

# **Grand Traverse Band of Ottawa & Chippewa Indians Election Board**

## **2026 Election Regulations**



### **TABLE OF CONTENTS**

- Section 1    I.    Authority
  - II.    Election Announcement
  - III.    Eligibility to Vote
  - IV.    Voter Registration
  - V.    Ballots
  - VI.    The Ballot Process
  - VII.    The Absentee Ballot Process
  - VIII.    Ballot Counting and Election Certification
  
- Section 2    IX.    Eligibility to be a Candidate for Tribal Council Chairperson
  - X.    Eligibility to be a Candidate for Tribal Council
  - XI.    Eligibility to be a Candidate for Gaming Commissioner
  - XII.    Candidacy Declaration Process
  - XIII.    Campaign Rules
  
- Section 3    XIV.    Election Challenges and Allegations of Impropriety
  - XV.    Retention of Ballots, Election Records
  
- Section 4    XVI.    Schedule of Events
  - XVII.    Severability; Repeater

## **SECTION 1**

**AUTHORITY**

**ELECTION ANNOUNCEMENT**

**ELIGIBILITY TO VOTE**

**VOTER REGISTRATION**

**BALLOTS**

**THE BALLOT PROCESS**

**THE ABSENTEE BALLOT PROCESS**

**BALLOT COUNTING  
AND ELECTION CERTIFICATION**

# GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS ELECTION BOARD

## 2026 ELECTION REGULATIONS

The following Election Regulations (“Regulations”) have been adopted by the Grand Traverse Band of Ottawa and Chippewa Indians Election Board on the date indicated below for the 2026 election cycle. During this election cycle, an election will be held for the offices of Tribal Councilor (three seats) and Gaming Commissioner (one seat).

### I. **AUTHORITY**

The Grand Traverse Band (“GTB”) of Ottawa and Chippewa Indians Election Board (“Election Board”) hereby publishes, under the authority delegated to the Election Board by Article VII, Sec. 2(a)(2) of the Grand Traverse Band of Ottawa and Chippewa Indians Constitution (“Constitution”), the rules and regulations it deems necessary to properly conduct a regularly scheduled election of Tribal Council Members and Gaming Commissioner.

In carrying out the authority delegated to it under the Constitution, the Election Board strives to let the Seven (7) Grandfather teachings guide its deliberations and decisions. In that same spirit, the Election Board hopes that the open process by which these Regulations were developed will also ensure that the Membership of the Grand Traverse Band, including current elected officials, candidates, voters, and other persons participating in the election process will be guided by the Seven (7) Grandfather teachings:

Nbwaakaawin	Wisdom
Zaagidwin	Love
Mnaadendimowin	Respect
Aakwade'ewin	Bravery
Gwekwaadiziwin	Honesty
Dbaadendiziwin	Humility
Debwewin	Truth

### II. **ELECTION ANNOUNCEMENT**

- (1) The Tribal Council has set Tuesday, May 5, 2026, as the date for the General Election. A Primary Election (if necessary) will be held on Tuesday, March 31, 2026. A Runoff/Re-Ballot election (if necessary) will be held Tuesday, June 2, 2026.
- (2) The Election will be conducted to fill three (3) Tribal Council positions that expire upon the election and swearing in of their successors. The Gaming Commissioner is up for election for the 2026 election cycle. The Tribal Chairperson position is not up for election in 2026 but will be up for election in the 2028 election cycle.
- (3) The Election Board will hold a Primary Election on March 31, 2026, if more than six (6) members file for candidacy for Tribal Council seats, or if more than two (2) persons file for candidacy for the Gaming Commissioner.
- (4) The one (1) Gaming Commissioner position is up for election in the 2026 election cycle. The next election for the one (1) Gaming Commissioner position will be held in the 2030 election cycle.
- (5) All Elections shall be conducted by secret ballot at polling places established by the

Election Board, or by absentee ballot, to ensure the opportunity for, and encourage widespread voter participation.

- (6) The polling places are established pursuant to Article VII, Section 3(b) of the Constitution as follows: the GTB Tribal Administration Building, the Charlevoix Satellite Office, the Traverse City Three Mile Education Office, and the Benzie/Manistee Satellite Office.
- (7) All GTB registered voters who are Polling Officials, including Election Board Members, duly assigned polling site assistants, Tribal Police Officers, and maintenance janitors assigned to polling places other than the polling site they are registered to vote at, will be permitted to vote by absentee ballot or vote at their assigned polling site that the Election Board will designate.
- (8) The Election Board shall have the authority to enlist Tribal Members ("Member(s)"), or Tribal government staff (with the consent of the Tribal Administration) as polling officials or support staff when necessary. The Election Board will maintain a list of designated Polling Officials assigned to each polling site. Election Board support staff will consist primarily of employees of the Grand Traverse Band Membership Office ("Membership Office"). The Membership Office address is 2605 N. West Bay Shore Drive, Peshawbestown, MI 49682; its phone number is (231) 534-7670.

### **III. ELIGIBILITY TO VOTE**

- (1) Article VII, Section 3(a) of the Constitution prescribes that in order to be eligible to vote in any given Tribal Election, a Member must meet the following criteria:
  - (a) Be duly enrolled in the Grand Traverse Band of Ottawa and Chippewa Indians;
  - (b) Be at least eighteen (18) years old on the date of any given Tribal Election;
  - (c) Have been a resident, for a period of at least six (6) months in the six-county service area of Antrim, Benzie, Charlevoix, Grand Traverse, Leelanau, and Manistee counties immediately preceding the Election; and
  - (d) Be registered to vote on the date of any given Tribal Election.
- (2) For the purposes of these Regulations, "residence" means the primary and legal residence of the Tribal Member. The terms "reside," "resident," and "residency" are intended to refer to the physical street address or location, which may include a Rural Route number, where the Member actually lives or resides.
- (3) Evidence of residency may include, but not be limited to, the following: Michigan driver's license, Michigan identification card, Government-issued photo identification card, current utility bill, property deed, property tax bill, current bank statement, current paycheck, or government check. The address evidence presented to prove physical residence must satisfy the six-month requirements mandated by the Constitution. A Post Office Box address will not be accepted as proof of residency. Residents of Beaver Island, who have neither a street address nor rural route number, will be exempted from the Post Office Box address stipulation, provided that the Election Board may require other satisfactory evidence (i.e. affidavit, copy of deed, property tax bill) verifying a Tribal Member's residence.
- (4) No Tribal Member shall be deemed to have lost their residence by reason of: their service in the armed forces of the United States, full-time student status at any institution of learning, or incarceration, so long as the Member was a resident of the six-county service area for at least six months prior to entering the military or institution of learning, or arrest and incarceration.

