

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Scheduling Special Election for Referendum Petition No. 02-12, "Enacting Tohono**  
**O'odham Code Title 17, Chapter 7 - Animal Control. Resolution #07-025")**

**RESOLUTION NO. 12-450**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation reserves to the Nation's members the**  
2 **right to "submit any enacted or proposed ordinance, resolution or other national**  
3 **legislation to a referendum of the registered voters" (Constitution, Article XIV); and**

4 **WHEREAS, the Uniform Election Ordinance, Ordinance No.03-86, requires the Election Board to**  
5 **verify and then certify that a minimum of 300 registered voters of the Tohono O'odham**  
6 **Nation have signed the referendum petition (Election Ordinance, Article XII, Section**  
7 **7); and**

8 **WHEREAS, if the Board certifies the required number of signatures, the Board shall notify the**  
9 **Legislative Council chairperson, file the petition with the Council, and ask the Council**  
10 **to call a special election within ninety days of receiving the petition (Election**  
11 **Ordinance, Article XII, Section 7 and subsection 9.B.); and**

12 **WHEREAS, by its letter delivered October 24, 2012, the Election Board certified and notified the**  
13 **Legislative Council chairperson that Referendum Petition No. 02-12, "Enacting Tohono**  
14 **O'odham Code Title 17, Chapter 7 - Animal Control. Resolution #07-025," received a**  
15 **minimum of 300 valid signatures; and**

16 **WHEREAS, the Constitution of the Tohono O'odham Nation requires that the Council, "upon**  
17 **receipt of a petition signed by not less than three hundred registered voters of the**  
18 **Tohono O'odham Nation" to "call a referendum within ninety (90) days from the date**  
19 **of the receipt of a valid petition . . ." (Constitution, Article XIV); and**

20 **WHEREAS, the Legislative Council has by legislative order called a January 19, 2013 special**  
21 **election for Referendum No. 02-12; and**

22 **WHEREAS, while Election Ordinance Article XII, subsection 13.A. provides that the "Election**  
23 **Board shall conduct the special election in accordance with the provisions of this**  
24 **article and with the relevant provisions of this Ordinance governing general**  
25 **elections," the Board also must conduct the election in a manner that satisfies the 90-**  
26 **day constitutional deadline for holding a referendum election (Constitution, Article**  
27 **XIV); and**

28 **WHEREAS, the Legislative Council is vested with the power to "prescribe the manner in which [a**  
29 **referendum election] is to be conducted." (Constitution, Article XIV).**

30  
31

**RESOLUTION NO. 12-450**

**(Scheduling Special Election for Referendum Petition No. 02-12, "Enacting Tohono O'odham Code Title 17, Chapter 7 - Animal Control. Resolution #07-025")**

Page 2 of 3

1 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that,  
2 **notwithstanding any other provision of the Nation's laws, the January 19, 2013 special**  
3 **election on Referendum No. 02-12 shall be conducted**

4 **(1) Using the Official List of Registered Voters in effect on October 24, 2012, the date the**  
5 **Election Board notified the Legislative Council chairperson that Referendum**  
6 **Petition No. 02-12 received the minimum number of valid signatures.**

7 **(2) In accordance with a schedule approved by the Election Board.**

8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup> Day**  
9 **of NOVEMBER, 2012 at a meeting at which a quorum was present with a vote of 2,266.50 FOR; -0-**  
10 **AGAINST; 302.20 [04] NOT VOTING; and 211.90 [03] ABSENT, pursuant to the powers vested in the**  
11 **Council by Article X and Article XIV, of the Constitution of the Tohono O'odham Nation, adopted**  
12 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
13 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
14 **18, 1934 (48 Stat. 984).**

15  
16 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

17  
18   
19  
20 **Timothy Joaquin, Legislative Chairman**  
21  
22 13 day of November, 2012

23  
24  
25 **ATTEST:**

26   
27  
28 **Evonne Wilson, Legislative Secretary**

29 9 day of November, 2012.

30  
31  
32 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**  
33 **Nation on the 13 day of November, 2012 at 11:58 o'clock, A.M.,**  
34 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
35 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
36 **submittal.**

37  
38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

39  
40   
41  
42 **Timothy Joaquin, Legislative Chairman**

**RESOLUTION NO. 12-450**

**(Scheduling Special Election for Referendum Petition No. 02-12, "Enacting Tohono O'odham Code Title 17, Chapter 7 - Animal Control. Resolution #07-025")**

Page 3 of 3


- 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

APPROVED

on the 13 day of November, 2012

DISAPPROVED

at 18:51 o'clock, P.M.

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

Returned to the Legislative Secretary on the 13 day of

November, 2012, at 8:24 o'clock, P.M.

  
Evonne Wilson, Legislative Secretary

**ACTION: SCHEDULING SPECIAL ELECTION FOR REFERENDUM PETITION NO. 02-12, "ENACTING TOHONO O'ODHAM CODE TITLE 17, CHAPTER 7 - ANIMAL CONTROL. RESOLUTION #07-025"**

**MOVED: COUNCILWOMAN LORRAINE EILER**

**SECOND: COUNCILMAN HILARION CAMPUS**

**DATE: NOVEMBER 06, 2012**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10			X	
	2. BILLMAN LOPEZ ( )	151.10			X	
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			X
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE ( <i>Absent</i> ) (Tony Murrietta) ( <i>Present</i> )	100.35	X		X	
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X		X	
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95				X
	2. MARY LOPEZ ( )	105.95				X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,266.50</b>	<b>-0-</b>	<b>302.20</b> [04]	<b>211.90</b> [03]