

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Tabling Restructuring of Nation's Election Laws for Six Months to Allow the Districts,
Legislative Council Standing Committees, Enrollment Office, Election Board and
the Nation's Members Adequate Time for Review)

LEGISLATIVE ORDER NO. 03-197

1 **WHEREAS, Article X, Section 7 of the Constitution of the Tohono O'odham Nation requires that**
2 **the "Council shall enact an election ordinance . . . which shall prescribe . . . the**
3 **registration requirements for voting and such other rules and procedures necessary**
4 **to the orderly conduct of elections, including but not limited to procedures for**
5 **validation of petitions and the settlement of any and all election disputes."; and**

6 **WHEREAS, the Council did enact the Uniform Election Ordinance ("Election Ordinance"),**
7 **Ordinance No. 03-86, as described above and which identifies the respective roles of**
8 **the District Councils and Election Board in registering voters, as well as scheduling**
9 **and conducting elections; and**

10 **WHEREAS, the Election Board did conduct the Nation's 2003 Primary Election on April 26, 2003**
11 **and has scheduled the 2003 General Election for May 24, 2003 in accordance with the**
12 **Nation's Constitution and the Election Ordinance; and**

13 **WHEREAS, the Legislative Council has received a draft resolution ("Restructuring Resolution")**
14 **proposing to substantially alter the election process before the 2003 General Election**
15 **by ordering the Enrollment Office to (1) conduct a voter registration drive among**
16 **Nation's members who are not registered in any district of the Nation; (2) compile an**
17 **"Official List of Non- District Registered Voters"; (3) make the "Official List of Non-**
18 **District Registered Voters" available in all polling places; and (4) establish a polling**
19 **site in Sonora, Mexico; and**

20 **WHEREAS, the Restructuring Resolution further proposes to (1) approve a budget for**
21 **establishing a polling site in Sonora Mexico; and (2) order the Election Board to delay**
22 **the 2003 General Election in order to permit the creation of the Enrollment Office's**
23 **"Official List of Non-District Registered Voters"; and**

24 **WHEREAS, the Restructuring Resolution proposes that many of the duties the Election**
25 **Ordinance expressly delegates to the Election Board or the District Councils would**
26 **be performed by the Enrollment Office, thereby creating a conflict of laws and**
27 **substantially altering the conduct of the Nation's elections; and**

28 **WHEREAS, the wide range of additional duties, powers, and election procedures the**
29 **Restructuring Resolution proposes to change are, likewise, governed by existing**
30 **provisions in the Nation's Constitution, Election Ordinance and Enrollment**

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Ordinance; and

WHEREAS, it is necessary for the District Councils, Legislative Council's standing committees, Election Board, Enrollment Office, and, most importantly, the Nation's members to be given adequate time to fully review and consider the potential legal, social, and political impacts of the sweeping election law changes the Restructuring Resolution proposes.

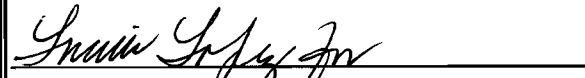
NOW, THEREFORE, BE IT ORDERED that the Tohono O'odham Legislative Council hereby tables consideration of the actions proposed in the Restructuring Resolution and described herein above for six months to allow the Districts, Legislative Council Standing Committees, Enrollment Office, Election Board and the Nation's Members adequate time for review.

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 05TH Day of MAY, 2003 at a meeting at which a quorum was present with a vote of 2,028.4 FOR; 308.75 AGAINST; 80.35 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (g) of Article VI and Article X of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Rita A. Martinez, Legislative Chairwoman

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

ACTION: TABLING RESTRUCTURING OF NATION'S ELECTION LAWS FOR SIX MONTHS TO ALLOW THE DISTRICTS, LEGISLATIVE COUNCIL STANDING COMMITTEES, ENROLLMENT OFFICE, ELECTION BOARD AND THE NATION'S MEMBERS ADEQUATE TIME FOR REVIEW

MOVED: COUNCILWOMAN EVELYN JUAN

SECOND: COUNCILMAN DENNIS JOSE

DATE: MAY 05, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05		X		
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. JEROME JOAQUIN ()	115.35	X			
GU VO 188.3	1. FERN SALCIDO** ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35			X	
SAN XAVIER 184.7	1. FELICIA NUÑEZ ()	92.35		X		
	2. DENNIS RAMON ()	92.35		X		
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			X
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ** ()	92.35	X			
TOTAL		2,417.5	2,028.4	308.75	80.35	[01]

**PASSED VOTES