#### **IV. VOTER REGISTRATION**

- (1) In order to allow all Tribal Members the opportunity to vote, the Election Board asks all Members to make sure that their voter registration is up to date and accurate.
- (2) The burden of proving eligibility to vote is on the person who has applied for voter registration. The Membership Office shall request the presentation of evidence sufficient to verify eligibility.
- (3) The Membership Office shall verify the tribal enrollment status, age, and residence of each Member who submits a voter registration form. The Membership Office may reject submission of any incomplete or questionable voter registration forms or may request that evidence be submitted by the Member that they are eligible to vote under these Regulations. If the Membership Office determines that a Tribal Member has not completed the voter registration form correctly and/or has not provided sufficient evidence of eligibility to vote under these Regulations, the Membership Office shall notify the Tribal Member in writing that their voter registration has been denied and stating the reasons why it has been denied. The written notice shall also indicate that the Member may appeal the voter registration denial to the Election Board within seven (7) calendar days from the date on the written notice. When a Tribal Member appeals a voter registration denial, a copy of the written notice shall be provided to the Election Board Secretary along with an appeal letter explaining why the voter registration should not be denied, sent via United States Postal Service (USPS) to Grand Traverse Band Election Board, P.O. Box 238, Suttons Bay, MI 49682.
- (4) Registered voters are responsible for completing a change of address should they change their residence. Registered voters who do not complete a change of address form for voter registration purposes will be required to vote in the precinct of their last recorded address.
- (5) Any registered voter whose name has changed (due to marriage, divorce, or other legal change) since they last registered to vote is responsible for updating their voter registration to ensure that the name or signature matches the voter registration record maintained by the Election Board. If a registered voter does not update their voter registration to reflect the change of name, they may be required to present proof to verify their identity at the time of voting in order to cast a vote.
- (6) The Membership Office shall compile and provide to the Election Board a list of the names and county of residence for each registered voter at least thirty (30) calendar days prior to the date of the Primary and General Election. The list will also designate, where applicable, those who have requested to vote by absentee ballot. The list shall be posted for public review at the Traverse City Three Mile Education Office, Benzie Satellite Office, the Charlevoix Satellite Office, Turtle Creek Casino, and at the following Peshawbestown locations: Governmental Administration Building, Governmental Annex Building, Elder's Complex, Medicine Lodge, Natural Resources Building, Gaming Commission Building, Leelanau Sands Casino, Strongheart Center, Benodjehn Center, and the Housing Authority.
- (7) A completed voter registration form must be submitted to the Membership Office by the date and time indicated on the Schedule of Events made a part of these Regulations. The Schedule of Events may be amended by the Election Board. Any Tribal Member who fails to timely register to vote shall not be eligible to vote in the election. Voter Registration deadlines are currently scheduled as follows:  
Primary Election (if necessary): March 26, 2026, by 4:00 p.m.  
General Election: April 23, 2026, by 4:00 p.m.

Run-Off/Re-Ballot Election (if necessary): May 21, 2026, by 4:00 p.m.

**V. BALLOTS**

(1) The following definitions for ballots shall apply throughout these Regulations:

- (a) A "cast ballot" means an official ballot that is cast in the proper manner at the proper time by a duly registered voter. A vote is cast by a duly registered voter by placing it in the ballot box, or in the case of absentee voting, when the ballot is received by the Election Board.
- (b) An "invalid ballot" means a cast ballot discovered at the time the votes are counted which does not comply with the requirements for voting or is not an official ballot. An invalid ballot is not to be counted for determining the number of cast ballots.
- (c) A "mutilated ballot" means an official ballot that has been damaged to the extent that it is not possible to determine the choice the voter intended to make. There are two kinds of mutilated ballots:
  - (i) A ballot that is mutilated and not cast. In this case, the mutilated ballot may be exchanged for a new one. If the need arises to exchange a mutilated absentee ballot, no additional time will be provided for the new ballot to be received by the Election Board.
  - (ii) A ballot that is mutilated and cast. A mutilated cast ballot is to be counted in tabulating the total number of voters who have cast votes but shall otherwise not be counted in the tallying of votes.
- (d) An "official ballot" means a ballot prepared by the Election Board for use in an election pursuant to these Regulations. It is possible that an official ballot may be found to be either mutilated or spoiled at the time the votes are counted.
- (e) A "spoiled ballot" means an official ballot that has been marked in such a way that it is not possible to determine the intent of the voter, a ballot that has not been marked at all, or one that has been marked so as to violate the secrecy of the ballot. There are two kinds of spoiled official ballots:
  - (i) A ballot that is spoiled and not cast. In this case, the spoiled ballot may be exchanged for a new one. If the need arises to exchange a spoiled absentee ballot, no additional time will be provided for the new ballot to be received by the Election Board.
  - (ii) A ballot that is spoiled and cast. A spoiled cast ballot is to be counted in tabulating the total number of voters who have cast votes but shall otherwise not be counted in the tallying of votes.

(2) The Election Board shall approve and have prepared ballots which are clear and simple so that it is easy for the voters to indicate their choice of candidate(s). The Election Board shall supply a sufficient number of ballots to each designated polling site.

(3) Should any voter spoil or mutilate a ballot in the course of voting at a polling site, the voter shall destroy the ballot in the presence of an election official and the election official shall then make note of the destroyed ballot and shall furnish the voter with another ballot.

(4) Any spoiled or mutilated absentee ballot may be exchanged for a new one by returning to the Election Board or the Membership Office with a request for another. The Election Board or Membership Office shall honor the request promptly and note the date of the related actions on the absentee ballot voter log. No extension of time will be granted for receipt of exchanged ballots that might not be cast on time.

## **VI. THE BALLOT PROCESS**

- (1) Except as outlined below, residents of Antrim and Grand Traverse counties must vote at the Traverse City Three Mile Education Office, residents of Benzie and Manistee counties must vote at the Benzie Satellite Office, residents of Charlevoix County must vote at the Charlevoix Satellite Office, Beaver Island registered voters may vote by Absentee Ballot, and residents of Leelanau County must vote at the Peshawbestown GTB Tribal Administration Office.
- (2) Registered voters must cast their ballots only at their designated polling places as specified above, except members of the Election Board and duly assigned polling place workers, assigned to polling places outside of their designated polling places may vote at the polling place to which they are assigned.
- (3) Candidates will not be allowed to vote at any designated polling place. Candidates are not allowed to be within one hundred (100') feet of any polling place pursuant to Article XIII, Section 5(e) of these Regulations. Any candidate wishing to vote must do so by absentee ballot so that no Candidate is required to be at or near any polling site on the date of an election.
- (4) Each registered voter must present valid picture identification to the polling official before receiving a ballot. The polling official will deny a person a ballot and not allow them to vote if their picture identification information does not match the person's voter registration information.
- (5) An official ballot for the candidates will be provided to each registered voter at the designated polling places.
- (6) Each registered voter will be entitled to vote for the following number of candidates:
  - (a) If a Primary Election is held, each registered voter will be entitled to vote for no more than six (6) candidates for Tribal Councilor and two (2) candidates for Gaming Commissioner.
  - (b) In the General Election, each registered voter will be entitled to vote for no more than three (3) candidates for Tribal Councilor and one (1) candidate for Gaming Commissioner.
- (7) Each registered voter must complete the ballot in accordance with the voting instructions included with the ballot.

## **VII. THE ABSENTEE BALLOT PROCESS**

- (1) Absentee ballots are available for all elections. They provide voters with a convenient method for casting a ballot when they are unable to attend the polling places on an election day.
- (2) Everyone that wishes to may vote by absentee ballot, provided they follow the process outlined in these Regulations.
- (3) **Due to the restriction for candidates to vote at any polling place during an election, candidates for Tribal Council or other offices shall be required to vote by absentee ballot and will be automatically included on the list of registered voters receiving absentee ballots. Candidates will receive an absentee ballot for the Primary Election only in their candidate packet. Registered voters who are no longer candidates because they did not make it past the Primary Election and who wish to vote by absentee ballot, will not automatically receive an absentee ballot. Those former candidates who wish to vote by absentee ballot must request an absentee ballot pursuant to these Regulations. As long as an eligible voter is still a candidate for office in an election, they will continue to be on the list of registered voters**

