

***Sault Ste. Marie Tribe of Chippewa Indians Election Commission
Sanction Schedule for Violations of Election Ordinance Chapter 10***

Authority

The authority for this Sanction Schedule comes from Article V, Section 6 of the Constitution and Election Ordinance 10.104(8)(f).

Sanctions

The Election Commission hereby enacts the following civil Sanction Schedule for violations of Election Ordinance Chapter 10:

(1) The following civil penalties shall apply for violations of 10.104 Tribal Election Commission:

- a. First Offense: Notice to Rectify is sent to the sitting Election Commissioner notifying them that they are in violation of Chapter 10 and repeated violations may result in removal from the commission;
- b. Second Offense: Notice to Rectify is sent to the sitting Election Commissioner notifying them that they are in violation of Chapter 10 and repeated violations may result in removal from the commission;
- c. Third Offense: Final Notice is sent to the sitting Election Commissioner notifying them that they are in violation of Chapter 10 and removal proceedings may be initiated against the commissioner pursuant to 10.104(10);

(2) The following civil penalties shall apply for violations of 10.111 Candidates for Election:

- a. First Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.111 that was violated and what information is needed cure the violation;
- b. Second Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.111 that was violated and what information is needed cure the violation; and a two-hundred and fifty-dollar (\$250) fine shall be levied;
- c. Third Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.111 that was violated and a five-hundred-dollar (\$500) fine shall be levied. Further, the Candidate shall be disqualified for running for office for the remainder of the current election cycle.

(3) The following civil penalties shall apply for violations of 10.113 Campaigning:

- a. First Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant to cease the campaigning in violation of 10.113 and to notify that repeated violations will result in monetary sanctions;
- b. Second Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant to cease the campaigning in violation of 10.113 and to notify that any further violations will result in increased monetary sanctions and ineligibility to run for office and a two-hundred and fifty-dollar (\$250) fine shall be levied;
- c. Third Offense: Final Notice is sent to the Candidate or Non-Candidate Registrant detailing the campaign violation of 10.113 and a five-hundred-dollar (\$500) fine shall be levied. Further, the Candidate shall be disqualified for running for office for the remainder of the current election cycle. Non-Candidate Registrant shall be unable to campaign, raise funds, etc for their candidate of choice for the remainder of the current election cycle.

(4) The following civil penalties shall apply for violations of 10.114 Campaign Financing:

- a. First Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant with a 5-day notice indicating the section of 10.114 that was violated and what information is needed cure the violation;
- b. Second Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant with a 5-day notice indicating the section of 10.114 that was violated and what information is needed cure the violation and a two-hundred and fifty-dollar (\$250) fine shall be levied. Further violations will result in ineligibility of candidate or non-candidate registrant;
- c. Third Offense: Final Notice is sent to the Candidate or Non-Candidate Registrant indicating the section of 10.114 that was violated and a five-hundred-dollar (\$500) fine shall be levied. Further, the Candidate shall be disqualified for running for office for the remainder of the current election cycle. Non-Candidate Registrant shall be unable to campaign, raise funds, etc. for their candidate of choice for the remainder of the current election cycle.

(5) The following civil penalties shall apply for violations of 10.115 Reports and Report Filing:

- a. First Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant with a 5-day notice to supply the required financial report;
- b. Second Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant with a 5-day notice to supply the required financial report and a two-hundred and fifty-dollar (\$250) fine shall be levied;

- c. Third Offense: Notice to Rectify is sent to the Candidate or Non-Candidate Registrant with a 5-day notice to supply the required financial report and a five-hundred-dollar (\$500) fine shall be levied;
- d. Fourth Offense: Candidate shall be disqualified for running for office for the remainder of the current election cycle. Non-Candidate Registrant shall be unable to campaign, raise funds, etc. for their candidate of choice for the remainder of the current election cycle.

(6) The following civil penalties shall apply for violations of 10.126 Resignation and Surrender:

- a. First Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.126 that was violated and what information is needed cure the violation;
- b. Second Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.126 that was violated and what information is needed cure the violation; and a two-hundred and fifty-dollar (\$250) fine shall be levied;
- c. Third Offense: Notice to Rectify is sent to the Candidate with a 5-day notice indicating the section of 10.111 that was violated and a five-hundred-dollar (\$500) fine shall be levied. Further, the Candidate shall be ineligible to be installed into office or take the oath of office before the Election Commission can certify in writing that the individual has complied with 10.126.

(7) For violations of Chapter 71 Subchapter XI: Obstruction of Tribal Administration and Related Offenses, the file shall be referred to the Tribal Prosecutor for possible prosecution under the Tribe's Criminal Codes.