LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Directing Submission of "Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum" to Nation's Voters During 2015 General Election)

LEGISLATIVE ORDER NO. 15-074

WHEREAS, "The Tohono O'odham Council shall enact an election ordinance . . . which shall prescribe the qualifications of candidates . . . and such other rules and procedures necessary to the orderly conduct of elections, including but not limited to procedures for validation of petitions and the settlement of any and all election disputes. The decision of the Tohono O'odham Council in all election matters, including the eligibility and qualifications of candidates, shall be final." (Constitution of the Tohono O'odham Nation, Article X, Section 7); and

WHEREAS, after spending several years drafting amendments to the Nation's Uniform Election Ordinance, conducting public hearings across the Nation, submitting multiple drafts for public comment, and reviewing more than 100 written and oral comments, the Legislative Rules Committee submitted comprehensive Election Ordinance amendments to the Legislative Council for consideration in 2012; and

WHEREAS, the comprehensive amendments included provisions to disqualified convicted felons from running for or being appointed as district council chairperson or vice-chairperson, Legislative Council representative or alternate, or Nation's chairperson or vice-chairperson but would not apply to candidates for district council representative or alternate; and

WHEREAS, the amendments were passed by the Legislative Council in 2012 but were vetoed and the felony disqualification amendments were withdrawn prior to the enactment of 12 Tohono O'odham Code Chapter 1 - Elections in 2013; and

WHEREAS, members of the public, Legislative Council representatives, and the Nation's chairman recommended that the Nation's voters be given the opportunity to vote on the felony disqualification amendments; and

WHEREAS, the Legislative Council shall, "either at the direction of the Council itself, or upon receipt of a petition signed by not less than three hundred registered voters of the Tohono O'odham Nation, submit any enacted or proposed ordinance, resolution or other national legislation to a referendum of the registered voters." (Constitution, Article XIV); and

WHEREAS, in 2015 the Legislative Rules Committee compiled the felony disqualification amendments within the "Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum," redistributed the provisions to the public, and presented the Referendum during additional public hearings; and
WHEREAS, if enacted by the Nation's voters, the felony disqualification amendments would apply to candidacies for election or appointment after the Nation's 2015 general election; and

WHEREAS, it is in the Nation's best interest for voters to decide whether to approve the Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum, which is incorporated by this reference.

NOW, THEREFORE, BE IT ORDERED that the Tohono O'odham Legislative Council directs the submission of the Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum to the Nation's voters during the May 23, 2015 general election.

BE IT FURTHER ORDERED that pursuant to 12 T.O.C. Chapter 1, Section 11311(B), all Legislative Council representatives shall be provided an opportunity to comment on the draft analysis of the Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum and to submit popular arguments favoring and opposing the Referendum.

BE IT FURTHER ORDERED that the Legislative Rules Committee shall compile comments and arguments without attribution to individual representatives and provide them for Council approval and submission to the Election Board in accordance with 12 T.O.C. Chapter 1, Section 11311.

BE IT FINALLY ORDERED that the Tohono O'odham Legislative Council's action submitting the Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum pursuant to Article XIV of the Constitution and does not represent the Council's support for or opposition to the Referendum.

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 31st day of March, 2015 at a meeting at which a quorum was present with a vote of 2,786.9 FOR; 159.6 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 and 1(a); Article X, Sect 7 and Article XIV 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'DAHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman

2 day of April, 2015
LEGISLATIVE ORDER NO. 15-074
(Directing Submission of “Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum” to Nation’s Voters During 2015 General Election)
Page 3 of 3

ATTEST:

Evonne Wilson, Legislative Secretary

_ 81 day of ____ ____, 2015_
**LEGISLATIVE ORDER NO. 15-074**

**ACTION:** DIRECTING SUBMISSION OF "UPHOLDING INTEGRITY IN TRIBAL LEADERSHIP: FELONY DISQUALIFICATION REFERENDUM" TO NATION'S VOTERS DURING 2015 GENERAL ELECTION

**MOVED:** COUNCILWOMAN SANDRA ORTEGA  
**SECOND:** COUNCILWOMAN MARY LOPEZ  
**DATE:** MARCH 31, 2015

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>LEGISLATIVE REPRESENTATIVES</th>
<th># OF VOTES</th>
<th>FOR</th>
<th>AGAINST</th>
<th>NOT VOTING</th>
<th>ABSENT</th>
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</table>
| SIF OIDAK 224.2 | 1. LUCINDA ALLEN (Nicholas Jose)  
2. MARY LOPEZ | 112.1 | X | | | |
| | | 112.1 | X | | | |
| SELLS 502.0 | 1. ARTHUR WILSON (Ophelia Patten)  
2. BARBARA HAVIER (Beverly Rivas) | 251.0 | X | | | |
| | | 251.0 | X | | | |
| SCHUKTOAK 174.2 | 1. FRANCES B. STEPHENS (Anthony J. Rios)  
2. QUINTIN C. LOPEZ (John Fendehelm) | 87.1 | X | | | |
| | | 87.1 | X | | | |
| SAN XAVIER 224.2 | 1. HILARION CAMPUS (Daniel L.A. Preston III)  
2. RACHEAL WILSON-STONER (Absent) (Ovilia Villegas-Liston) (Present) | 112.1 | X | | | |
| | | 112.1 | X | | | |
| SAN LUCY 219.6 | 1. DIANA MANUEL (Gloria Ramirez)  
2. JANA MONTANA | 109.8 | X | | | |
| | | 109.8 | X | | | |
| PISINEMO 210.6 | 1. CHESTER ANTOINE (Tony Murrletta)  
2. EDWARD MANUEL, SR. | 105.3 | X | | | |
| | | 105.3 | X | | | |
| HICKIWN 196.9 | 1. LOUIS R. LOPEZ (Jeffery Antone, Sr.)  
2. SANDRA ORTEGA (Manuel Osequeda, Jr.) | 98.45 | X | | | |
| | | 98.45 | X | | | |
| HIA CED 19.6 | 1. PATRICK ANDREWS (Janice E. Paul)  
2. VIRGINIA GARCIA | 9.8 | X | | | |
| | | 9.8 | X | | | |
| GU VO 241.0 | 1. GRACE MANUEL (Floyd Flores)  
2. PAMELA ANGHILL (Jeffery Antone, Sr.) | 120.5 | X | | | |
| | | 120.5 | X | | | |
| GU ACHI 257.3 | 1. TIMOTHY L. JOAQUIN (Louis Johnson)  
2. LORETTA LEWIS (Louis Johnson) | 128.65 | X | | | |
| | | 128.65 | X | | | |
| CHUKUT KUK 319.2 | 1. ETHEL GARCIA (Absent) (Marlakuy C. Henry) (Present)  
2. BILLMAN LOPEZ | 159.6 | X | | | |
| | | 159.6 | X | | | |
| BABOQUIVARI 357.7 | 1. FRANCES MIGUEL (Absent) (Robert Harvey) (Present)  
2. VERNON J. SMITH (Gloria Zazueta) | 178.85 | X | | | |
| | | 178.85 | X | | | |

**TOTAL**   
2,946.5   2,786.9   159.6   -0-   [03]