

ARTICLE XII. ELECTIONS

A. General Elections

The members of the Tribal Council, Chairperson and Vice-Chairperson shall be elected at large by popular vote. A Tribal member shall only be a candidate for one position in a particular election, and a person shall hold no more than one elected position at a time. After the adoption of this Constitution, a general election shall provide for staggered terms as follows: The Chairperson and the Vice-Chairperson and the five (5) Council candidates with the highest number of votes shall be elected for four (4) year terms and the four (4) Council candidates with the next highest number of votes shall be elected for two (2) year terms. Thereafter, the general elections will be held in June of odd numbered years and all subsequent terms shall be four (4) years.

B. Primary Elections

1. A Chairperson and Vice-chairperson team shall file a joint candidacy petition for election. If more than two (2) candidate teams successfully petition to run for Chairperson and Vice-Chairperson, a primary election shall be conducted to reduce the number of candidate teams in the general election to two (2).

2. In any election in which more than two (2) candidates per open seat on the Tribal Council successfully submit candidacy petitions for office, a primary election shall be conducted to reduce the number of candidates to two (2) per open seat.

C. Special Elections

Special Elections shall be called by the Election Board when required under this Constitution or appropriate laws of the Little Traverse Bay Bands of Odawa Indians.

D. Registration and Ballots

1. The Election Board shall require members of legal voting age to register to be entitled to vote. The list of the names and addresses of all registered voters shall be a public document.

2. All members of the Little Traverse Bay Bands of Odawa Indians registered to vote at least ninety (90) days prior to an election may vote in general and special elections.

3. Voting in Tribal elections shall be by secret ballot mailed to all registered voters. Ballots must be mailed at least thirty (30) days prior to an election by first class mail or equivalent method to the last known address of each registered voter.

E. Certification of Election Results

The Election Board shall post non-certified election results within three (3) business days in the Tribal offices, and in the next issue of the Tribal newsletter. The election shall be certified and the results posted by the Election Board ten (10) business days after the election if there are no unresolved challenges pending.

F. Challenges to Election Results

Any registered voter of the Little Traverse Bay Bands of Odawa Indians may challenge for cause the results of any election by filing a written challenge with the Tribal Court within ten (10) days after the election. The Tribal Court shall act on a challenge to any election within twenty (20) days of receiving the challenge in Tribal Court.

G. Oath of Office

The Tribal Court shall administer the oath for the offices of Chairperson, Vice-chairperson and Tribal Council at the next regularly scheduled Tribal Council meeting at least thirty (30) days following the certification of election results.

H. Election Application

The Election Board will be responsible for developing the applications and candidacy petitions for the following positions: Chairperson, Vice-Chairperson and Tribal Council. The application must be completed by each candidate and submitted with their candidacy petition, and shall be mailed to all registered voters. The application may include such personal information as age, education, experience and residency.

I. Nepotism

Immediate family members shall not serve on the Tribal Council or as Chairperson or as Vice-Chairperson at the same time. In the event that two or more immediate family members are elected, they may designate in writing which one will serve. If no such designation is made, only the family member with the highest number of votes shall serve. In case of a tie, and no designation being made, a run-off election shall be conducted.