

**RULES FOR THE ELECTION
OF DELEGATES**

TO THE

**CENTRAL COUNCIL OF THE TLINGIT AND
HAIDA INDIAN TRIBES OF ALASKA**

**RULES OF ELECTION
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**RULES FOR THE ELECTION OF DELEGATES
TO THE
OFFICIAL CENTRAL COUNCIL
OF
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA**

PURPOSE

The Central Council shall, pursuant to its Constitution or by resolutions, set the times for holding the general elections of Delegates. Requirements and procedures for such general elections and resolving any election disputes, if any, shall be as prescribed by these rules.

Rule 1. DEFINITIONS

Section 1. Definitions, as used in these rules:

- A. "Central Council," "Tlingit Haida," "Tlingit and Haida," "CCTHITA," "T&H" "CCTH" means the official Central Council of the Tlingit and Haida Indian Tribes of Alaska as defined in Section 7 of the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543).
- B. "Eligible person of Tlingit or Haida blood" means only a person of Tlingit or Haida blood residing in the United States or Canada who was a legal resident of the Territory of Alaska on June 19, 1935, or prior thereto, or who is a descendant of a person of Tlingit or Haida blood who was a legal resident of the Territory of Alaska on June 19, 1935, or prior thereto.
- C. "Community" and "Communities" means a Tlingit Haida Community listed on the list set forth in **Rule 2** of these rules as amended from time to time by the Central Council pursuant to **Rule 2** of these rules.
- D. "Local Election Committee" means a Local Community Election Committee whose members are selected for a Community pursuant to **Rule 4** of these rules.
- E. "Election Officials" or "Local Election Officials" are the election judges or other officials appointed by the Community Council and/or the Local Election Committee hired or appointed to conduct the local Delegate election.
- F. "Challenge Committee" means the Central Council Elections Challenge Committee composed primarily of Central Council Election Committee members and Tribal Judges. This committee is appointed by the President in consultation with the Central Council Election Committee chairman.
- G. "Executive Officers" "Executive Council" means the elected officers of the Central Council including the President, 1st, 2nd, 3rd, 4th, 5th and 6th Vice Presidents, as well as the Student Representative seated on the Executive Council.

- H. "Publish" means to give notice by newspaper, radio, television, continuous public posting of notices, any other news media, the Tlingit Haida Central Council website, an official T&H Community Council website, or by any one or more of these methods, as designated by the Local Election Committee.
- I. "He," "him," or "his" means he or she, him or her, his or hers.
- J. "The Community where he resides" means the Community that is his permanent residence for at least 30 calendar days prior to the nominations for delegates in that community.
- K. "Regular Delegate" is an individual duly elected by his Community and qualified in accordance with these Rules of Election to serve on the Central Council.
- L. The "Official Voting List" means the list containing the enrollment numbers and names, in alphabetical order, of all qualified voters in the Community.
- M. "Base Roll" means the roll of Tlingit and/or Haida people who were legal residents of the Territory of Alaska and/or Canada on June 19, 1935, or prior thereto, prepared by the Secretary of the Interior pursuant to Section 8 of the Act of June 19, 1935 (49 Stat. 388) as amended by the Act of August 19, 1965 (79 Stat. 543).
- N. "Supplemental Roll" means the roll maintained by the Central Council of persons of Tlingit or Haida blood (other than persons appearing on the Base Roll) residing in the United States or Canada:
- 1) Who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or who are descendants of such persons, and
 - 2) Who duly applied for tribal citizenship in the Tribes and showed to the satisfaction of the Central Council that they are eligible.
- O. "Membership and/or tribal citizenship Roll" means the Base Roll and the Supplemental Roll taken together. All living persons appearing on the tribal citizenship Roll are members of the Tlingit and Haida Indian Tribes of Alaska (Constitution of the Central Council, Article II).
- P. "Certify" means the local election committee officially attests endorsing the results of a duly constituted election.
- Q. "Permanent Nonresident" means a registrant as defined in Rules 5(B & C) of these rules.
- R. "Temporary residence" means that an eligible voter has moved his place of residence to another Community for an undetermined amount of time but intends to return to his permanent place of residence once he is completed with the reason for the temporary move.
- S. "Short period of time" means that an eligible voter is away from his permanent place of residence but has not moved to the community he is in during the election process.
- T. Nepotism is defined as: grandfather, grandmother, father, mother, brother, sister, son, daughter, grandson and granddaughter.

