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**ARTICLE 1 ELECTIONS**

**§ 101 Authority**

- A. Article VIII, Section 14 of the Constitution of the San Juan Southern Paiute Tribe (“Constitution”) requires the Tribal Council to enact an election ordinance consistent with the Constitution which covers all necessary procedures for all elections.
- B. Article IV, Section 3 of the Constitution, authorizes the Tribal Council to define the boundaries of the Northern Area and the Southern Area for the purpose of electing Area Council Members.
- C. Article V(a) of the Constitution authorizes the Tribal Council to represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to the Constitution.
- D. Article V(m) of the Constitution, authorizes the Tribal Council to regulate all matters and to take all actions necessary to preserve and safeguard the health, safety, welfare and political integrity of the Tribe.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 102 Tribal Council and Terms of Office**

- A. Tribal Council Members. There are seven (7) seats on the Tribal Council: the President, the Vice President, two (2) Area Council Members from the Northern Area, two (2) Area Council Members from the Southern Area, and one (1) At-Large Council Member.
- B. Term of Office. The term of office for all Tribal Council Members elected in a General Election is four (4) years. In accordance with Article VIII, Section 13 of the Constitution, each incumbent Tribal Council Member shall remain in office until the oath of office is administered to the newly elected Tribal Council Member for his or her seat.



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*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Full Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 103           Types of Elections**

There shall be two (2) types of tribal elections: General Elections and Special Elections.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Full Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 104           General Elections**

- A.    Timing of General Elections. Pursuant to Article VIII, Section 1 of the Constitution, General Elections to vote for Tribal Council Members shall be held on the first Saturday in May in odd numbered years.
- B.    Staggered Elections. Election of Tribal Council Members shall be staggered so that no more than four (4) Council Seats shall be up for election at any one time.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 105           The First and Second General Elections; Subsequent Elections**

- A.    As required by Article VIII, Section 3 of the Constitution, the First General Election was held on Saturday, May 3, 1997, for the seats of one (1) Northern Area Council Member, one (1) Southern Area Council Member, and the At-Large Council Member.
- B.    As required by Article VIII, Section 3 of the Constitution, the Second General Election was held on May 1, 1999, for the seats of President, Vice President, one (1) Northern Area Council Member, and one (1) Southern Area Council Member.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Full Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**§ 106 Special Elections**

Special Elections shall be held when called for by the Tribal Council, by the Constitution, or by the voters, in accordance with the Constitution or appropriate ordinances. Special Elections shall refer to all elections other than the General Election, including but not limited to initiative or referendum elections and runoff elections.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 2 TERRITORY AND NORTHERN AREA AND SOUTHERN AREA BOUNDARIES**

**§ 201 Purpose**

This Article is intended to provide the necessary clarification for the term “territory” as defined in Article I, Section 1 of the Constitution, for the terms “northern area” and “southern area” as referenced in Article IV, Section 3 of the Constitution, for all purposes related to Tribal elections, including, but not limited to, determining the following:

- A. The boundaries for residency eligibility of candidates for the seats of President, Vice President and At-Large Council “within the territory of the Tribe or within one hundred fifty (150) miles of the territory of the Tribe” as required by Article VI, Sections 2 and 4 of the Constitution;
- B. The boundaries for residency eligibility of candidates for the seats of Northern Area Council and Southern Area Council as required by Article VI, Section 3 of the Constitution; and
- C. Whether Tribal Council Members continue to meet the residency requirements as required by Article IV, Section 5 and Article VIII, Section 6 of the Constitution.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**§ 202            Territory of the Tribe**

The territory of the Tribe is defined in Article I, Section 1 of the Constitution.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 203            Candidate Eligibility Map**

A.    The Candidate Eligibility Map in **Form L** in the Appendix to this Ordinance shall be used by the Election Board to determine candidate eligibility and continued eligibility to occupy a Tribal Council seat as follows:

1.    President, Vice President and At-Large Council. Pursuant to Article IV, Sections 2 and 4 of the Constitution, the President, Vice-President, and At-Large Council Member shall reside within the territory or within one-hundred fifty (150) miles of the territory of the Tribe. The Candidate Eligibility Map (**Form L**) defines the exterior boundaries of the one-hundred fifty (150) mile limit for residency eligibility.
2.    Northern Area Council. Pursuant to Article IV, Section 3 of the Constitution, Northern Area Council Members must be residents of the Northern Area. The Candidate Eligibility Map (**Form L**) identifies the exterior boundaries of the Northern Area for residency eligibility, which includes the areas in and around Navajo Mountain, White Mesa and Blanding, Utah, and in and around Paiute Canyon, Arizona.
3.    Southern Area Council. Pursuant to Article IV, Section 3 of the Constitution, Southern Area Council Members must be residents of the Southern Area. The Candidate Eligibility Map (**Form L**) identifies the exterior boundaries of the Southern Area for residency eligibility, which includes the areas in and around Rough Rock Point, Hidden Springs, Willow Springs, Tuba City and Cow Springs, Arizona.



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*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amended by Resolution No. 2019-50, 4/5/2019; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 3 ELECTION BOARD**

**§ 301 Appointment of Election Board**

- A. Pursuant to Article VIII, Section 4 of the Constitution, the Tribal Council shall appoint an Election Board to conduct all elections.
- B. The Tribal Council shall appoint five (5) persons who are at least 18 years of age to serve on the Election Board, as follows:
  - 1. One tribal member from the Northern Area;
  - 2. One tribal member from the Southern Area;
  - 3. One tribal member age 55 or older;
  - 4. One tribal member between the ages of 35 and 54; and
  - 5. One tribal member between the ages of 18 and 34,
- C. Election Board Members shall not be eligible to run for a seat on the Tribal Council.
- D. All terms for Election Board seats shall be four (4) years and shall be staggered as follows:

<b>Seat</b>	<b>Current Appointment</b>	<b>All Future Terms</b>
Northern Area	4/5/2019 – 7/4/2021	7/5/2021 and every 4 years
Southern Area	7/5/2016 – 7/4/2020	7/5/2020 and every 4 years
55 years or older	7/5/2016 – 7/4/2020	7/5/2020 and every 4 years
Between 35 and 54	12/16/2015 – 12/15/2019	12/16/2019 and every 4 years
Between 18 and 34	4/5/2019 – 12/15/2022	12/16/2022 and every 4 years

- E. In the event an Election Board Member resigns, is removed in accordance with subsection (G) below, or is no longer serving as an Election Board Member for any reason, the Tribal Council shall appoint a new Election Board Member to serve out the term of office of the previous Election Board Member.





