

two or more persons at the same time, the term Election Director shall include the appropriate number of persons, and such persons may be made up of any combination of the Election Director and Staff the staff or members of the company or entity which constitutes the Election Director, as appropriate and reasonable under the circumstances.

§2.43 QUALIFICATION OF VOTERS

(a) Who May Vote. Any duly enrolled member of the Confederated Tribes of Siletz Indians of Oregon who will be 18 years of age or older on the date of any scheduled election shall have the right to vote in the election. "Duly enrolled member" shall mean that the person's name appears on the official tribal roll or whose membership application has received final approval of the Tribal Council.

(b) Registration. Registration shall be required to vote in a tribal election. The Election Director shall mail registration Signature Affidavit forms to all unregistered eligible tribal voters on an annual basis, insure that signature affidavits are available at the area offices and tribal enrollment and take such other actions as appropriate and necessary to encourage the broadest possible participation in tribal voting. Registration to vote shall be permitted on the day of the election at the Siletz Community Center.

(c) Voters List. The Tribal enrollment staff shall provide an updated list of qualified voters to the Election Director no later than 20 days after the candidacy filing deadline and an updated listing no later than 5 p.m. on the Thursday before the first scheduled polling day. The Election Director shall keep an up-to-date poll book for each tribal election, with the voters listed in alphabetical order or as nearly so as possible. Poll books shall be public documents and will be kept by the Tribal Court indefinitely following an election.

§2.44 CONDUCT OF THE ELECTION

(a) Notice. The date of the election and the rules related to candidates shall be published in the tribal newsletter and announced at a General Council meeting by the Election Board Director sufficiently in advance of the election to notify all interested tribal members so that candidates can meet the time deadlines of this ordinance. The Election Director shall also publicize the date of the election and the rules related to candidates to the greatest extent possible and appropriate, once the information has been finalized by the Election Board.

(b) BALLOTS. The Election Director shall prepare all ballots. Ballot measures shall appear as required by Part III of this ordinance. The names of the certified candidates shall be in an alphabetical order. The ballot shall contain the following instructions:

YOU MAY VOTE FOR 3 CANDIDATES FOR TRIBAL COUNCIL. PLACE AN "X" BY THE NAME OF EACH PERSON YOU WISH TO VOTE FOR. YOU MAY NOT GIVE ANY CANDIDATE MORE THAN ONE VOTE. ANY BALLOT WITH MORE THAN 3 TOTAL VOTES SHALL BE INVALID! WRITE-IN CANDIDATES ARE NOT ALLOWED AND THE INCLUSION OF A WRITE-IN CANDIDATE'S NAME SHALL INVALIDATE YOUR BALLOT. IF YOU NEED ASSISTANCE, THE ELECTION DIRECTOR WILL HELP YOU.

The official ballots shall be printed by an outside printer on embossed or other paper which cannot be duplicated with black ink. Sample ballots may be printed on colored paper and shall be clearly labeled "sample ballot" and shall not be counted if placed in the ballot box.

The vote will be conducted by mail-in vote only, except that in-person voting shall take place on the day of the election at the Siletz Tribal Community Center in Siletz. Polling shall not take place in person at the Area Offices. The Siletz Tribal Community Center will be the only location you will be able to vote in person.

Whenever election activities under this Ordinance are conducted, at least two persons who comprise the staff or members of the Election Director (the Election Director him or herself and appropriate staff) shall be present. No other person, other than Election Board members operating in their official supervisory capacity, shall remain or loiter in the voting area when voting is taking place, mail-in ballots are being processed, or votes are counted. The Election Director shall have authority to remove any person from the premises who violates this provision.

One person member of the firm or entity comprising the Election Director shall control the poll book; another member of the firm or entity comprising

the Election Director shall hand out the ballots and supervise the ballot box. The ballot box shall be kept in a safe place and shall not be opened until the poll closes, with the exception that the ballot box shall be inspected prior to the insertion of any ballots to insure that it is empty.

The voter shall first sign his or her name in the poll book and if the voter does not already have a valid signature card or signature affidavit on file as provided by this Ordinance, they shall complete a signature affidavit. Signature affidavits shall be available for voters at the voting place when they come into vote. If the voter is unable to do so, the Election Director shall write "unable to sign" by that name. The voter shall then mark the ballot in a private area to be designated by the Election Director. The voter may receive assistance from the Election Director in voting if requested. The voter shall fold the ballot when completed and deposit it in the locked ballot box.

If the voter accidentally makes a mistake on or destroys his or her ballot, a new ballot may be issued to the voter, with the correction noted in the poll book. The spoiled ballot shall be destroyed immediately by the Election Director.

(d) (c) RETURNS. Immediately after the polls are closed, the Election Director shall secure the ballot box in a place where tampering cannot take place. No The Election Board shall count the number of closed ballots, either both mail-in or and in-person, shall be counted until the official count takes place prior to the official count by the Election Director as provided in this Sub-section. The Election Director shall match the number of ballots counted by the Election Board, as provided by this subsection, with the number of signatures in the poll book to insure that the numbers are identical. Immediately after the polls are closed in Siletz on the first Saturday in February, and after the procedures related to rejected ballots as set forth in subsection 5(f) have been completed, the Election Director shall present the ballot box to the Election Board, which open the ballots and count the votes cast in public. One staff or other member of the company or entity comprising the Election Director shall open the ballot box and announce the count out loud. One other staff or other member of the Election Director shall verify this count and two other individuals shall mark the counts on different tally sheets in public view. The Election Board shall review and certify the results of the election, deliver the results to the Chairman of the Tribal Council, and post the results in a public place. Winning candidates shall take office in accordance with §2.48 of this ordinance. Ballot measures shall take effect in accordance with §§ 2.58 and 2.59 of this ordinance.

(e) (d) POSTING RESULTS/RECOUNT

Upon completion of the official count as provided in this Section, the Election Director shall immediately post the results in a public place. Any registered tribal voter, candidate for tribal council or member of tribal council who is subject to a recall election, upon request shall be granted a recount of the official ballot count as provided in this Section. Any recount request under this Sub-section must be made within a 24 hour period of the count posting and the Election Director shall conduct the count and announce the results within a 72 hour period following the posting.

§2.45 MAIL IN VOTING

(a) Required. No ballots received after the close of the voting shall be counted. Mail in ballots must be mailed or hand delivered to the Election Director at the Siletz Tribal Office, at a separate Post Office Box established by the Election Director and publicized to voters and included on the return envelope. Each person who has a Signature Card on file and a valid address at the time of the mailing will be mailed a ballot.

(b) Signature Cards Affidavits. Tribal members Any unregistered eligible tribal voter must file a signature card a notarized signature affidavit with the Election Director certifying that they are eligible to vote in tribal elections, that the signature is genuine and must provide the signor's enrollment number. Signature cards affidavits shall be in a form prescribed by the Election Director, and approved by the Election Board Tribal Council. Signature cards affidavits may be requested orally or in writing from the Election Director. Signature cards affidavits shall be mailed to a person, over the age of 18, who becomes enrolled in the Siletz Tribe upon approval of enrollment.

Upon receipt of a signature card, the Election Director shall verify the authenticity of the signature and content of the card. The signature may be verified by any means designed to assure authenticity, including comparison of the signature on the signature card with the member's signature on his or her enrollment application verification, the Election Director shall certify the signature card as valid.

Upon certification, Tribal members who have a signature card or signature affidavit on file will automatically be mailed an election ballot provided they