mail the envelope registered or certified mail, return receipt requested, to the Election ~~Supervisor~~ Office, or shall personally deliver the envelope to the Election ~~Supervisor~~ Office.

15-305. CUT-OFF FOR DELIVERY OF ABSENTEE BALLOTS TO ELECTION~~SUPERVISOR~~OFFICE.

No absentee ballots shall be counted unless received in hand by the Election ~~Supervisor~~ Compliance Officer or Election Coordinator by the end of the business day prior to the day of the election. Any absentee ballots received by the Election ~~Supervisor~~ Compliance Officer or Election Coordinator on or after the day of the election will be declared null and void.

15-306. ABSENTEE VOTING BY RESIDENTS AFTER BALLOTS PRINTED.

Any resident elector who, at least 24 hours before the polls are scheduled to open, duly qualifies himself under Section 15-301 hereof to vote by absentee ballot, and who is present in his district after the official ballots have been printed, may apply and vote before the Election ~~Supervisor~~ Compliance Officer or Election Coordinator in the same manner as provided in Section 15-304 up to but not including the day of election

15-307. RECORD OF ABSENTEE BALLOTS.

The Election ~~Supervisor~~ Coordinator shall make and keep a record of ballots mailed, to whom mailed, the date of mailing, the address on the envelope or application, the date of return of the ballot, and from whom received. The information required by this section shall be recorded on **Form No. 10.**

15-308. DELIVERY OF ABSENTEE BALLOTS TO DISTRICTS.

- 1)** The Election ~~Supervisor~~Compliance Officer or Tribal Election Coordinator shall deliver all absentee voters ballots sealed and intact, together with the applications for such ballots to the election judges of the respective districts. Each chief election judge shall sign a document (**Form No. 16**) confirming receipt of the absentee ballots. The absentee ballots shall be held, sealed and intact, until the polls close. After the polls close and immediately before canvassing commences, the clerk of each election district, in public, and in the presence of all persons assembled, shall note on the poll book that the elector voted by absentee ballot and shall open the sealed envelope, and remove the folded ballot without disclosing its marking, shall stamp and initial the ballot.and deposit it in the ballot box for counting with the other ballots.
- 2)** If electronic voting machines are used for tabulating ballots, the Election Compliance Officer, in public and in the presence of all persons assembled, shall record that the elector voted by absentee ballot and shall open the sealed envelope, and remove the folded ballot without disclosing its marking, shall stamp and initial the ballot, and shall process the absentee ballot through the electronic voting machine for tabulation and then deposit it in the ballot box.

CHAPTER 4. TRIBAL SCHOOL BOARD ELECTIONS

15-401. ELIGIBILITY FOR ELECTION TO MEMBERSHIP ON TRIBAL SCHOOLBOARDS.

The qualifications for Membership on the Tribal School Boards shall be determined by their respective Charter & Bylaws, Title, Code or Policies. These qualifications shall be listed on the Nominating Petition and Notice of Candidacy for each Tribal School Board and on the Proclamation of Election.

Candidates for Tribal School Board shall not have been convicted of a Tribal, Federal or State felony or be delinquent on a debt to the Tribe, as set forth in Section 15-102 of this Title.

5-402. FILING FOR OFFICE.

- (a)** A person eligible to serve on a Tribal school board may become a candidate by filing a nominating petition and a notice of candidacy with the Election ~~Supervisor~~Compliance Officer or Election Coordinator, Standing Rock Sioux Tribe, Fort Yates, North Dakota, at least thirty (30) days prior to election day. To be valid, a notice of candidacy must state the name of the candidate, the district in which he or she resides, the School Board to which the candidate seeks office, specified as **Form No. 13**.

- (b) A nominating petition for a Tribal School Board must be signed by at least five (5) persons who are qualified to vote in the election for the school board, specified as **Form No. 12**. The nominating petition shall also be signed by the candidate. Notwithstanding any other provision of law, a nominating petition which is not signed by the number of qualified voters with the proper residency as required under this subsection shall not be valid. Failure to comply with this subsection shall not be deemed a technicality, nor shall any petition not bearing the required signatures be deemed to be in substantial compliance with this section.
- (c) A non-refundable filing fee of one hundred dollars (**\$100.00**) will be charged—in accordance with Section 15-103(a)(3) of this Title. ~~for each Candidate to defray the cost of Tribal, State and Federal Background checks. The filing fee must be paid to the Tribal Finance Office prior to the filing of the nominating petition and notice of candidacy. The Filing Fee shall be paid by cash or money order only. Upon receiving the Filing Fee, the Tribal Finance Office shall generate a receipt, with one copy of the receipt provided to the Candidate, and another copy of the receipt attached to the candidate's Nominating Petition and Notice of Candidacy. A background check shall be good for a period of six (6) months.~~

15-403. CHALLENGES OF ELIGIBILITY OF CANDIDATES.

- (a) — **Challenge of Eligibility.** Any qualified voter may challenge the eligibility of any candidate for the school board, by ~~filing with the Election Supervisor of the Standing Rock Sioux Tribe for that election, not later than three (3) days after the notice of election is posted with a written affidavit setting forth the grounds for the challenge. A challenged candidate shall be afforded three (3) days in which to furnish satisfactory proof that he is qualified. The Standing Rock Sioux Tribal Election Commission shall rule on all questions presented by a timely challenge of the candidate at least three (3) days before the election date.~~
- (b) — **Testing Eligibility.** ~~The Commission shall test the eligibility of each person seeking to become a candidate for a Tribal School Board, whether challenged or not.~~
- (c)(a) **Commission Decision Is Final.** ~~The decisions of the Commission under this section shall be final for the Tribe, complying with the procedures set forth in Section 15-207 of this Title.~~

15-404. WHO IS QUALIFIED TO VOTE.

- (a) For the Standing Rock Community Grant School Board, any enrolled member of the Standing Rock Sioux Tribe, eighteen (18) years of age or older, who has resided on the Reservation for thirty (30) days immediately preceding the election is eligible to vote.
- (b) For the Rock Creek and Sitting Bull Grant School Boards, any enrolled member of the Standing Rock Sioux Tribe eighteen (18) years of age or older who has resided in the Rock Creek or Running Antelope District, respectively, for thirty (30) days immediately preceding the election, shall be eligible to vote. Prisoners shall not be eligible to vote. Persons on parole or probation shall not be deemed prisoners and shall be eligible to vote.