**receiving an absentee ballot.**

- (4) Eligible voters who register to vote after the deadlines established for receipt of absentee ballot applications will be required to vote in person at their designated polling place for that election. However, voters may still request absentee voter ballots for subsequent elections (i.e., a voter who submits a request for an absentee ballot too late for the Primary Election must cast their vote at their designated polling place in the Primary Election but may submit a request for an absentee ballot for the General Election).
- (5) A request for an absentee ballot must be in writing and must be submitted to the Membership Office. A registered voter must request an absentee ballot with a letter, or by submitting a pre-printed application form at the Membership Office. **Voters are encouraged to utilize the pre-printed application forms to avoid confusion or mistakes that may result in the denial of a request for an absentee ballot.**
- (6) A request for an absentee ballot must include the following information:
  - (a) The residence of the voter that is within the six-county service area;
  - (b) The address the voter wishes the absentee ballot mailed to, if different from their residence;
  - (c) The voter's signature; and
  - (d) If the voter required assistance in completing their application for an absentee ballot, the name, residence, and signature of the person assisting the voter.
- (7) A request for an absentee ballot may be submitted to the Membership Office in the following manner:
  - (a) By placing the request in an envelope addressed to: GTB Membership Office, 2605 N. West Bay Shore Drive, Peshawbestown, MI 49682, and by placing the envelope in the USPS mail with postage fully prepaid thereon, or by utilizing another public postal service, express mail service, parcel post service, or common carrier sent to the same address with postage fully prepaid thereon.
  - (b) Any person other than a candidate for office may mail a request for an absentee ballot to the Membership Office on behalf of another registered voter.
- (8) Absentee ballot requests must be received by the Membership Office no later than:
  - (a) March 19, 2026, by 4:00 p.m. for the Primary Election (if necessary);
  - (b) April 23, 2026, by 4:00 p.m. for the General Election; and
  - (c) May 21, 2026, by 4:00 p.m. for the Runoff/Re-Ballot Election (if necessary).
- (9) Once a request for an absentee ballot is received by the Membership Office, the signature of the registered voter on the request must match the signature on the voter registration record before an absentee ballot will be issued. The Membership Office will make a log of each request for an absentee ballot received which identifies the name of the voter making the request, the requester's residence, the date/time the request was received by the Membership Office, and the person who assisted the voter in completing the request (if applicable).
- (10) Requests for absentee voter ballots shall be denied by the Membership Office if:
  - (a) The person making the request is not a registered voter;
  - (b) The request does not include the signature of the voter;
  - (c) The Membership Office is unable to match the voter signature on the request with the signature on the voter registration record;
  - (d) The request was received by the Membership Office after the deadline established for that election;
- (11) The request was delivered in a manner inconsistent with subsection (7) or was delivered

by a candidate for office. The Membership Office will immediately notify each registered voter requesting an absentee ballot in writing if their request has been denied, stating the reason the request was denied, and notifying the voter that they have the right to appeal the denial to the Election Board. Any registered voter whose absentee ballot request has been denied may still vote in person at their designated polling place for that election.

(12) Upon receipt and verification of a properly completed request for an absentee ballot, the Membership Office will file the same and enter the name of the registered voter and the address to which the absentee ballot is to be sent on a list to be kept for the purpose of mailing absentee ballots. The applications and lists of approved absentee voters shall be open to public inspection at reasonable hours and upon reasonable notice.

(13) Emergency Absentee Ballots.

(a) Any registered voter may request an emergency absentee ballot at any time before 12:00 p.m. (noon) the day prior to an Election Day if one of the following has occurred which has made it impossible for the registered voter to request an absentee ballot by the deadline(s) prescribed in subsection (8) herein:

(i) The voter has become physically disabled as a result of an accident or illness; or

(ii) The voter will be absent from the six-county area on an election day because of a serious family illness or death.

(b) The request for an emergency absentee ballot must be made either in person by a registered voter or by a person authorized in writing by the voter to request the emergency absentee ballot, provided that requesting person is not a candidate for office. The request must include the following:

(i) The residence of the registered voter that is within the six-county service area;

(ii) A statement that the registered voter meets the criteria for issuance of an emergency absentee ballot described in subsection (a);

(iii) The registered voter's signature; and

(iv) If someone other than the registered voter is requesting the emergency absentee ballot, written verification that the person requesting the emergency absentee ballot has been authorized by the registered voter to do so.

(c) Once a request for an emergency absentee ballot is received by the Membership Office, the signature of the registered voter on the request must match the signature on the voter registration record before an emergency absentee ballot will be issued. The Membership Office will make a log of each request for an emergency absentee ballot received which identifies the name of the registered voter making the request, the voter's residence, the date/time the request was received by the Membership Office, and (if applicable) the person who assisted the registered voter in completing the request and who is making the request on behalf of the registered voter.

(d) If the Membership Office verifies that the registered voter requesting the emergency absentee ballot qualifies to receive an emergency absentee ballot, including verifying the signature of the registered voter making the request, the Membership Office will immediately provide the emergency absentee ballot to the registered voter or to the person authorized by the voter.

(e) The Membership Office will immediately notify the registered voter or the person authorized by the voter who is requesting an emergency absentee ballot if the

request has been denied and stating the reason the request was denied. Any registered voter whose emergency absentee ballot request has been denied may still vote in person at their designated polling place for that election.

(f) Upon receipt and verification of a properly completed request for emergency absentee ballot, the Membership Office will file the same and enter the name of the registered voter on a list and provide the emergency absentee ballot to the registered voter or the requester (if different than the registered voter). The applications and lists of approved emergency absentee voters shall be open to public inspection at reasonable hours and upon reasonable notice.

(g) The emergency absentee ballot must be cast in the same manner as a regular absentee ballot and including a registered voter filling out the emergency absentee ballot immediately after receiving it from the Membership Office and handing it back to the Membership Office or delivering the emergency absentee ballot on an election day to the registered voter's designated polling place. The emergency absentee ballot must be returned to the Election Board by the deadlines prescribed in subsection (15). Emergency absentee ballots may be rejected as spoiled/void for the same reason(s) applicable to other absentee ballots.

(14) Absentee Voting.

(a) Absentee ballots will be mailed to registered voters at the address designated in each voter's request. Absentee ballots will be mailed to voters on the date(s) specified in the Schedule of Events, established within these Regulations.

(b) Registered voters must complete the absentee ballot in accordance with the voting instructions included with the ballot and sign the ballot. If a voter requires assistance in completing the ballot, or in delivering the ballot to the voter's designated polling place, the person providing that assistance must complete the portion of the absentee ballot certifying the assistance provided.

(c) Absentee ballots may be delivered to the Election Board using any of the methods described below:

(i) By placing the absentee ballot in an envelope with the necessary postage on the return envelope and depositing the envelope in the USPS mail or with another postal service, express mail service or common carrier for delivery to the Election Board at the following address: Grand Traverse Band Election Board, P.O. Box 238, Suttons Bay, MI 49682. Mailed absentee ballots must be received in the Election Board's designated Post Office Box by 3:00 p.m. on the day before an election.

(ii) By handing the absentee ballot over to an Election Board member or other staff working at the registered voter's designated polling place while the polling place is open; or

(iii) By turning in an absentee ballot to the registered voter's designated polling place while the polling place is open and voting in-person instead, as allowed in subsection (14)(f).

(d) Absentee ballots may be rejected for the following reasons:

(i) The envelope containing the absentee ballot is not signed by the registered voter;

(ii) The absentee ballot is not completed in accordance with the voting instructions included with the ballot;

(iii) If upon examination of the envelope containing the registered voter's absentee ballot it is determined that the signature cannot be matched with

- the signature on the new updated voter's registration record; or
- (iv) It is determined by a majority of the Election Board that the vote contained in the absentee ballot is illegal for any other reason under these Regulations.
- (e) Rejected absentee ballots shall be marked on their face with the word "void" and initialed by the Chairperson of the Election Board. The envelope containing rejected absentee ballots and the rejected ballots shall be retained and preserved by the Membership Office for thirty (30) calendar days after the Election Day.
- (f) A registered voter, who requested an absentee ballot, may vote in person at their designated polling place, notwithstanding the fact that they have requested an absentee voter ballot and received an absentee voter ballot, under the following circumstances:
  - (i) The registered voter has not mailed or otherwise delivered the absentee ballot to the Membership Office or Election Board; and
  - (ii) Before voting in person, the registered voter has returned their absentee ballot to the polling officials at their designated polling place. The Polling Officials shall mark the ballot as "void". Voided absentee ballots will be placed in the box with other spoiled ballots.

(15) Deadlines for receiving Absentee Ballots are as follows:

- (a) Absentee ballots for the **Primary Election** (if necessary) sent through the USPS mail to the Membership Office must be **received** by the Membership office by March 30, 2026, at 3:00 p.m.
- (b) Absentee ballots for the **General Election** sent through the USPS mail to the Membership Office must be **received** by the Membership Office by May 4, 2026, at 3:00 p.m.
- (c) Absentee ballots for the **Runoff/Re-Ballot Election** (if necessary) sent through the USPS mail to the Membership Office must be **received** by the Membership Office by June 1, 2026, at 3:00 p.m.

