

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving as an Ordinance of the Nation Tohono O'odham Code, Title 27, Chapter 1,
Creation of the Hia-Ced District of the Tohono O'odham Nation, and Adopting the
2013 Hia-Ced District Election Plan)**

RESOLUTION NO. 12-423

1 **WHEREAS, the Hia-Ced O'odham Program was established by Papago Tribal Council Resolution**
2 **No. 363-85; and**

3 **WHEREAS, one of the goals of the Hia-Ced O'odham Program, as approved by Resolution No. 363-**
4 **85, was to acquire a land base for the Hia-Ced O'odham and to have that land base be**
5 **recognized as a district of the Papago Tribe; and**

6 **WHEREAS, the Papago Tribal Council further supported the acquisition of a land base and the**
7 **creation of a twelfth district of the Papago Tribe in Resolution No. 16-84, stating that**
8 **“it would be in the best interest of the Papago Tribe to assist, both financially and**
9 **through use of the Tribe's expertise, the Sand Papagos in their endeavor to acquire a**
10 **homeland”; and**

11 **WHEREAS, in September 2003 the Tohono O'odham Nation (the “Nation”) acquired approximately**
12 **642.27 acres near Why, Arizona for a land base for the Hia-Ced O'odham, which**
13 **purchase was approved by Tohono O'odham Legislative Council Resolution No. 03-218;**
14 **and**

15 **WHEREAS, on February 24, 2009 the United States accepted the property in trust for the Nation**
16 **and on May 15, 2012 the Nation submitted a request to the Secretary of the Interior to**
17 **proclaim the property part of the Tohono O'odham reservation; and**

18 **WHEREAS, the power to create additional districts of the Nation is vested in the Tohono O'odham**
19 **Legislative Council by Article IX, Section 2 of the Constitution of the Tohono O'odham**
20 **Nation, whereby the Legislative Council “may by ordinance change the foregoing**
21 **number and boundaries of districts”; and**

22 **WHEREAS, in order to conduct a first election of the Hia-Ced District, certain wording of the**
23 **Uniform Election Ordinance, Title 12, Chapter 1, must be given the meanings specified**
24 **in the 2013 Hia-Ced District Election Plan, which is incorporated by this reference, for**
25 **the election to be held in accordance with the 2013 general election schedule for the**
26 **Tohono O'odham Nation; and**

27 **WHEREAS, the Legislative Rules and Domestic Affairs Committees have reviewed and recommend**
28 **that the Council approve the 2013 Hia-Ced District Election Plan and Tohono O'odham**
29 **Code, Title 27, Chapter 1, Creation of the Hia-Ced District of the Tohono O'odham**
30 **Nation.**

31

RESOLUTION NO. 12-423

(Approving as an Ordinance of the Nation Tohono O'odham Code, Title 27, Chapter 1, Creation of the Hia-Ced District of the Tohono O'odham Nation, and Adopting the 2013 Hia-Ced District Election Plan)
Page 2 of 3

1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves as an
2 ordinance of the Nation Tohono O'odham Code, Title 27, Chapter 1, Creation of the
3 Hia-Ced District of the Tohono O'odham Nation, and establishes the Hia-Ced District
4 on an equal footing with all other districts of the Nation.

5 **BE IT FURTHER RESOLVED** that, solely for the purposes of conducting the first election of the Hia-
6 Ced District, the Uniform Election Ordinance, Title 12, Chapter 1, shall be given the
7 meanings as specified in the 2013 Hia-Ced District Election Plan, which is adopted;
8 provided that the Plan shall expire after any 2013 primary or general election contests
9 for Hia-Ced District officials, and after all such officials have been certified and seated.

10 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Hia-Ced
11 O'odham Committee to perform the duties described in the 2013 Hia-Ced District
12 Election Plan in meetings that are open to the public, with advance public notice, and
13 otherwise conducted in accordance with Section 1107 of the Bylaws of the Hia-Ced
14 O'odham Committee.

15 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 23RD Day
16 of OCTOBER, 2012 at a meeting at which a quorum was present with a vote of 2,423.30 FOR; 357.30
17 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article
18 VI, Section 1 (g)(1); Article IX, Section 2; and Article X of the Constitution of the Tohono O'odham
19 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
20 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16
21 of the Act of June 18, 1934 (48 Stat. 984).

22
23
24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

25
26
27 
28 Timothy Joaquin, Legislative Chairman

29
30 26 day of October, 2012

31
32
33
34 **ATTEST:**

35 
36
37 Evonne Wilson, Legislative Secretary

38
39 23 day of October, 2012.
40
41
42
43
44

RESOLUTION NO. 12-423

(Approving as an Ordinance of the Nation Tohono O'odham Code, Title 27, Chapter 1, Creation of the Hia-Ced District of the Tohono O'odham Nation, and Adopting the 2013 Hia-Ced District Election Plan)
Page 3 of 3

1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
2 Nation on the 26 day of October, 2012 at 4:21 o'clock, P.M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

6
7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

8
9
10 
11 Timothy Joaquin, Legislative Chairman

12
13
14
15
16 APPROVED on the 30th day of October, 2012
17
18 DISAPPROVED at 2:46 o'clock, P.M.

19
20
21 
22 NED NORRIS, JR., CHAIRMAN
23 TOHONO O'ODHAM NATION

24
25
26
27
28 Returned to the Legislative Secretary on the 30 day of
29 October, 2012, at 3:10 o'clock, P.M.

30
31 
32
33
34 Evonne Wilson, Legislative Secretary

35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

ACTION: APPROVING AS AN ORDINANCE OF THE NATION TOHONO O'ODHAM CODE, TITLE 27, CHAPTER 1, CREATION OF THE HIA-CED DISTRICT OF THE TOHONO O'ODHAM NATION, AND ADOPTING THE 2013 HIA-CED DISTRICT ELECTION PLAN

MOVED: COUNCILMAN ARTHUR WILSON

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: OCTOBER 23, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0		X		
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA <i>(Absent)</i> (Sara Mae Williams) <i>(Present)</i>	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			X
	2. CYNTHIA E. MANUEL <i>(Absent)</i> (Louis L. Johnson) <i>(Present)</i>	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ <i>(Absent)</i> (Michelle Ortega) <i>(Present)</i>	93.15		X		
	2. SANDRA ORTEGA ()	93.15		X		
PISINEMO 200.7	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			X
SAN XAVIER 215.8	1. HILARION CAMPUS <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			X
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,423.30	357.30	-0-	[03]