15-405. ABSENTEE VOTING.

Absentee voting for School Board Elections shall be allowed in the same manner and to the same extent as is provided for Tribal Council elections.

15-406. TIME OF ELECTION.

Elections for the Standing Rock Community School Board, the Sitting Bull Grant School Board, and the Rock Creek Grant School Board shall be held in conjunction with the General Elections of the Standing Rock Sioux Tribe.

15-407. ELECTION PROCLAMATIONS.

At least sixty (60) days before an election, the Standing Rock Sioux Tribal Council shall issue and cause to be posted and published, as hereinafter set forth, a proclamation of the election in accordance with Section 15-204 of this Title. ~~The proclamation shall invite the filing of petitions for candidacy, and shall set out the time and place for filing such petitions. Each proclamation of election shall be posted at each polling place on the Reservation, at the Tribal Office, the Agency, and such other places of public notice as may be appropriate and shall be published at least once in a newspaper of general circulation on the Reservation.~~

15-408. ELECTION OFFICIALS.

The Election ~~Supervisor~~Compliance Officer, Election Coordinator, Election Commission and election judges of the Standing Rock Sioux Tribe - as set forth in Section 15-205 of this Title - shall be the election officials for all Tribal School Board Elections.

15-409. NOTICE OF ELECTION

~~As promptly as possible and at least (30) days before an election, except that in the case of a special election the Council may authorize a shorter period, the~~The Election ~~Supervisor~~Coordinator shall cause a "Notice of Election" to be posted ~~in each polling place on the Reservation, in the Tribal Office, the Agency, and such other places of public notice as may be appropriate. If time permits, the notice shall be published either in a tribal newspaper, or if that is not possible and time permits, in a newspaper of general circulation on the Reservation. The notice shall set forth the date of election and shall list the names of all candidates found eligible by the Commission, the respective offices, and the location of the polling places,~~in accordance with Section 15-206 of this Title.

15-410. ELECTION OF CANDIDATES.

Those candidates with the greatest number of votes from eligible voters for that school board shall be elected to office. If three positions are up for election from a school board, the candidates receiving the three highest vote totals for that school board shall be elected; if two positions are up for election from a school board, the candidates receiving the two highest vote totals for that school

board shall be elected; and if one position is up for election from a school board, the candidate receiving the highest vote total for that school board shall be elected. This section will apply only when their governing Title, Code or Charter is silent.

15-411. CERTIFICATION OF ELECTION.

The certification of any Tribal School Board Elections shall be in accordance with 15-213 of this Title.

15-412. CONTEST OF ELECTION.

The procedures for contesting an election shall be the same as for contesting the election of a member to the Tribal Council.

15-413. ELECTED CANDIDATES SWORN TO OFFICE.

The candidates certified by the Commission as elected to office shall as soon as possible following the certification of the results of the election, but not later than two (2) weeks following the General Election, unless extended due to a contest or appeal, take the Official Tribal Oath of Office as prescribed in Article 111, Section 9, of the Constitution and shall assume their respective offices.

~~**15-414. INTENT, PURPOSE AND CONSTRUCTION OF THIS CHAPTER.**~~

~~The intent and purpose of this Chapter is to establish procedures for fair elections and to insure the secrecy and sanctity of the ballot. This Chapter shall be construed to accomplish such purpose and intent. Cognizance shall be given to substantial compliance. Lack of form shall not destroy the privilege of voting on the ballot if the intent is clear. Technicalities, as such, shall not be employed to obstruct or impede elections, or cause confusion, or loss of confidence in the election system.~~

CHAPTER 5. STANDING ROCK HOUSING AUTHORITY BOARD

15-501. ELIGIBILITY FOR ELECTION TO THE BOARD OF COMMISSIONERS OF THE STANDING ROCK HOUSING AUTHORITY.

A person seeking to be a candidate for ~~the office of member of~~ the Board of Commissioners of the Standing Rock Housing Authority must meet the following qualifications:

- (a) Must be an enrolled member of the Standing Rock Sioux Tribe;
- (b) Must be eighteen (18) years of age or older;
- (c) Must be a resident of the District from which he seeks office for thirty (30) days next preceding the date of the election;
- (d) Must not have been convicted of a Tribal, Federal or State felony and must not be delinquent on a debt to the Tribe as set forth in Section 15-102 of this Title.

15-502. FILING FOR OFFICE.

- (a) **Nomination for Board of Commissioners.** Nominations for the SRHA Board of Commissioners shall be by written nominating petition signed by at least five (5) District members, filed with the Election ~~Supervisor~~Office, Standing Rock Sioux Tribe, Fort Yates, North Dakota, at least thirty (30) days prior to election day.
- (b) **Form of Nominating Petition for Board Commissioners.** Nominating petitions for SRHA Board of Commissioners shall be as set out on **Form No. 14** of this Title.
- (c) **Candidates to Accept Nominations.** All nominating petitions shall be signed by the candidate nominated.
- (d) **Notice of Candidacy.** A notice of candidacy for Board Commissioner, on **Form No. 15** of this Title, shall be filed with the nominating petition. Such forms shall be distributed to the districts by the Tribal Election Office staff upon request.
- ~~(e) — A non-refundable filing fee of one hundred dollars (\$100.00) will be charged in accordance with Section 15-103(a)(3) of this Title. for each Candidate to defray the cost of Tribal, State and Federal Background checks. The filing fee must be paid to the Tribal Finance Office prior to the filing of the nominating petition and notice of candidacy. The Filing Fee shall be paid by cash or money order only. Upon receiving the Filing Fee, the Tribal Finance Office shall generate a receipt, with one copy of the receipt provided to the Candidate, and another copy of the receipt attached to the candidate's Nominating Petition and Notice of Candidacy. A background check shall be good for a period of six (6) months.~~

~~(f)(e)~~

15-503. CHALLENGES TO ELIGIBILITY OF CANDIDATES.