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- F. The failure of the Tribal Council to appoint a person to a seat on the Election Board on or before the expiration of an Election Board term shall not extend the term of office of any person appointed to that seat and the term for each seat shall strictly conform to the dates provided in subsection (D) above.
- G. By majority vote of the Tribal Council, any member of the Election Board may be removed for good cause provided that the Election Board Member in question is informed of the grounds for removal and given an opportunity to respond to the charges. Good cause may include, but not be limited to, missing three (3) consecutive meetings of the Election Board, failing to cooperate with other Election Board Members to carry out the duties of the Election Board, or engaging in conduct that is harmful to the overall integrity of the election process or interfering with the ability of the Election Board to fulfill its duties.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amended by Resolution No. 2015-06-05-003 to add Subsection (e), 6/6/2015; Amended by Resolution No. 2019-43 to rescind prior existing Subsection (e), 3/6/2019; Amended by Resolution No. 2019-49, 4/5/2019; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 302            Duties and Responsibilities of the Election Board**

The Election Board shall have the following duties and responsibilities:

- A. The Election Board shall uphold and adhere to the terms of the Constitution and this Election Ordinance to the best of its abilities.
- B. The Election Board shall substantially follow the Checklist of Election Board Duties in **Form A** in the Appendix to this Ordinance.
- C. The Election Board shall conduct all elections in a fair and impartial manner. It shall maintain a neutral and impartial position on all election activities.
- D. Promptly act to declare the winners of elections and swear in new Tribal Council Members as soon as legally permitted by the Constitution and this Election Ordinance.



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- E. No member of the Election Board may actively campaign for the nomination, election or recall of any elected official.
- F. The Election Board shall ensure that all elections run smoothly and that order is maintained at all times at the polling place and at all other Election Board activities. For this purpose, the Election Board is authorized to hire up to two (2) clerks, two (2) poll workers, two (2) security workers, and others as reasonably necessary and within the Tribal Council approved annual budget for the Election Board, for all election-related activities.
- G. The Election Board shall ensure that all records relating to past and current elections are securely maintained within the designated Election Board Office at the Tribal Administration Office. Unless necessary for the conduct of the election, election records shall not be removed from the Election Board Office by any person or Election Board Member.
- H. The Election Board shall ensure that adequate office hours are maintained by the Election Board and at least one member of the Election Board shall be present during such office hours. Office hours of the Election Board shall, at minimum, be posted in the lobby of the Tribal Administration Office.
- I. Election Board Members shall abide by all Tribal laws and policies, including, but not limited to, any Code of Ethics or Code of Conduct adopted by the Tribe that is applicable to the Election Board.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amended by Resolution No. 2019-49, 4/5/2019; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 4 QUALIFICATIONS FOR TRIBAL COUNCIL**

**§ 401 Qualifications**

All candidates for Tribal Council seats shall meet the following qualifications:

- A. Membership. Candidates for Tribal Council seats must be enrolled tribal members pursuant to the Article II, §1 of the Constitution and Article I, §1 of the Enrollment Ordinance.
- B. Age.
1. Candidates for Tribal Council seats must meet the age requirement for the particular seat for which they are nominated on or before the date of the election.
  2. The President and Vice President must be at least twenty-five (25) years of age on or before the date of the election.
  3. Northern Area and Southern Area Council Members and the At-Large Council Member must be at least twenty-one (21) years of age on or before the date of the election.
- C. Residency.
1. Pursuant to Article VIII, Section 6 of the Constitution, candidates for Tribal Council seats must meet the residency requirements for the particular seats for which they are nominated for at least one (1) year prior to the date of the election.
  2. “Residence” or “Residency” is defined as the main living place of a person.
  3. Pursuant to Article IV, Section 5 of the Constitution, all Council Members must continue to meet the residency requirements during their term of office.
  4. The President, Vice President and At-Large Council Member must reside within the territory of the Tribe or within one hundred fifty (150) miles of the territory of the Tribe as clarified in Article 2 of this Election Ordinance.



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5. The Area Council Members from the Northern Area must reside in the Northern Area and the Area Council Members from the Southern Area must reside in the Southern Area as defined in Article II of this Election Ordinance.
- D. Jail or Prison. No person may run for a Tribal Council seat who has served twelve (12) or more consecutive months in any federal, state, or tribal jail or prison.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amended by Resolution No. 2015-02-22-002 to add Subsection (e), 2/22/2015; Amended by Resolution No. 2019-42 to rescind former Subsection (e), 3/6/2019; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 402            Limitation on Current Council Members to Run for Council Seats Other Than for Reelection to the Same Council Seat**

- A. Any incumbent accepting a nomination to run for a Council seat, other than for the same Council seat he or she currently occupies, shall resign in writing from his or her current Council seat prior to the end of the Nomination Meeting.
- B. Any incumbent who fails to submit his or her resignation in a timely manner as required by this Section shall be deemed to have committed a violation of the Code of Ethics and shall be subject to disciplinary action or removal from office pursuant to Article IX of the Constitution.

*[Legislative History: Enacted by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 5 ELIGIBLE VOTERS**

**§ 501            Eligible Voters**

Pursuant to Article VIII, Section 7 of the Constitution, persons must meet the following requirements in order to be eligible to vote in tribal elections:

- A. Membership. Persons must be enrolled tribal members.
- B. Age. Persons must be eighteen (18) years or older on the date of the election.



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*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 502           List of Eligible Voters**

- A.    List of Eligible Voters. For each election, the Election Board shall prepare and maintain a List of Eligible Voters, similar to **Form B** in the Appendix to this Ordinance.
  
- B.    Enrollment Officer Duty to Produce List of Names. Within five (5) business days of a written request by the Election Board, the Enrollment Officer shall provide to the Election Board a list of the names of all tribal members who have reached or who will reach the age of eighteen (18) by election day.
  
