



**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**(Authorizing the Posting of Proposed Ordinance No. 243, Amending Section 5.3 A., B. and C.1. of the White Mountain Apache Election Code)**

- WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe, and enact ordinances; and
- WHEREAS,** the Election Code was enacted by Ordinance No. 208 on May 16, 1997; and
- WHEREAS,** Section 5.3 of the White Mountain Apache Election Code pertains to Absentee Voting; and
- WHEREAS,** the Election Commission recommends an amendment of Section 5.3 A., B. and C.1. of the Election Code, which would read as follows:

**SECTION 5.3            ABSENTEE VOTING**

**A.       Request for ballot.**

**1.**       Any eligible voter who wishes to vote early and lives outside of a 150 mile radius from Whiteriver, Arizona ~~or who expects to be absent from the district in which he or she is registered on any election day, or who expects to be physically unable to go to the voting place on such day,~~ may request an absentee ballot by either coming in person to the office of the Tribal Council Secretary, or by sending a letter to the Election Commission. A person requesting an absentee ballot shall identify himself or herself using the name under which he or she is registered and shall state the district in which he or she is registered.

This process will be on a mail-out basis only. The absentee ballot will be mailed out to a post office box number or to a physical address (via certified or registered mail) where the applicant signs for his or her absentee ballot. **NO GENERAL DELIVERY.**

No more than three (3) absentee ballots will be mailed to one post office box number or physical address. Requests for absentee ballots will not be accepted via fax or phone calls, only per written request.

**2.**       The applicant for an absentee ballot shall complete and sign the application before a Notary Public. The Notary Public before whom the applicant completes the application shall impress his or her seal on the application. Any person unable to sign the application shall place his or her mark and have the application signed by a witness. Applications for absentee voter ballots shall ~~may be mailed or presented in person~~ to the Election Commission.

**3.**       Requests for absentee ballots shall be accepted until seven (7) days prior to eElection dDay. ~~Eligible voters may also make a written request in person at the Tribal Council Secretary's Office until 4:30 p.m. Mountain Standard Time on the Tuesday preceding the election.~~



**Resolution No. 03-2010-49**  
**Ordinance No. 243**

\_\_\_\_\_  
Voter Signature

\_\_\_\_\_  
Voter Name (Print)

\_\_\_\_\_  
Voter Census Number

**SIGNED** SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Notary Public or Commission Member

**WHEREAS,** pursuant to Article XV of the Constitution of the White Mountain Apache Tribe, the proposed amendments shall be posted in each district for at least ten (10) days before final action by the Council; and

**WHEREAS,** the Council has reviewed proposed Ordinance No. 243 carefully, and considered its recommendations and the implications thereof in great detail and finds that adoption of proposed Ordinance No. 243 would greatly improve the efficiency of the Tribal election process and is in the best interest of the Tribe.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that proposed Ordinance 243 amending Section 5.3 of the Election Code is hereby recommended for posting by the Tribal Council. The proposed amendments shall read as follows:

**SECTION 5.3**      **ABSENTEE VOTING**

**A. Request for ballot.**

1. Any eligible voter who wishes to vote early and lives outside of a 150 mile radius from Whiteriver, Arizona may request an absentee ballot by either coming in person to the office of the Tribal Council Secretary, or by sending a letter to the Election Commission. A person requesting an absentee ballot shall identify himself or herself using the name under which he or she is registered and shall state the district in which he or she is registered.

This process will be on a mail-out basis only. The absentee ballot will be mailed out to a post office box number or to a physical address (via certified or registered mail) where the applicant signs for his or her absentee ballot. **NO GENERAL DELIVERY.**

No more than three (3) absentee ballots will be mailed to one post office box number or physical address. Requests for absentee ballots will not be accepted via fax or phone calls, only per written request.



**Resolution No. 03-2010-49  
Ordinance No. 243**

I, \_\_\_\_\_, do solemnly swear or affirm that I am an eligible voter of the White Mountain Apache Tribe registered in District \_\_\_\_\_; that I wish to vote early.

\_\_\_\_\_  
Voter Signature

\_\_\_\_\_  
Voter Name (Print)

\_\_\_\_\_  
Voter Census Number

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public or Commission Member

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe, as follows:

1. The Tribal Council Secretary is hereby authorized and directed to post this resolution, Ordinance No. 243, in each district for at least ten (10) days before final action by the Council. In addition, notices of the proposed ordinance shall be sent in the form of a press release to KNNB-FM and the Apache Scout.
2. Any and all comments concerning the Ordinance proposed herein may be sent to the attention of the Tribal Council Secretary, White Mountain Apache Tribe, P. O. Box 700, Whiteriver, AZ 85941.
3. Upon completion of the posting period, the Tribal Council Secretary is further directed to submit proof of posting to the Tribal Council as well as the Legal Department and to report any public comments to the Tribal Council, and schedule a meeting thereof for final action.

The foregoing resolution was on **MARCH 3, 2010** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **ONE** abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (q), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
\_\_\_\_\_  
Chairman of the Tribal Council

  
\_\_\_\_\_  
Secretary of the Tribal Council