- U. “Close of business” or “close of business day” means 4:30 P.M. Monday through Thursday; 4:00 P.M. on Friday.
- V. “Local Enrollment Committee” may also mean Local Enrollment Officer.
- W. “Conflict of Interest” is defined as a situation in which a public official’s decisions are influenced by the official’s personal interests.

Rule 2. RECOGNIZED COMMUNITIES

Section 1. Delegates to the Central Council shall be elected by each of the following Communities:

Anchorage, AK	Kasaan, AK	Sitka, AK
Angoon, AK	Ketchikan, AK	Wrangell, AK
Craig, AK	Klawock, AK	Yakutat, AK
Haines, AK	Klukwan, AK	
Hoonah, AK	Metlakatla, AK	
Hydaburg, AK	Pelican, AK	San Francisco, CA
Juneau, AK	Petersburg, AK	Seattle, WA
Kake, AK	Saxman, AK	

Section 2. The Central Council may, from time to time, by duly adopted resolutions, designate additional Communities from which Delegates shall be elected in accordance with the provisions of these rules:

- A. The Community wishing to become a designated Tlingit Haida Community must submit a resolution requesting designation signed by at least 25 Tlingit and/or Haida tribal citizens residing in that community to the Central Council within 30 days prior to an annual Tribal Assembly session.
- B. A vote of at least two-thirds (2/3) of the total Delegates registered at a Tribal Assembly at which a vote is taken is required to authorize the designation of a new Tlingit and Haida Community.
- C. A Community must have at least 150 eligible voters over the age of 18.

Section 3. From time to time the Central Council may also delete from the list of Communities, and merge two or more Communities into one under the following conditions:

- A. The Community fails to conduct an election of Delegates for three (3) consecutive election years, and
- B. Fails to seat a Delegate for three (3) consecutive election cycles, and
- C. A vote of at least two-thirds (2/3) of the total Delegates registered at a Tribal Assembly at which the vote is taken.

Rule 3. APPORTIONMENT OF DELEGATES

Section 1. Each community shall elect one Delegate to the Central Council for each one hundred (150) persons or fraction thereof registered on the Official Voting List of that Community.

Rule 4. SELECTION OF ELECTION OFFICIALS

Section 1. The Local Enrollment Committee and Election Committee shall be selected pursuant to the Constitution, statutes, or resolutions of the Central Council.

- A. Contact telephone numbers and email addresses (if any) of all Enrollment Committee and Election Committee members shall be listed on all official postings of the enrollment and election process.
- B. The enrollment and election procedures and the rolls of the Community shall be reviewed prior to and throughout all Delegate elections to assure that they are accurate and conform to these rules, and the Constitution and resolutions of the Central Council.
- C. The Local Community Council, on or before November 1 preceding each election year, will appoint the Local Enrollment Committee. This Committee will be responsible and authorized to update enrollment reports (list) for that particular community in preparation for the election. The updated list will be used to determine the number of Delegates for that particular community.
 - 1) If the Local Community Council, for any reason, is not be able to appoint a Local Enrollment Committee, Central Council management staff is authorized to make alternate arrangements for the election by November 11.
- D. The Local Community Council, on or before December 1 preceding each election year, will appoint the Local Election Committee. This Committee will be responsible for ensuring that the election procedures are implemented. It is also the responsibility of this Committee to recruit Election Officials free of conflicts of interest to oversee the polls during the election of Delegates.
 - 1) Election Judges and any persons actively participating in running the election is an Election Official.
 - 2) If the Local Community Council, for any reason, is not able to appoint Election Officials by January 1, Central Council management staff is authorized to make alternate arrangements for the election by January 15.
 - 3) The Local Community Council reserves the right to approve the appointment of all local Election Officials.
 - 4) No person shall be a candidate in an election if he is an Election Official. An Election Official who, after appointment to the Election Committee, wants to be a candidate for Delegate must resign as an Election Official prior to January 1 to be eligible. An Election Official who has not resigned from duty by January 1 and received votes as a write-in candidate will not be qualified to serve as a Delegate regardless of the number of votes received.

