

**TITLE 2 – GOVERNMENT ADMINISTRATION
PART IV – COMMISSIONS; BOARDS
CHAPTER 4-3 – BOARD OF ELECTION SUPERVISORS**

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Legislative History: On February 25, 1988, Ordinance C0-1-88 passed to approve Interim Draft Tribal Election Laws; Appointing a Board of Election Supervisors; Ordering the First Tribal Election of Council Members to be Held; Directing that Rules, Procedures, Forms and Other Necessary Basic Election Materials be Draft and Implemented; and for Other Purposes

Section 10 Board of Election Supervisors -- Establishment; Duties (2 PYTC § 4-3-10)

There shall be a Board of Election Supervisors of the Pascua Yaqui Tribe who shall be responsible for overseeing and maintaining a list of registered voters of the Tribe for conducting all tribal general and special elections, for the election of tribal council members, or for initiative, referendum and recall measures and the resolution of disputes arising from tribal elections.

Section 20 Authority to Make Rules and Regulations (2 PYTC § 4-3-20)

The Board of Election Supervisors shall have authority to promulgate and enforce rules and regulations subject to tribal council approval, not inconsistent with this Chapter, concerning any matter within its jurisdiction. Such regulations shall have the force and effect of a law of the Pascua Yaqui Tribe.

Section 30 Composition; Selection (2 PYTC § 4-3-30)

- (A) The Board shall consist of a Chairman and six members who shall be appointed by the Chairman of the Tribal Council with the concurrence of the Tribal Council. The six members of the Board shall be selected at large and shall be enrolled members of the Pascua Yaqui Tribe; however, the Chairman shall make every attempt to insure representation on the Election Board from New Pascua, Old Pascua, Marana, Guadalupe, and Barrio Libre. If members are not available from each traditional Yaqui community the Chairman may select members from any community where members are available. The Board Chairman may be selected from any enrolled member of the Tribe.
- (B) In addition to the Board, there may be an Executive Elections Director who shall perform such duties and responsibilities as may be assigned by the Chairman of the Board. The Chairman of the Board may recommend an Executive Elections Director to the Chairman of the Tribal Council, who may then be approved by the Tribal Council, to serve at the pleasure of the Council. The Executive Elections Director shall be an experienced individual in the field of tribal elections or any combination of experience and education that would qualify the person for the position and may or may not be a member of any tribe of Indians.
- (C) No member of the immediate family of any member of the Tribal Council or that of the Executive Elections Officer Director shall be appointed or be permitted to remain on the Board. For purposes of this section, immediate family shall mean father, mother, husband, wife, son, daughter, sister or brother.

Section 40 Qualifications (2 PYTC § 4-3-40)

The Chairman and each member of the Board of Election Supervisors shall be members of the Pascua Yaqui Tribe, at least 21 years of age, and shall not have been convicted in any Federal or State Court of a felony, or of any crime involving deceit, fraud or misappropriation of funds, unless in the event of a felony conviction his or her voting rights have been legally restored, or unless the criminal conviction has been expunged.

Section 50 Term of Office (2 PYTC § 4-3-50)

- (A) The term of office of the first Board of Election Supervisors shall expire six months after June 4, 1991.
- (B) At the expiration of the term of office of the first Chairman of the Board of Election Supervisors the Chairman of the Tribal Council, with the concurrence of the Tribal Council, shall appoint a successor Board for a four-year term. The Chairman and members of the Board of Election Supervisors may be reappointed upon expiration of their respective terms.
- (C) The Chairman of the Tribal Council, with the concurrence of the Tribal Council, shall fill the vacancies occurring in the Board of Election Supervisors. The person appointed to fill any such vacancy shall serve until the normal expiration term of his predecessor.
- (D) The Chairman of the Board of Election Supervisors, any member of the Board of Election Supervisors, or the Executive Elections Director may be removed from office for cause only by a majority vote of the Tribal Council after reasonable notice and opportunity to be heard.

Section 60 Registrars; Poll Clerks, Poll Judges (2 PYTC § 4-3-60)

The Board of Election Supervisors shall appoint such registrars, poll clerks and poll judges as it deems necessary and may assign them such duties pursuant to its powers to make rules and regulations as provided in this section:

- (A) The registrar appointed, in addition to assigned duties, may also serve as poll clerk.
- (B) There shall be one poll clerk at each polling place.
- (C) There shall be at least one poll judge at each poll, which shall be designated as the chief judge.

Section 70 Compensation of Board of Election Supervisors and Staff, and Other Election Officials (2 PYTC § 4-3-70)

The Board Chairman and members of the Board of Election Supervisors, their staff, and other election officials shall receive such compensation as the Tribal Council may provide within the limits of the available budget monies.

DISPOSITION TABLE

Former Section	New Section
Title 5, Article Two	2 PYTC § 4-3
Section 1201	Section 10
Section 1202	Section 20
Section 1203	Section 30
Section 1204	Section 40
Section 1205	Section 50
Section 1206	Section 60
Section 1207	Section 70