

**COPY**

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RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 52-74

WHEREAS, the Constitution and By-laws of the Papago Tribe was ratified by the Tribe on December 12, 1936 and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat: 984); and

WHEREAS, recent Federal Court decisions have required that the number of Tribal Council members elected from voting districts within a reservation be equally apportioned according to the Tribal population in each district; and

WHEREAS, Article III of the present Constitution and By-laws of the Papago Tribe fails to meet the requirements of such Federal Court decisions and of the Indian Bill of Rights, 25 U.S.C. Sec. 1302; and

WHEREAS, It is in the best interest of the Papago Tribe that Article III of the Constitution and By-laws be amended to comply with such requirements; and

WHEREAS, it is in the further best interest of the Papago Tribe that the term of office of the Chairman, the Vice-chairman and of District representatives to the Papago Council be for a period of four (4) years and that the Constitution and By-laws be amended in other particulars.

NOW, THEREFORE, BE IT RESOLVED that the Papago Council hereby proposes that the Papago Constitution and By-laws be amended by deleting all of Article III and substituting therefor the following:

ARTICLE III - GOVERNING BODY AND ELECTIONS

SECTION 1. The governing body of the Papago Tribe shall be the Papago Council which shall consist of two (2) representatives elected from each of the eleven (11) districts of the reservations and of a Chairman and Vice-chairman elected by a plurality of votes cast by all qualified voters of the Tribe.

SECTION 2. The district representatives to the Papago Council must be qualified voters and residents of, or traditional members from the district they represent.

(a) Commencing with the first election after the effective date of this Amendment, the representatives from each district receiving the greatest number of votes shall hold office for four (4) years, and the representatives receiving the next greatest number of votes shall hold office for two (2) years. In all elections called thereafter, each representative shall be elected for a four (4) year term. Elected representatives shall hold their office until their successors are elected, certified and seated.

(b) Each district shall be entitled to as many votes on the Papago Council (divided by ten) as there are members of the Tribe residing in the district. Such votes may be cast by either or both of the district representatives present and voting. In the event two representatives of a district should divide their votes, each shall be entitled to vote one-half ( $\frac{1}{2}$ ) of the votes his particular district is entitled to cast. The majority vote of all districts voting shall govern the action of the Papago Council.

SECTION 3. The Chairman and Vice-chairman of the Papago Council must be qualified voters over the age of twenty-one (21) years.

(a) Commencing with the first election after the effective date of this Amendment, the elected Chairman and Vice-chairman shall hold office for four (4) years and until their successors have been elected, certified and seated.

SECTION 4. The Papago Council shall select from without its membership a Secretary and Treasurer, and such other officers as may be advisable, who shall serve until replaced at the pleasure of the Papago Council.

SECTION 5. All elections shall be held every other year and in accordance with a uniform election ordinance to be adopted by the Papago Council. The decision of the Papago Council in all election matters, including certification of its members and the eligibility of candidates, shall be final.

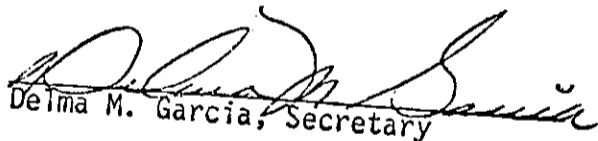
SECTION 6. All members of the Tribe who have reached their eighteenth (18th) birthday prior to the election date shall have the right to vote in all elections. All elections shall provide for secret ballot voting and the candidate or issue receiving the most votes shall be declared the winner.

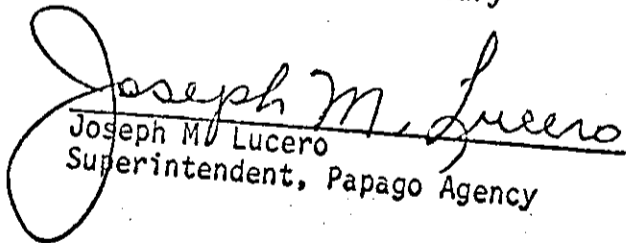
BE IT FURTHER RESOLVED that such amendment be submitted for ratification to the qualified voters of the Papago Tribe, voting at a special election called by the Secretary of Interior for the purpose of amending the Constitution and By-laws.

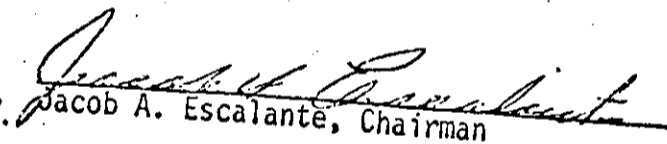
The foregoing Resolution was duly enacted by the Papago Council on the 7th day of November, 1974, at a meeting at which a quorum was present with a vote of 21 for, 0 against, 0 not voting and 1 absent, pursuant to authority vested in the Papago Council by Article IX of the Constitution and By-laws of the Papago Tribe of Arizona, ratified by the Tribe on December 12, 1936 and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency and is subject to review by the Secretary of the Interior.

THE PAPAGO COUNCIL

ATTEST:

  
Delma M. Garcia, Secretary

  
Joseph M. Lucero  
Superintendent, Papago Agency

  
Jacob A. Escalante, Chairman

Recommended for Approval  
APPROVED: Nov. 15, 1974

