



The Minnesota Chippewa Tribe

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January 19, 2012

MEMORANDUM

TO: Secretary/Treasurer and Executive Directors
FROM: Gary S. Frazer, Executive Director
SUBJECT: Election Announcements

Please post the attached 2012 Election Announcement and Guidelines in the appropriate places on your Reservation today.

The original announcement and copies of the Revised Election Ordinance #10 were sent in mail. All candidates should be provided a copy of the Guidelines and Revised Election Ordinance #10.

If you have any questions regarding this memo, please call me. Thank you for your assistance.



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ANNOUNCEMENT

TO: FOND DU LAC RESERVATION BUSINESS COMMITTEE

The Minnesota Chippewa Tribe hereby announces that a Regular Election will be held on June 12, 2012 on the FOND DU LAC RESERVATION.

This REGULAR ELECTION provides for a April 3, 2012 PRIMARY ELECTION in the event there are more than two (2) eligible candidates for each open position.

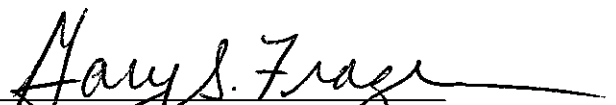
Elected positions to be filled are as follows:

- A. CHAIRPERSON – FOND DU LAC RESERVATION BUSINESS COMMITTEE – FOUR (4) YEAR TERM
- B. COMMITTEEPERSON DISTRICT I – FOND DU LAC RESERVATION BUSINESS COMMITTEE – FOUR (4) YEAR TERM
- C. COMMITTEEPERSON DISTRICT III – FOND DU LAC RESERVATION BUSINESS COMMITTEE – FOUR (4) YEAR TERM

Candidates shall file with the Secretary/Treasurer or his designee during regular business hours beginning on January 23, 2012. Filing will close on February 3, 2012 at 4:30 P.M.

Attached are the Dates & Guidelines for the 2012 Tribal Elections.

Date: January 19, 2012


Gary S. Frazer, Executive Director

**ELECTION CALENDAR
2012**

- January 4: Last day for sitting RTC member to give notice of resignation to file for other RTC office.
- January 13: Last day for sitting RTC member to give notice of resignation to file for vacated RTC seat.
- January 18: Notify MCT on choice of appellate forum.
- January 18: Selection of Election Court of Appeals Judge
- January 20: Election Announcement
- January 23: Opening of period for filing for office.
- February 3: Close of filing period
- February 17: Deadline for Notice of Certifications to TEC.
- February 20: Challenge certification or non-certification to MCT or 48 hrs. from receipt of notice of certification.
- February 22: Decision of certification or non-certification or within 48 hrs. of appeal.
- February 27: Deadline for appointment of Election Boards.
- February 27: Deadline for appointment of Election Contest Judge.
- February 28: TEC provides ballots for Primary Election.
- February 28: Notice of Primary
- April 3: Primary
- April 4: General Reservation Election Board certifies Primary Results.
- April 5: General Reservation Election Board publishes Primary Results.
- April 6: Deadline for Request for Recount.
- April 10: 4:30 p.m. - Deadline for Contest of Primary Election.
- April 11: *(Results, if Allowed or 9th or 10th If earlier request)* Decision on Request for Recount and Results of Recount.

April 20:	Deadline of Decision on Contest
April 23:	Deadline for Appeal to Court of Election Appeals.
April 26:	Record of Contest to Court of Election Appeals.
April 30:	Last Day for Hearing on Appeal
May 10:	Last Day for Decision on Appeal
May 11:	Notice of Regular Election TEC provides ballots
June 12:	General Election
June 13:	General Reservation Election Board certifies results of Election.
June 14:	General Reservation Election Board publishes Election results.
June 15:	Deadline for Request for Recount.
June 19 (4:30 P.M.):	Deadline for Notice of Contest.
June 20 (<i>or 19, 18, if request for Recount is filed before deadline</i>)	Decision on Request for Recount and Results of Recount, if allowed.
June 29, (<i>or ten days from Notice of Contest, whichever is sooner</i>):	Deadline Decision on Contest
July 3:	Deadline for appeal to Court of Election Appeals.
July 6:	Record of contest forwarded to Court of Election Appeals.
July 10:	Last Day for Hearing on Appeal (hearing within 7 days notice of appeal).
July 17:	Winning candidates assume office by operation of law, unless sooner seated, or the election is subject of appeal to the Court of Election Appeals.
Ten days from Hearing on Appeal:	Deadline for decision of the Court of Elections Appeal.
Day following Decision of Appeal:	Winning candidate prevailing on appeal takes office.