- 5) The local Election Committee is the official contact in delegate election disputes and is authorized to officiate the settlement of ties for the last delegate seat.
- E. It is the responsibility of the Local Community Council to take necessary action to address the issue of nepotism, as defined in **Rule 1(T)**, between Election Officials and nominated candidates for Delegates. In the event that the Local Community Council is aware of the situation of nepotism and either takes action to confirm the appointment of the Election Official anyway or takes no action, the issue of nepotism shall not be a valid reason for challenging an election.
- F. Local Community Council Officers who are candidates may not unduly influence the election process by giving directions to the Election Officials that could be construed as giving an unfair advantage to the officer as a candidate. They should be only providing general oversight and supervision as necessary to the election process to make sure the target dates are being met and Election Rules are being followed.

Rule 5. VOTING AGE; RESIDENCY REQUIREMENTS

Section 1. The tribal citizenship Roll, consisting of the Base Roll and Supplemental Roll together, shall be maintained by the Central Council and only living persons who appear on the tribal citizenship Roll and are eighteen (18) years of age or older shall appear on the Voting Lists of the Communities.

Section 2. Each eligible person of Tlingit or Haida blood, as defined in **Rule 1(L, M, & N)** of these rules, who is at least eighteen (18) years old on or before the date of any regular election held under these rules, shall be entitled to be elected or to register on an Official Community Voting List as follows:

- A. The roll of the Community where he resides as defined in **Rule 1(J)** of these rules.
 - 1) An eligible voter who is away from his official community may remain on the roll of his home Community when temporarily away for military, medical, or educational purposes even if he is in another Tlingit and Haida Community jurisdiction, provided he does not participate in the election process of the Community of his temporary residence.
 - 2) An eligible voter who is away from his official home Community for a short amount of time for any reason during the election process will remain on that Community's Official Voting List and is entitled to vote absentee if he chooses.
- B. If he does not reside within a Community, the roll of the Community nearest to the place where he resides; provided that it is within one hundred (100) miles of the place of his residence.
- C. If he does not reside within a Community or within one hundred (100) miles of a Community, he will be on the roll of any Community of his choice.
 - 1) He may also become nominated for Delegate and/or vote via absentee ballot in the Delegate election of that Tlingit Haida community.

Rule 6. NOMINATIONS; QUALIFICATIONS OF CANDIDATES

Section 1. The Local Community Council must have a meeting no later than 30 days prior to the opening of nominations for delegate candidate to:

- A. Review these rules to ensure broad understanding of their responsibilities and options under these rules.
- B. Decide on the nominations process: Whether or not there will be a meeting for the purpose of nominating or if nominations will be made directly to Tlingit Haida Central Council offices.
- C. Decide on the design of the ballot:
 - 1) Larger communities (1000 tribal citizens or more) may have a ballot where the candidates are listed alphabetically and the names are rotated every 10 ballots;
 - 2) The names of the nominees may appear on the ballot in the order in which they were nominated if a community has a meeting for the purpose of nominating; and
 - 3) The names of the nominees may appear on the ballot in the order in which the Declaration of Intent to Serve is received by the Election Committee chair at the nominations meeting; mailed in declarations will be listed after those who handed theirs in personally at a meeting.
 - 4) Nominees from communities who defer to Tlingit Haida Central Council offices in doing their elections will appear on the ballot in the order in which the Declaration of Intent to Serve is received.
 - 5) Communities have the option to determine ballot order by a random drawing of the names of all Delegate candidates, present or not, from a hat after nominations have been closed.