(16) A log shall be maintained to record:

- (a) The total number of absentee ballots mailed to registered voters;
- (b) The number of absentee ballots received by USPS mail at the Election Board's Post Office Box;
- (c) The number of absentee ballots rejected by the Election Board;
- (d) The number of Absentee Ballots "cancelled"; and
- (e) The number of Absentee Ballots to be counted in each election.

(17) Absentee voting challenges shall be resolved by the Election Board in accordance with Article XIV of these Regulations.

## **VIII. BALLOT COUNTING AND ELECTION CERTIFICATION**

- (1) In the event a **Primary Election** is held, the ballots shall be counted by the Election Board on March 31, 2026, after the polling places are closed (or as soon thereafter when all necessary Election Board Members are present) in the Tribal Council Chambers at the Tribal Administration Building in Peshawbestown.
- (2) For the **General Election**, the ballots shall be counted by the Election Board on May 5, 2026, after the polling places are closed (or as soon thereafter when all necessary Election Board Members are present) in the Tribal Council Chambers at the Tribal Administration Building in Peshawbestown.

- (3) In the event of a **Runoff/Re-Ballot Election**, the ballots shall be counted by the Election Board on June 2, 2026, after the polling places are closed (or as soon thereafter when all necessary Election Board Members are present) in the Tribal Council Chambers at the Tribal Administration Building in Peshawbestown.
- (4) Each official ballot shall be completed in accordance with the voting instructions; otherwise, it shall be considered as a spoiled ballot which shall not be counted in the vote tally.
- (5) Tribal Membership and general public are welcome to be present when the election ballots are counted by the Election Board after the polling places are closed. As allowed under Article VII, Section 5(f) of the Constitution, a candidate for tribal office may choose a representative to be present when the election ballots are counted by the Election Board after the polling places are closed.
- (6) If a **Primary Election** is held, the candidates for Tribal Councilor receiving the six (6) highest numbers of votes shall be deemed winners of the Primary Election. In the event of a tie for the sixth-place candidate for Tribal Councilor in the Primary Election, all those tying for sixth place shall be deemed winners of the Primary Election.
- (7) In the **General Election**, the candidates for Tribal Councilor receiving the three (3) highest numbers of votes shall be deemed to be elected for a term expiring in May 2030. In the event of a tie for the third-place candidate for Tribal Councilor in the General Election, then a Runoff/Re-Ballot Election shall be held with all those tying for third place being placed on the ballot. The candidates receiving the first and second highest vote totals shall be deemed elected in the General Election and are not subject to the Runoff/Re-Ballot Election.
- (8) If a **Primary Election** is held, the candidates for Tribal Chairperson receiving the two (2) highest numbers of votes shall be deemed winners of the Primary Election. In the event of a tie for the second-place candidate for Tribal Chairperson in the Primary Election, all those tying for second place shall be deemed winners of the Primary Election. **The Tribal Chairperson position is not up for election in the 2026 election cycle. The Tribal Chairperson position is up for election in the 2028 election cycle.**  
In a **General Election**, the candidate for Tribal Chairperson receiving the highest number of votes shall be deemed to be elected for a term of four (4) years. If there is a tie following the General Election for the Tribal Chairperson position, a Runoff/Re-Ballot Election shall be held for that position with both tying candidates being placed on the ballot. **The Tribal Chairperson position is not up for election in the 2026 election cycle. The Tribal Chairperson position is up for election in the 2028 election cycle.**
- (9) If the unofficial results from a Primary, General or Runoff/Re-Ballot Election indicate that a candidate for office was eliminated or defeated by two or less of the votes counted for that office, the Election Board will conduct a recount of the ballots on the same date, or as soon thereafter as possible only when an eliminated/defeated candidate requests a recount in writing to the Election Board. If the result of the recount for any precinct, or for the absentee ballots, is different than the vote total(s) from the original count, the Election Board will conduct a hand count of the ballots cast at that precinct or the absentee ballots, as appropriate. Any written request for a recount shall be treated as an Election Challenge and person(s) requesting the recount must allege some irregularity in procedure, mistake, or fraud that justifies the need for a recount.
- (10) Unofficial election results shall not be certified by the Election Board until the deadline for filing an Election Challenge(s) has expired (seven (7) calendar days after an election).

- (11) Once the election results have been certified by the Election Board, provided that the candidates elected to office have complied with these Regulations (including submission of Financial Disclosure Statements), an oath of office will be administered by a Tribal Judge, tentatively scheduled to occur on Friday, May 14, 2026, at 2:00 p.m.
- (12) Ballots shall be secured by the Election Board for thirty (30) calendar days after the Election date or resolution of any conflicts (such as a recount, election challenge, etc.) before disposal, whichever occurs later. After the expiration of said time period, all ballots shall be destroyed.

## **SECTION 2**

**ELIGIBILITY TO BE A CANDIDATE  
FOR TRIBAL CHAIRPERSON**

**ELIGIBILITY TO BE A CANDIDATE  
FOR TRIBAL COUNCIL**

**ELIGIBILITY TO BE A CANDIDATE  
FOR GAMING COMMISSIONER**

**CANDIDACY DECLARATION PROCESS**

**CAMPAIGN RULES**

## **IX. ELIGIBILITY TO BE A CANDIDATE FOR TRIBAL COUNCIL CHAIRPERSON**

- (1) To be eligible to be a candidate for the Office of Tribal Council Chairperson, a person must meet the following criteria:
  - (a) Be an enrolled Member of the Grand Traverse Band of Ottawa and Chippewa Indians;
  - (b) Be at least twenty-five (25) years old on the date of the election for Tribal Council Chairperson's position;
  - (c) Shall have maintained residence in the six-county service area of the Tribe for a period of six (6) months immediately preceding the date of the General Election for Tribal Council Chairperson; and
  - (d) Shall not have been convicted of any felony by a court of competent jurisdiction, whether Tribal, State, or Federal, unless such person has not been convicted of such felony within the preceding ten (10) years.
- (2) Any person who is a tribal official, elected or appointed, must adhere to the provisions of the Constitution, Article XII governing conflict of interest.
- (3) A person who is employed by the Tribal government, or in any other position that is controlled by the Tribal Council directly or indirectly through the Tribal Manager, may run for the Office of Tribal Council Chairperson. However, if elected, the candidate will be required to resign their position as an employee of the Tribe as required under Article XII, Section 2(a) of the Constitution.
- (4) A person who is employed by the Grand Traverse Band Economic Development Corporation, or any other for-profit business enterprise chartered by the Tribe may run for the Office of Tribal Council Chairperson in an election without jeopardizing their position as an employee of such, unless such person's employment in that position otherwise conflicts with their role as a Tribal Council Chairperson as required under Article XII, Section 2(b) of the Constitution. However, if elected they will be required to resign their position as an employee of the Tribe.

## **X. ELIGIBILITY TO BE A CANDIDATE FOR TRIBAL COUNCIL**

- (1) To be eligible to be a candidate for Tribal Council, a person must meet the following criteria:
  - (a) Be an enrolled Member of the Grand Traverse Band of Ottawa and Chippewa Indians;
  - (b) Be at least eighteen (18) years old on the date of an election for Tribal Council positions;
  - (c) Shall have maintained residence in the six-county service area of the Tribe for a period of six (6) months prior to an election; and
  - (d) Shall not have been convicted of any felony by a court of competent jurisdiction, whether Tribal, State, or Federal, unless such person has not been convicted of such felony within the preceding ten (10) years.
- (2) Any person who is a tribal official, elected or appointed, must adhere to the provisions of the Constitution, Article XII governing conflict of interest.
- (3) A member who is employed by the Tribal government, or in any other position that is controlled by the Tribal Council directly or indirectly through the Tribal Manager, may run for the office of Tribal Councilor. However, if elected, the candidate will be required to resign their position as an employee of the Tribe as required under Article XII, Section 2(a) of the Constitution.

(4) A person who is employed by the Grand Traverse Band Economic Development Corporation, or any other for-profit business enterprise chartered by the Tribe may run for the office of Tribal Councilor in the Tribal Election without jeopardizing their position as an employee of such, unless such person's employment in that position otherwise conflicts with their role as a Tribal Council member under Article XII, Section 2(b) of the Constitution. However, if elected they will be required to resign their position as an employee of the Tribe.

