

**KASHIA BAND OF POMO INDIANS
OF THE STEWARTS POINT RANCHERIA**

**ELECTION ORDINANCE
(Approved 8-12-11, Amended 11-12-11)**

1. GENERAL PROVISIONS

A. AUTHORITY. This Ordinance is enacted under the inherent sovereign authority of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria ("Tribe"), and in accordance with Article 4, Elected Officials: Tribal Council and Article 5, Governmental Powers, of the Tribe's Constitution, adopted on January 30, 2011 and approved by the Secretary of the Interior on February 15, 2011.

B. PURPOSE. The purpose of this Ordinance is to clearly define the procedures to be followed for officer elections and other General Council actions.

2. ENTITLEMENT TO VOTE

A. Every officially enrolled Tribal member aged 18 years or older is a Qualified Voter and has the right to vote in all elections and on all matters before the General Council.

B. The General Council may approve other restrictions on Qualified Voters provided that they are in compliance with section 7 of the Constitution.

3. ELIGIBILITY TO HOLD OFFICE

A. Every Qualified Voter shall be eligible to hold office, provided that s/he:

- (1) is at least 21 years of age if running for the office of Chair, Vice-Chair, Secretary or Treasurer, and at least 18 years of age if running for a Member at Large position;
- (2) has a high school diploma, GED, or equivalent qualifications;
- (3) is not employed in any Kashia Tribal government position during the person's term of office;
- (4) has not been found by the General Council to have committed a crime against the Tribe under the Tribe's Ethics and Conduct Ordinance that would make him/her ineligible to hold office;

- (5) has no more than one (1) Immediate Family Member (parent, spouse or domestic partner, guardian, sibling, child, aunt or uncle) running for or holding office;
- (6) has never been convicted of a felony involving violence (such as murder, rape, or child or elder abuse), financial crime (such as embezzlement) or dishonesty (such as fraud); and
- (7) has not been convicted of a felony other than as defined in section (7) above within five (5) years or less prior to the election date.

B. Candidates may not run for more than one office in an election.

C. Candidates may not hold office for more than two (2) consecutive terms (4 years).

4. ELECTION COMMITTEE

A. Prior to the regularly-scheduled February General Council meeting, the Tribal Council shall designate a Tribal Member staff employee to serve as the Election Committee Representative in the Tribal Office.

B. Election Committee members shall be appointed annually by the General Council during the February General Council meeting.

C. The Election Committee shall be composed of a minimum of 4 Tribal Members and 2 additional Tribal Members as alternates.

D. In accordance with custom and tradition, the appointment shall be based on Tribal Members who volunteer at the meeting by signing an Election Committee sign-up sheet.

E. If fewer than the minimum number or many more than is reasonable volunteer for the Election Committee, Committee membership shall be determined as provided in the Election Committee Procedures to be established within 180 days after approval of this Ordinance by the General Council.

F. The Election Committee shall have the authorities and responsibilities defined in this Ordinance and Election Committee Procedures.

G. No person may actively serve on the Election Committee while running for office or while an Immediate Family Member (parent, spouse, domestic partner, guardian, sibling, child, aunt or uncle) is running for office. If an election Committee member or an Immediate Family Member becomes a candidate in a particular election year, the Committee member shall not participate in Election Committee activities and an alternate will perform that person's Election

Committee functions.

5. REGULAR OFFICER ELECTION PROCEDURES

A. ELECTED OFFICIALS: POSITIONS; TERMS OF OFFICE; STAGGERING

(1) As provided in the Constitution, the General Council shall elect from its members, by secret ballot, a Tribal Council composed of the following officials:

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary
- (d) Treasurer
- (e) Three (3) Members-at-Large

(2) The standard term for each office shall be two (2) years, subject to the provisions of section (4) below.

(3) The initial Regular Officer Election conducted under this Ordinance shall fill all positions on the Tribal Council.