- C.    Tribal Administration Duty to Produce Mailing Addresses. Within five (5) business days of a written request by the Election Board, the Tribal Administration shall provide to the Election Board the current mailing addresses on file of all tribal members named on the list provided by the Enrollment Office pursuant to subsection B, above. All tribal members shall be responsible for regularly updating their current mailing address with the Tribal Administration. The Tribal Administration and Election Board shall not be responsible for the failure of a tribal member to maintain his or her current address on file with the Tribal Administration.
  
- D.    Posting of List of Eligible Voters.
  - 1.    Posting 30 Days Prior to Election. The Election Board shall post the list of eligible voters in the lobby of the Tribal Administration Office at least thirty (30) calendar days prior to the date of the election.
  
  - 2.    Posting on Election Day. The Election Board shall post the final list of eligible voters at the polling place on the day of the election. The final list may contain corrections as necessary, including, but not limited to, adding names of tribal members who were mistakenly left off the earlier list posted in the lobby of the Tribal Administration Office, deleting names of individuals who are deceased or who have been disenrolled or relinquished from membership in the Tribe.



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3. Exclusion from List of Eligible Voters. Any person who alleges that his or her name is mistakenly excluded from the list of eligible voters may request that the Election Board obtain confirmation of current enrollment and age from the Tribal Enrollment Officer. Alternatively, the person may present proof of current enrollment and age to the Election Board either in person at the Tribal Administration Office during Election Board office hours prior to the election, or at the polling place on election day. The Election Board may consult with the Tribal Enrollment Officer to determine if the individual is a currently enrolled tribal member who is 18 years or older on the date of the election. If the Tribal Enrollment Officer confirms current enrollment and age, or if sufficient proof is otherwise provided by the tribal member, the Election Board shall add the tribal member to the list of eligible voters and permit the tribal member to vote in the election.
- a. Proof of Enrollment. To demonstrate proof of enrollment, a person may provide a Certificate of Indian Blood issued by the San Juan Southern Paiute Tribe, a San Juan Southern Paiute Tribe identification card, or a letter from the Enrollment Officer confirming current enrollment, provided that such person has not been subsequently disenrolled or relinquished from the Tribe pursuant to a duly authorized resolution of the Tribe.
- b. Proof of Age. To show proof of age, a tribal member may provide a driver's license or other state or federal identification card that lists the tribal member's date of birth, a birth certificate, or a letter from the Enrollment Officer confirming that the tribal member is or will be 18 years of age or older on the date of the election.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 6 SCHEDULING AND NOTICE OF ELECTION**

**§ 601 Nomination Meeting**

- A. Pursuant to Article VIII, Section 5 of the Constitution, the Election Board shall conduct a nomination meeting of eligible voters to nominate tribal members as candidates for Tribal Council seats.
- B. The Election Board shall schedule the nomination meeting before the day of the election or on the day of election.
- C. The nomination meeting shall be held on a Saturday from 9:00 a.m. to 11:00 a.m. (Mountain Daylight Time) at a public place within Tuba City, Arizona.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 602 Polling Place**

The Election Board shall select a polling place for the election which shall be located in a public place within Tuba City, Arizona.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 603 Hours of Voting**

If the nomination meeting is held on the day of the election, the polling place shall be open from 1:00 p.m. to 6:00 p.m. (Mountain Daylight Time). If the nomination meeting is held on a day prior to the day of the election, the polling place shall be open from 9:00 a.m. to 6:00 p.m. (Mountain Daylight Time).

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**§ 604            Notice of Nomination Meeting and Election**

- A.    30 Days Advance Notice. The Election Board shall mail to all eligible voters advance notice of the nomination meeting and the election at least thirty (30) days prior to the nomination meeting. If the election is a special election where a nomination meeting is not required, then the Notice shall be mailed at least thirty (30) days prior to the election.
- B.    The Election Board prepare a Notice of Election similar to **Form C** in the Appendix to this Ordinance, which shall, at minimum, contain the following information, as applicable:
1.    the date of the election;
  2.    the location of the polling place;
  3.    the hours of voting;
  4.    the date and location of the nomination meeting, and the procedures for nominations at the nomination meeting;
  5.    the issues to be decided in the election;
  6.    the Tribal Council seats that are to be voted on at the election;
  7.    the amount and form of payment that must be submitted by the nominee to pay for the processing of the background check; and
  8.    other important information as determined by the Election Board.
- C.    Resetting Election Day. The Election Board shall have the authority to reset the election day to a later date if: (1) the required background checks for nominees are not processed in time for an election due to factors beyond the control of the Election Board, or (2) upon order of the Tribal Court. The Election Board shall notice to all eligible voters by mail at least thirty (30) days in advance of the date of the reset election date.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*





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**ARTICLE 7 NOMINATION OF CANDIDATES**

**§ 701 Submission of Nominations**

- A. At the nomination meeting, all eligible voters may submit nominations for any vacant Tribal Council seat.
- B. Nominations shall be submitted in writing on an Official Nomination Form similar to **Form D** in the Appendix to this Ordinance.
- C. A person may not be nominated as a candidate for more than one vacant seat.
- D. The Election Board shall allow all eligible voters who wish to speak at the nomination meeting to do so. The Election Board may reasonably limit the time allowed for each speaker.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 702 Background Checks**

- A. All nominees shall submit the following to the Election Board at the Tribal Administration Office by 5:00 p.m. (MST) on or before the Friday immediately following the date of the nomination meeting:
  - 1. A completed local tribal background check;
  - 2. A federal fingerprint clearance card; and



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3. A money order in the amount as designated by the Election Board in the Notice of Election to pay for the processing of the background check.
- B. The Election Board shall use background checks to confirm that nominees meet the criminal background requirements as set forth in Article 4, Section 401(D) of this Ordinance and Article VIII, Section 6 of the Constitution.
- C. The Election Board shall disqualify any nominees who fail or refuse to submit their background check information by the required deadline.
- D. Nominees who are found to have served twelve (12) or more consecutive months in any federal, state, or tribal jail or prison shall be disqualified.

