

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Adopting and Codifying Amendments to Uniform Election Ordinance)**

**RESOLUTION NO. 12-467**

1 **WHEREAS, the Legislative Council is vested with “all of the legislative powers vested in the Tohono**  
2 **O’odham Nation” and is expressly vested with the power to “enact laws and ordinances**  
3 **for conducting and regulating elections” (Constitution of the Tohono O’odham Nation,**  
4 **Article V, Section 1; Article VI, Section 1; and subsection 1(g)); and**

5 **WHEREAS, pursuant to Article X, Section 7, of the Constitution**

6 **The Tohono O’odham Council shall enact an election ordinance which shall prescribe**  
7 **rules for the apportionment of representatives to each district council when elections**  
8 **of such representatives are from communities within the district and not from the**  
9 **district at large, and for the setting and holding of primary elections for the offices of**  
10 **chairman and vice chairman of the Tohono O’odham Council and of the district**  
11 **council, and which shall prescribe the qualifications of candidates, the registration**  
12 **requirements for voting and such other rules and procedures necessary to the orderly**  
13 **conduct of elections, including but not limited to procedures for validation of**  
14 **petitions and the settlement of any and all election disputes. The decision of the**  
15 **Tohono O’odham Council in all election matters, including the eligibility and**  
16 **qualifications of candidates, shall be final.**

17 **; and**

18 **WHEREAS, the Legislative Council has exercised its constitutional authority to enact election laws**  
19 **by adopting the Nation’s Uniform Election Ordinance, Ordinance No. 03-86, which is**  
20 **compiled at 12 Tohono O’odham Code Chapter 1; and**

21 **WHEREAS, over several years, the Rules Committee in coordination with the Nation’s Election**  
22 **Board drafted significant amendments to the Uniform Election Ordinance to**  
23 **prescribe additional qualifications for candidates, ensure that all eligible members**  
24 **have a means of registering to vote, protect and promote the right to vote by setting**  
25 **deadlines for processing voter registration applications, support members’ ability to**  
26 **transfer voter registrations, provide greater access to absentee voting, provide a**  
27 **process for filling all vacancies to ensure the Nation’s members are fully represented**  
28 **at the district and national levels of government, implement “electronic” voting, and**  
29 **to make additional amendments in the best interest of the Nation and its members;**  
30 **and**

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1 WHEREAS, the draft amendments were distributed throughout the Nation and presented at  
2 numerous public hearings, resulting in more than 100 written and oral public  
3 comments; and

4 WHEREAS, the Rules Committee fully reviewed all comments and incorporated additional  
5 revisions into the redrafted law, which will be codified as Title 12, Tohono O'odham  
6 Code, Chapter 1 - Elections and which is incorporated by this reference.

7 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby amends  
8 the Uniform Election Ordinance and adopts as an ordinance of the Tohono O'odham  
9 Nation, Title 12, Tohono O'odham Code, Chapter 1 - Elections; provided that the  
10 special election for Referendum No. 02-12 shall be conducted in accordance with the  
11 provisions of the Uniform Election Ordinance that were in effect on October 24, 2012.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 26<sup>TH</sup> Day  
13 of NOVEMBER, 2012 at a meeting at which a quorum was present with a vote of 1,416.75 FOR;  
14 1,363.85 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council  
15 by Article V, Sections 1 and 2; Article VI, Section 1(g); Article X, Section 7; Article XIII; Article XIV;  
16 and Article XV of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham  
17 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs  
18 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

19  
20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

21  
22   
23 Timothy Joaquin, Legislative Chairman

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25  
26 29 day of November, 2012

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29 ATTEST:

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32 Evonne Wilson, Legislative Secretary

33  
34 27 day of November, 2012.

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37 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
38 Nation on the 29 day of November, 2012 at 10:15 o'clock, 11 .M.,  
39 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
40 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
41 submittal.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

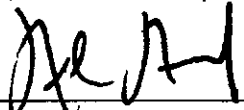
  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 3<sup>rd</sup> day of December, 2012

DISAPPROVED

at 9:14 o'clock, A.M.

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

Returned to the Legislative Secretary on the 3 day of

December, 2012, at 10:12 o'clock, A.M.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

ACTION: ADOPTING AND CODIFYING AMENDMENTS TO UNIFORM ELECTION ORDINANCE

MOVED: COUNCILWOMAN CYNTHIA E. MANUEL

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: NOVEMBER 26, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL( <i>Absent</i> ) (Roberta Harvey) ( <i>Present</i> )	171.0		X		
	2. FRANCES G. ANTONE( <i>Absent</i> ) (Vernon Smith)( <i>Present</i> )	171.0		X		
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA (Sara Mae Williams)	151.10		X		
	2. BILLMAN LOPEZ ( )	151.10		X		
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN ( )	122.45		X		
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35		X		
	2. PAMELA ANGHILL (Roselda Lewis)	113.35		X		X
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE (Tony Murrietta)	100.35		X		
	2. EDWARD MANUEL (Gerald Fayuant)	100.35		X		
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			X
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90		X		
	2. FREDERICK JOSE (Phyllis Cachora)	84.90		X		
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL (Maria Ackerman)	237.85	X			X
<b>SIF OIDAK</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>1,416.75</b>	<b>1,363.85</b>	<b>-0-</b>	<b>[03]</b>