- ~~(b) **Challenge of Eligibility.** Any qualified voter may challenge the eligibility of any candidate for Standing Rock Housing Authority Board, by complying with the procedures set forth in Section 15-207 of this Title.~~
- ~~(a) — filing with the Election Supervisor of the Standing Rock Sioux Tribe for that election, not later than three (3) days after the notice of election is posted with a written affidavit setting forth the grounds for the challenge. — A challenged candidate shall be afforded three (3) days in which to furnish satisfactory proof that he is qualified. The Standing Rock Sioux Tribal Election Commission shall rule on all questions presented by a timely challenge of the candidate at least three (3) days before the election date.~~
- ~~(b) —~~
- ~~(c) — **Testing Eligibility.** The Commission shall test the eligibility of each person seeking to become a candidate for a Standing Rock Housing Board of Commissioners, whether challenged or not.~~

~~(d)~~

~~(e) **Commission Decision Is Final.** The decisions of the Commission under this section shall be final for the Tribe.~~

15-504. WHO IS QUALIFIED TO VOTE.

Each member of the Tribe, eighteen (18) years of age or older and a resident of a district for thirty (30) days immediately preceding an election, shall be eligible to vote for a SRHA Board member only for the district in which the member resides. Prisoners shall not be eligible to vote. Persons on parole shall not be deemed prisoners and shall be eligible to vote.

15-505. ABSENTEE VOTING.

Absentee voting for Standing Rock Housing Board elections shall be allowed in the same manner and to the same extent as is provided for Tribal Council elections.

15-506. TIME OF ELECTION.

Election for the Standing Rock Housing Authority Board shall be held at the General Election of the Standing Rock Sioux Tribe. Eight (8) SRHA Board Members shall be elected, one by each of the eight (8) Districts of the Reservation. ~~Those members elected in 1997 from the Districts of Bear Soldier, Cannon Ball, Long Soldier and Rock Creek shall serve until October, 2003. Those members elected in 2001 from the Districts of Porcupine, Kenel, Running Antelope and Wakpala shall serve a Four (4) Year Term ending in October, 2005. Thereafter all terms shall be Four (4) Years and staggered.~~

15-507. ELECTION PROCLAMATIONS.

At least sixty (60) days before an election, the Standing Rock Sioux Tribal Council shall issue and cause to be posted and published, as hereinafter set forth, a proclamation of the election ~~in accordance with Section 15-204 of this Title. The proclamation shall invite the filing of petitions for candidacy, and shall set out the time and place for filing such petitions. Each proclamation of election shall be posted at each polling place on the Reservation, at the Tribal office, the Agency, and such other places of public notice as may be appropriate and shall be published at least once in a newspaper of general circulation on the Reservation.~~

15-508. NOTICE OF ELECTION.

As promptly as possible and at least thirty (30) days before an election, except that in the case of a special election the Council may authorize a shorter period, the Election ~~Coordinator~~ Supervisor shall cause a "Notice of Election" to be posted in accordance with Section 15-206 of this Title. ~~in each polling place on the Reservation, in the Tribal Office, the Agency, and such other places of public notice as may be appropriate. If time permits, the notice shall be published either in a tribal newspaper, or if that is not possible and time permits, in a newspaper of general circulation on the Reservation. The notice shall set forth the date of election and shall list the names of all candidates found eligible by the Commission,~~

~~the respective offices, and the location of the polling places.~~

15-509. ELECTION OFFICIALS.

The Election ~~Supervisor~~ Compliance Officer, Election Coordinator, and Election Commission of the Standing Rock Sioux Tribe shall be the election officials for all Standing Rock Housing Authority Board elections.

15-510. ELECTION OF CANDIDATES.

The candidate with the greatest number of votes from eligible voters of a district shall be elected to the Office of Standing Rock Housing Authority Board member from that District.

15-511. CERTIFICATION OF ELECTION.

The certification of the Standing Rock Housing Authority Board Elections shall be in accordance with 15-213 of this Title.

15-512. CONTEST OF ELECTION.

The procedures for contesting an election shall be the same as for contesting the election of a member to the Tribal Council.

15-513. ELECTED CANDIDATES SWORN INTO OFFICE.

The candidates certified by the Commission as elected to office shall as soon as possible following the certification of the results of the election, but not later than two (2) weeks following the General Election, unless this timeframe is extended due to a contest or appeal, take the Official Tribal Oath of Office as prescribed in Article III, Section 9, of the Tribal's Constitution and shall assume their respective offices.

~~**15-514. INTENT, PURPOSE AND CONSTRUCTION OF THIS CHAPTER.**~~

~~The intent and purpose of this Chapter is to establish procedures for fair elections and to insure the secrecy and sanctity of the ballot. This Chapter shall be construed to accomplish such purpose and intent. Cognizance shall be given to substantial compliance. Lack of form shall not destroy the privilege of voting on the ballot if the intent is clear. Technicalities, as such, shall not be employed to obstruct or impede elections, or cause confusion, or loss of confidence in the election system.~~

CHAPTER 6. LOCAL DISTRICT AND OTHER TRIBAL BOARD ELECTIONS

15-601. LOCAL DISTRICT AND OTHER TRIBAL BOARD ELECTIONS

The elections for the Local District Council Offices, Joint Tribal Advisory Board, ~~Standing Rock Farm Board~~, Sitting Bull College Board and any other Tribal Boards, which the Tribal Council may specify through the Tribal election process, will be held in accordance with this Title, including but not limited to their respective Titles, Code or Charter and Bylaws. The elections for the ~~above-named~~above-named Local District Councils and Tribal Boards will be held in conjunction with the Tribe's General Election and in compliance with this Title.

15-602. NOMINATING PETITIONS & NOTICES OF CANDIDACY

The Election ~~Supervisor~~Coordinator shall also have authority to develop, prepare and distribute the Nominating Petitions and Notices of Candidacy for the Local District Offices and other Tribal Boards in accordance with their respective Titles, Codes and/or Charter & Bylaws.