*[Legislative History: Enacted by Resolution No. 2019-162, 12/18/2019]*

**§ 703 Final List of Candidates**

- A. Determination and Preparation of Final Candidate List. Immediately after the nomination meeting and receipt of the results from federal and local tribal background checks for each nominee, the Election Board shall review the qualifications of all nominated persons to ensure that they meet the qualifications set forth in Article IV of this Ordinance, Article VIII, Section 6 and Article IX, Section 1(c) of the Constitution. If a nominated person does not meet the qualifications for the seat to which he or she is nominated, the Election Board shall reject that person as a candidate. The Election Board shall then prepare the List of Candidates similar to **Form E** in the Appendix to this Ordinance.
- B. Timing for Posting of Final List of Candidates. If the nomination meeting is held on the same day as the election, the Election Board shall immediately post the List of Candidates at the polling place. If the nomination meeting is not on the same day as the election, the Election Board shall post the List of Candidates in the lobby of the Tribal Administration Office and on the Tribe's website at least three (3) business days prior to the date of the election, and at the polling place on the day of the election.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 8 BALLOTS**

**§ 801 Ballots and Ballot Box**

- A. The Election Board shall prepare Official Ballots using the Official Ballot similar to **Form F** in the Appendix to this Ordinance.
- B. All Official Ballots shall list alphabetically the names of the candidates for each vacant Tribal Council seat, and/or shall describe the issue to be decided in the election.
- C. Voters shall not be permitted to write in candidates on any Official Ballot.
- D. The Election Board shall obtain a locked ballot box or use an automated electronic system for the purpose of safeguarding marked ballots on election day.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 9 NO ABSENTEE VOTING**

**§ 901 No Absentee Voting**

Pursuant to Article VIII, Section 9 of the Constitution, absentee voting shall not be permitted. Voters may only cast their votes at the designated polling place on election day.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 10 ELECTION PROCEDURES**

**§ 1001 Close of Voting**

Any voter in line at the polling place before the close of voting at 6:00 p.m. shall be allowed to vote.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1002 No Electioneering at Polling Place**

Electioneering shall be prohibited within fifty (50) feet of the polling place.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1003 Method of Voting**

- A. When a voter arrives to the polling place on election day, the Election Board shall check off the voter's name on the list of eligible voters. Each voter shall place his or her signature next to his or her name on the list of eligible voters.
- B. Each eligible voter shall vote in privacy by placing a mark in ink opposite the name of the candidate for whom he is voting. The voter shall deposit his or her Official Ballot into the ballot box or automated electronic system. The voter may only vote for one candidate for each vacant seat.
- C. The Election Board or a poll worker may assist a voter in voting by any reasonable means necessary, provided that the voter requests such assistance. Under no circumstances should any Election Board Member or poll worker attempt to persuade or otherwise influence the choice of a voter.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**§ 1004        Spoiled Ballots**

If a voter spoils his or her Official Ballot, the Election Board may issue another Official Ballot to the voter, provided that the voter has not already cast his or her ballot. The Election Board shall secure all spoiled ballots.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1005        Counting Ballots**

- A. Immediately after the close of the polling and after the last voter has voted, the Election Board shall count the Official Ballots.
- B. The Election Board shall count, or cause to be counted by automated electronic system, the votes as marked on the Official Ballots. All votes shall be counted provided that the Election Board or automated electronic system can determine the choice(s) the voter has made.
- C. The tallying of the votes shall be open for public observation, but the public must remain at a reasonable distance from the Election Board. The public must remain quiet and in no way interfere with the orderly tallying of the ballots.
- D. At the end of the tally, the Election Board shall determine the total votes cast for each candidate or issue. These results shall be written down or printed on the Certificate of Election Results similar to **Form G** in the Appendix to this Ordinance. The Certificate of Election Results shall be signed by each member of the Election Board. The Election Board shall post the Certificate of Election Results at the polling place. The Certificate of Election Results shall be the declaration of the winners of the seats by the Election Board or the determination by the Election Board of the election issue, as applicable.
- E. After the Election Board has certified the election results, the Election Board shall keep the Election Records which shall include the counted ballots, the unused ballots, and the



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spoiled or rejected ballots, if any. The Election Board shall keep the Election Records for at least one (1) year.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1006            Rejected Ballots**

- A.     If, during the tallying of the votes, the Election Board or automated electronic system is unable to determine from the ballot the choice(s) of the voter, the ballot shall be rejected.
- B.     If the Election Board or automated electronic system can determine one or more of the choices of the voter, but cannot determine all of the choices of the voter, the Election Board shall count the choices which can be determined.
- C.     The Election Board shall keep all rejected ballots in a separate location.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1007            Recounts**

The Election Board may, in its sole discretion, call for a recount of the ballots. The Tribal Court may also order the Election Board to conduct a recount of the ballots.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1008            Other Matters Decided by the Election Board**

Any other election matters not specifically addressed in this Ordinance shall be decided by the Election Board. The decision of the Election Board shall be final.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 11 TIE VOTES**

**§ 1101 Tie Votes**

- A. Pursuant to Article VIII, Section 11 of the Constitution, in the case of a tie between one or more candidates, a special runoff election shall be held on the day following the election.
- B. All eligible voters shall be permitted to vote in a runoff election.
- C. If a runoff election ends in another tie, the outcome shall be decided by the drawing of straws by the candidates tied for that office.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 12 CHALLENGES TO ELECTION; ENFORCEMENT**

**§ 1201 Challenges to Election Prior to Election Day**

- A. Any Tribal Member may petition the Tribal Court for review of an election matter arising under the Constitution or Election Ordinance in accordance with the procedural requirements of the Tribal Court.
- B. The Tribal Court shall have the authority and jurisdiction to decide cases relating to election matters which arise prior to election day.
- C. Any appeal from a final Tribal Court decision in an election case under this section shall be appealed within five (5) calendar days of the Tribal Court decision.
- D. Election matters shall be expedited by the Tribal Court and Court of Appeals and shall take precedence over all other matters before the Tribal Court and Court of Appeals. To the extent reasonably possible, the Tribal Court and Court of Appeals shall resolve election matters prior to election day.