Section 2. Subject to the provisions of these rules and the Constitution and any applicable resolutions of the Central Council, the nomination of candidates process for the offices of Delegates from each community shall be conducted between the period of January 15 through February 5.

- A. Nominations shall be made in a regular or special meeting called for the purpose of nominating candidates.
 - 1) The nominations portion of the meeting must be conducted by the chair of the local Election Committee or a designated member of the committee.
 - 2) Nominees must provide a signed notice to a member of the local Election Committee or the local T&H Community Council President indicating his interest in being a candidate.
 - a) Declaration of Intent to Serve must include: Name, Address, Phone Number, Date of Birth, Enrollment Number, and Email Address, if any.
 - b) If he does not reside within a Community or within one hundred (100) miles of a Community, he may be nominated in the Community to which he is enrolled.

- 3) Tribal citizens who do not submit a letter of intent to be nominated as a candidate for Delegate as prescribed in this subsection are not eligible to be a candidate for Delegate.
- B. Posted date and time of nomination meeting must be conducted as advertised with the following conditions:
- 1) Nomination meetings must be open for a minimum of one hour.
 - 2) Posting must be advertised for a minimum of one week prior to the meeting date with all nominating requirements and contact information.
 - 3) The Chairman of the Election Committee must inform the Assistant to the President of Central Council of the location of advertisement.
 - 4) A copy of all advertisements and the posting date must be kept on file at the local community council office for verification.
- C. When a local Community is unable to establish and conduct a nominations and election process, individuals desiring to be considered as a candidate may submit their candidacy directly to the Central Council.
- 1) This rule applies only if the community does not have an election process as stated in **Rule 6(A)**.
 - 2) Nominations from these Communities must be submitted to Central Council offices by February 5. Thereafter the Central Council will conduct the election on behalf of the Community, either through an absentee ballot process or local election.
 - 3) The San Francisco and Seattle Chapters, who have always used the method of absentee balloting to carry out their elections, are permitted to continue this practice.

Section 3. In order to qualify as a candidate or nominee for election as a Delegate from any Community, a person must be registered on the Official Voting List of that Community.

Section 4. The name of each qualified nominee shall be placed on an official ballot.

Section 5. Persons nominated or declaring candidacy after local nominations deadlines may only run as 'write-in' candidates. A qualified successfully elected 'write-in' candidate who was not an Election Official after January 1 is determined elected.

Section 6. No Delegate shall be a permanent employee of the Central Council

- A. Except as an Executive Officer, or employed in a Community as a Community Liaison with the Office of Self-Governance or as a contract employee from flow through BIA Compact Funds.
- B. No person who, within sixty (60)-days of the date of an election, has been a permanent employee of the Central Council, except as stated above shall be eligible for election as a Delegate from any Community. Executive Officers are exempt from this rule if the Executive Office is a position elected and budgeted by the Tribal Assembly.

Rule 7. POST VOTER LIST; REVIEW AND CHALLENGE OF ROLLS

Section 1. The Chairman of the Local Election Committee of each Community shall post the alphabetical list provided by the Central Council of all persons eligible to vote in that

Community, not later than December 11 of the year prior to the election year. This Official Voting List for each Community shall be posted at (in descending order of priority):

- A. Local tribal government office (building);
- B. ANB/ANS Hall; and
- C. Other locations frequented by Tlingit and Haida members (in the opinion of the Chairman of the Local Election Committee).
- D. The Chairman of the Election Committee must inform Central Council of the location.
- E. Tribal citizens living outside the community of their enrollment may check with the local Enrollment Committee or the Tlingit Haida Central Council Enrollment Officer to verify that they are or are not on the list of that community.

Section 2. This Official Voting List shall be open to inspection by local tribal citizenship, and any person eligible to appear thereon may challenge the inclusion *or exclusion* of the name of any person on the Official Voting List of the Community by filing a written protest with the Local Election Committee within five (5) days of posting of the Official Voting List.