(4) The Chairperson, Secretary and two (2) Members-at-Large elected during this initial election shall hold office for a period of two (2) years. The Vice Chairperson, Treasurer and remaining Member-at-Large shall hold office for a period of one (1) year. Thereafter, elections shall be conducted annually, with the terms of office staggered.

B. ELECTION SCHEDULE

(1) An election shall take place each year on the first Saturday of December and this shall be called the Regular Election. An election that occurs on any other date shall be called a Special Election.

(2) Every year, at least 30 days before the annual nominations meeting, the Election Committee shall mail to all Qualified Voters and post at the Tribal Office and at or near the Reservation an election schedule that shall identify the following dates:

- (a) when the General Council meeting for nominations will take place (the second Saturday of August)
- (b) when completed Nominee Eligibility Forms and Profiles must be received (the last business day of August)
- (c) when the Election Committee must complete its review of candidate eligibility, post lists of all eligible candidates, and send notices to candidates

determined to be ineligible (15 days after all Nominee Eligibility Forms are received)

(d) when any appeal regarding a nominee eligibility decision must be received (10 days after the Election Committee posts eligible candidate lists and sends ineligibility notices)

(e) when a Special General Council meeting will take place if necessary to hear an appeal regarding candidate eligibility (no later than the last day of October)

(f) when requests and changes of address for absentee ballots must be received (45 days before the election)

(g) when election materials, including absentee ballots as provided in section 5.C, will be sent to all voters (30 days before the election)

(h) when polling locations will be open (including times)

(i) when any appeal from the election results must be filed in writing (15 days after the election).

(3) An absentee ballot request/change of address/opt out request form shall be mailed along with the election schedule to all Qualified Voters

C. NOMINATIONS MEETING

(1) Nominations for officers shall be from the floor at a General Council Meeting on the second Saturday in August. A quorum must be present for nominations to be taken.

(2) Eligible Tribal Members wishing to run for office shall be required to attend the Nominations Meeting to accept a nomination, introduce themselves, make a brief statement regarding their candidacy, and be available to answer questions from the voting membership.

(3) It will be the responsibility of the nominated candidates to make sure they comply with the limitation on number of Immediate Family Members running for or holding office (section 3.A(6) above) and to work out among themselves who will accept and who will decline a nomination if necessary.

(4) Absence from the Nominations Meeting for good cause, such as illness or a family or work-related emergency, shall not affect an otherwise eligible Tribal Member's ability to run for office if nominated, provided that

(a) the Tribal Member notifies the Election Committee or the Election Committee Representative at the Tribal Office in advance of the absence;

(b) submits his/her acceptance of a nomination in writing prior to or at the meeting; and

(c) prepares a written statement to be read by a designated Tribal Member in attendance at the Nominations Meeting .

(5) The General Council may schedule a nominee introduction meeting to take place in addition to or instead of during the Nominations Meeting.

D. NOMINEE ELIGIBILITY FORMS AND PROFILES

NOMINEE ELIGIBILITY FORMS

(1) Any person nominated for office must submit a completed Nominee Eligibility Form and Profile by the deadline(s) identified in the Election Schedule. The Election Committee or its designee shall make Nominee Eligibility and Profile forms available to all nominated Tribal Members during the Nominations Meeting and, for candidates absent from the meeting, afterward at the Tribal Office.

(2) The Nominee Eligibility Form shall require all candidates to provide:

(a) the person's name, current street address and other contact information (phone and/or email);

(b) date of birth;

(c) the office she or he is seeking;

(d) family background including Immediate Family Members serving on the Tribal Council or nominated to run for office in the same election, along with a statement confirming compliance with section 3.A(6) of this Ordinance;

(e) information regarding the candidate's employment status with Tribal government, if any, and confirmation that the candidate understands and agrees that, should the candidate be elected to office, his/her employment with Tribal government shall be terminated effective on the date the candidate is sworn in to office;

(f) level of education completed, degrees and/or certificates,

(g) information regarding the candidate's criminal history including any felony convictions as an adult, the nature of the crime(s), the date of conviction(s) and the status of the candidate's sentence; and

(h) certified copy of criminal background check of the candidate or authorization for the Election Committee to perform a background check on the candidate. (NOTE: The Tribe will cover the initial cost of each background check, but shall seek reimbursement of that cost, through withholding of revenue sharing distributions or other appropriate means, from any candidate that is found to be ineligible to hold office under section 3.A(6) or (7) or provides false information regarding his or her criminal history).