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- E. The Tribal Court shall have the authority to order an election deadline to be reset by the Election Board if the Tribal Court finds that it is necessary for the conduct of a full and fair election.
- F. The Tribal Court shall have the authority and jurisdiction to judicially monitor an election upon a finding by the Tribal Court that such monitoring is reasonably necessary for the completion of a full and fair election.

*[Legislative History: Enacted by Resolution No. 2019-162, 12/18/2019]*

**§ 1202 Challenges to the Election Results**

- A. Any Tribal Member may challenge the election results by filing the challenge in Tribal Court within five (5) calendar days after the election in accordance with the procedural requirements of the Tribal Court.
- B. The Tribal Court shall hear and decide all elections challenges within ten (10) days from the date the challenge is filed.
- C. The person challenging the election results shall prove by clear and convincing evidence that the Election Board violated the Constitution, the Election Ordinance, or otherwise conducted an unfair election and that the outcome of the election would have been different.
- D. Any appeals from the Tribal Court decision shall be filed with the Court of Appeals within five (5) days of the issuance of the Tribal Court decision, and the Court of Appeals shall decide the appeal within ten (10) days. If the Tribal Court or Court of Appeals invalidates the election results, a new election shall be held within sixty (60) days.
- E. Any issues not decided by the Court of Appeals and remanded to the Tribal Court shall be heard and decided within ten (10) days from the date of the Court of Appeals decision.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*





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**§ 1203 Tribal Court Enforcement**

The Tribal Court shall have the authority and jurisdiction to require the Election Board to comply with the requirements of this Election Ordinance and may hold an Election Board Member in contempt of court and assess a monetary penalty to any Election Board Member who refuses to comply with the orders of the Tribal Court.

*[Legislative History: Enacted by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 13 OATH OF OFFICE**

**§ 1301 Oath of Office**

- A. The oath of office for each newly elected Tribal Council Member shall be administered by the Election Board within thirty (30) days after the Election Board declares the winner of a seat, unless a challenge is filed, and in that case, within thirty (30) days after a final unappealable decision by the Tribal Court or final decision of the Court of Appeals. The Oath of Office is attached as **Form M** in the Appendix to this Ordinance.
- B. If a challenge is filed but it does not relate to all of the elected seats, the oath of office shall be administered to the newly elected Tribal Council Members whose seats have not been challenged within thirty (30) days after the Election Board declares the winners.
- C. The Election Board shall not administer the oath of office for any newly elected Tribal Council Member except as provided in this Section 1301. Any administration of an oath of office by the Election Board that does not comply with this Section 1301 shall be void.
- D. Each incumbent Tribal Council Member shall remain in office until the oath of office is administered to the newly elected Tribal Council Member for his or her seat.



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- E. Upon expiration of the incumbent's term of office, he or she shall transfer all tribal records within his or her control to the newly elected Tribal Council Member and shall return all tribal property, along with keys and passwords to the tribal property, to the Tribal Administration Office. The Tribe may file a petition with the Tribal Court to obtain tribal records and property from any incumbent who has failed to transfer or return tribal property within seven (7) calendar days of the expiration of the incumbent's term of office. In addition to any other civil or criminal remedy available at law, the Tribal Court shall have the authority to hold an incumbent in contempt of court and assess a monetary penalty, attorney's fees and costs, to any incumbent who refuses to engage in the orderly transfer of tribal records and/or comply with the orders of the Tribal Court.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 14 RECALL OF TRIBAL COUNCIL MEMBERS**

**§ 1401 Recall Proceedings**

- A. Recall proceedings shall be conducted in accordance with Article IX, Section 2 of the Constitution, and shall be administered by the Election Board.
- B. Any adult tribal member may initiate recall proceedings against any Tribal Council Member by filing a written request with the Election Board, provided, that a recall proceeding may not be initiated against any Tribal Council Member whose term expires within six (6) months.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1402 Recall Petitions**

- A. After receipt of the written request, the Election Board shall issue the Official Recall Petition similar to **Form H**, to the tribal member(s) who initiated the recall. The tribal



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member(s) shall have sixty (60) days to collect the signatures from thirty percent (30%) of the eligible voters of the Tribe.

- B. Individual Official Recall Petitions shall be circulated for each Tribal Council Member who is subject to recall. A maximum of three (3) Tribal Council Members may be recalled at one time.
- C. Each eligible voter of the Tribe shall have the right, exercisable freely and without restraint or coercion of any kind, to sign a recall petition.
- D. Completed Official Recall Petitions shall be submitted to the Election Board.
- E. The Election Board shall verify the signatures on an Official Recall Petition within ten (10) days of receipt of such Petition.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1403      Recall Meeting**

- A. If the tribal member(s) seeking recall has collected the required number of signatures in the allotted time, then the Election Board shall hold a recall meeting within sixty (60) days of the receipt of the Petition.
- B. The Election Board shall mail the Notice of Recall Meeting similar to **Form I** in the Appendix to this Election Ordinance to eligible tribal voters at least thirty (30) days prior to the recall meeting. The Notice of Recall Meeting shall include the date, time and location



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of the meeting, and time by which the eligible voters must arrive at the meeting in order to be able to vote on the Petition.

- C. At the recall meeting, the person initiating the recall and the person subject to recall shall be given a reasonable opportunity to speak and present evidence at the recall meeting. The Election Board may also allow other eligible voters to speak at the recall meeting.
- D. All eligible voters who arrive at the recall meeting by the time specified in the notice, shall be given the opportunity to vote for or against the recall. The recall shall pass if at least thirty (30%) of all eligible voters actually appear and vote at the recall meeting and if a majority of those voting vote for the recall.
1. The voting at the recall meeting shall be by secret written ballot. The voting procedure shall be the same as that set forth in Article 10, Section 1003 and Section 1008 of this Election Ordinance.
  2. After all eligible voters who arrived at the meeting by the specified time have had the opportunity to vote, the Election Board shall count the votes. The procedure for counting the votes shall be the same as set forth in Article 10, Sections 1005 through 1007 of this Election Ordinance.
  3. The Election Board shall certify the result of the recall vote on the Certificate of Recall Results similar to **Form J** in the Appendix to this Election Ordinance. The Certificate of Recall Results shall be signed by each member of the Election Board.
- E. The provisions of Article 12 of this Election Ordinance for challenges and enforcement for election matters shall also apply to recall proceedings.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**ARTICLE 15 VACANCIES**