## **XI. ELIGIBILITY TO BE A CANDIDATE FOR GAMING COMMISSIONER**

(1) To be eligible to be a candidate for the office of Gaming Commissioner, a person must meet the following criteria:

- (a) Be an enrolled Member of the Grand Traverse Band of Ottawa and Chippewa Indians;
- (b) No Member of the Tribe may serve concurrently on the Tribal Commission and the Tribal Council, excluding *ex officio* participation as provided in the Grand Traverse Band Code (GTBC) at 18 GTBC § 206(d);
- (c) Take and pass a background investigation as outlined in 18 GTBC § 206(b);
- (d) Pursuant to the Tribal Code, specifically 18 GTBC § 206, no person shall serve as a Gaming Commissioner if:
  - (1) The prospective member's prior activities, criminal record, if any, or reputation, habits, or associations:
    - (A) Pose a threat to the public interest; or
    - (B) Threaten the effective regulation and control of gaming; or
    - (C) Enhance the dangers of unsuitable, unfair, or illegal practices, methods, or activities in the conduct of gaming; or
  - (2) The prospective member has been convicted of or entered a plea of nolo contendere to a felony or any gaming offense in any jurisdiction or to a misdemeanor involving dishonesty or moral turpitude; or
  - (3) The prospective member or any member of their immediate family has a financial interest in any gaming activity or facility.
  - (4) The prospective member cannot pass a credit check and does not have a certifiable history of credit worthiness from a credit agency for the last 10 years.
  - (5) The prospective member cannot pass a drug test as provided in Chapter 14 of this code (18 GTBC § 1401 *et seq.*).

## **XII. CANDIDACY DECLARATION PROCESS**

(1) To declare candidacy for office, a Tribal Member must do each of the following:

- (a) Complete and submit to the Membership Office, by the date and time indicated on the Schedule of Events contained within these Regulations, a Declaration of Candidacy form and a Consent Form to allow disclosure of information required for a background check (faxed or e-mailed submissions will not be accepted);
- (b) On the Declaration of Candidacy, certify by written statement that they meet all of the requirements to be a candidate as stated in the Constitution and these Regulations;
- (c) On the Consent Form, consent to submission of information required for the Election Board to conduct a background check to confirm eligibility for candidacy;

- (d) Complete all requirements for background checks, by the deadline stated in the Schedule of Events contained within these Regulations; and
- (e) Pay a \$100.00 application fee when submitting their candidacy packet. The fee shall be used to cover costs for background checks, postage, and printing.
- (f) If desired, submit a picture and an essay up to 200 words stating why they wish to be a Tribal Council Member or Gaming Commissioner when submitting their candidacy packet. If a submission contains more than 200 words, then only the first 200 words will be printed. Subject to the word limit, the photo and essay will be submitted for publication in the GTB Newsletter.

(2) The Membership Office shall time stamp every document submitted to it by each candidate, and the initials of the person accepting each document shall be written on the document. The Membership Office may reject submission of any incomplete or questionable candidate forms or may request evidence be submitted by the candidate that the candidate is eligible for candidacy. If the Membership Office determines that a Tribal Member is not eligible to be a candidate, then the Membership Office shall notify the Tribal Member and the Election Board in writing that the candidate has been determined ineligible for candidacy and stating the reasons they are not eligible. The written notice shall also advise the Tribal Member that they may appeal the determination as outlined below.

(3) Failure to fully and completely comply with filing of required forms by the deadline for declaring candidacy stated in the Schedule of Events or failure to meet the eligibility requirements for office, shall result in a person being declared ineligible for candidacy.

(4) Prior to announcing or publishing the list of qualified candidates, the Membership Office shall provide all relevant documentation to the Election Board to review and approve the list of persons who are qualified candidates for office.

(5) Any Tribal Member who has been determined to be ineligible for candidacy for any reason may request review of the determination by the Election Board, utilizing the procedure for resolving election challenges as stated in these Regulations.

(6) **Candidates must declare their candidacy by submitting all required forms, fee, and items by February 19, 2026, at 4:00 p.m.** Those who have not declared their candidacy and completed all the required forms, the \$100.00 application fee, and submitted all of the required items for a background check, etc. by the deadlines indicated shall not be eligible for election to office.

(7) The Election Board and the GTB Newsletter will only be responsible for publishing the essay in the GTB Newsletter with contact information (i.e., address; telephone numbers; e-mail address; webpage) of each candidate. All other campaigning will be the sole responsibility of the candidate. The GTB Communication Department is a separate entity from the GTB Election Board; the Election Board shall not be responsible for any printing errors concerning any information submitted by a candidate.

### **XIII. CAMPAIGN RULES**

(1) For purposes of this Article, the following definitions shall apply:

- (a) “Campaigning” includes, but is not limited to, the taking of organized or regular action for, or in opposition to, the election of a particular candidate or slate of candidates, or for or against any issue which may be on the election ballot, distributing campaign materials, canvassing voters, or giving speeches or presentations to groups of voters and other activities which may reasonably be

considered as intending to persuade voters in a political campaign. Merely expressing support for, or opposition to, a candidate or slate of candidates does not constitute campaigning unless the circumstances indicate that such expressions are part of a pattern of organized or regular conduct to influence the vote of other persons. Campaigning does not include placing a sign or sticker on one's own property, placing a bumper sticker on one's personal vehicle (even when parked at a Tribal Government Building or Tribal Enterprise), or wearing a campaign button.

- (b) "Campaign materials" include, but are not limited to, posters, flyers, bumper stickers, or other items related to a person's candidacy or related to the election.
- (c) "Candidate" means a person who has declared their candidacy for office pursuant to these Regulations, or a person acting for or on behalf of the person running for office.
- (d) "Tribal government building" includes, but is not limited to, any building or structure housing the office of any Tribal government employee, or at which Tribal government or community meetings are held, or at which Tribal government program activities are conducted or services to Tribal Members are delivered.
- (e) "Tribal enterprise building" includes, but is not limited to, all buildings and other real property owned by the Tribe or a Tribally chartered business entity, including the Leelanau Sands Casino, Turtle Creek Casino and Hotel, Grand Traverse Resort and Spa, Eagle Town Market, and the Lodge Hotel.

(2) Candidates may accept campaign contributions from Tribal Members and from the candidate's sponsored fund-raising events. Candidates may also accept contributions from non-Tribal Members with the stipulation that they publicly disclose the amount and the contributor.

(3) All candidates, within seven (7) calendar days after the date of the General Election, and any Run-off/Re-Ballot Election, shall file a Financial Disclosure Statement with the Election Board on the form provided by the Election Board in order to protect and to maintain the integrity of the election process. The candidate shall state on the disclosure statement the amount but not the identity of funds collected from Tribal Members and fund-raising events. The candidate shall also state on the disclosure statement the name and amount, including the dollar value of any in-kind contributions, received from non-Tribal Members and the identity of the person or persons, corporation, or other entity contributing that amount. If a Candidate did not receive any contributions of funds (or in-kind contributions from non-Tribal Members), they shall file a Financial Disclosure Statement that simply states: "No campaign contributions received from Tribal Members or non-Tribal Members." For purposes of reporting campaign finances, the term "in-kind" contribution includes any item (such as paper, stamps, food, waived room charges, etc.) or contribution of personal services (such as volunteer work stuffing envelopes, campaign consulting, etc.) by a non-Tribal Member in support of a particular Candidate or slate of Candidates.

(4) Any Candidate who fails to file the Financial Disclosure Statement within the time period described in subsection (3) herein, will be subject to a **fine of \$25.00 per day** for each day such Candidate's Statement is late. **Any winning Candidate who fails to file the Financial Disclosure Statement within the time period described in subsection (3)**

**herein shall be considered to have forfeited their right to hold office, and the next highest vote getter shall be deemed the winner of the election [provided they have complied with subsection (3) herein].**

(5) The following provisions will apply to any election conducted under these Regulations.