A non-refundable filing fee of one hundred dollars (**\$100.00**) will be charged in accordance with Section 15-103(a)(3) of this Title. ~~for each Candidate to defray the cost of Tribal, State and Federal Background checks. The filing fee must be paid to the Tribal Finance Office prior to the filing of the nominating petition and notice of candidacy. The Filing Fee shall be paid by cash or money order only. Upon receiving the Filing Fee, the Tribal Finance Office shall generate a receipt, with one copy of the receipt provided to the Candidate, and another copy of the receipt attached to the candidate's Nominating Petition and Notice of Candidacy. A background check shall be good for a period of six (6) months.~~

NOMINATING PETITION FOR OFFICE OF TRIBAL CHAIRMAN

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____
to be a candidate for the OFFICE OF TRIBAL CHAIRMAN OF THE STANDING ROCK SIOUX
TRIBE at the ELECTION to be held on _____

SIGNATURES (35 REQUIRED):

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____
21) _____	_____	_____
22) _____	_____	_____
23) _____	_____	_____
24) _____	_____	_____
25) _____	_____	_____

Nominating Petition for Office of Tribal Chairman, SRSTC

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF TRIBAL CHAIRMAN OF THE STANDING ROCK SIOUX TRIBE at the _____ ELECTION to be held on _____

- 26) _____
- 27) _____
- 28) _____
- 29) _____
- 30) _____
- 31) _____
- 32) _____
- 33) _____
- 34) _____
- 35) _____
- 36) _____
- 37) _____
- 38) _____
- 39) _____
- 40) _____
- 41) _____
- 42) _____
- 43) _____
- 44) _____
- 45) _____
- 46) _____
- 47) _____
- 48) _____
- 49) _____
- 50) _____

I _____, HEREBY ACCEPT THE NOMINATION TO BE A CANDIDATE FOR THE OFFICE OF TRIBAL CHAIRMAN OF THE STANDING ROCK SIOUX TRIBE.

NOMINATING PETITION FOR OFFICE OF TRIBAL VICE-CHAIRMAN

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF TRIBAL VICE-CHAIRMAN OF THE STANDING ROCK SIOUX TRIBE at the _____ ELECTION to be held on _____

SIGNATURES (35 REQUIRED):

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____
21) _____	_____	_____
22) _____	_____	_____
23) _____	_____	_____
24) _____	_____	_____
25) _____	_____	_____

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of
the Standing Rock Sioux Reservation, hereby nominate
_____ to be a candidate for the OFFICE OF TRIBAL VICE-CHAIRMAN
OF THE STANDING ROCK SIOUX TRIBE at the
_____ ELECTION to be held on _____.

- 26) _____
- 27) _____
- 28) _____
- 29) _____
- 30) _____
- 31) _____
- 32) _____
- 33) _____
- 34) _____
- 35) _____
- 36) _____
- 37) _____
- 38) _____
- 39) _____
- 40) _____
- 41) _____
- 42) _____
- 43) _____
- 44) _____
- 45) _____
- 46) _____
- 47) _____
- 48) _____
- 49) _____
- 50) _____

I, _____, HEREBY ACCEPT THE NOMINATION TO BE A CANDIDATE
FOR THE OFFICE OF TRIBAL VICE-CHAIRMAN OF THE STANDING ROCK SIOUX TRIBE.

NOMINATING PETITION FOR OFFICE OF TRIBAL SECRETARY

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate to be a candidate for the OFFICE OF TRIBAL SECRETARY OF THE STANDING ROCK SIOUX TRIBE at ELECTION to be held on _____.

SIGNATURES (35 REQUIRED):	ADDRESSES	SIGNING DATE:
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____
21) _____	_____	_____
22) _____	_____	_____
23) _____	_____	_____
24) _____	_____	_____
25) _____	_____	_____

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF TRIBAL SECRETARY OF THE STANDING ROCK SIOUX TRIBE at the _____ ELECTION to be held on _____

- 26) _____
- 27) _____
- 28) _____
- 29) _____
- 30) _____
- 31) _____
- 32) _____
- 33) _____
- 34) _____
- 35) _____
- 36) _____
- 37) _____
- 38) _____
- 39) _____
- 40) _____
- 41) _____
- 42) _____
- 43) _____
- 44) _____
- 45) _____
- 46) _____
- 47) _____
- 48) _____
- 49) _____
- 50) _____

I, _____, HEREBY ACCEPT THE NOMINATION TO BE A CANDIDATE FOR THE OFFICE OF TRIBAL SECRETARY OF THE STANDING ROCK SIOUX TRIBE.

NOMINATING PETITION FOR OFFICE OF COUNCILMAN FROM A DISTRICT

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the District of _____ of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF COUNCILMAN FROM THE DISTRICT OF _____ in the Election to be held on _____

SIGNATURES (35 REQUIRED):

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____
21) _____	_____	_____
22) _____	_____	_____
23) _____	_____	_____
24) _____	_____	_____
25) _____	_____	_____

Nominating Petition for Office of Councilman From a District
Page 2.

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the District of _____ of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF COUNCILMAN FROM THE DISTRICT OF _____ in the ELECTION to be held on _____.

SIGNATURES (35 REQUIRED):	ADDRESSES	SIGNING DATE:
26) _____	_____	_____
27) _____	_____	_____
28) _____	_____	_____
29) _____	_____	_____
30) _____	_____	_____
31) _____	_____	_____
32) _____	_____	_____
33) _____	_____	_____
34) _____	_____	_____
35) _____	_____	_____
36) _____	_____	_____
37) _____	_____	_____
38) _____	_____	_____
39) _____	_____	_____
40) _____	_____	_____
41) _____	_____	_____
42) _____	_____	_____
43) _____	_____	_____
44) _____	_____	_____
45) _____	_____	_____
46) _____	_____	_____
47) _____	_____	_____
48) _____	_____	_____
49) _____	_____	_____
50) _____	_____	_____

I, _____ HEREBY ACCEPT THE NOMINATION TO BE A CANDIDATE FOR THE
OFFICE OF COUNCILMAN FROM THE DISTRICT OF:

NOMINATING PETITION FOR OFFICE OF COUNCILMAN AT LARGE

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF COUNCILMAN AT LARGE in the _____ ELECTION to be held on _____

SIGNATURES (25 REQUIRED):

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____
21) _____	_____	_____
22) _____	_____	_____
23) _____	_____	_____
24) _____	_____	_____
25) _____	_____	_____

Nominating Petition for Office of Councilman At LargePage 2.

