

**TUNICA-BILOXI TRIBE OF LOUISIANA
TRIBAL COUNCIL RESOLUTION #TBN-R-2020-022**

**A RESOLUTION TO TEMPORARILY MODIFY PROVISIONS OF RESOLUTION #55-09
FOR PURPOSES OF PROTECTING THE HEALTH AND WELFARE OF TRIBAL MEMBERS
AT THE APRIL 5, 2020, TRIBAL ELECTION**

WHEREAS, the Tunica-Biloxi Tribe of Louisiana must conduct its biennial election on April 5, 2020, as required by the Tribe's Constitution; and

WHEREAS, the continued operation of the Tribe's government is an essential activity, which activity depends upon the conduct of the April 5 election as required by the Constitution; and

WHEREAS, the President of the United States has declared a national emergency because of the worldwide pandemic known as the Corona virus; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has recommended restrictions on gatherings in the interest of protecting individuals' health in the face of the spread of the Corona virus; and

WHEREAS, the Tunica-Biloxi Tribal Council has, in the exercise of its authority under the Tribe's Constitution, adopted Resolution #55-09 that governs the conduct of the Tribe's elections; and

WHEREAS, Resolution #55-09 provides for or contemplates the gathering of tribal members in the conduct of the upcoming April 5, 2020, election that may jeopardize the health and welfare of tribal members under the present conditions.

THEREFORE, BE IT RESOLVED:

Section 1. This resolution is temporary only and will expire upon the completion of the April 5, 2020, election.

Section 2. The duly established Election Committee, which holds authority under tribal law to conduct the April 5, 2020, election is authorized to depart from Resolution #55-09 in the conduct of that election in the manner prescribed herein for the purpose of protecting the health and welfare of tribal members in light of the current national emergency.

Section 3. In the conduct of poll voting on April 5, 2020, by tribal members in person, the Election Committee is authorized to:

- a. extend the poll voting hours on April 5, 2020, as necessary to allow all tribal members who appear to vote the opportunity to do so in conformity with the terms set out herein;
- b. limit the number of tribal members who congregate either outside or within the polling site to the number necessary to maintain a safe distance among tribal members as recommended by the CDC in order to avoid transmission of the Corona virus;

- c. in advance of entry by any tribal member for the purpose of poll voting or the presence of any Election Committee member for the purpose of overseeing poll voting, insure that each such individual is checked for the presence of fever by qualified health personnel, and upon recommendation of the qualified health personnel, individuals carrying fevers may be turned away; and
- d. undertake appropriate steps to sanitize facilities and spaces used in the conduct of poll voting before and in between tribal members' exposure to such facilities and spaces.

Section 4. In the counting of absentee ballots and poll voted ballots on April 5, 2020, to take place following the close of poll voting, the Election Committee is authorized to:

- a. close the vote count to tribal members, except for candidates on the ballot or a representative or each such candidate, two representatives of the third-party contractor retained to assist in the conduct of the election, and members of the Election Committee itself;
- b. make provision for the availability of live-streaming of the vote count to members of the Tribe only;
- c. otherwise conduct the vote count in a manner calculated to comply to the greatest extent possible with restrictions recommended by the CDC on gatherings of individuals.

Section 5. In the event the Election Committee determines that other modification(s) of the procedure generally used or required by Resolution #55-09 are necessary to protect the health and safety of tribal members in the conduct of the April 5, 2020, election, it shall immediately notify the Tribal Council of the additional modification(s), which will go into effect upon written approval by Tribal Council.

CERTIFICATION

We, the undersigned, as Chairman and Secretary-Treasurer of the Tunica-Biloxi Tribe of Louisiana, certify that the Tribal Council of said Tribe is composed of seven (7) members, of whom 6, constituting a quorum, were present at a meeting thereof, duly called, noted, convened and held this 27th day of March, 2020; and that the foregoing Resolution was duly adopted by a vote of 5 members in favor, 1 opposed, and 0 abstaining.

Dated this 27th day of March 2020.

Attest:



Marshall Ray Sampson, Vice-Chairman



Beverly C. Rachel, Secretary-Treasurer