- (a) No campaign materials may be posted or distributed, nor is any campaigning of any kind by any individual or candidate allowed in any Tribal government building, or Tribal enterprise building, on any Tribal vehicles, or in any parking lots or common areas of such buildings. Notwithstanding the above, candidate forums which are open to all candidates, may be held in Tribal government or Tribal enterprise buildings if they are held after 5:00 p.m. Monday – Thursday, or any time on a Friday, Saturday or Sunday, with the prior approval of the Election Board. Campaign materials may be distributed at such a candidate forum, but all campaign materials must be removed within one (1) hour following the conclusion of the candidate forum. Notwithstanding the above, campaigning may also occur on property owned by the Tribe if the campaigning is on or within residential apartment units (including common areas) or residential lots leased or assigned to Tribal Members.
- (b) No person who is an employee or contractor of the Grand Traverse Band government or any Tribally chartered or owned business entity shall engage in any campaign activities during their assigned working hours. Any person may engage in campaign activities on their own personal time, while on vacation, etc., provided said campaigning complies with these Regulations.
- (c) No person shall use any Tribal government or Tribal enterprise property or funds for campaign activities, including, but not limited to, the use of any telephone, facsimile, e-mail, website, office supplies, vehicles, bulk mailing permit, etc.
- (d) No person who is an employee of the Grand Traverse Band government or any Tribally chartered or owned business entity shall make express endorsements for or against any candidate or slate of candidates, or for or against any issue on the election ballot, at any public meeting attended in their employment capacity, or in any newsletter, report, mailing, or other document distributed by the Tribe or which uses Tribal funds or property.
- (e) No campaigning may occur within one hundred (100') feet of any Tribal government or Tribal enterprise building serving as a polling place on the date of an election. Candidates who are employees of the Grand Traverse Band government or any Tribally chartered or owned business entity and whose office is located at any of the buildings serving as a polling site must either make arrangements to work off-site or at a building that is at least one hundred (100') feet away from the polling site or arrange to take time off of work (a vacation day or General Purpose Time) that day.
- (f) All candidates must remove all campaign materials, posters, signs, etc., no later than seven (7) calendar days after the election has been certified.
- (g) With the exception of the special section of the Grand Traverse Band Newsletter outlined above, no person shall utilize the Grand Traverse Band Newsletter to campaign for or against any candidate (or potential candidate) or any issue on the election ballot. A candidate may not obtain or copy any written campaign materials such as mailings, flyers, etc. from the Communications office. Notwithstanding the above, candidates or their representatives may obtain voter address mailing labels

or address lists from the Membership Office upon payment of any reasonable fee which may be set by the Membership Office.

(h) No person shall send campaign e-mails to the work e-mail of any Grand Traverse Band government employee or any Tribally chartered or owned business entity employee.

(i) No person shall, either directly or indirectly, give, lend, or promise money or other valuable consideration to or for a person as an inducement to influence the manner of voting by a person relative to a candidate or as reward to refrain from voting.

(j) No person shall, either directly or indirectly, discharge or threaten to discharge an employee of the person or the person's employer for the purpose of influencing the employee's vote at an election.

(k) No person, or person acting on another's behalf, shall, directly or indirectly, knowingly make, publish, circulate, or place in the public, either orally or in writing, an assertion, representation, or statement of fact concerning a candidate for elected office, that is false, deceptive, or malicious.

(l) No person shall attempt, by means of bribery, menace, or other corrupt means or device, either directly or indirectly, to influence a voter's free act of voting for candidates of the voter's own choice, or to deter a voter from voting.

(m) No person shall, in connection with an election, falsely impersonate another person, or vote or attempt to vote under the name of another person, or attempt to induce another person to impersonate another person or attempt to vote under the name of another.

(n) No person shall knowingly and willingly give false information to establish their eligibility to vote or give false information in connection with an application for voter registration, application for absentee voting, a candidacy declaration, or Campaign Finance Disclosure.

(o) No person shall, directly or indirectly, solicit voters for the purpose of receiving voters' authorization to request absentee ballots for voters or to assist voters with completing and delivering absentee ballots.

(p) No person shall, either directly or indirectly, knowingly violate or induce another person to violate any provision of these Regulations with the specific intention of, or for the purpose of, interfering with, or casting doubt upon the integrity of, an election or a candidate's campaign for election.

(q) No person except an authorized member of the Election Board involved in the counting of ballots, who has possession of an absentee ballot mailed or delivered to another registered voter shall do any of the following, except as may be specifically authorized under these Regulations:

- (i) Open the envelope containing the absentee ballot;
- (ii) Make any marking on the absentee ballot;
- (iii) Alter the absentee ballot in any way;
- (iv) Destroy or dispose of the absentee ballot;
- (v) Substitute another absentee ballot for the absentee ballot that the person possesses.

(r) No candidate shall request, obtain, or return Absentee Ballot Request forms for any registered voter other than themselves.

(6) **Penalties for Violation of Campaign Regulations.** Persons (including Candidates) who, after notice and hearing as provided in these Regulations, are determined to have violated

Regulations governing campaign activities may be sanctioned by the Election Board. Penalties for violation(s) of these Regulations will vary depending upon the particular circumstances in each case, including: the severity of the infraction, whether the Election Board has sanctioned the person for similar conduct or violations, and the extent to which the violation impacts the integrity of the election or the election process. Penalties imposed by the Election Board shall be reasonably calculated to remedy any harm resulting from violation(s) and may include, but not be limited to, any of the following:

- (a) Public censure/condemnation of offending person;
- (b) Issuance of an order requiring removal signs or campaign materials posted or distributed in violation of these Regulations;
- (c) Issuance of an order requiring the offending person to publish a public retraction and/or apology with regard to campaign conduct which is determined to violate these Regulations;
- (d) Removal of the offending candidate's name from the ballot;
- (e) Imposition of a civil fine of up to \$5,000.00 for each violation;
- (f) Referring a matter for criminal prosecution where appropriate;
- (g) Requiring payment of the filing fee for the election challenge; or
- (h) Any other remedy the Election Board deems just and proper under the circumstances.

(7) Complaints alleging violation of campaign regulations shall be resolved by the Election Board in accordance with the procedures established by these Regulations to resolve election challenges.

## **SECTION 3**

### **ELECTION CHALLENGES AND ALLEGATIONS OF IMPROPRIETY**

### **RETENTION OF BALLOTS, ELECTION RECORDS**

#### **XIV. ELECTION CHALLENGES AND ALLEGATIONS OF IMPROPRIETY**

(1) Election challenges shall be resolved in the following manner:

- (a) An "election challenge" includes without limitation, any complaint related to candidate eligibility, campaign misconduct, error in the conduct of an election, or any violation of these Regulations. All election challenges related to any action by the Election Board, the Membership Office on behalf of the Election Board, a candidate, a voter, or any other person under these Regulations shall first be brought before the Election Board consistent with Article VII, Section 5(g) of the Constitution. Challenging the outcome of an election must be within the scope and guidelines of an "election challenge".
- (b) Any registered voter or candidate may submit a written election challenge to the Election Board. All election challenges shall be in writing and must be filed by certified USPS mail; return receipt requested, to the Grand Traverse Band Election Board, P.O. Box 238, Suttons Bay, MI 49682. The election challenge will be considered filed as of the date of mailing; the return receipt shall be proof of filing. All election challenges shall be accompanied by a \$350.00 filing fee to offset the costs to the Election Board for processing the election challenge, and a budget line item shall be created for this purpose. Payment of the filing fee must be made by cashier's check or money order. Personal checks will not be accepted. The filing fee may be waived at the discretion of the Election Board upon completion and submission of an Application for Waiver of Filing Fee. Said Application for Waiver of Filing Fee form is available at the Membership Office. The election challenge submitted shall describe, with as much detail and specifics as possible, the person(s) involved (including any candidate, if applicable), the particular conduct alleged to violate any election law or regulation (including the date the conduct is alleged to have occurred), the manner in which the conduct is alleged to have impacted the integrity of the election process, and the relief or remedy requested.
- (c) **All election challenges must be filed within five (5) business days after the violation is alleged to have occurred consistent with Article VII, Section 5(g) of the Constitution.**<sup>1</sup> Any election challenge that is not filed with the Election Board within this time period shall be considered waived.
- (d) In all cases, a person filing an election challenge shall have the burden of proving by clear and convincing evidence that the conduct alleged: (i) violates one (1) or more election laws or regulations; or (ii) constitutes a mistake or other irregularity in the election process that requires correction or adjustment.