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe and residents of the Standing Rock Sioux Reservation, hereby nominate _____ to be a candidate for the OFFICE OF COUNCILMAN AT LARGE in the _____ ELECTION to be held on _____

SIGNATURES (25 REQUIRED):

- 26) _____
- 27) _____
- 28) _____
- 29) _____
- 30) _____
- 31) _____
- 32) _____
- 33) _____
- 34) _____
- 35) _____
- 36) _____
- 37) _____
- 38) _____
- 39) _____
- 40) _____
- 41) _____
- 42) _____
- 43) _____
- 44) _____
- 45) _____
- 46) _____
- 47) _____
- 48) _____
- 49) _____
- 50) _____

I, _____ HEREBY ACCEPT THE NOMINATION TO BE A CANDIDATE FOR THE OFFICE OF COUNCILMAN AT LARGE.

NOTICE OF CANDIDACY FOR TRIBAL ELECTIVE OFFICE
Standing Rock Sioux Tribe

Date: _____ Office: _____

I, hereby give Notice of my candidacy to seek the Office of _____
(Office of *Chairman, Vice-Chairman or Secretary, Councilman at Large or Councilman from a District of the Standing Rock Sioux Tribal Council or any other Tribal Elective Office*)

1. Name: _____ AKA/Maiden: _____

2. Current Address: PO Box No. _____ Street No. _____
City: _____ State: _____ Zip: _____

3. Telephone Nos. Home: _____ Work: _____ Cell: _____

4. Date of Birth: _____ 5. Place of Birth: _____

6. SRST Enrollment No. _____ 7. Social Security No. _____

District of Present Residence: _____ Since: _____

8. Continuous Resident of Standing Rock Reservation Since: _____

9. Other City and States Resided in, Length of Residence:

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

10. I hereby certify that as of the date of the filing of my candidacy for Tribal Elective Office:**a.)**

I am an enrolled Member of the Standing Rock Sioux Standing Rock Sioux Tribe**b.)**

I have resided on the Standing Rock Sioux Reservation for at least one (1) year **c.)** I am not an employee of the Bureau of Indian Affairs

d.) I have not been convicted of a Felony, in any Court (Tribal, State or Federal)

e.) I have never been found guilty of by the Tribal Council of misconduct in Tribal Affairs.

f.) I have never received a Dishonorable Discharge from the Armed Forces.

g.) I am not delinquent on any debt(s) owed to or guaranteed by the Standing Rock Sioux Tribe.

Notice of Candidacy for Tribal Elective-Office

Page 2.

11. In support and as proof of the statements set forth in this notice, I hereby attach to and make apart of this Notice of Candidacy the following:

- a.) **Certificate of Enrollment.** A certificate from the Tribal Enrollment Office or BIA Superintendent showing the date of my enrollment and certifying that I am a duly enrolled member of the Standing Rock Sioux Tribe. Standing Rock Sioux Tribal Enrollment Cards will also be accepted, a copy will be made by the Tribal Election Staff.
- b.) **Proof of Residency.**
 - 1) **If the proposed candidate is a tenant in a Housing Authority, Housing Development or occupies a mutual help housing unit.** A written statement from the Manager of the Housing Authority or authorized representative or Housing Development or Mutual Help Housing which identifies the place or places of the proposed candidate's residence and certifying by dates, the period of time that the proposed candidate has resided in each such places.
 - 2) **If the proposed candidate is a resident in a place other than above.** A written statement from each of the proposed candidate's landlords which identifies the place or places of the proposed candidate's residence and certifying by dates, the period of time that the proposed candidate has resided in each such places.
 - 3) **If the proposed candidate resides in a home that he/she or his/her spouse owns:** Two (2) written statements from nearby neighbors setting forth the location of the proposed candidate's place of residence and the period of time that the proposed candidate has resided in each such places.
- c.) **Proof of No Dishonorable Discharge.** The original or copy of the certificate, DD Form 214 or other satisfactory proof or evidence demonstrating individual did not receive a Dishonorable Discharge.
- d.) **Proof Not an Employee of the Bureau of Indian Affairs.** A statement from the BIA Superintendent or authorized representative that the proposed candidate is not an employee of the Bureau of Indian Affairs.
- e.) **Statement Debts Owed to the Standing Rock Sioux Tribe.** The proposed candidate shall complete the Debt Disclosure Statement, as attached, which discloses all debts owed to the Tribe and the Tribal Agencies.
- f.) **Filing Fee.** I hereby attach to my Nominating Petition and Notice of Candidacy, a copy of the receipt of the \$100.00 Filing Fee which I have paid to the Tribal Finance Office.
- g.) **Fingerprinting.** I hereby consent to my fingerprinting which may be required to conduct a Tribal, State or Federal criminal background check.

Notice of Candidacy for Tribal Elective-Office
Page 3.

I hereby consent to and authorize any Tribal, State or Federal Law Enforcement Agency or Court to disclose to the SRST Election ~~Supervisor-Compliance Officer, Election Coordinator~~ or authorized representative, any and all documents and information necessary to establish by qualifications to seek Tribal Elective Office, including any criminal or felony convictions I may have on my record.

I hereby certify that the foregoing statements are true and correct and are made the purpose of establishing my qualifications for seeking and holding Tribal Elective Office.

I am aware that any material statements made in this Notice of Candidacy are false, it shall constitute grounds for my disqualification as a candidate for Tribal Elective Office or, if elected, it shall constitute grounds for my removal from office.

