

Tribal Elections



BIA Alaska Region
Branch of Tribal Operations

“I may point out that they may be an independent agency, but anything that exists with Muscogee (Creek) Nation today, exists for one reason and that is the citizens.”

**— *MCN Election Review Committee
Chairman Tom Burtnett***



Keeping Elections Credible

- Constitutional Principles
- Ordinances
- Election Boards



Constitutional Principles

- Specific Delegation of Authority
 - Some constitutions delegate authority to an independent election committee
 - Goal is to be fair and objective
 - Establish specific principles (or safeguards)
 - Some empowered to write ordinances



Constitutional Principles

- An objective election board
- A voter registration system that maintains a current list of those qualified to vote
- Absentee voting
- Secret ballots
- A provision for settling election disputes
- Petitioning procedures including how petitions are determined to be valid



Specific Provisions: Election Ordinance

- Election of Tribal Officials: Filling expired terms
- Initiative: proposing a new or amended law
 - Direct – qualified proposals go directly on ballot
 - Indirect – proposal submitted to Tribal Council
- Referendum:
 - Tribal Council referendum – referring a measure to the voters for their approval
 - Popular referendum - a measure on the ballot created as a result of a voter petition drive



Specific Provisions: Election Ordinance

- Recall: a result of a petition to recall an elected official before term expires
- Election of election board members
- Petitioning: circulation by eligible tribal voters
- Adoption or amendment of election ordinance



Specific Provisions of Ordinance

- Special Election
- Cancellation of Election
- Postponing an Election
- Notice of Election
- Poll considerations
 - Poll Places
 - Mail-in/Absentee Ballots



Election Board

- Elected or Appointed
 - Subject to loss of position by recall or other due process
 - Terms of office
 - Alternate availability
- Internal Procedures
 - Chair and members
 - Meetings
 - Impartiality

Election Board, Continued

- Selection and payment of poll officers
- Screening of prospective candidates
- Ruling on voter qualifications
- Ruling on election result challenges



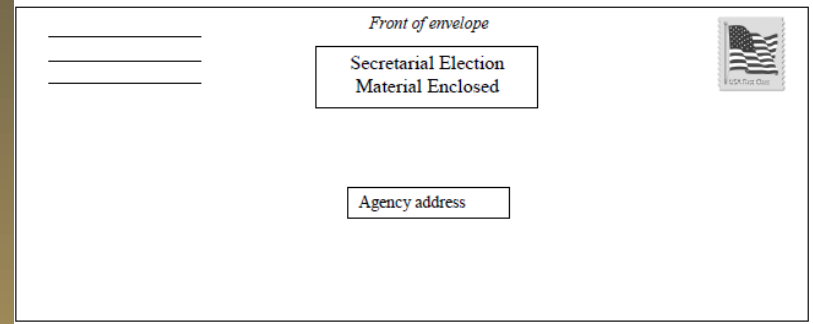
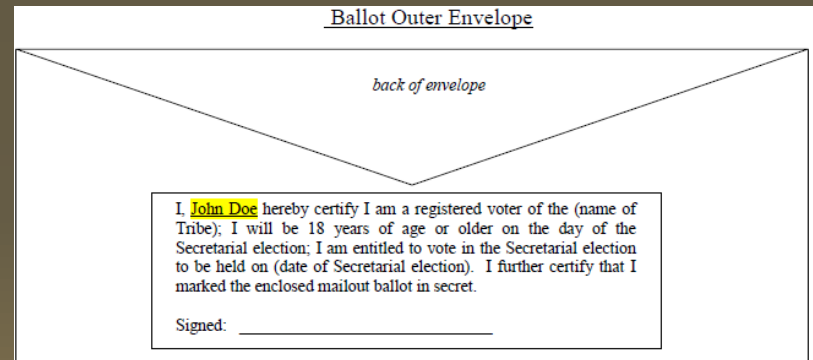
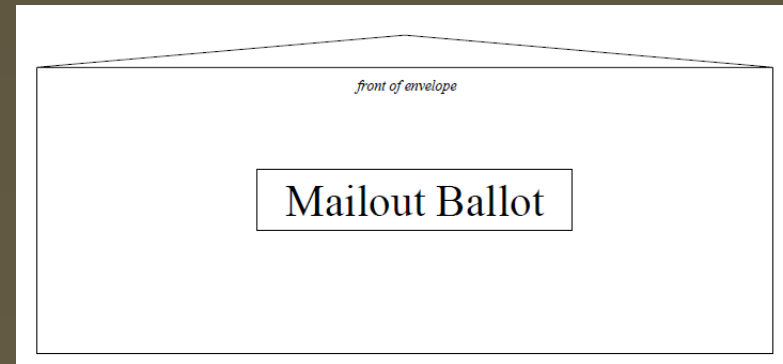
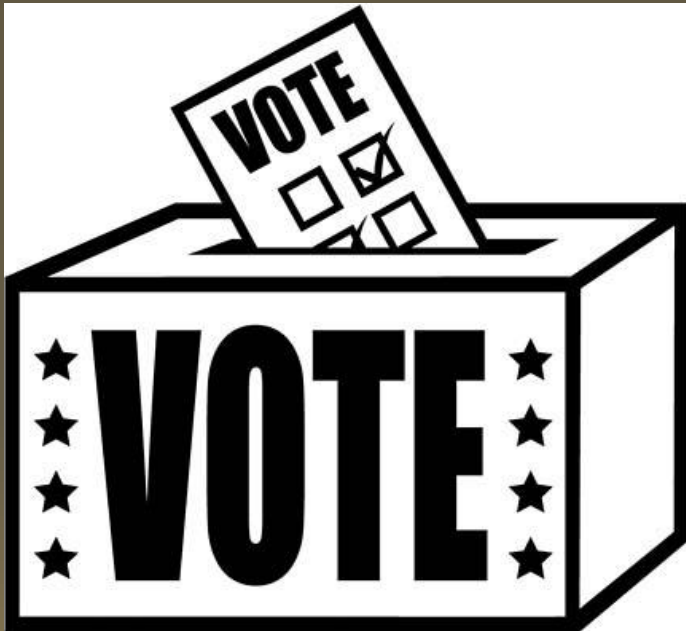
Qualifications

Candidate ~ Voter ~ Election Board Member

- Age
- Residency
- History of Convictions
- Conflict of Interest



Poll Considerations





Ballot Counting

- When are the ballots counted?
- Where are the ballots counted?
 - Who transports the ballots to the counting area?
- Who is in the room?
 - Secrecy/Security
 - Transparency
- How are ballots counted?
 - Accuracy/Checks and Balances
 - Timeliness



Results of the Election

- Certified by Election Board and/or Council
- Results generally list:
 - Number of voters who have voted
 - Number of Spoiled Ballots
 - Number of Rejected Ballots
 - Number of Valid Ballots
 - Number of votes that went to each party/candidate/option



Challenges and Disputes

- Common Causes:
 - Accuracy of Count
 - Unregistered Voter
 - Candidate Eligibility
- Established Deadline (Number of days)
- Review of Challenge / Dispute:
 - Election Board
 - Tribal Court



Review & Questions

- Election Guidelines for Candidates and Audience
- Certified Candidate List
- Three candidates booted from tribal election

BIA Alaska Region Branch of Tribal Operations



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