

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting Amendments to 7 Tohono O'odham Code Chapter 3 "Sex Offender
Registration and Notification")

RESOLUTION NO. 11-143

1 **WHEREAS, the Constitution of the Tohono O'odham Nation authorizes the Legislative Council to**
2 **"promote, protect and provide for public health, peace, morals, education and general**
3 **welfare of the Tohono O'odham Nation and its members" and "to enact criminal and**
4 **civil laws governing the conduct of any person within the Tohono O'odham Nation"**
5 **(Constitution, Article VI, Section 1(c)(2) and Section 1(c)(6)); and**

6 **WHEREAS, on March 24, 2011 by Resolution No. 11-109, the Legislative Council enacted 7 Tohono**
7 **O'odham Code Chapter 3 "Sex Offender Registration and Notification" to comply with**
8 **the federal requirements of the "Adam Walsh Child Protection and Safety Act of 2006,"**
9 **Pub.L. 109-248 (42 U.S.C. § 16901 et seq.) ("the Adam Walsh Act") and to update and**
10 **improve the Nation's comprehensive system for registering sex offenders and**
11 **providing communities with updated and relevant information; and**

12 **WHEREAS, the deadline to substantially implement Title I of the Adam Walsh Act is July 27, 2011**
13 **with a recommendation from the SMART Office to submit all substantial**
14 **implementation documents by April 15, 2011; and**

15 **WHEREAS, during the March 24, 2011 special session, Legislative Council representatives**
16 **suggested amendments to the then-proposed 7 Tohono O'odham Code Chapter 3 "Sex**
17 **Offender Registration and Notification"; and**

18 **WHEREAS, the Legislative Domestic Affairs Committee reviewed and incorporated the comments**
19 **and suggestions from the March 24, 2011 discussion as amendments to the attached**
20 **7 Tohono O'odham Code Chapter 3 "Sex Offender Registration and Notification" dated**
21 **April 2011 for reference ("April 2011 Amendments") and recommends the adoption of**
22 **the April 2011 Amendments.**

23 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
24 **adopts the April 2011 Amendments to the 7 Tohono O'odham Code Chapter 3, "Sex**
25 **Offender Registration and Notification."**

26 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that this resolution and the**
27 **April 2011 Amendments shall be submitted to the SMART Office with the substantial**
28 **implementation materials pursuant to Resolution No. 11-109.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day of APRIL, 2011 at a meeting at which a quorum was present with a vote of 2,389.20 FOR; -0- AGAINST; -0- NOT VOTING; and 206.30[06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (c)(2) and 1 (c)(6) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Muncy for
Verlon M. Jose, Legislative Chairman

6th day of April, 2011

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

6 day of April, 2011.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6th day of April, 2011 at 4:12 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Muncy for
Verlon M. Jose, Legislative Chairman

APPROVED

on the 7th day of April, 2011

DISAPPROVED

at 3:20 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 7 day of

April, 2011, at 3:55 o'clock, P.M.


Evonne Wilson, Legislative Secretary

ACTION: ADOPTING AMENDMENTS TO 7 TOHONO O'ODHAM CODE CHAPTER 3 "SEX OFFENDER REGISTRATION AND NOTIFICATION"

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN WAVALENE ROMERO

DATE: APRIL 06, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			X
SCHUK TOAK 159.0	1. FRANCES B. CONDE (<i>Absent</i>) (Fredrick Jose) (<i>Present</i>)	79.50	X			
	2. NEDDIE BLAINE ()	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			X
GU VO 206.3	1. GRACE MANUEL ()	103.15				X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15				X
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	162.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,389.20	-0-	-0-	206.30 [06]