Signature of Candidate (Please Sign Legal Name)

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires

TRIBAL ELECTION OFFICE USE BELOW

Date Filed: _____ Time Filed: _____

Election ~~Supervisor-Coordinator~~ or Authorized Representative

DEBT DISCLOSURE STATEMENT

I _____ a Candidate for the Tribal Elective Office of: _____ f the

District, hereby certify that the following information is true and correct:

TRIBAL ENTITIES	Do you owe a debt to a Tribal Entity? YES or NO	List Amount of Debt(s):	As of the Date of Filing, are you more than Sixty (60) Days delinquent on the debt(s)? YES or NO	Do you have a Repayment Agreement and is it Current? (Please indicate date of Agreement) YES or NO	Is this the only Repayment Agreement you have ever had on the debt(s)? YES or NO
STANDING ROCK SIOUX TRIBE					
REVOLVING CREDIT					
SHORT TERM LOAN					
STANDING ROCK HOUSING AUTHORITY					
STANDING ROCK ENTERPRISES					
STANDING ROCK FARMS					
SITTING BULL COLLEGE					
STANDING ROCK EDUCATION LOAN/GRANT					
STANDING ROCK WATER & SEWER					
SECTION 5 OAHE LAND PURCHASE					
SR TRIBAL COURT FINES & FEES					
LOCAL DISTRICT FUNDS					
PRAIRIE KNIGHTS CASINO AND LODGE					
GRAND RIVER CASINO					
PRAIRIE KNIGHTS QUIK MART					

DEBT DISCLOSURE STATEMENT- PAGE 2

Candidate: _____

Office of: _____

<p>TRIBAL ENTITIES</p>	<p>Do you owe a debt to a Tribal Entity? YES or NO</p>	<p>List Amount of Debt(s):</p>	<p>As of the Date of Filing, are you more than Sixty (60) Days delinquent on the debt(s)? YES or NO</p>	<p>Do you have a Repayment Agreement and is it Current? (Please indicate date of Agreement) YES or NO</p>	<p>Is this the only Repayment Agreement you have ever had on the debt(s)? YES or NO</p>
<p>AGRICULTURAL AND DROUGHT RELIEF LOAN PROGRAM</p>					
<p>TRIBAL SALARY LOAN PROGRAMS</p>					
<p>TAX DEBTS OWED TO TRIBE WHETHER THROUGH STATE-TRIBAL TAX AGREEMENT OR OTHERWISE</p>					
<p>TRIBAL ENTREPRENEURSHIP LOANS</p>					
<p>STANDING ROCK DEVELOPMENT CORPORATION</p>					
<p>STANDING ROCK PROPANE</p>					
<p>STANDING ROCK TELECOMMUNICATIONS</p>					
<p>ROCK INDUSTRIES</p>					
<p>ANY OTHER LOANS COSIGNED OR GUARANTEED BY THE STANDING ROCKSIOUX TRIBE</p>					

I hereby consent to and authorize any entity named above and any other agency of the Federal or State Government to disclose to the Standing Rock Election Supervisor and Commission any and all documents, data and information pertaining to any debts I may have to any of the above entities for so long as I am a candidate for tribal office or hold tribal office. If any

material statement made in this statement is false, it shall be grounds for my disqualification as a candidate for Tribal office, or, if elected, it shall constitute grounds for removal for office.

Signature of Candidate

Subscribed and sworn before me _____ Day of _____, 20__.

Notary Public

My Commission Expires

**Standing Rock Sioux Tribe
STANDING ROCK SIOUX
TRIBE**

APPLICATION FOR ABSENTEE BALLOT

I hereby apply for an absentee ballot and certify that I am a duly qualified voter of the Tribe and the following information is true and correct:

CHECK(or X):

- D I am an enrolled Member of the Standing Rock Sioux Tribe and Eighteen (18) years or age or older.
- D I am a resident of the Standing Rock Sioux Reservation and have been a resident of _____ District for more than 30 days.
- D I expect to be absent from the Reservation on Election Day for the reasons set out on the back of this application (See Over).
- D I am physically incapacitated so as to be unable to go to the polls.
- D I am a member of the Armed Forces stationed away from the Reservation or I am a legal spouse of a member stationed away from the Reservation. I/my spouse am stationed at _____ (Location of Armed Forces Station). Immediately prior to beginning military service, I/my spouse resided in the _____ District for at least 30 days. I intend to reside in the _____ District upon returning from military service.
- D I am a full time student, attending _____ College or other Educational Facility List Name & Address of Facility: _____ Immediately prior to attending College/other Education Facility, resided in the _____ District for at least 30 days. I intend to reside in the _____ District upon returning from school.

Date Applied	Signature of Applicant
Witness: _____	Applicant's Tribal Enrollment Number
Signature	Applicant's Date of Birth
Address	District of Present Residence
	Address to Mail the Absentee Ballot Date
	Received at Tribal Election Office Election
	Staff Member

RECORD OF ABSENTEE BALLOTS
STANDING ROCK SIOUX TRIBE

ELECTION: _____

DATE: _____

Date Applied	Name of Voter	Mailing Address	Eligible Yes or No	Date Mailed (Certified)	Date Voted (In Person)	Date Ballot Returned & from Whom or Voted Before Supervisor or Notary Public

RETURN AND CERTIFICATION OF ELECTION JUDGES AND CLERK

_____ District

Number of **UNMARKED**
BALLOTS Received _____

Number of **ABSENTEE**
BALLOTS Received _____

TOTAL BALLOTS Received _____

Number of Ballots **CAST** _____
Number of Ballots Rejected as:

A) Spoiled _____

B) Illegal _____

C) Challenged (where ballot was determined at the
polls to be invalid) _____

Number of **UNUSED &**
RETURNED Ballots _____

TOTAL _____

Account for any discrepancy: _____

TOTAL NO. OF VOTES CAST AT: _____ **DISTRICT:**

We, the undersigned, Judges and Clerks of an _____ election held at
_____ District of the Standing Rock Indian Reservation on _____ day of
_____, 2_____, having first severly sworn according to law, hereby certify that
the foregoing is a true and correct statement of the number and names of persons voting at said District at
said election; that the foregoing figures showing the number of ballots received, cast, spoiled, found to
be illegal and returned are true and correct and that a number of votes cast for each of the candidates by
office and for each question presented on the Ballot as follows:

**(List names of Candidates by Offices and Questions on Ballot and number of legal votes received
for each Candidate or Questions on Ballot)**

(Election Judge)

(Election Judge)

(Election Clerk)

NOMINATING PETITION FOR TRIBAL SCHOOL BOARD

We, The undersigned, qualified voters of the Standing Rock Sioux Reservation hereby
nominate _____ to be a Candidate for the _____ School
Board at the General Tribal Election to be held on _____, 2_____.