**§ 1501 Vacancies**

- A. Pursuant to Article IX, Section 3 of the Constitution, if a Tribal Council Member should die, resign, or be removed or recalled from office, the Tribal Council shall declare the position vacant.
- B. The Tribal Council shall fill a vacancy by special election unless less than six (6) months remain in the term, in which case the Tribal Council shall leave the position vacant. The person who fills a vacant position shall only serve out the term of the person who he or she is replacing.
- C. All resignations from the Tribal Council shall be done in writing and shall be subject to the acceptance of the Tribal Council, except for resignations made for the purpose of running for elected office which shall be in writing but shall not require the acceptance of the Tribal Council. Resignations may not be accepted if done for the purpose of attempting to avoid disciplinary action or removal by the Tribal Council.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**ARTICLE 16 INITIATIVE AND REFERENDUM**

**§ 1601 Initiative and Referendum**

- A. Initiative and referendum elections are governed by Article XI of the Constitution.
- B. Initiative. The Tribal Council shall submit any proposed ordinance or resolution, except those regarding land, housing or the adoption of tribal members under Article II, Section 2 of the Constitution, to popular initiative upon petition of at least thirty percent (30%) of the eligible voters of the Tribe, or upon the request of the majority of the members of the Tribal Council.



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- C. Referendum. The Tribal Council shall submit any enacted ordinance or resolution, except those regarding land, housing or the adoption of tribal members under Article II, Section 2 of the Constitution, to popular initiative upon petition of at least thirty percent (30%) of the eligible voters of the Tribe, or upon the request of the majority of the members of the Tribal Council.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1602 Initiative/Referendum Petitions**

- A. The Election Board shall issue an Official Initiative/Referendum Petition similar to **Form K** to any adult tribal member who requests them. The petitions shall specify the proposed or enacted ordinance or resolution that is to be the subject of the initiative or referendum.
- B. Each eligible voter of the Tribe shall have the right, exercisable freely and without restraint or coercion of any kind, to sign an Initiative/Referendum Petition.
- C. A completed Initiative/Referendum Petition shall be submitted to the Tribal Council. The Tribal Council shall submit the Petition to the Election Board.
- D. The Election Board shall verify the signatures on an Initiative/Referendum Petition within ten (10) days of the receipt of such Petition from the Tribal Council.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*

**§ 1603 Initiative/Referendum Election Procedure**

- A. If the Election Board determines that an Initiative/Referendum Petition has the required number of signatures, it shall hold an initiative/referendum election.
- B. The Election Board shall also hold an initiative/referendum election if the Tribal Council submits to it a written request signed by a majority of the members of the Tribal Council.



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The written request shall specify the proposed or enacted ordinance or resolution that is to be the subject of the initiative or referendum.

- C. The Election Board shall use the same procedures for initiative/referendum elections as that set forth in this Ordinance for other general and special elections.
- D. The ordinance or resolution which is the subject of the initiative or referendum shall thereafter be in effect if at least thirty percent (30%) of all eligible voters vote in the initiative/referendum election and if a majority of those voting vote in favor of the ordinance or resolution.
- E. The provisions of Article 12 of this Election Ordinance for challenges and enforcement for election matters shall also apply to initiative/referendum elections.

*[Legislative History: Enacted by Resolution No. 97-12, 3/19/1997; Amendment and Restatement by Resolution No. 2019-162, 12/18/2019]*



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**APPENDIX OF FORMS**

- FORM A - CHECKLIST OF ELECTION BOARD DUTIES
- FORM B - LIST OF ELIGIBLE VOTERS
- FORM C - NOTICE OF ELECTION
- FORM D - OFFICIAL NOMINATION FORM
- FORM E - FINAL LIST OF CANDIDATES
- FORM F - OFFICIAL BALLOT
- FORM G - CERTIFICATE OF ELECTION RESULTS
- FORM H - OFFICIAL RECALL PETITION
- FORM I - NOTICE OF RECALL MEETING
- FORM J - CERTIFICATE OF RECALL RESULTS
- FORM K - OFFICIAL INITIATIVE/REFERENDUM PETITION
- FORM L - CANDIDATE ELIGIBILITY MAP
- FORM M - OATH OF OFFICE



**CHECKLIST OF ELECTION BOARD DUTIES**

- 1. Prepare List of Eligible Voters, see Form B .....   
[Include all enrolled tribal members who are or will be eighteen (18) years of age or older by election day. Post in lobby of Tribal Administration Office at least 30 days prior to election day and post at polling place on election day.]
- 2. Schedule the Election and the Nomination Meeting (if needed), and select the place for the Nomination Meeting and the polling place .....
- 3. Mail Notice of Election, see Form C, at least thirty (30) days before the Nomination Meeting [thirty (30) days before the election, if no nomination meeting] .....
- 4. Prepare Official Nomination forms, see Form D, for Nomination Meeting .....
- 5. Get locked ballot box or obtain electronic voting service.....
- 6. Attend Nomination Meeting (if scheduled) .....
- 7. Obtain background checks and check qualifications of the candidates .....
- 8. Post the Final List of Candidates, see Form E .....   
[If Nomination Meeting is held on same day as Election, post at polling place.]  
[If Nomination Meeting is not held on same day as Election, post in lobby of Tribal Administration at least 3 business days prior to election day and post at polling place on election day.)
- 9. Prepare Official Ballots, see Form F .....
- 10. Post Certificate of Election Results, see Form G .....

**LIST OF ELIGIBLE VOTERS**

NAME	DATE OF BIRTH	ADDRESS
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		

(List additional names on following pages.)

**NOTICE OF ELECTION**

I. DATE OF ELECTION: \_\_\_\_\_

II. POLLING PLACE: \_\_\_\_\_

III. VOTING HOURS: \_\_\_\_\_

(Use IV, V and/or VI, below, if applicable to particular election.)

