MEMORANDUM

TO: FORT MCDOWELL YAVAPAI NATION TRIBAL MEMBERS

SUBJECT: REVISED ELECTION ORDINANCE

DATE: MARCH 9, 2021

The Election Board has been working on amendments to the Nation’s Election Ordinance since 2016. The attached document is a redline of the document. For those unfamiliar with redline documents a key is provided below. Here is a list of the substantive revisions to Election Ordinance:

1) Insertion of General Provisions: Definitions, time periods, notice, etc. – Article I, pages 1-2
2) Board composition: Alternate Board Members are permanent – Art. II, Sec. 3-1(A), page 2
3) Removal of a Board Member: Notice provisions and good cause – Art. II, Sec. 3-1(B), page 2
4) Qualification of Board Members: Must be an enrolled member and cannot be on forfeiture list – Art. II, Sec. 3-1(C), pages 2-3
5) Release of Information: Candidate authorization – Art. II, Sec. 3-2(A), page 3
6) Description of Board Members and duties: Chairperson and secretary – Art. II, Sec. 3-2(D-E), pages 3-4
7) Qualified Voter: Incarcerated or mentally incompetent persons do not qualify – Art. III, Sec. 3-4(A), page 4
8) Voter Release of Information: Option to not share address – Art. III, Sec. 3-3(B), page 4
9) Qualified Voter List: Enrollment shall provide the list in Nov. – Art. III, Sec. 3-3(C), page 4
10) Criminal Penalties: Election crimes added – Art. III, Sec. 3-3(E), page 5
11) Request for Absentee Ballot and Schedule: Requests must be filed earlier – Art. III, Sec. 3-4(A-B), page 5
12) Candidate Petition: Petition and fingerprints due in Oct. – Art. III, Sec. 3-5(A), page 6
13) Definition of Moral Turpitude crimes: Addition of crimes – Art. III, Sec. 3-5(B), page 6
14) Residence: New definition of “continuously physically reside” – Art. III, Sec. 3-5(C), page 6
15) Availability and Return of Petition: Dates moved up – Art. IV, Sec. 3-9, page 8
16) Public Inspection of Petition: Clarification on process – Art. IV, Sec. 3-10, page 8
17) Method of Voting: Photo ID required – Art. V, Sec. 3-12(C), page 9
18) Tribal Council Resignation: Must resign in Sept. – Art. V, Sec. 3-13(A), page 10
19) Referendum process is outlined – Art. VI, Sec. 3-62(B), page 18
20) Posting of Contractual Obligation for Initiative process – Art. VI, Sec. 3-63, pages 18-19
21) Insertion of Campaign Provisions: Restrictions, fines, campaign funding rules – Article VII, pages 24-25

Key:
- Post – Added language to the current Ordinance
- Post – Deleted language from the current Ordinance
- Red changes were made in 2016-17
- Blue changes were made in 2018-19