(2) The following procedures shall be used to resolve election challenges:

- (a) Following receipt of an election challenge, the Election Board Chairperson shall:
  - (i) Schedule an Election Board hearing within seven (7) calendar days to consider the election challenge(s); and
  - (ii) Serve a copy of the election challenge(s) on any other interested person(s) (i.e. the candidate(s) or person(s) alleged to have violated Election Regulations; registered voter whose entitlement to vote is in challenge). In the case of an election challenge regarding the outcome of an election, the Election Board Chairperson shall serve a copy of the election challenge on all Candidates in the challenged election.

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<sup>1</sup> A business day is defined in these Election Regulations as Monday through Thursday per the Tribe's business schedule.

- (b) Prior to the date set for the hearing on the election challenge(s), the Election Board shall set procedures and ground rules for the conduct of the hearing that are appropriate to the circumstances presented by the election challenge(s). These procedures may include some or all of the following:
  - (i) Exchange of documentary exhibits each party or parties to the election challenge(s);
  - (ii) Exchange of list of proposed witnesses to be introduced by each party to the election challenge(s);
  - (iii) Election documents (i.e. absentee ballot logs) requested by parties bringing the election challenge(s) submitted to the Election Board;
  - (iv) Opening statements;
  - (v) Presentation of evidence and/or witnesses by each party;
  - (vi) Cross-examination where appropriate;
  - (vii) Questioning of witnesses by Election Board Members; and
  - (viii) Closing statements.
- (c) The Election Board Chairperson shall send a notice to the party who filed the election challenge(s) and the candidate(s) or other relevant persons involved, which identifies the date, time, and location of the hearing, as well as the procedures or ground rules to be used in conducting the hearing.
- (d) If the person initiating the election challenge(s) fails, without good cause, to attend the hearing, the Election Board shall dismiss the election challenge(s) with prejudice.
- (e) The record of the hearing shall consist of all documents submitted in connection with the hearing on the election challenge(s) as well as any testimony presented at the hearing. The Election Board shall make its decision based only on evidence presented on the record.
- (f) The Election Board shall deliberate on the election challenge in a closed session. No minutes or records shall be kept of the deliberations.
- (g) If the Election Board finds, by clear and convincing evidence, that there are sufficient grounds to sustain the election challenge(s), it shall enter such orders, as are necessary and proper to address the substance of the election challenge(s). If the person(s) submitting the election challenge have not met the burden of proof established above, the Election Board shall dismiss the election challenge. The Election Board shall issue its determination in a timely manner and shall issue a written opinion. The orders of the Election Board shall be in conformity with hearing findings and per Article VII, Section 5(a) of the Constitution and the decisions of the Election Board shall be final and conclusive on the Grand Traverse Band.
- (h) If the Election Board finds that an election challenge is frivolous, it may, in its discretion, charge the whole cost of the hearing to the person who makes the frivolous challenge. The Election Board may also require the person who makes a frivolous election challenge to pay the reasonable costs and attorney fees (if any), of the opposing party. As used in this section:
  - (i) "Frivolous" means that at least one of the following conditions is met:
    - (1) The party's primary purpose in initiating the election challenge or asserting the defense was to harass, embarrass, or injure the prevailing party;

(2) The party had no reasonable basis to believe that the facts underlying that party's position were in fact true; or

(3) The party's legal position was devoid of arguable merit.

(i) The Election Board, in its discretion, may order the return of the filing fee to the person(s) submitting the election challenge.

(j) In addition to any other remedies authorized herein, the Election Board in its discretion may order the candidate(s) to pay to the Election Board an amount equal to the filing fee submitted by the person(s) submitting the challenge.

(3) Allegations of Impropriety.

(a) The decisions of the Election Board shall be final and conclusive upon the Grand Traverse Band under Article VII, Section 5(a) of the Constitution. There is no right to appeal a decision or determination made by the Election Board as to any election challenge.

(b) Allegations of impropriety by the Election Board must be filed with and settled by the Tribal Judiciary as required under Article VII, Section 5(c) of the Constitution.

(c) All complaints or actions involving allegations of impropriety against the Election Board are governed by the Grand Traverse Band Tribal Court Rules ("GTBCR") governing "election cases" (see GTBCR 4.800 *et seq.*) and must be filed with the Tribal Judiciary within seven (7) calendar days of the alleged act of impropriety. GTBCR 4.805.<sup>2</sup>

(d) Allegations of impropriety must meet the definition of "impropriety" as defined by these Regulations and the Tribal Judiciary must conclude more than mere disagreement with a decision made by the Election Board. "Impropriety" has a specific meaning under the Constitution as interpreted by the Tribal Judiciary<sup>3</sup>, which includes circumstances where:

(i) The Election Board itself acted improperly, such as where the Election Board acted in violation of the Constitution, law, and regulations;

(ii) The Election Board's conduct showed bias or prejudice such that its ability to render a fair decision was compromised or impaired; or

(iii) The Election Board failed to carry out its responsibilities with integrity, impartiality, and competence.

(e) In election cases, the Tribal Judiciary may only consider allegations of impropriety by the Election Board consistent with Article VII, Section 5(c) of the Constitution. The Tribal Judiciary review of Election Board action shall not be appellate review of the Election Board's decisions or determinations as to any election challenge.

(f) Every complaint or action filed in an election case must meet the requirements of the Grand Traverse Band Tribal Court Rules governing election cases, or it may be rejected or dismissed by the Tribal Judiciary without hearing.

(g) Election cases shall be resolved as quickly and efficiently as possible while still ensuring the parties receive their respective rights to due process and the procedural safeguards provided by the court rules. The Tribal Judiciary may elect at any stage in an election case brought under this subchapter, to hear the matter

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<sup>2</sup> Subchapter 4.800 *et seq.* was formally adopted as ongoing GTB court rule by administrative order, in July 2013. See [https://www.gtbindians.org/downloads/tribal\\_court\\_rules\\_committee.pdf](https://www.gtbindians.org/downloads/tribal_court_rules_committee.pdf)

<sup>3</sup> See *Yannott v. GTB Election Board*, Order Concerning Jurisdiction and Dismissing Complaint, 2008-1003-CV-CV, 2008 WL 6191983, p. 4 (2008), citing *TwoCrow v. GTB Election Bd.*, Opinion Concerning Jurisdiction and Dismissing Complaint, Case No. 2008-998-CV-CV, 2008 WL 6192001, p. 6 (2008).

en banc in order to expedite the proceeding. The Tribal Judiciary and/or the Chief Judge may in their discretion require shorter time frames than would normally be provided under the general civil court rules for filing of pleadings, discovery, filing of briefs, etc. The parties shall make every effort to resolve election cases quickly. The Chief Judge and/or Tribal Judiciary may sanction a party if the party is found to be intentionally delaying the resolution of an election case, up to and including default or dismissal with prejudice. GTBCR 4.802.

**XV. RETENTION OF BALLOTS, ELECTION RECORDS**

(1) Election ballots shall be destroyed either six (6) months after the election is certified, or 60 days after any election challenge is resolved in the Grand Traverse Band Tribal Court, whichever is later, unless otherwise ordered by any Court having jurisdiction over the Election Board. All other election records shall be maintained pursuant to the Tribe's record retention policy.

## **SECTION 4**

### **SCHEDULE OF EVENTS**

### **SEVERABILITY; REPLEALER**

## **XVI. SCHEDULE OF EVENTS**

The following schedules are hereby adopted for conducting the Primary, General and Runoff/Re-ballot Elections. The Election Board may revise the Schedule of Events if an election challenge, court order, or other circumstances require a delay or adjustment to the dates listed herein. The 2026 Election Regulations shall be mailed on or before January 29, 2026, to each Tribal Member who will be eighteen (18) years old as of the date of the election whose address of Tribal record is within the Tribe's six-county service area (Antrim, Benzie, Charlevoix, Grand Traverse, Leelanau, and Manistee counties).

