

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An unincorporated Tribe)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE AUTHORIZING ELECTIONS FOR DISTRICT COUNCILS AND THE OGLALA SIOUX TRIBE GAMING COMMISSION, THE BOARD OF DIRECTORS OF OGLALA SIOUX (LAKOTA) HOUSING, AND OTHER TRIBAL ENTITIES, AND SETTING FORTH A TIMETABLE FOR THE CONDUCT OF SUCH ELECTIONS AND CERTIFICATION OF THE ELECTION RESULTS.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934, codified as amended at 25 U.S.C. § 5123, and under Article III of the Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, Article IV, § 1 (k) and § 1(w), of the Tribal Constitution vests the Tribal Council with the authority to enact laws governing the conduct of persons on the Pine Ridge Indian Reservation and laws protecting and promoting the general welfare of the Tribe and its members, and

WHEREAS, Article VII, § 2, of the Tribal Constitution vests the Tribal Council with the authority to enact ordinances governing Tribal elections, and

WHEREAS, in the exercise of these powers, the Tribal Council has enacted the Oglala Sioux Tribe Election Code, O.S.T. Ord. No. 20-13 (Feb. 25, 2020), as amended by O.S.T. Ord. No. 20-52 (Aug. 11, 2020), and O.S.T. Ord. No. 20-82 (Dec. 30, 2020), and

WHEREAS, the Tribal Council enacts this ordinance to authorize the Oglala Sioux Tribe Election Commission to conduct elections for various Tribal Districts and tribal entities, as set forth herein, and to set forth a timetable for the conduct of such elections and the certification of the election results; now

THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council hereby authorizes the Oglala Sioux Tribe Election Commission to conduct elections for the following Tribal Districts and tribal entities, according to the timeline set forth herein:

Eagle Nest District
LaCreek District
Medicine Root District
Oglala District
Pine Ridge District
Porcupine District
Wakpamni District

Oglala Sioux (Lakota) Housing Board of Directors - one representative to be elected from each Tribal District
Oglala Sioux Tribe Allocation Committee**
Oglala Sioux Tribe Enrollment Board**
Oglala Sioux Tribe Gaming Commission**
Oglala Sioux Tribe Tribal Employment Rights Office (TERO)**
Oglala Sioux Tribe Veterans Committee**

** For entities marked with asterisks, election(s) are to be held for each seat for which there is a vacancy requiring an election,

and,

BE IT FURTHER ORDAINED, that the Tribal Districts may notify the Oglala Sioux Tribe Election Commission in writing of any other offices for which elections should be held, provided that such notices shall be delivered to the Election Commission no later than January 15, 2021, and

BE IT FURTHER ORDAINED, that the timeline for the above-referenced elections shall be as follows:

January 12, 2021	Tribal Secretary makes this Ordinance publicly available
January 19, 2021	Election Commission makes nominating petitions available for all elections
January 26, 2021	Deadline for candidates to submit nominating petitions to Election Commission for all elections
February 8, 2021	Election Commission certifies candidates and posts sample ballots for all elections; contests of election and other legal challenges to be filed with Supreme Court of Oglala Sioux Nation by February 10, 2021, and decided by February 15, 2021
February 15, 2021	Election Commission conducts training for election judges, tellers, and monitors for all elections
February 16, 2021	Election Day; election polls open from 7:00 A.M. to 7:00 P.M. (MST) for all elections

February 19, 2021 Deadline for Election Commission to tabulate ballots and certify election results for all elections; contests of election and other legal challenges to be filed with Supreme Court of Oglala Sioux Nation by February 23, 2021, and decided by February 26, 2021

March 1, 2021 Tribal Council holds Special Session to certify all election results by resolution; duly-elected officers are sworn into office

and,

BE IT FURTHER ORDAINED, that for these elections only, the signature requirement for nominating petitions shall be thirty (30) signatures, and

BE IT FURTHER ORDAINED, that for these elections only, contests of election and other legal challenges permitted under Section 25 of the Oglala Sioux Tribe Election Code, O.S.T. Ord. No. 20-13 (Feb. 25, 2020), as amended by O.S.T. Ord. No. 20-52 (Aug. 11, 2020), and O.S.T. Ord. No. 20-82 (Dec. 30, 2020), shall be filed directly with the Supreme Court of the Oglala Sioux Nation, and not with the *Oglala Sioux Tribe Election Commission*, and such contests or challenges shall be filed within two (2) working days of the date of the action contested, and the Supreme Court shall hear and decide all such contests and challenges within three (3) working days of the date such contests or challenges are filed with the Supreme Court, and the decisions of the Supreme Court shall be final, and


BE IT FURTHER ORDAINED, that the foregoing provisions in this Ordinance shall go into effect immediately and shall apply only to the elections called for under this Ordinance, and such provisions shall supersede any conflicting provisions in the Oglala Sioux Tribe Election Code, O.S.T. Ord. No. 20-13 (Feb. 25, 2020), as amended by O.S.T. Ord. No. 20-52 (Aug. 11, 2020), and O.S.T. Ord. No. 20-82 (Dec. 30, 2020), and

BE IT FURTHER ORDAINED, that in order to allow sufficient time for the Oglala Sioux Tribe Election Commission to conduct these elections, the term of office of the Temporary Commissioners and Temporary Alternate Commissioners appointed to the Oglala Sioux Tribe Election Commission is hereby extended from sixty (60) days to one hundred twenty (120) days, and


BE IT FURTHER ORDAINED, that the Tribal Council hereby delegates to the Finance Committee of the Tribal Council the authority to develop proposed measures to regulate the affairs of the Tribe with the Tribal Districts whose elections are to be conducted under this Ordinance, including measures to restrict the authority of the Tribal Districts to make expenditures using funds from the Tribe, until such time as those elections can be conducted and certified in the manner set forth in this Ordinance and duly-elected district officers can be sworn into office, provided that the Finance Committee shall bring its proposed measures to the Tribal Council for approval at the Special Session on January 15, 2021.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe, hereby certify that this Ordinance was enacted by a vote of: 19 For; 1 Against; 0 Abstain; and 0 Not Voting; during a REGULAR SESSION held on the 11th day of JANUARY, 2021.


STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:


KEVIN KILLER
President
Oglala Sioux Tribe

