

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Recognizing the Schuk Toak District Council Appointment of Teresa F. Donahue as Legislative Council Alternate to Legislative Council Representative Anthony J. Francisco, Jr.)**

LEGISLATIVE ORDER NO. 17-156

1 **WHEREAS, the Constitution of the Tohono O'odham Nation empowers the Legislative Council**
2 **to "enact laws and ordinances for conducting and regulating elections" and**
3 **provide that the "decision of the Tohono O'odham Council in all election matters,**
4 **including the eligibility and qualifications of candidates, shall be final"**
5 **(Constitution, Article VI, Section 1(g) and Article X, Section 7); and**
6 **WHEREAS, on October 17, 2016, Mario J. B. Juan was recognized as Legislative Council**
7 **alternate to Schuk Toak District Representative Anthony J. Francisco, Jr.**
8 **(Legislative Order 16-499); and**
9 **WHEREAS, Mario J.B. Juan subsequently pleaded no contest and was convicted of Child**
10 **Molestation under 7 T.O.C. Chapter 1, Section 9.6, and pursuant to the Nation's**
11 **Constitution and Elections law, Mario J.B. Juan forfeited his office upon his**
12 **January 18, 2017 conviction and his office became vacant (Legislative Order No.**
13 **17-037); and**
14 **WHEREAS, pursuant to 12 Tohono O'odham Code Chapter 1, Section 1505(B)(3), when a**
15 **Legislative Council alternate's seat is vacant, a district may "adopt a resolution**
16 **appointing an alternate who shall hold office for the unexpired term of his**
17 **predecessor; provided that the alternate shall not be seated until the Board**
18 **certifies in writing that the alternate meets all the qualifications for that office";**
19 **and**
20 **WHEREAS, on March 14, 2017, the Election Board certified in writing that Teresa F. Donahue,**
21 **who was appointed by Schuk Toak District Council Resolution No. ST-02-25-17-**
22 **033 to serve as Representative Anthony Francisco's alternate, meets the**
23 **qualifications for the office of Legislative Council alternate; and**
24 **WHEREAS, the Legislative Council, as a means of ensuring the orderly transition of public**
25 **office, has recognized by legislative order district council appointments to**
26 **vacancies that are made in accordance with 12 Tohono O'odham Code Chapter 1.**
27 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it**
28 **recognizes the Schuk Toak District Council appointment of Teresa F. Donahue to**
29 **serve as alternate to Legislative Council Representative Anthony J. Francisco, Jr.,**
30 **provided that she shall serve in accordance with the Constitution and laws of the**
31 **Tohono O'odham Nation and the with rules and procedures of the Legislative**

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Council when Representative Anthony J. Francisco, Jr. is unable to attend a Legislative Council session.

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 07TH day of APRIL 2017 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(g) and Article X, Section 7 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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

21st day of *April*, 2017

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

21 day of *April*, 2017

ACTION: RECOGNIZING THE SCHUK TOAK DISTRICT COUNCIL APPOINTMENT OF TERESA F. DONAHUE AS LEGISLATIVE COUNCIL ALTERNATE TO LEGISLATIVE COUNCIL REPRESENTATIVE ANTHONY J. FRANCISCO, JR.

Moved: COUNCILMAN QUINTIN C. LOPEZ

SECOND: COUNCILMAN ANTHONY J. FRANCISCO JR.

DATE: APRIL 07, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (<i>Absent</i>) (Gloria Zazueta) (<i>Present</i>)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marla Kay Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Jeffery Antone, Sr.) (<i>Present</i>)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE (<i>Absent</i>) (Caroline D. Garcia) (<i>Present</i>)	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (Lorraine Eller)	113.25	X			X
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (Idaleen Reyes)	256.75	X			X
SIF OIDA 231.6	1. LUCINDA ALLEN ()	115.80	X			X
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[05]