(3) The completed Nominee Eligibility Forms shall be reviewed by the Election Committee to determine eligibility to run for office. The information provided by the candidates on the Nominee Eligibility Forms shall not be included in the election materials mailed to Qualified Voters, but will be kept in the Tribal Office and made available to any Qualified Voter that asks to review the Forms.

(4) Eligibility Appeals.

(a) In the event the Election Committee determines that a nominee is not eligible to run for office, the Election Committee shall notify the nominee in writing of its decision and the reason(s) for it, and give the nominee ten (10) days to appeal that decision and provide specific reasons for the appeal and documentary evidence to support his or her eligibility.

(b) Any Qualified Voter may challenge a determination that a nominee is eligible to run for office by submitting, within ten (10) days after the posting of the eligible candidate list, a written appeal that identifies that the candidate whose eligibility is being challenged and the specific reasons for the challenge, along with documentary evidence to support the appeal.

(c) The Election Committee shall review eligibility appeals to determine if they satisfy the requirements described in sections (4) and (5) above, conduct any additional investigation it deems appropriate, and prepare a written report regarding the matter. **Any eligibility appeal that does not satisfy these requirements will not be considered.** Appeals that comply with these requirements will be forwarded to the Tribal Council, along with the Election Committee's report, for further action.

(d) The Tribal Chair shall call a Special Meeting of the General Council to consider any eligibility appeal(s) that comply(ies) with the requirements of Tribal law, to take place as provided in section B(2)(e) above. The procedures for noticing the meeting, agenda packages, conducting the hearing on the appeal(s), and decision-making shall comply with the requirements set forth in section J below.

PROFILES

(5) All candidates for office shall be asked to prepare a profile including the following information:

- (a) the person's name and contact information (mailing address, phone and/or email);
- (b) the office she or he is seeking;
- (c) family background including Immediate Family Members serving on the Tribal Council or nominated to run for office in the same election;
- (d) education / degrees and certificates;
- (e) reasons for seeking office and positions on issues relevant to the Tribe;
- (f) recent photograph. {optional}

(6) The length of the Profile shall not exceed two (2) sides of one 8 1/2 x 11 sheet of paper single-spaced in a minimum 12 point font size so as to be readable by most Tribal Members. Only those completed Profiles that meet the requirements of this section will be included in the election materials mailed to Qualified Voters.

E. ABSENTEE BALLOTS

(1) Any Qualified Voter may request to be placed on the Tribal Permanent Absentee Ballot List maintained by the Election Committee or its designee.

(a) The Election Committee or its designee shall prepare a form for this purpose and shall make the form available to any Qualified Voter that requests one.

(b) A Qualified Voter may request and submit a completed form by fax,

by e-mail, by regular US Mail, or in person at the Tribal Office.

- (2) Once a Qualified Voter's name is on the Tribal Permanent Absentee Ballot List, the voter shall receive an absentee ballot for the next election that is 45 days or more after the Voter's application is received, and for each subsequent election unless the voter requests in writing to have his/her name removed from the list.
- (3) Each voter shall be responsible to ensure that the Election Committee has correct mailing information, and to notify the Election Committee promptly of any change of address.
- (4) If a Qualified Voter is not on the Absentee Ballot List and determines that she or he needs an Absentee Ballot within 45 days before an upcoming election, the voter must request an absentee ballot in person at the Tribal Office.

