
TRIBAL GOVERNING BOARD

5 LCOTCL Chapter 1

ESTABLISHMENT OF ELECTION CODE, AS AMENDED

TITLE V, CHAPTER 1 OF THE LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS TRIBAL CODE OF LAW

Action: Advance Notice of Proposed Rulemaking

Date: March 6, 2017



This proposed ordinance shall be known as the Election Code of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians and is being considered for enactment pursuant to the inherent sovereign authority of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. In the implementation of this inherent sovereign authority, Article IV, § 3 of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians (hereinafter “Amended Constitution and By-laws”) empowers the Tribal Governing Board to prescribe rules and regulations conducting all subsequent elections.

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; and as amended on May 27, 2015 pursuant to Tribal Governing Board Resolution No. 15-53. This Advance Notice of Proposed Rulemaking is being used as a vehicle for obtaining tribal member participation in the formulation of the proposed revision before the Tribal Governing Board considers the proposed regulatory action for final approval. To review the proposed the Election Code please visit <http://www.lco-nsn.gov/lac-courte-oreilles-legal-dept.php>, and provide any comments to the Lac Courte Oreilles Legal Department, 13394 W Trepania Road, Hayward, WI 54843.

The proposed amendments to the Election Code provide that upon a person’s acceptance of their nomination to stand for election to the Tribal Governing Board, the following prerequisites shall be met based upon a determination of the Election Committee prior to the candidate being placed on the ballot: (1) The prospective candidate shall be a citizen (member) of the Tribe; (2) The prospective candidate shall have attained the age of twenty-one (21) years at the time of their nomination; (3) A residency requirement; (4) The prospective candidate shall provide consent for the completion of a comprehensive background check; (5) The prospective candidate shall submit payment of a ballot fee to the Accounting Department in the amount of two-hundred and 00/100 dollars (\$200.00) in an attempt to offset the administrative costs of the election; and (6) The prospective candidate shall undergo testing for illegal drugs and prescribed medication for which they do not have a valid prescription at the LCO-CHC as a condition of being placed on the ballot for election. The proposed amendments also establish the parameters for a prospective candidate to appeal in Tribal Court a determination of the Election Committee that the prospective candidate has failed to meet the prerequisites for being placed on the ballot.