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RESOLUTION NO. 2025-57

AMENDING LCO TCL ELE, ELECTION CODE AND ATTACHMENTS

- WHEREAS,** the Lac Courte Oreilles Band of Lake Superior Chippewa Indians is a federally recognized Indian tribe ("Tribe") organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. §5101, et seq.; and,
- WHEREAS,** the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, § 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and
- WHEREAS,** pursuant to Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, the Tribal Governing Board is empowered to "prescribe rules and regulations conducting all subsequent elections"; and
- WHEREAS,** pursuant to Article V, Section 1 (s) of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, the Tribal Governing Board possesses certain powers, including: "To promulgate and enforce ordinances governing the conduct of members of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin and providing for the maintenance of law and order and the administration of justice by establishing a tribal court and defining its duties and powers."; and
- WHEREAS,** the Tribal Governing Board duly enacted the Lac Courte Oreilles Election Code on April 29, 2005 pursuant to Tribal Governing Board Resolution No. 05-29; as amended on May 16, 2005 pursuant to Tribal Governing Board Resolution No. 05-50; as amended on May 29, 2007 pursuant to Tribal Governing Board Resolution No. 07-59; as amended on March 11, 2011 by the Tribal Governing Board at the Lac Courte Oreilles Tribal General Membership meeting; as amended on May 27, 2015 pursuant to Tribal Governing Board Resolution No. 15-53; as amended on April 18, 2017 pursuant to Tribal Governing Board Resolution No. 17-53; as amended on April 1, 2019 pursuant to Tribal Governing Board Resolution No. 19-39; as Amended on March 1, 2021 pursuant to Tribal Governing Board Resolution

No. 20-2021; as amended on March 6, 2023 pursuant to Tribal Governing Board Resolution No. 2023-25; and as amended on March 24, 2025 pursuant to Tribal Governing Board Resolution No. 2025-XX.

NOW THEREFORE BE IT RESOLVED, that the Tribal Governing Board hereby determines that it is in the best interest of the Tribe to amend the Election Code and its Attachments.

NOW THEREFORE BE IT FINALLY RESOLVED, that the attached amendment Title ELE Elections Code of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the Lac Courte Oreilles Tribal Code of Law, including all Attachments, shall be, and hereby is, amended and enacted as an ordinance of the Tribe, pursuant to Article IV, § 3 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians as follows:

1. ELE.1.2.010(x) General Definitions is amended as follows: “(x) “Working Day” means business days, (8:00am-4:30pm), and excludes all observed holidays including tribal holidays.”
2. ELE.1.3.050 is amended as follows: “The Attorney General’s Office will appoint a tribal attorney to act as advisor to the Election Committee.”
3. ELE.1.3.070 is amended as follows: “Observers shall be selected on the day of the Caucus as established pursuant to ELE.1.5.010 (d), by virtue of nominations by the general membership. Upon the completion of the election process, on the date of the election, the observers shall sign a final statement stating whether or not they have witnessed a properly run voting and tallying process (Attachment "M"). If the statement is not signed and returned to the Chairperson of the Election Committee upon the completion of the election process, it shall be noted that they are in agreement that the process was carried out according to policy. If they are not in agreement that the process was carried out according to policy, the observer must so indicate on the final statement and state their reasons. Observers shall not transmit any premature information regarding the election results. If they do so, the observers shall not be paid, shall not be permitted to act as observers in future elections, and may be subject to disciplinary action.”
4. ELE.1.3.090 is a duplicate of ELE.1.3.090 and is hereby struck from the ordinance.”
5. ELE.1.4.010(i) is amended as follows: “(i) Distribution of Ballots. The Election Committee Chairperson shall distribute a predetermined number of ballots, as determined by the Election Committee, at the polling site. The Chairperson and a designated Election Committee Member shall certify as to the number of official ballots received by the printer at time of pick up. The ballots shall be secured in lots of two hundred (200) in large envelopes, signed and sealed by each Election Committee Member present at that time. Upon opening an envelope at the time of election, an Election Committee Member for that site, shall open and verify the number of ballots and sign the envelope in the designated space. Upon receipt of

the official ballots from the Election Committee Chairperson, the Election Committee members at the site shall receive from the Election Committee Chairperson the Distribution of Official Ballots Certification, which shall be signed by both the Election Committee Chairperson and the Election Committee members. (Attachment "L")"