Section 3. If any protest is upheld, the protested name shall be stricken from *or added to* the Official List provided. The Chairman of the Local Election Committee shall notify the Central Council within five (5) days.

Rule 8. NOTICE OF ENROLLMENT AND ELECTION

Section 1. The Local Enrollment Committee Chairman of each Community shall arrange to publish by November 15, a notice setting forth:

- A. Enrollment requirements for voting;
- B. The period of enrollment; and
- C. The location of enrollment and change of address forms.

Section 2. The Local Election Committee Chairman of each Community shall arrange to publish by February 1, a notice setting forth:

- A. The date of election;
- B. The location of the polls and hours the polls will remain open;
- C. The procedures to be followed for voting, including those for absentee voting;
- D. A statement providing that “A complete list of nominated candidates will be published by February 12.”
- E. A statement providing that “Absentee Ballots will be available by February 18.”

Section 3. The Local Election Committee Chair of each Community shall have the Declaration of Intent to Serve form available to any eligible tribal citizen wishing to be a candidate for delegate.

- A. Immediately after January 1 of an election year;
- B. Available at a meeting for nominations; or

- C. Available from the Tlingit Haida Central Council offices if not available locally.

Rule 9. ABSENTEE VOTING

Section 1. A registrant for whom it is inconvenient for any reason to vote in person at the polls shall be entitled to vote by absentee ballot as provided by this rule.

- A. An eligible voter who is away from his official Community may vote absentee in his home Community when temporarily away for military, medical, or educational purposes even if he is in another Tlingit and Haida Community jurisdiction, provided he does not participate in the election process of the Community of his temporary residence.
- B. If an eligible voter does not reside within a Community or within one hundred (100) miles of a Community, he may vote absentee in the Community to which he is enrolled.
- C. Only the registered voter is eligible to request a ballot, in person, by phone, fax, email, or by mail.

Section 2. The Local Election Committee shall give, mail, or cause to be delivered official ballots for absentee voting to registrants who make such requests therefore in sufficient time to permit such registrants to execute and return the same on or before the close of the polls on the date of election. Together with the ballot, there shall be delivered to such absentee voter:

- A. An inner envelope bearing the official logo of the Central Council, the words, "ABSENTEE BALLOT," a control number, space for the printed name of the registrant, and space for the signature of the registrant.
- B. Blank envelope for completed ballot.
- C. An outer envelope addressed to the Local Election Committee.

Section 3. The voter shall mark the ballot, place it in the blank envelope marked, and place the blank envelope in the envelope marked "ABSENTEE BALLOT," seal the envelope and place it in the outer envelope, and seal and mail it to or cause it to be timely delivered to the Local Election Committee.

Section 4. The Local Election Committee shall take steps to ensure that the blank envelope containing the ballot shall be placed unopened in a ballot box in such a manner as to preserve its secrecy and as to prevent its identification thereafter with the person casting it.

Section 5. A voter may cast an absentee ballot by email as a scanned document in PDF format or by fax directly to the Election Chair if necessary under the condition that:

- A. The voter understands that they are waiving the right to secret ballot by doing so;
- B. The ballot must be signed by the voter; and
- C. The absentee ballot will be treated as a questioned ballot.

Section 6. No candidate shall unduly influence or direct Election Officials to deliver Absentee Ballots only to their friends, family members, and/or political supporters.

Section 7. Any Tlingit Haida Central Council Community may have its entire election conducted through the absentee voting process with ballots mailed to all eligible voters from that

community provided it is decided by a majority vote of the local Community Council before February 1 of an election year.