F. ELECTION MATERIALS

- (1) At least 30 days prior to the election, the Election Committee shall:
 - a. mail to all Qualified Voters a package of election materials that shall include a list of all candidates for each office, all timely received complete Profiles from eligible candidates, and Absentee Ballots for those voters who have complied with section D above; and
 - b. post at the Tribal Office and at or near the Reservation copies of the list of persons running for office and a notice that completed Profiles of eligible candidates are available for review by Qualified Voters at the Tribal Office during normal business hours.

G. POLLING

(1) For each election, polling places shall be established at the Tribal Office and at a location on or near the Reservation, and shall be staffed by Election Committee members. The polls shall be open from 1:00 p.m. to 6:00 p.m. on the date of the election. There shall be no electioneering within 200 feet of any voting place during the hours the polls are open. Electioneering means campaigning or speaking for or against any candidate.

(2) Prior to the date on which the Election Schedule is mailed (the first Saturday in August), the General Council may approve a change to the hours of operation of any polling place, provided all polling places remain open for at least 5 hours on election day, and notice of any changes to the hours shall be included in the Schedule.

H. MANNER OF VOTING

(1) All officer elections shall be accomplished by the use of secret written ballots.

(2) Any Qualified Voter may vote in person at the polls during their hours of operation on Election Day, or by Absentee Ballot if the voter has complied with section D above.

(a) **In Person Voting.** Each voter must present valid government-issued photo identification, and sign the voting register to obtain a ballot at the polls. The voter shall then mark and place the ballot in the Ballot Box

(b) **Absentee Ballots.**

i. Any voter that participates in an election by Absentee Ballot may submit a completed ballot by mail, by hand delivery to an Election Committee representative at the Tribal Office during normal business hours prior to election day, or by hand delivery to any polling place during its hours of operation on the day of the election.

ii. Each Absentee Ballot must be placed in an official envelope provided by the Election Committee, sealed and signed by the voter.

iii. If an Absentee Ballot is hand-delivered by someone other than the voter, the person delivering the ballot must present valid government-issued picture identification, clearly print his or her name on the voter register and sign it.

iv. If an absentee ballot or official envelope is lost or damaged, the Qualified Voter must notify the Election Committee or Election Committee representative at the Tribal Office immediately in writing and request a replacement ballot and or official envelope.

v. **Only Absentee Ballots received by the Election Committee no later than the time the polls close on the day of the Election will be counted.**

(3) If more than one ballot is submitted by a Qualified Voter during any election,

it will be considered voter fraud and none of the Voter's ballots shall be counted.

(4) The Election Committee may establish special procedures, subject to General Council approval prior to the election cycle:

(a) to enable Qualified Voters serving in the military or working outside the Country during an Election cycle to vote electronically or by another suitable method;

(b) for Qualified Voters that are incarcerated; and/or

(c) for Qualified Voters with physical disabilities that require assistance filling out their ballots.

(d) These special procedures will not be effective until approved by the General Council at a meeting with a quorum or by a Special Election, and shall apply only to future election cycles.

(5) No proxy voting shall be permitted except when special procedures allowing proxy voting are established under section G(3) above.

I. ELECTION RESULTS

(1) Following the election, the Election Committee shall count the ballots using procedures established by the Election Committee and approved by the General Council. Qualified Voters may observe, but not interfere with, the ballot count. The candidates shall not observe the ballot count.

(2) After the ballots are counted, the Election Committee shall prepare a preliminary report of the election results and post it at the Tribal Office and on or near the Reservation within 48 hours after the election and shall make the report available to all Tribal Members who request it.

(3) All election materials and completed ballots shall be kept in a locked ballot box at the Tribal Office. These documents shall be accessible only to the Election Committee if there is an appeal of the election results or process. If the conduct of one or more members of the Election Committee, or the Committee as a whole, is the subject of the appeal, the General Council may designate up to two (2) Tribal Members to oversee the appeal process, including review of the secured election materials and ballots and any recount, along with the Election Committee.