IV. COUNCIL SEATS TO BE ELECTED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. INITIATIVE/REFERENDUM  
ORDINANCE OR RESOLUTION  
TO BE VOTED ON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Fill in Name and Number of Ordinance or Resolution and summary of subject matter.)

VI. NOMINATION MEETING: A Nomination Meeting shall be held on  
\_\_\_\_\_ at \_\_\_\_\_ from  
(date) (place)  
the hours of \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m. All eligible

voters may submit nominations for any vacant Tribal Council seat at the Nominating Meeting.  
Nominations shall be submitted in writing on an Official Nomination Form provided at the meeting.  
All eligible voters shall be allowed an opportunity to speak at the Nomination Meeting.

**OFFICIAL NOMINATION FORM**

I, \_\_\_\_\_, hereby nominate \_\_\_\_\_  
as a candidate for the following Tribal Council seat: \_\_\_\_\_  
(specify seat). I swear that I am an enrolled member of the San Juan Southern Paiute Tribe and that I am  
eighteen (18) years or older.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I accept the above nomination, and I submit my name as a candidate for the above Tribal Council seat. I  
swear that I meet all of the qualifications for this Tribal Council seat.

Printed Full Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**FINAL LIST OF CANDIDATES**

Tribal Council Seat: \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Tribal Council Seat: \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Tribal Council Seat: \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Tribal Council Seat: \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

**OFFICIAL BALLOT**

(Use I and/or II, below, if applicable to particular election.)

**I. TRIBAL COUNCIL SEATS**  
Vote for one (1) candidate for each seat:

A. Tribal Council Seat: \_\_\_\_\_

Candidates:	Vote
1. _____	<input type="checkbox"/>
2. _____	<input type="checkbox"/>
3. _____	<input type="checkbox"/>
4. _____	<input type="checkbox"/>

B. Tribal Council Seat: \_\_\_\_\_

Candidates:	Vote
1. _____	<input type="checkbox"/>
2. _____	<input type="checkbox"/>
3. _____	<input type="checkbox"/>
4. _____	<input type="checkbox"/>

C. Tribal Council Seat: \_\_\_\_\_

Candidates:	Vote
1. _____	<input type="checkbox"/>
2. _____	<input type="checkbox"/>
3. _____	<input type="checkbox"/>
4. _____	<input type="checkbox"/>

D. Tribal Council Seat: \_\_\_\_\_

Candidates:	Vote
1. _____	<input type="checkbox"/>
2. _____	<input type="checkbox"/>
3. _____	<input type="checkbox"/>
4. _____	<input type="checkbox"/>

**II. INITIATIVE/REFERENDUM**

A. Ordinance or Resolution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Specify name and number of ordinance or resolution and summary of subject matter.)

IN FAVOR

OPPOSED

CERTIFICATE OF ELECTION RESULTS

Date of Election: \_\_\_\_\_

(Use I and/or II, below, if applicable to particular election.)

I. TRIBAL COUNCIL SEATS

A. Tribal Council Seat: \_\_\_\_\_

	<u>Candidates</u>	<u>Number of Votes</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

B. Tribal Council Seat: \_\_\_\_\_

	<u>Candidates</u>	<u>Number of Votes</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

C. Tribal Council Seat: \_\_\_\_\_

	<u>Candidates</u>	<u>Number of Votes</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

D. Tribal Council Seat: \_\_\_\_\_

	<u>Candidates</u>	<u>Number of Votes</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

II. INITIATIVE/REFERENDUM

A. Total number of eligible voters: \_\_\_\_\_

B. Total number of eligible voters who voted: \_\_\_\_\_

C. Did 30% of eligible voters vote? \_\_\_\_\_

D. Number of votes in favor of ordinance or resolution: \_\_\_\_\_

Based on the foregoing, the initiative/referendum has passed/not passed (circle one).

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

**OFFICIAL RECALL PETITION**

We petition the Election Board to schedule a Recall Meeting to recall \_\_\_\_\_ from the Tribal Council for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- |     |           |            |
|-----|-----------|------------|
| 1.  | _____     | _____      |
|     | Sign Name | Print Name |
| 2.  | _____     | _____      |
|     | Sign Name | Print Name |
| 3.  | _____     | _____      |
|     | Sign Name | Print Name |
| 4.  | _____     | _____      |
|     | Sign Name | Print Name |
| 5.  | _____     | _____      |
|     | Sign Name | Print Name |
| 6.  | _____     | _____      |
|     | Sign Name | Print Name |
| 7.  | _____     | _____      |
|     | Sign Name | Print Name |
| 8.  | _____     | _____      |
|     | Sign Name | Print Name |
| 9.  | _____     | _____      |
|     | Sign Name | Print Name |
| 10. | _____     | _____      |
|     | Sign Name | Print Name |

.....  
For Office Use Only:

Issued by Election Board: \_\_\_\_\_ Page: \_\_\_\_\_  
(Initials)

Date Issued: \_\_\_\_\_ Date Received: \_\_\_\_\_

(Issue more petition forms as needed for more names.)



**NOTICE OF RECAL MEETING**

The Election Board has received completed recall petitions for the following member(s) of the Tribal Council:

1. \_\_\_\_\_ (name) \_\_\_\_\_ (position)

2. \_\_\_\_\_ (name) \_\_\_\_\_ (position)

3. \_\_\_\_\_ (name) \_\_\_\_\_ (position)

A Recall Meeting shall be held on \_\_\_\_\_ at \_\_\_\_\_  
(date)  
\_\_\_\_\_ at the time of \_\_\_\_\_ a.m./p.m.  
(place)

The issue to be decided at the meeting is whether or not each of the above members of the Tribal Council shall be recalled form office. Each eligible voter who arrives at the Recall meeting by \_\_\_\_\_ a.m./p.m. shall have the opportunity to vote for or against the recall. The recall of the Tribal Council Member shall pass if at least thirty percent (30%) of all eligible voters appear and vote at the Recall Meeting and if a majority of those voting vote for the recall of that Council Member.