Rule 10. CONDUCT OF ELECTION

Section 1. The Local Election Committee of each Community shall conduct elections by:

- A. Preparing official ballots including absentee ballots not less than thirty (30) days prior to the election and having available at each polling place on election day a sufficient number of official ballots on the format approved by the Central Council.
- B. Checking personal identification of the voter to verify that only those persons on the Official Community Voting List receive a ballot, refer to **Rule 11(C)** question ballots. Acceptable forms of ID include:
 - 1) Tlingit and Haida Citizenship Card, or
 - 2) State Identification Card, or
 - 3) State Voter Registration Card, or
 - 4) Other forms of ID acceptable as determined by Election Officials, or
- C. Verifying that the ballot is cast by the voter, and that the Official Voting List is checked to show such person has voted;
- D. Making and keeping a record of the absentee ballots mailed or delivered, showing to whom mailed or delivered, the date thereof, the address of the absentee voter, and the date of return of the ballot and from whom received;
- E. Keeping the ballot boxes locked at all times except when the ballots are being counted;
- F. Counting the regularly cast ballots and absentee ballots immediately after the close of the polls on the day of election;

Section 2. Prompt certification of the election returns to the Central Council following all elections.

Section 3. Returning all ballots cast and all unused and spoiled ballots to the ballot box, which box shall be marked and sealed and retained by the chairman of the Local Election Committee until the term of the Local Election Committee expires, at which time the ballots shall be destroyed.

Rule 11. VOTER REGISTRATION

Section 1. The purpose of the Voter Registry is to ensure that a record is maintained that a voter is indeed qualified to vote and to record the receipt of a ballot by an eligible voter.

- A. Each tribal citizen must sign his/her name on an official master registry prior to receiving a ballot at the time of voting. The Official Voting List of each community shall continue in effect from year to year.
- B. The Local Election Committee official shall check the person's name against the official Central Council enrollment summary list for that community, to ascertain that:

- 1) The person's name appears on the list; and
 - 2) The person is of voting age.
- C. Persons not appearing on the enrollment list may vote on a "questioned" ballot. Questioned ballots shall be handled in the following manner:
- 1) The ballot shall be placed in an unmarked envelope, which shall be placed in another envelope upon which shall be written the following information:
 - a) Name;
 - b) Enrollment number;
 - c) Date of birth;
 - d) Social Security number; and
 - e) A list of Communities lived in prior to this election, with estimated dates of residency in said Communities.
 - 2) The Local Election Committee shall immediately check with Tlingit and Haida Central Council offices to verify that the voter is on the master enrollment list or enrolled to another Community;
 - 3) If it is found that the voter is on the master list, the ballot will then be placed in the ballot box to be counted with other ballots;
 - 4) If the following conditions exist, the vote shall be disallowed:
 - a) The voter is under the age of 18;
 - b) The voter has voted in another Community;
 - c) The voter does not meet the minimum requirements of a tribal citizen or is not enrolled by the close of business on the day of election; and/or
 - d) The voter does not vote within the prescribed time frame.
 - 5) The voter's enrollment card may be used as a reference to speed up confirmation.
- D. The official master registry must be submitted to Tlingit and Haida Central Council offices with the election results. The signature/s of the Election Committee attests the accuracy of the registry.
- E. Each Local Election Committee shall publish, in accordance with **Rule 8** of these rules, not later than February 1 of each year, a notice identifying the place or places for obtaining and filing enrollment forms and stating that to be eligible to vote in the upcoming election, enrollment must be completed and submitted to Central Council offices by the close of business on the day of election.
- 1) The Chairman of the Local Election Committee (or the Local Enrollment Officer if there is one) shall ensure that enrollment forms are made available to all persons requesting them in person, by mail or otherwise.
 - 2) Properly executed forms shall be filed with the Central Council Enrollment Officer in Juneau immediately.

- 3) An applicant for tribal citizenship whose application is properly processed by 4:30 P.M. on the day of election will be eligible to vote.

Section 2. The list as of December 22 of the year preceding an election year shall be the final list upon which the number of Delegates per community shall be determined.

- A. Tribal Citizenship applications will be processed after that date will not be used in determining the number of Delegates a Community is eligible to have.