(4) The secured election materials and ballots shall be shredded and discarded after the conclusion of the appeals period and the resolution of any election-related

appeals. At the same time, the Election Committee shall prepare a certified final report of the election results, maintain the original at the Tribal Office, and provide a copy to the Bureau of Indian Affairs.

J. APPEALS OF ELECTION RESULTS

(1) Any Qualified Voter or candidate may appeal the results of an election on any of the following grounds:

- (a) Conduct by a candidate that violates tribal law or approved election procedures;
- (b) Voter fraud;
- (c) Conduct by a member of the Election Committee, Tribal Council or other Tribal Representative (as defined in Ethics & Conduct Ordinance) or Member that violates tribal law or approved election procedures.

(2) An appeal must be submitted in writing no later than 5PM on the fifteenth day following the election. If the fifteenth day falls on a Saturday or Sunday, the appeal shall be due by 5PM the next business day.

(3) To be valid, the appeal shall have the date, full printed name, and signature of each person submitting the appeal, and it shall be timely delivered by mail or in person to the Election Committee or the Election Committee Representative at the Tribal Office.

(4) The appeal must clearly specify the reasons for the appeal, how the challenged action(s) affected the outcome of the election, and the remedy or remedies requested.

(5) Appropriate remedies should be given with the stated reasons for the appeal and may include the following:

- (a) Recount;
- (b) Disqualification of ballot(s) and recount;
- (c) Disqualification of candidate(s) and recount or new election;
- (d) The calling of a new election;

(6) Upon timely receipt of a written appeal, the Election Committee shall, within fifteen (15) days, prepare a written review of it. The written review will document the following information:

- (a) The name of the appellant(s)
- (b) The reason for the appeal
- (c) Whether the appeal complies with the provisions of this section I
- (d) The Election Committee's proposed remedy, if any.

(7) The Election Committee may authorize a recount or the disqualification of ballot(s) and a recount. The appellant(s) may observe, but not interfere with, any recount conducted under this section.

(8) The Election Committee's written review of appeals requesting disqualification of candidate(s) and/or a new election, and any appeal requesting a recount that the Election Committee has denied, shall be submitted to and reviewed with the current Tribal Council at a regular or special Tribal Council meeting within fifteen days after the report is prepared. The Election Committee and Tribal Council shall jointly determine whether an appeal complies with all requirements set forth in this section and should be heard by the General Council, or whether the appeal does not satisfy applicable requirements and should be dismissed.

(a) If the appeal is found to be in compliance, the matter shall be placed on the agenda of the regular February General Council Meeting, and a copy of the appeal, along with the Election Committee's report, shall be mailed to all Qualified Voters along with the agenda.

(b) If the Election Committee and Tribal Council find that an appeal does not satisfy applicable requirements, the Election Committee shall notify the person(s) submitting the appeal of the finding of non-compliance and dismissal of the appeal. The person(s) shall also be notified of his/her/their right to call a special meeting of the General Council, as provided in the Constitution, for purposes of appealing that decision.

(9) The hearing of an appeal before the General Council shall be conducted as follows:

- (a) The pre-election current Tribal Council shall preside over the meeting.
- (b) The person(s) submitting the appeal must attend to read the appeal and present evidence and information to support the appeal. The person(s) may be excused from attending the meeting only if unable to do so due to a medical emergency, death of an Immediate Family Member or disaster

directly affecting such person(s), in which case the person(s) must notify the Election Committee prior to the meeting and request that an Election Committee representative read the appeal.

(c) Any person whose conduct is the subject of the appeal shall then be given an opportunity to present a defense.

(d) Finally, the Election Committee shall present its report regarding the appeal.

(e) Once all information regarding the appeal has been presented and discussed, if a quorum has been established, the General Council members in attendance shall vote by secret written ballot regarding the validity of the appeal and, if appropriate, the corrective action to be taken. A majority vote of the members in attendance at the meeting shall be a final decision of the General Council not subject to further appeal.