CERTIFICATE OF RECALL RESULTS

Date of Recall Meeting: \_\_\_\_\_

- A. Total number of eligible voters: \_\_\_\_\_
- B. Total number of eligible voters who voted: \_\_\_\_\_
- C. Did 30% of eligible voters vote? \_\_\_\_\_
- D. Positions and Names of Council Members who were subject of Recall Meeting

		VOTES FOR RECALL	VOTES AGAINST RECALL
1.	_____	_____	_____
	seat		
	_____		
	name		
2.	_____	_____	_____
	seat		
	_____		
	name		
3.	_____	_____	_____
	seat		
	_____		
	name		

Based on the foregoing, the following Tribal Council Members have been recalled:

- 1. \_\_\_\_\_ 2. \_\_\_\_\_
- seat seat
- \_\_\_\_\_
- name name
- \_\_\_\_\_
- 3. \_\_\_\_\_
- seat
- \_\_\_\_\_
- name

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

\_\_\_\_\_  
Election Board Member

**OFFICIAL INITIATIVE/REFERENDUM PETITION**

We petition the Tribal Council to submit the following ordinance or resolution to an election of the voters:

Name of Ordinance/Resolution: \_\_\_\_\_

Number of Ordinance/Resolution: \_\_\_\_\_

Summary of Ordinance/Resolution: \_\_\_\_\_

\_\_\_\_\_

- |     |           |            |
|-----|-----------|------------|
| 1.  | Sign Name | Print Name |
| 2.  | Sign Name | Print Name |
| 3.  | Sign Name | Print Name |
| 4.  | Sign Name | Print Name |
| 5.  | Sign Name | Print Name |
| 6.  | Sign Name | Print Name |
| 7.  | Sign Name | Print Name |
| 8.  | Sign Name | Print Name |
| 9.  | Sign Name | Print Name |
| 10. | Sign Name | Print Name |

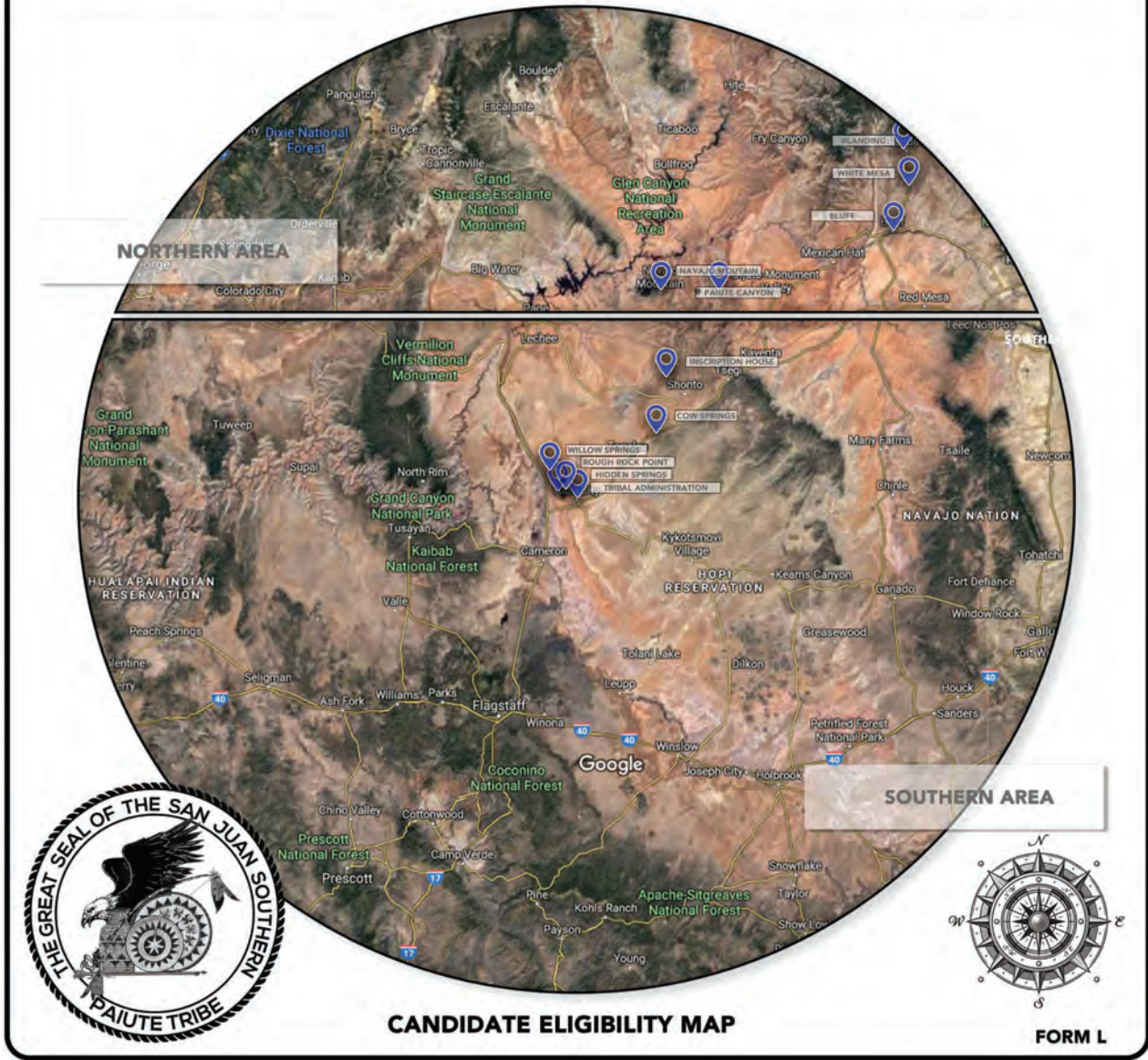
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(Initials)

Date Issued: \_\_\_\_\_ Date Received: \_\_\_\_\_

(Issue more petition forms as needed for more names.)

# SAN JUAN SOUTHERN PAIUTE TRIBE



Approved by Resolution No. 2019-162; 12/18/2019

**OATH OF OFFICE**

I, \_\_\_\_\_ [name of person] \_\_\_\_\_, do solemnly affirm that I will support and follow the Constitution and Laws of the San Juan Southern Paiute Tribe, and that I will faithfully and impartially perform the duties of the office of Tribal Council Member according to the best of my ability.