SIGNATURES (25 REQUIRED):

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____

_____ hereby accept the Nomination for the Office of Member of the
_____ Tribal School Board.

STANDING ROCK SIOUX TRIBE

NOTICE OF CANDIDACY FOR TRIBAL SCHOOL BOARD

Date: _____, 2_____

I, hereby give Notice of my candidacy for the Office of _____ Tribal School Board.

1. Name: _____ aka: _____

2. P.O. Box No: _____ Street Address: _____

City: _____ State: _____ Zip: _____

(All notices and service of papers will be made to this address.)

Telephone: (Home) _____ (Work): _____

3. Date of Birth: _____ 4. Age: _____

5. Place of Birth: _____ 6. Standing Rock Enrollment No. _____

7. Social Security Number: _____

8. District of present residence: _____

9. Continuous resident of: _____ District since: _____

10. Continuous resident of Reservation since: _____

11. Other States (besides North Dakota or South Dakota) resided in since candidate was 18 years of age:

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

12. I hereby certify that I meet all of the qualifications necessary to run as a candidate for _____ School Board.

13. In support of the statements set forth in this Notice, I attach to and make a part of this Notice of Candidacy, the following:

- (a) **Certificate of Enrollment.** A certificate from the Tribal Enrollment Office or BIA Superintendent showing the date of my enrollment and certifying that I am a duly enrolled member of the Standing Rock Sioux Tribe. Standing Rock Sioux Tribal Enrollment Cards will also be accepted, a copy will be made by the Tribal Election Staff.

(b) **Proof of Residency.**

(1) **If the proposed candidate is a tenant in a housing development or occupies a mutual help housing unit.** A written statement from the Manager of the Standing Rock Housing Authority identifying the place or places of the proposed candidate's residence and certifying by dates the period of time that the proposed candidate has continuously resided in each such place or places.

(2) **If the proposed candidate is a tenant in a place other than a housing development.** A written statement from each of the proposed candidate's landlords identifying the place or places of the proposed candidate's residence and certifying by dates the period of time that the proposed candidate has continuously been a tenant in each such place or places.

(3) **If the proposed candidate resides on land that belongs to the proposed candidate or to the proposed candidate's spouse.** Two written statements by adjoining, or nearby, neighbors, setting forth the identity and location of each such neighbor, the location of the proposed candidate's place of residence and certifying, by dates, the period of time that the proposed candidate has continuously resided on such land.

(c) **Statement of all debts owed to the Tribe.** A verified and complete statement disclosing all debts owed to or guaranteed by the Tribe, any agency of the Tribe, or any corporation owned or controlled by the Tribe, including a statement of whether the candidate is delinquent on any such debt, as required in Form No.7 to Title XV of the Code of Justice

(d) **Filing Fee.** I hereby attach to this Notice, a copy of the Receipt for the One-Hundred-Dollars (**\$100.00**) Filing Fee which I have paid to the Tribal Finance Office, Standing Rock Sioux Tribe.

(e) **Fingerprinting.** I hereby consent to my fingerprinting by the Election Supervisor or an authorized representative on the attached form to be used solely for the purpose of conducting Tribal, State and Federal Felony Record and Background Checks for establishing my qualifications for seeking Tribal Elective Office.

I, hereby consent to and authorize any Federal, State or Tribal law enforcement agency or court to disclose to the Standing Rock Election Supervisor and Commission any and all documents, data and information necessary to verify paragraph 12, above, including the record of any felony conviction I may have. Form No. 13 - Title XV.

Notice of Candidacy for Tribal School Board Page 3.

I, hereby certify that the foregoing statements are true and correct and are made for the purpose of establishing my qualifications for tribal office. If any material statement made in this notice of candidacy is false, it shall be grounds for my disqualification as a candidate for tribal office, or, if elected, it shall constitute grounds for removal from office.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 2____.

Notary Public

My Commission Expires (Date)

TRIBAL ELECTION OFFICE USE BELOW

Date Filed _____ Time Filed: _____

Election Supervisor or Authorized Representative Standing
Rock Sioux Tribe

NOMINATING
PETITIONFOR
STANDING ROCK HOUSING AUTHORITY BOARD COMMISSIONER

We, the undersigned, qualified voters of the Standing Rock Sioux Tribe, and residents of the Standing Rock Sioux Reservation, and the District of _____ hereby nominate to be a Candidate for the OFFICE OF STANDING ROCK HOUSING AUTHORITY BOARD COMMISSIONER from the District at the General Tribal Election to be held on _____, 20__.

SIGNATURES:

ADDRESSES

SIGNING DATE:

1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____
16) _____	_____	_____
17) _____	_____	_____
18) _____	_____	_____
19) _____	_____	_____
20) _____	_____	_____

I, _____ hereby accept the Nomination for the Office of Standing Rock Housing Authority Board Commission from _____ District.

STANDING ROCK SIOUX TRIBE
NOTICE OF CANDIDACY FOR STANDING ROCK HOUSING AUTHORITY BOARD

Date: _____ 2, ____ - ____

I, hereby give Notice of my candidacy for the Office of Standing Rock Housing Authority Board Commissioner for the _____ District.

1. Name: _____

2. P.O. Box No: _____ Address: _____

City: _____ State: _____ Zip: _____

(All notices and service of papers will be made to this address.)

Telephone: (Home) _____ (Work): _____

3. Date of Birth: _____ 4. Age: _____

5. Place of Birth: _____ 6. Standing Rock Enrollment No. _____

7. Social Security Number: _____

8. District of present residence: _____

9. Continuous resident of: _____ District since: _____

10. Continuous resident of Reservation since: _____

Other States (besides North Dakota or South Dakota) resided in since candidate was 18 years of age:

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

City: _____ State: _____ Zip: _____ Years: _____

I hereby certify that:

- (a) I am an enrolled member of the Standing Rock Sioux Tribe.
- (b) I am eighteen (18) years of age or older
- (c) I have resided in the District of my residence for at least thirty (30) days preceding the date of the election.
- (d) I have never been convicted of a Felony by any Court.
- (e) I am not delinquent on any debt owed to or guaranteed by the Tribe, any Tribal agency or any corporation owned or controlled by the Tribe or any loans guaranteed by the Tribe.

