

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

DEFEATED
RESOLUTION NO. 12-484

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 by adopting the**
19 **Nation’s Uniform Election Ordinance, Ordinance No. 03-86, which is compiled at 12**
20 **Tohono O’odham Code Chapter 1; and**

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

30 **WHEREAS, the draft amendments were distributed throughout the Nation, posted on the**
31 **Legislative Branch website, and presented at numerous public hearings, resulting in**
32 **more than 100 written and oral public comments; and**

33 **WHEREAS, the Rules Committee fully reviewed all comments and incorporated additional**
34 **revisions into the redrafted law; and**

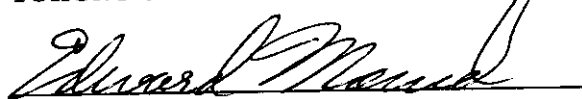
1 **WHEREAS, on November 26, 2012 the Legislative Council adopted Resolution No. 12-467,**
2 **“Adopting and Codifying Amendments to Uniform Election Ordinance,” but the**
3 **resolution was vetoed and the veto was not overridden by the required two-thirds**
4 **majority vote; and**

5 **WHEREAS, in response to Legislative Council debates on the amendments and the veto, the Rules**
6 **Committee has modified the draft Uniform Election Ordinance amendments to be**
7 **codified at Tohono O’odham Nation, Title 12, Tohono O’odham Code, Chapter 1 –**
8 **Elections, which are dated for reference December 2012 and which are incorporated**
9 **by this reference.**

10 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O’odham Legislative Council amends the**
11 **Uniform Election Ordinance and adopts as an ordinance of the Tohono O’odham**
12 **Nation Title 12, Tohono O’odham Code, Chapter 1 – Elections as dated for reference**
13 **December 2012; provided that the special election for Referendum No. 02-12 shall be**
14 **conducted in accordance with the provisions of the Uniform Election Ordinance that**
15 **were in effect on October 24, 2012.**

16 **The foregoing Resolution was defeated by the Tohono O’odham Legislative Council on the 05TH Day**
17 **of DECEMBER, 2012 at a meeting at which a quorum was present with a vote of 1,041.40 FOR;**
18 **1,739.20 AGAINST; [02] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council**
19 **by Article V, Section 1 and 2; Article VI, Section 1(g) and 1(l); Article X, Section 7; Article XIII; Article**
20 **XIV; and Article XV of the Constitution of the Tohono O’odham Nation, adopted by the Tohono**
21 **O’odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
22 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
23 **Stat. 984).**
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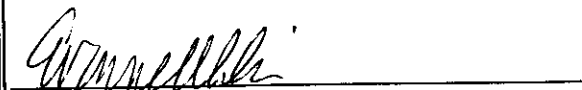
25 **TOHONO O’ODHAM LEGISLATIVE COUNCIL**

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27 **Timothy Joaquin, Legislative Chairman**

28 13 day of December, 2012

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32 **ATTEST:**

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34 **Evonne Wilson, Legislative Secretary**

35 13 day of December, 2012
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**DEFEATED
RESOLUTION NO. 12-484**

ACTION: ADOPTING AND CODIFYING AMENDMENTS TO UNIFORM ELECTION ORDINANCE

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: DECEMBER 05, 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 <i>(Absent)</i> (Vernon Smith) <i>(Present)</i>	171.0		X		
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.0		X		
	2. BILLMAN LOPEZ ()	151.0		X		
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45		X		
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL ()	113.35		X		
	2. PAMELA ANGHILL ()	113.35		X		
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	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 (Racheal Vilson-Stoner)	107.90	X			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. MARIA ACKERMAN ()	237.85		X		
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X		X	
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	1,041.40	1,739.20	[02]	[01]