6. ELE.1.4.303(b) is amended as follows: "(b) Designated Locations. The following business establishments have been designated as the locations to hang posters pursuant to subs. (a) above: Tribal Administration Building, Housing Authority, LCO Commercial Center, LCO Quick Stop, Gaming Enterprises, LCO Convenience Store, LCO Community Health Center, LCOOS-Waadookodaading, LCO Ojibwe University, LCO Head Start — Early Head Start, Daycare, Reserve Elderly Center, Food Distribution, Big Fish Golf Course, Signor Community Center, New Post Community Center, Aging and Disability Resource Center, Land Management Division and WOJB."
7. ELE.1.4.030(c) is amended as follows: "(c) No campaign materials shall be posted at the designated locations listed above. (This includes the Right of Way for these establishments.)"
8. ELE.1.5.020(a) is amended as follows: "(a) All persons nominated as candidates for the election to the Tribal Governing Board at the time of the Caucus, whether or not personally present, shall notify the Election Committee, in writing, within three (3) working days of the day of Caucus, of their acceptance or rejection of their nomination to stand for election (Attachment "K") and verification that they have satisfied the prerequisites pursuant to ELE.1.5.030 (Attachment "I")."
9. ELE.1.5.020(b) is amended as follows: "(b) Those that do not sign the "Acceptance Form" (Attachment "H") and complete the "Prerequisite Certification for Primary Ballot" (Attachment "I") within the allotted time shall automatically be removed as a candidate for election to the Tribal Governing Board."
10. ELE.1.5.030(a)(3)(A) is amended as follows: "(A) The Election Committee shall provide the prospective candidate with an Election Background Waiver when the prospective candidate establishes that fifteen years or more has passed since the disposition and punishment (including sentencing and probation) of the felony or other serious offense charge as established in subs. (3), above, that has caused the prospective candidate to fail the background check. Any prospective candidate requesting an Election Background Waiver must complete an "Election Background Waiver Petition" which is attached and incorporated as Attachment "K" to this ordinance."
11. ELE.1.5.040(a)(1) is amended as follows: "(1) The Nominee has signed the "Acceptance Form" (Attachment "H") within the three (3) working days allowed pursuant to ELE.1.5.020;"

12. ELE.1.5.080(a) is amended as follows: "(a) No absentee ballot can be received without first being requested for in writing, by the person desiring to vote. Each eligible voter must request their own separate ballot in a separate envelope and sign the request for each election. (See Sample Request Form — Attachment "C" and Attachment "D")."
13. ELE.1.5.080(a)(1) is amended as follows: "(1) The use of the forms established in Attachment C and Attachment D are not required but recommended."
14. ELE.1.5.080(f)(1) is amended as follows: "(1) Determine if absentee voter meets the eligibility requirements by checking the enrollment status of the absentee voter; and"

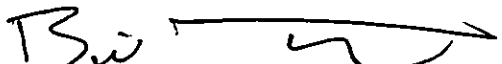
Deliver the Official Ballot, Absentee Ballot Certification (Attachment "E"), and Instructions for Voting by Absenteeism (Attachment "B") to the requesting voter by US Mail."

15. ELE.1.5.080(f)(2) is amended as follows: "(2) Log (Attachment "F") the listing and numbering of all individuals that have requested, and shall receive, an "Absentee Ballot.""
16. ELE.1.5.080(f)(4) is amended as follows: "(4) Provide a copy of the absentee ballot log (Attachment "F" to the Election Committee members at each polling site."
17. ELE.1.5.080(g) is amended as follows: "(g) Cast Absentee Ballots shall be received via regular mail or hand-delivery to the Tribal Administration Building; no later than 4:30 P.M. on the day prior to the Election;"
18. ELE.1.5.090 is amended as follows: "Upon completion of the ballot counting, the Election Committee Chairperson, or another member of the Election Executive Committee if the Election Committee Chairperson is unavailable, shall certify the number of votes received by each candidate on a form approved by the Election Committee (Attachment "N"). The Election Chairperson, or other member of the Executive Committee if the Chairperson is unavailable, shall then certify the Election results and declare the Election winners in accordance with Article IV of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. The Election Committee must complete their respective tasks of ballot counting, certification of election results, and the declaration of Election winners in one sitting without recess or adjournment. Once the Election results have been certified and the Election winners declared, a member of the Executive Committee shall ensure that the ballots are placed in a locked location to which all persons having access are known by the Executive Committee. No person shall gain access to the locked ballot storage location without prior approval of Executive Committee. The Chairperson, or other

member of the Election Executive Committee if the Chairperson is unavailable, shall maintain a log of all persons obtaining access to the ballots indicating the date and time of such access.”

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 6 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this 24th day of March, 2025, that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 4 members, 0 against, 1 abstaining, and that said Resolution is a lawful act of the Tribe.



William Trepanier, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board