Rule 12. ELECTION

Section 1. Each registrant on the Official Voting List of a Community may vote for up to the number of Delegates that the Community is entitled to elect. The corresponding number of candidates in each Community receiving the highest number of votes shall be declared elected.

- A. The local Election Officials shall notify Central Council of the results of the Delegate election as soon as the results are known or no later than the close of business the following workday.
- B. The local Election Officials shall post the results of the election on the official Central Council form provided for that purpose from the Central Council immediately upon certification but not later than one (1) full day after the election.

Section 2. In the event of a tie for the final Delegate position the winner will be determined by any decision of chance acceptable by the candidates in question.

- A. The Chairman of the Election Committee will perform the tie-break ceremony before the close of business the day after the election.
- B. Suggested methodology for breaking a tie is:
 - 1) Flipping a coin (coins in the event more than two candidates were tied for the last place), or
 - 2) Cutting cards with the high card winning, or
 - 3) Drawing straws.
- C. If one candidate does not attend, the tie-break will be guided by the decision of those in attendance.
- D. If no candidates are available a proxy tie-break will be conducted by the Election Officials and documented as such.

Section 3. In the event a newly elected candidate for delegate is not able to attend the upcoming Tribal Assembly, the next highest vote-getter will be the official delegate.

- A. The process will repeat itself in the event other newly elected delegates are not able to attend the Tribal Assembly.
- B. This is not considered a “vacancy” since the delegate elect had not been sworn in yet.

Rule 13. SUPERVISION OF POLLS

Section 1. The polls shall remain open in each Community during all of the hours fixed by the Local Election Committee, without exception.

Section 2. At least one member of the Local Election Committee shall be present at each polling place during the time polls are open.

Rule 14. VOTING PROCEDURES

Section 1. Voting shall be by secret ballot.

Section 2. Any registrant on the Official Voting List may vote at the polls of the Community in which he is registered within the prescribed voting hours, announcing to the officials his name and address, marking and placing in the ballot box the ballot that shall be handed to him.

Section 3. A registrant for whom it is inconvenient for any reason to vote in person at the polls shall be entitled to vote by absentee ballot as provided by **Rule 9** of these rules.

Rule 15. PROHIBIT PROXY VOTING

Section 1. Voting by proxy will not be permitted.

Rule 16. CHALLENGE OF ELECTION PROCEDURE

Section 1. Any candidate for Delegate may challenge the election results of his Community:

- A. By written notice with the President of the Central Council and/or the chairman of a duly constituted Election Committee of the Central Council.
- B. No later than 4:30 P.M. on the Monday following a Delegate election.
- C. Clearly stating his grounds for the challenge and substantiating evidence in reference to the specific rules allegedly violated.

Section 2. The President of Central Council shall appoint a Central Council Election Challenge Committee (Challenge Committee) on no later than Tuesday following the election.

- A. The Challenge Committee will consist of three (3) members, and two (2) alternate members.
 - 1) In the event one or more of the Committee members are related to any persons involved or from the Community in question, an alternate will serve in place of the person with the conflict.
- B. The Challenge Committee will make every effort to resolve the dispute in a fair and impartial manner utilizing the least intrusive method.

Section 3. If in the opinion of the Central Council President and the Challenge Committee, in consultation with the Chief Tribal Judge, the objections are valid and are of a nature to so warrant, the remedial solutions may be:

- A. A recount of all ballots cast in the Delegate election in the Community, or

- B. A ruling on the eligibility of a voter, or
- C. A ruling on the eligibility of a candidate for Delegate, or
- D. The ordering of a new or Special Delegate election for that community.

Section 4. When a recounting of ballots is ordered candidates or their representatives have a right to witness the recount.

Section 5. The Enrollment Committee Chairman will be consulted on all issues of voter and/or candidate eligibility.

Section 6. The Central Council may call for a new election in Communities where it is conducting the election on behalf of such Community when there are irregularities that warrant a new election and such irregularities are not correctable through other means.

