

## MEMO

**To:** Hualapai Tribal Voters  
**From:** Hualapai Election Board  
**Re:** Draft Election Recall Election Process  
**Date:** May 19, 2021

The Election Board discussed the need for Rules governing the recall petition and election process, especially to address the petition signature collection process and the ability to remove a signature from a petition.

For example, the new Rules would clarify that original signatures on a petition are required, that copies of a petition may be made, and that a signature on a petition cannot be withdrawn after the petition is submitted to the Election Board.

*The Election Board is opening a 30 day comment period on the DRAFT Rules proposed by the Election Board. The comment period opens May 19 and closes on June 20, 2021.*

The DRAFT Rules at [Hualapai-nsn.gov/community/elections](https://hualapai-nsn.gov/community/elections) to your review.

**Comments may be submitted to:**

[Elections@hualapai-nsn.gov](mailto:Elections@hualapai-nsn.gov) or

Hualapai Election Board  
P.O. Box 120  
Peach Springs, AZ 86434

All comments will be considered prior to final approval of the Rules by the Election Board.

Respectfully,

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**RULES OF THE HUALAPAI ELECTION BOARD  
APPLICABLE TO RECALL PROCESS**

**RULE 1: INITIATION OF RECALL PROCESS**

- (a) Any member of the Hualapai Tribe of voting age (age 18) shall have the power to initiate recall proceedings against a council member by filing with the Election Board a written statement giving specific reasons why the council member in question should be recalled.
- (b) The Election Board may take up to seven days to respond to the written statement by:
  - i. Providing the requesting member the necessary Recall Petition, who shall personally appear at the Election Board office to accept the Recall Petition; or
  - ii. Advising the requesting member that the reasons for recall must be redrafted in order for the Election Board to comply with the provisions of Article 18, Section 2(e) of the Election Ordinance that requires both the reasons for recall and space for twenty (20) signatures to appear on each Recall Petition page.
- (c) In the event that the requesting party seeks Recall Petitions for more than one Tribal Council member, each request shall be addressed separately by the Election Board.

**RULE 2: SIGNATURES NEEDED FOR VALID RECALL PETITION**

- (a) At the time that the Election Board provides a requesting party with a Recall Petition, it shall also advise the requesting party of the number of signatures needed to submit a valid Recall Petition and thereby warrant a Recall Election.
- (b) To determine the number of signatures needed to comprise twenty (20) percent of the eligible voters, the Election Board shall obtain an updated list of eligible votes from the appropriate Department of the Hualapai Tribe.
- (c) Upon request of the requesting party, the Election Board shall provide that party with the updated list of eligible voters from which it determined the number of signatures needed to submit a valid Recall Petition.

**RULE 3: COLLECTION OF PETITION SIGNATURES**

- (a) The recall petitions, in addition to containing the reasons for the recall and twenty (20) signature lines, shall also contain a column for each petition signer to legibly print his/her name, and provide the date and a signature.
- (b) The party requesting a Recall Petition may make photocopies of the Recall Petition so long as all signatures on the Recall Petition are original signatures.

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- (c) All pages of the Recall Petition submitted to the Election Board for consideration shall be submitted at the same time. The submitted Recall Petition shall be accompanied by an original affidavit of the requesting party attesting to the fact that the all signatures provided in the Recall Petition are from eligible voters of the Tribe.

**RULE 4: SUBMITTED RECALL PETITIONS**

- (a) A Recall Petition that has been submitted to the Election Board will not be available for review by the general public until the verification process called for in Article XVIII, Section 2(f) of the Election Ordinance has been completed by the Election Board.
- (b) Once the verification process called for in Article XVIII, Section 2(f) has been completed, a submitted Recall Petition shall be made available for inspection and review by the general public during the Election Board's normal business hours, but the Recall Petition may not be copied or distributed to the general public.

**RULE 5: WITHDRAWAL OF PETITION SIGNATURE**

- (a) At any time prior to the submission of a Recall Petition to the Election Board, any member who has signed the Petition may withdraw his or her signature. Withdrawals of signatures will not be permitted after a Recall Petition has been submitted to the Election Board for verification.
- (b) The withdrawal of the signature may be accomplished by:
  - i. The petition signer crossing his/her name and signature off of the Recall Petition and initialing and dating the cross off; or
  - ii. Providing the Election Board with a sworn statement indicating that he/she wishes to withdraw his/her name from the Recall Petition. A form of withdrawal is attached as Form 1.

**RULE 6: NOTIFICATION OF PETITION RESULTS**

Upon completion of the verification process contained in Section XVIII, Section 2(f) of the Election Ordinance, the Election Board shall:

- (a) Advise the requesting party, in writing, of the results of the verification and whether sufficient signatures were collected to warrant a Recall Election.
- (b) Advise, in writing, the subject of the Recall Petition of the results of the verification and whether sufficient signatures were collected to warrant a Recall Election. In the event that a Recall Election is warranted, the writing shall also advise the subject of the recall of their right to respond to the reasons for recall in writing and to have that response placed on the Recall Election Ballot. It shall also advise the subject of the recall of the date by which any response must be provided to the Election Board for inclusion on the Recall Election Ballot.

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The time to respond should take into account the required absentee balloting that will take place and the need to receive cast absentee ballots no later than the date of the Recall Election.

- (c) In the event that sufficient signatures were collected to warrant a Recall Election, the Election Board shall conduct a special election in accordance with the Election Ordinance.
- (d) In the event that sufficient signatures were not collected, the Election Board shall post a notice in its offices; the Administration Building; and the Court House advising the public that sufficient signatures were not collected to warrant a Recall Election.

FORM 1

SWORN STATEMENT WITHDRAWING  
SIGNATURE FROM RECALL PETITION

I, \_\_\_\_\_, hereby withdraw my signature from the Recall Petition  
for \_\_\_\_\_. My withdrawal is made freely and voluntarily.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Withdrawing individual's signature)

\_\_\_\_\_  
(Withdrawing individual's printed name)