11. In support of the statements set forth in this Notice, I attach to and make a part of this Notice of Candidacy, the following:

- (f) **Certificate of Enrollment.** A certificate from the Tribal Enrollment Office or BIA Superintendent showing the date of my enrollment and certifying that I am a duly enrolled member of the Standing Rock Sioux Tribe. Standing Rock Sioux Tribal Enrollment Cards will also be accepted, a copy will be made by the Tribal Election Staff.
- (g) **Proof of Residency.**
 - (1) **If the proposed candidate is a tenant in a housing development or occupies a mutual help housing unit.** A written statement from the Manager of the Standing Rock Housing Authority identifying the place or places of the proposed candidate's residence and certifying by dates the period of time that the proposed candidate has continuously resided in each such place or places.
 - (2) **If the proposed candidate is a tenant in a place other than a housing development.** A written statement from each of the proposed candidate's landlords identifying the place or places of the proposed candidate's residence and certifying by dates the period of time that the proposed candidate has continuously been a tenant in each such place or places.
 - (3) **If the proposed candidate resides on land that belongs to the proposed candidate or to the proposed candidate's spouse.** Two written statements by adjoining, or nearby, neighbors, setting forth the identity and location of each such neighbor, the location of the proposed candidate's place of residence and certifying, by dates, the period of time that the proposed candidate has continuously resided on such land.
- (c) **Statement of all debts owed to the Tribe.** A verified and complete statement disclosing all debts owed to or guaranteed by the Tribe, any agency of the Tribe, or any corporation owned or controlled by the Tribe, including a statement of whether the candidate is delinquent on any such debt, as required in Form No.7 to Title XV of the Code of Justice
- (d) **Filing Fee.** I hereby attach to this Notice, a copy of the Receipt for the One-Hundred-Dollars (**\$100.00**) Filing Fee which I have paid to the Tribal Finance Office, Standing Rock Sioux Tribe.
- (e) **Fingerprinting.** I hereby consent to my fingerprinting by the Election Supervisor or an authorized representative on the attached form to be used solely for the purpose of conducting Tribal, State and Federal Felony Record and Background Checks for establishing my qualifications for seeking Tribal Elective Office.

Notice of Candidacy for Standing Rock Housing Authority BoardPage 3.

I, hereby consent to and authorize any Federal, State or Tribal law enforcement agency or court to disclose to the Standing Rock Election Supervisor and Commission any and all documents, data and information necessary to verify paragraph 12(a) above, including the record of any felony conviction I may have.

I, hereby certify that the foregoing statements are true and correct and are made for the purpose of establishing my qualifications for tribal office. If any material statement made in this notice of candidacy is false, it shall be grounds for my disqualification as a candidate for tribal office, or, if elected, it shall constitute grounds for removal from office.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires

TRIBAL ELECTION OFFICE USE BELOW

Date Filed _____ Time Filed: _____

Election Supervisor or Authorized Representative

MEMORANDUM

TO: Chief Judge of

FROM: Election ~~Election~~
:
~~Supervisor~~ Compliance
e Officer

DATE: _____

RE: Absentee Ballots for _____ Election to be held on

The Code of Justice, Title XV, Elections, Section 15-210 provides:

"15-210 DELIVERY OF ABSENTEE BALLOTS TO DISTRICTS.

The Election ~~Supervisor~~ Compliance Officer or Tribal Election Coordinator shall deliver all absentee voters ballots sealed and intact, together with the applications for such ballots to the election judges of the respective districts. Each chief election judge shall sign a document (Form No. 16) confirming receipt of the absentee ballots. The absentee ballots shall be held, sealed and intact, until the polls close. After the polls close and immediately before canvassing commences, the clerk of each election district, in public, and in the presence of all persons assembled, shall note on the poll book that the elector voted by absentee ballot and shall open the sealed envelope, and remove the folded ballot without disclosing it's marking, shall stamp and initial the ballot and deposit it in the ballot box for counting with the other ballots."

Pursuant to tribal law, I am delivering absentee voters ballots sealed and intact, together with the applications for such ballots to you. I am requesting that the Chief Election Judge acknowledge receipt by signature below.

_____ District:

Applications and Sealed Envelopes from the following absentee voters whose names are printed below:

Received: _____ (Date)

Signature of Chief Judge

MEMORANDUM

TO: _____, District Chairman
_____ District

FROM: Election ~~Supervisor~~ Compliance Officer

DATE: _____

RE: Consultation with District Chairman - Vacancy on Election Commission.

The Code of Justice, Title XV, Elections, Section 214 (b) Election Commission, provides that the Election Commission shall be composed of eight (8) members, representing the eight (8) Districts of the Reservation.

There is a vacancy on the Commission. At the present time, your District does not have a member serving on the Commission. In accordance with Title XV, the Election Supervisor after consultation with the District Chairman shall promptly fill any vacancy on the Commission, as documented on Form No. 17.

I am providing you with a copy of Section 214 (e) Qualifications of Tribal Election Officials. All members of the Commission must meet these qualifications.

This memorandum serves as documentation that I consulted with you in filling the vacancy on the Commission

Please write in the name of the person you have recommended to **fill** the vacancy and the date of your recommendation. Please note that while the Code requires consultation with the District Chairman regarding a vacancy, it does not require that the vacancy be filled with the person recommended by the District Chairman.

(Name of Person Recommended)

(Date)

The Tribal Election Office will insure that the person recommended meets the required qualifications and will conduct the necessary felony background checks. All election officials must be found qualified by the Tribal Election Office before taking the Official Oath of Office and entering upon their official duties.

You will be notified when the above vacancy is filled by my office.

Attachment: Title XV, Section 214 (e)

STANDING ROCK SIOUX TRIBE

PERSONAL DELIVERY - PROOF OF SERVICE

(Code of Justice, Title XV, Elections,
Section 15-216 Testing Eligibility and Challenge of Candidates,
Subsection (d) Manner of Serving Notice)

TO: ELECTION COMMISSION

I hereby certify that I personally delivered notice to the candidate named below in person. A copy of the notice is attached.

Name of Candidate: _____

Date of Notice: _____

Date of Delivery of Notice: _____

Place of Delivery: _____

Manner of Service: _____

Dated this ____ day of 20__.

Election ~~Supervisor~~ Compliance Officer or Tribal Election
Coordinator