Section 3. Candidates for Office.

A. Eligibility.

A candidate for office must: (1) be an enrolled member of the Tribe; (2) be enrolled with the Reservation of his/her candidacy; (3) reside on the Reservation of his/her candidacy and enrollment; and (4) meet the requirements of Article IV, Section 4 of the Constitution, as set forth in subsection D of this Section. A candidate for Committeeperson to represent a district established pursuant to Chapter I, Section 4.1, below, must reside in the district of his/her candidacy and enrollment. Requirements (1), (2) and (3) must be met for at least the twelve-month period immediately preceding the date established for the Primary election. No member of the Tribe will be eligible to hold office, either as a Committeeperson or Officer, unless he or she will reach his/her twenty-first (21st) birthday on or before the date of the election. A candidate may file for only one (1) position.

B. Reservation Definition.

A Reservation is defined as all lands within the exterior boundaries of the reservation. A Band governing body, by official action, may define "reservation" to include specified lands outside the boundaries of the reservation, as may be defined by treaty, statute, executive order, or other document considered sufficient authority by the Band governing body, including all lands considered Indian Country under the governmental authority of that Reservation.

C. Filing of Notice of Candidacy.

1. For Regular Elections, eligible candidates must file their notice of candidacy for Chairperson, Secretary/Treasurer, or Committeeperson, with the Secretary/Treasurer of the Band governing body or his/her designee beginning on the next business day after the Tribal Executive Committee prepares the election announcement. The filing period shall end not less than ten (10) days after it begins.
2. For Special elections, eligible candidates must file their notice of candidacy for such offices beginning the next business day after the Band governing body prepares and posts the election announcement. The filing period shall end not less than ten (10) days after it begins.

3. The Notice of Candidacy must be in writing, have the original signature of the candidate, comply with the requirements of subsection D, below, and be filed by the candidate in person. A filing fee will accompany each notice of candidacy. The amount of the fee will be Five Dollars (\$5.00) for Officers (Chairperson, Secretary/Treasurer) and Two Dollars and Fifty Cents (\$2.50) for Committeeperson.
4. Each Band governing body will certify eligible candidates for office in accordance with the Minnesota Chippewa Tribe Constitution, the Minnesota Chippewa Tribe Election Ordinance and the dates and guidelines established for Minnesota Chippewa Tribe elections. Within twenty-one (21) days after the filing deadline the Band governing body must notify the Tribal Executive Committee of the eligible and ineligible candidates and the position for which they have filed. Certification decisions must adhere to the requirements of the Constitution and this Ordinance. The Band governing body shall make its certification decision based on all information available at the time for determination including information provided by the person who filed the Notice of Candidacy.

Any person who has filed a Notice of Candidacy has standing to challenge the certification or non-certification of a person who has filed a Notice of Candidacy. Any challenge of such a decision must be filed with the Executive Director of the Minnesota Chippewa Tribe or a person designated in writing by the Executive Director within forty-eight (48) hours of receipt by the Tribal Executive Committee of the notice of certification or non-certification. Any challenge must state the reason(s) why the decision of the Band governing body did not comply with the requirements of the Constitution. Immediately upon receipt of a challenge, the Executive Director or designee shall; (1) notify the Band governing body of the challenge and advise it that a complete record of all documents related to the challenge determination must be submitted to the Executive Director on the next business day; and (2) notify the Tribal Election Court of Appeals that a challenge has been filed, Notwithstanding any provision of this Ordinance, the Tribal Election Court of Appeals shall convene within twenty-four (24) hours of said notice and decide the issue of certification or non-certification based on the record provided by the Band governing body. The decision of the Tribal Election Court of Appeals shall be final.

5. If a member serving in any position on an existing Band governing body, and whose term does not end with the current election, desires to file for a different office on that Committee, he/she may do so. However, at least fifteen (15) days prior to the day that the Election Announcement is posted pursuant to this Chapter, such member will file with the Band governing body or its designee and serve upon each of its other members a notice of

resignation from that member's current position. Said resignation shall be irrevocable upon certification of the tribal member who has resigned as a candidate, and will be effective upon the successful candidate's assumption of authority of the position for which such member has filed.

6. In the event another incumbent member desires to file for the office for which a notice of resignation has been filed and served, he/she must file and serve a notice of resignation as least three (3) days prior to the date that the Election Announcement is prepared.
7. Each office for which a notice of resignation has been filed and served in accordance with this section will be included in the Election Announcement, and a Special Election for those positions will be held contemporaneously with the Regular Election.