(10) If a quorum is not established at the General Council meeting at which an appeal is presented, the following procedures shall apply:

(a) The Tribal Chairman shall call a Special General Council Meeting to hear the appeal. A notice shall be mailed to all Qualified Voters setting the meeting 15 days from the date the notice is mailed.

(b) If a quorum is established at this Special Meeting, the hearing shall be conducted as described in section (9) above.

(c) If there is no quorum at the Special General Council Meeting, the appeal shall be dismissed.

K. SWEARING IN OF NEWLY ELECTED OFFICERS

(1) Newly elected officers shall be sworn in each year at the first Tribal Council Meeting after the February General Council Meeting, unless an appeal presented to the General Council or other circumstance causes a delay in the swearing in of new officers.

(2) In the case of an election appeal, or another event that delays or prevents newly elected officers from taking office, the officers serving prior to the election shall remain in office until elected replacements for the positions are sworn in.

(3) Each elected officer shall take the following oath of office prior to assuming his/her duties. By stating this oath she or he shall pledge to support and defend the Constitution and laws of the Kashia Band of Pomo Indians:

"I, _____, do solemnly swear that I will support and defend the Constitution of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria; that I will carry out, faithfully and impartially, the duties of my office to the best of my ability; and that I will cooperate to promote and protect the best interests of my Tribe in accordance with the Constitution and Tribal law."

6. SPECIAL OFFICER ELECTION PROCEDURES

A. RUN-OFF ELECTIONS: In the event that the highest number of votes for an office is shared equally by two or more candidates (resulting in a first-place tie vote) , a run-off election shall be conducted, following the procedures described in sections 5.E through I, on the following abbreviated time schedule:

(1) The election shall take place 45 days after the election resulting in the tie vote or the date any appeals are decided;

(2) The election schedule shall be posted at the Tribal Office and at a location on or near the Reservation 30 days before the runoff election;

(3) The election schedule, original Profiles submitted by the run-off candidates, and Absentee Ballots, if applicable, shall be mailed to all qualified voters 30 days before the runoff election;

(4) Requests and changes of address for Absentee Ballots must be received by an Election Committee Representative at the Tribal Office at least 20 days before the runoff election.

B. VACANCIES:

(1) A vacancy on the Tribal Council created by the death, resignation, removal or recall of an officer shall be filled by the person who

(a) received the next highest number of votes for the position during the last election,

(b) remains eligible to hold office as defined in section 3 of this ordinance, and

(c) is willing to serve out the remainder of the term of the vacant position.

(2) If no such person is available to fill the vacant position, the position shall be filled during the next scheduled election.

7. RECALL OF OFFICERS

A. The recall of an elected Tribal Council Member must be initiated by a petition signed by a minimum of 40 qualified voters and delivered to an Election Committee member or the Election Committee representative at the Tribal Office. The petition should clearly state the grounds for recall as described in the Constitution. The petition must have the date, full printed names, and signatures of Tribal Members who support the petition. **A petition that does not comply with these requirements will not be considered.**

B. Upon receipt of a recall petition, the Election Committee shall review it to determine if it complies with the Constitution and other applicable tribal law (such as the Ethics and Conduct Ordinance), regarding the grounds for recall. The Election Committee shall, within 15 days, provide a copy of the petition, along with a written assessment, to the Tribal Chairman. If the petition is valid, the Election Committee shall recommend to the Tribal Chairman that a General Council meeting be scheduled to hear the recall petition. Any Tribal Council member, or Immediate Family Member on the Tribal Council that is the subject of the recall shall not participate in any discussions or decisions regarding action on the petition by the Tribal Council.

