

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Amending Article VIII, Subsection 1801(B) of 12 Tohono O'odham Code Chapter 1 - Elections)**

**RESOLUTION NO. 15-054**

1 **WHEREAS,** "Each district shall be entitled to as many votes on the Tohono O'odham Council  
2 **(divided by ten) as there are members of the Tohono O'odham Nation residing in**  
3 **the district." (Constitution of the Tohono O'odham Nation, Article V, Section 2);**  
4 **and**

5 **WHEREAS,** **the constitutionally permissible method for determining the number of**  
6 **resident members in each district was litigated in *Tohono O'odham Council v.***  
7 ***Garcia*, 1 TOR3d 10 (Ct.App., Sept. 14, 1989), which determined that using the**  
8 **Nation's membership roll to calculate the number of district residents and**  
9 **therefore the number of votes cast on each district's behalf in the Legislative**  
10 **Council did not violate Article V, Section 2 of the Constitution; and**

11 **WHEREAS,** **subsection 1801(B) of 12 T.O.C. Chapter 1 currently provides that the Election**  
12 **Board shall certify the number of members of the Nation residing in each**  
13 **district not only from the Nation's official membership roll, but also "from the**  
14 **Official List of Registered Voters, and from such other sources known to the**  
15 **Board"; and**

16 **WHEREAS,** **the Rules Committee recommends amending subsection 1801(B) by removing**  
17 **the Official List of Registered Voters and "other sources" as documents available**  
18 **to the Board in completing its Certification of District Residents.**

19 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that**  
20 **subsection 1801(B) of Article VIII of 12 Tohono O'odham Code Chapter 1 -**  
21 **Elections is amended as follows:**


22 **(B) Certification of District Residents: It shall be the duty of the Board to**  
23 **certify from the official Membership Roll of the Nation, ~~from the Official List of~~**  
24 **~~Registered Voters, and from such other sources known to the Board,~~ the**  
25 **number of members of the Nation residing in each district, and the number of**  
26 **votes each district is entitled to cast at the Council in accordance with Article V,**  
27 **Section 2 of the Constitution. This certificate shall be posted together with the**  
28 **Certificate of Election Results provided for herein at the offices of the Council**  
29 **and of the district council of each district within four days following the general**  
30 **election.**

**RESOLUTION NO. 15-054**

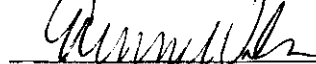
**(Amending Article VIII, Subsection 1801(B) of 12 Tohono O'odham Code Chapter 1 - Elections)  
Page 2 of 3**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02<sup>ND</sup> day of MARCH, 2015 at a meeting at which a quorum was present with a vote of 1,654.7 FOR; 1,291.8 AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article V, Section 2; Article VI, , Section 1(g); 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

  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman  
10 day of March, 2015

ATTEST:

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary  
10 day of March, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 10 day of March, 2015 at 8:31 o'clock, A .m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 11 day of March, 2015

DISAPPROVED

at 4:55 o'clock, P .m.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

**RESOLUTION NO. 15-054**  
**(Amending Article VIII, Subsection 1801(B) of 12 Tohono O'odham Code Chapter 1 - Elections)**  
**Page 3 of 3**

Returned to the Legislative Secretary on the 12 day of  
March, 2015, at 9:37 o'clock, a.m.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**ACTION: AMENDING ARTICLE VIII, SUBSECTION 1801(B) OF 12 TOHONO O'ODHAM CODE CHAPTER 1 - ELECTIONS**

**Moved: COUNCILWOMAN MARY LOPEZ**

**SECOND: VICE CHAIRMAN EDWARD MANUEL, SR.**

**DATE: MARCH 02, 2015**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK 224.2</b>	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ( )	112.1	X			
<b>SELLS 502.0</b>	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas )	251.0	X			
<b>SCHUK TOAK 174.2</b>	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1		X		
<b>SAN XAVIER 224.2</b>	1. HILARION CAMPUS (Daniel L.A. Preston, III)	112.1		X		
	2. RACHEAL VILSON-STONER <i>(Absent)</i> (Olivia Villegas-Liston) <i>(Present)</i>	112.1		X		X
<b>SAN LUCY 219.6</b>	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			X
	2. JANA MONTANA ( )	109.8	X			
<b>PISINEMO 210.6</b>	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ( )	105.3	X			
<b>HICKIWAN 196.9</b>	1. LOUIS R. LOPEZ ( )	98.45		X		
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45		X		X
<b>HIA CED 19.6</b>	1. PATRICK ANDREWS (Janice E. Paul)	9.8		X		X
	2. VIRGINIA GARCIA ( )	9.8		X		
<b>GU VO 241.0</b>	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
<b>GU ACHI 257.3</b>	1. TIMOTHY L. JOAQUIN ( )	128.65		X		
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
<b>CHUKUT KUK 319.2</b>	1. ETHEL GARCIA (Marlakay C. Henry)	159.6		X		X
	2. BILLMAN LOPEZ ( )	159.6		X		
<b>BABOQUIVARI 357.7</b>	1. FRANCES MIGUEL (Roberta Harvey)	178.85		X		
	2. VERNON J. SMITH (Gloria Zazueta)	178.85		X		
<b>TOTAL</b>		<b>2,946.5</b>	<b>1,654.7</b>	<b>1,291.8</b>	<b>-0-</b>	<b>[05]</b>