- A. When a new election is ordered only the previous nominees who qualify shall be the candidates.
- B. Such election shall be conducted in accordance with such procedures as are prescribed or approved by the President of the Central Council or a duly constituted committee of the Central Council.

Section 7. Procedures for election challenges shall be as follows:

- A. Written notice sent to Central Council and copies of the challenge to the Local Election Committee no later than 4:30 P.M. on the Monday following an election.
 - 1) The notice must specify what rule or rules were allegedly violated.
 - 2) All supporting documents must accompany written challenge.
- B. Appointment of Central Council Election Challenge Committee no later than Tuesday following the election.
- C. The Local Election Committee responds to the challenge, in writing, no later than the Tuesday following the election and provides all documents to the Challenge Committee by the close of business on Friday
- D. The Challenge Committee, upon receipt of all documentation, will make every effort to resolve the election dispute in the following order:
 - 1) Hold a conference call among members and Central Council administrative staff to determine if it is possible to resolve the dispute without further action.
 - 2) Hold a conference call among members, the challenger, and local Election Officials to make efforts to resolve the dispute.
 - 3) Travel to the Community to have a meeting of all interested parties to resolve the dispute.
 - 4) Order a recount of Delegate election ballots for that Community.
 - 5) Order a new special election of Delegates for that Community.
- E. Central Council administrative staff shall make travel arrangements for the Election Challenge Committee in the event the Committee chairman determines there is enough evidence that Challenge Committee meetings are necessary to resolve the election dispute.

- F. Central Council administrative staff shall make arrangements for the payment of all reasonable costs of a Special Election in the event the Challenge Committee determines there is enough evidence that warrants a Special Election to resolve the election dispute.

Rule 17. SPECIAL ELECTIONS

Section 1. Procedures for special elections conducted under **Rule 16** of these rules prescribed or approved by the President of the Central Council or a duly constituted committee thereof shall conform as nearly as feasible and practicable under the circumstances to the provisions of these rules.

Rule 18. PAYMENT OF ELECTION EXPENSES

Section 1. The Executive Council is authorized to adopt an election payment plan to provide for an equitable payment to local Community Councils for the Delegate elections. The Executive Council may authorize supplemental reimbursement to Communities for unusual expenses of holding election of Delegates to the Central Council only in special and unusual circumstances.

Rule 19. TERM OF OFFICE; LIMITING EXECUTIVE OFFICE; FILLING VACANCIES

Section 1. Delegates shall be elected for terms of two (2) years and shall serve until their successors are elected and qualified to the Central Council except that Delegates seated from Communities that do not hold a regular election shall not be eligible to hold any executive office in the Central Council.

Section 2. The Local Community Council shall fill a vacancy occurring during the term of office of a Delegate to the Central Council. Options include:

- A. The selection of the next highest vote-getter in the most recent election of Delegates; or
- B. A random method agreed to by the majority vote of Community Council in an official meeting.

Section 3. In the event a Community is not able to hold a meeting to select a replacement Delegate the local Community president may appoint a replacement.

Section 4. In the event a Community Council does not fill a vacancy at least seven (7) days prior to a Tribal Assembly, the vacancy will be filled by the majority vote of the Central Council Executive Council. In such cases, the decision of the Executive Council will be final.

Rule 20. DELEGATE CONTACT INFORMATION

Section 1. Any delegate elect who declares candidacy for President or Vice-President is entitled to full access to the mailing address, phone number, and e-mail address to any delegate contact information in useable format upon request to the Office of the President.

Rule 21. ELECTION RULES PRECEDENCE

Section 1. In the event a Local Tlingit Haida Community Council has Rules of Election that are not the same as these rules, these rules will take precedence in settling disputes.

- A. If the Election of Officers of a Local Community Council is conducted at the same time, these rules take precedence when settling disputes.

Rule 22. PROVISION FOR AMENDMENT OF RULES

Section 1. The Central Council may amend these rules from time to time by a majority vote of the Delegates, subject to the approval of the Secretary of the Interior.

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