C. If the petition complies with applicable Tribal law, the Tribal Chairman shall place the recall issue on the agenda of the next regularly-scheduled General Council meeting, or may schedule a special General Council meeting to address the recall. If the Tribal Chairman is the subject of the recall, the Vice Chairman or other officers assigned duties in accordance with Article 4, Section 2 of the Constitution shall schedule and notify the General Council of the meeting. The Election Committee's written assessment shall be sent along with the meeting notice to all Qualified Voters including the Tribal Council member(s) that are the subject of the recall.

D. Ten percent (10%) of the Qualified Voters must attend the General Council meeting in order for the petition to proceed. If the attendance requirement is not met, the petition will be dismissed. If this attendance requirement is met, the petitioner(s) shall be given an opportunity to present the grounds for the recall petition to the community. The Tribal Council member(s) who are the subject of the petition shall have the opportunity to respond to the charges. The meeting shall be recorded and the testimony shall be sent to all Qualified Voters in the event that the petition proceeds

E. There shall then be a vote of the qualified voters to determine whether the petition:

- (1) should be dismissed without further action;
- (2) put on the ballot of the next regular election; or
- (3) put on a ballot for vote at a special election.

F. In order for the recall to be placed on the ballot at a Regular or Special Election, a simple majority (50%+) of the qualified voters present at the General Council meeting must vote in favor of this result. If this occurs, the election procedures in section 5 shall be followed, subject to any alterations to the schedule that the General Council approves.

G. In the event that the General Council decides to place the recall on a ballot, the General Council may also restrict the duties of the officer(s) subject to the recall petition pending the result of voting on the matter. The General Council has the discretion to determine what restrictions are reasonable and a simple majority vote (50%+1) of the qualified voters present at the General Council will be needed to impose the restrictions.

8. ORDINANCES, RESOLUTIONS AND OTHER ACTS OF THE GENERAL COUNCIL

A. Based on Custom and Tradition, the General Council votes on ordinances and resolutions, and makes decisions on other matters, at a General Council meeting at which a quorum is present. Recognizing that there may be times when a different process is desirable, the General Council may choose to use the election procedures in this Ordinance for purposes other than officer elections. These purposes may include approving, amending or repealing tribal laws (including the Constitution, ordinances and resolutions), or obtaining voter input on other matters.

B. If the General Council chooses to use the election procedures in this Ordinance, the time frames and procedures set forth in section 5 above should be followed unless the circumstances require a different schedule. The election materials described in section 5.F should consist of the following:

- (1) the full text of any proposed ordinance or resolution, or amendment;
- (2) a brief written summary of the document and the reason it is being proposed;
- (3) a summary of any Community input regarding the document.

C. If the matter to be voted on is amendment(s) to the Constitution, the election materials should include the text of the proposed amendment(s) and the items identified in B(2) and B(3). Additionally, all Constitutional and other General Council requirements regarding the election process and timing must be followed.

D. If the matter to be voted on is not in an ordinance, Constitutional amendment or resolution, the election materials should include the items identified in B(2) and B(3) above.

E. If these election procedures are used for a matter other than officer elections, the matter should be discussed at a General Council meeting to ensure voters are able to share different viewpoints regarding it. This meeting shall occur at least one month prior to sending the election materials to all voters.

9. EFFECTIVE DATE AND EFFECT OF ORDINANCE

This Ordinance shall become effective upon its approval by the General Council, and shall supersede any and all other ordinances, resolutions, rules, regulations or customs previously applied to elections to the extent they are inconsistent with the provisions of this Ordinance.

10. AMENDMENTS

This Ordinance may be amended by the General Council as provided in the Constitution and any procedures approved by the General Council.

CERTIFICATION

We, the undersigned members of the Tribal Council of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria, hereby certify that the foregoing Revised Election Ordinance was approved by the General Council at a duly called regular meeting at which a quorum was present on August 12, 2011, by a vote of ____ for, ____ against, and ____ abstaining, as amended at a duly called regular meeting at which a quorum was present on November 12, 2011, by a vote of ____ for, ____ against, and ____ abstaining..

Tribal Chairman

ATTEST:

Tribal Secretary