<b><u>SCHEDULE OF EVENTS</u></b>							<b>JANUARY 2026</b>						
<b>SUN</b>	<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>	<b>SAT</b>							
					1	2							
4	5	6	7	8	9	10							
11	12	13	14	15	16	17							
18	19	20	21	22	23	24							
25	26	27	28	<b>29</b>	30	31							
<b><u>PRIMARY ELECTION</u></b>							<b>FEBRUARY 2026</b>						
<b>SUN</b>	<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>	<b>SAT</b>	<b>SUN</b>	<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>	<b>SAT</b>
1	2	3	4	5	6	7							
8	9	10	11	12	13	14							
15	16	17	18	<b>19</b>	20	21							
22	23	24	25	<b>26</b>	27	28							

## PRIMARY ELECTION (cont.)

**March 19, 2026 by 4:00 pm:** Deadline for submitting a request for an absentee ballot for Primary Election.

**March 24, 2026:** Absentee ballots mailed out to each registered voter who has sent in a timely request for an absentee ballot.

**March 26, 2026 by 4:00 pm:** Deadline for registering to vote in the Primary Election.

**March 30, 2026 by 12:00 pm (noon):** Deadline for submitting a request for emergency absentee ballot. Emergency absentee ballots can only be requested at the Membership Office.

**March 30, 2026 by 1:00 pm:** Testing and certification of polling machines by Election Board. All Tribal members are welcome to attend.

**March 30, 2026 by 3:00 pm:** Deadline for receipt of absentee ballots and emergency absentee ballots by USPS mail to GTB Election Board, P.O. Box 238, Suttons Bay, MI 49682.

**March 31, 2026 from 7:00 am to 7:00 pm:** Polls open for voting for Primary Election. Deadline for receipt of absentee ballots and emergency absentee ballots in person. Both absentee ballots may be dropped off at a registered voter's precinct polling place.

**March 31, 2026 at 7:01 pm:** Election Board may begin counting ballots for the Primary Election in Tribal Council Chambers at the Tribal Administration Building in Peshawbestown and unofficial election results announced. Tribal Members are welcome to attend.

**April 8, 2026 at 5:00 pm:** Deadline for filing Primary Election Challenge (5 business days) with Election Board.

**April 9, 2026 by 5:00 pm:** Primary Election results certified if no election challenge(s) filed.

## **MARCH 2026**

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	<b>19</b>	20	21
22	23	<b>24</b>	25	<b>26</b>	27	28
29	<b>30</b>	<b>31</b> PRIMARY ELECTION				

## **APRIL 2026**

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	<b>8</b>	<b>9</b>	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## GENERAL ELECTION

**April 2, 2026:** Deadline for Election Board releasing list of registered voters and absentee voters for posting.

**April 6, 2026:** Membership Office begins accepting requests for absentee ballots for the General Election.

**April 23, 2026 by 4:00 pm:** Deadline for submitting a request for an absentee ballot for the General Election.

**April 23, 2026 by 4:00 pm:** Deadline for registering to vote for the General Election.

**April 28, 2026:** Absentee ballots mailed out to each registered voter who has sent in a timely request for an absentee ballot.

**May 4, 2026 at 12:00 pm (noon):** Deadline for submitting a request for emergency absentee ballot. Emergency absentee ballots can only be requested at the Membership Office.

**May 4, 2026 at 1:00 pm:** Testing and certification of polling machines by Election Board. All Tribal Members are welcome to attend.

**May 4, 2026 at 3:00 pm:** Deadline for receipt of absentee ballots and emergency absentee ballots by USPS mail to GTB Election Board, P.O. Box 238, Suttons Bay, MI 49682.

**May 5, 2026 from 7:00 am to 7:00 pm:** Polls open for voting for General Election. Deadline for receipt of absentee ballots and emergency absentee ballots in person. Both absentee ballots may be dropped off at a registered voter's precinct polling place.

**May 5, 2026 at 7:01 pm:** Election Board may begin counting ballots in the Tribal Council Chambers at the Tribal Administration Building in Peshawbestown and unofficial election results announced. Tribal Members are welcome to attend.

**May 13, 2026 at 5:00 pm:** Deadline for filing Election Challenge (5 business days) with Election Board.

**May 14, 2026 at 5:30 pm:** General Election results certified if no election challenge(s) filed.

**May 14, 2026:** Oath of Office administered at Leelanau Sands Showroom. (Date tentative pending expiration of challenge period or resolution of any election challenges, or Leelanau Sands scheduling issues).

## APRIL 2026

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## MAY 2026

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5 GENERAL ELECTION	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**RUNOFF/RE-BALLOT ELECTION**

**May 18, 2026:** Notice to Tribal Membership of runoff or election challenge re-balloting

**May 18, 2026:** Membership Office begins accepting requests for absentee ballots for Runoff/Re- Ballot Election

**May 18, 2026:** Deadline for Election Board releasing list of registered voters and absentee voters for posting.

**May 21, 2026 by 4:00pm:** Deadline for registering to vote for the Runoff or Re-Ballot Election.

**May 21, 2026 by 4:00pm:** Deadline for submitting a request for an absentee ballot for the Run-off/Re-Ballot election.

**May 26, 2026:** Absentee ballots mailed out to each registered voter who has sent in a timely request for an absentee ballot.

**June 1, 2026 by 12:00 (noon):** Deadline for submitting a request for emergency absentee ballot. Emergency absentee ballots can only be requested at the Membership Office.

**June 1, 2026 by 3:00 pm:** Deadline for receipt of absentee ballots and emergency absentee ballots by USPS mail to GTB Election Board, P.O. Box 238, Suttons Bay, MI 49682.

**June 1, 2026 at 1:00 pm:** Testing and certification of polling machines by Election Board. All Tribal Members are welcome to attend.

**June 2, 2026 from 7:00 am to 7:00 pm:** Polls open for voting for Runoff or Re-Ballot Election. Deadline for receipt of absentee ballots and emergency absentee ballots in person. Both absentee ballots may be dropped off at a registered voter's precinct polling place.

**June 2, 2026 at 7:01 pm:** Election Board may begin counting Ballots for the Runoff or Re-Ballot Election in the Tribal Council Chambers at the Tribal Administration Building in Peshawbestown and unofficial election results announced. Tribal Members are welcome to attend.

**June 10, 2026 at 5:00 pm:** Deadline for filing Election Challenge (5 business days) with Election Board.

**June 11, 2026 at 5:30 pm:** Runoff or Re-Ballot Election results certified if no election challenge(s) filed.

**June 11, 2026 (Tentative):** Oath of Office administered at Leelanau Sands Showroom. (Date tentative pending expiration of challenge period or resolution of any election challenges, or Leelanau Sands scheduling issues).

**MAY 2026**

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	<b>18</b>	19	20	<b>21</b>	22	23
24	25	<b>26</b>	27	28	29	30
31						

**JUNE 2026**

SUN	MON	TUE	WED	THU	FRI	SAT
	<b>1</b>	<b>2</b> RUNOFF OR REBALLOT ELECTION	3	4	5	6
7	8	9	<b>10</b>	<b>11</b>	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27

## XVII. SEVERABILITY; REPEALER

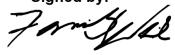
- (1) If a court of competent jurisdiction determines that any portion of these Regulations is invalid for any reason, the remainder of these Regulations shall continue to be given effect to the extent possible.
- (2) All Election Board Regulations in effect prior to the date of enactment of these Regulations are repealed and replaced by these Regulations.

## CERTIFICATION

We certify that the foregoing 2026 Election Regulations were duly adopted by the Election Board at a special meeting held on JANUARY 9, 2026. The vote for adoption of these Regulations was as follows:

4 IN FAVOR, 0 OPPOSED, 0 ABSTAINING, 0 ABSENT

Signed by:



Frank Wilson  
Election Board Vice-Chairperson

DocuSigned by:



Tanya Raphael  
Election Board Secretary