

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Fining Unexcused Legislative Council Representatives for Failure to Attend
Mandatory Rejection Hearings)

LEGISLATIVE ORDER NO. 02-117

1 **WHEREAS, Article VI, Section 1(a) of the Constitution of the Tohono O'odham Nation empowers**
2 **the Legislative Council "[T]o establish rules and procedures to regulate all meetings**
3 **of the Tohono O'odham Council"; and**

4 **WHEREAS, the Legislative Council has adopted rules governing enrollment final determination**
5 **hearings when the Enrollment Committee recommends rejection ("Rejection Hearing**
6 **Rules") (Legislative Order No. 01-570, adopted November 9, 2001); and**

7 **WHEREAS, the Rejection Hearing Rules were again distributed to and reviewed with the**
8 **Legislative Council on March 4, 2002; and**

9 **WHEREAS, the Rejection Hearing Rules make the attendance of all Council Representatives**
10 **mandatory, and further provide that the Legislative Rules of the Tohono O'odham**
11 **Legislative Council are also applicable to rejection hearings unless the Rejection**
12 **Hearing Rules provide otherwise (Rejection Hearing Rules, Section 6 and**
13 **Introduction); and**

14 **WHEREAS, "All Legislative Representatives and the Officers of the Legislative [Council] are**
15 **required to be present at all the Sessions unless otherwise excused."(Legislative**
16 **Rules, Article II, Section 1.A.1.); and**

17 **WHEREAS, any Legislative Representative who is unable to attend a Council session is required**
18 **to give notice to the Legislative Secretary (Legislative Rules, Article II, Sections 1.A.2,**
19 **3.2); ,and**

20 **WHEREAS, a Legislative Representative shall be assessed a fine equal to one full day's pay, which**
21 **shall be withheld from his or her salary; and**

22 **WHEREAS, the following Legislative Council Representatives failed to provide adequate notice**
23 **of or adequate reasons for being tardy or absent during the March 11, 2002 rejections**
24 **hearings, despite the fact that the Legislative Council recessed the hearings until 1:00**
25 **p.m. to await the absent Representatives' arrival: Councilman David Garcia;**
26 **Councilperson Patti Cruz; Councilman Emilio Lewis; and Councilman Tony Burrell;**
27 **and**

28 **WHEREAS, the Legislative Council received notice of the rejection hearing dates when the**
29 **Council set the hearings by Legislative Order No. 02-025 on January 10, 2002; and**

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Page 2 of 2

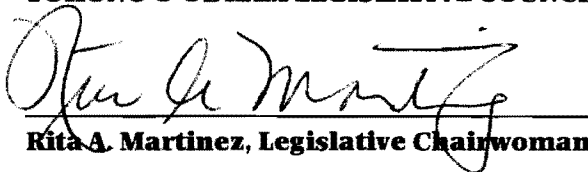
1 **WHEREAS, the Legislative Council was reminded of the rejection hearing dates during the**
2 **General Session Rejection Hearing Rules presentation on March 4, 2002; and**

3 **WHEREAS, the nature and importance of the issues being decided at rejection hearings makes**
4 **it essential that all Council Representatives be in attendance or properly excused.**

5 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it**
6 **hereby fines the following Legislative Council Representatives an amount equal to**
7 **one full day's pay, which shall be withheld from their salaries for their tardiness at**
8 **or absence from the March 11, 2002 rejection hearings: Councilman David Garcia;**
9 **Councilperson Patti Cruz; Councilman Emilio Lewis; and Councilman Tony Burrell.**

10 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 11TH. Day of**
11 **MARCH, 2002 at a meeting at which a quorum was present with a vote of 1,462.55 FOR; 661.8**
12 **AGAINST; 293.15 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
13 **Section 1 (a) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
14 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
15 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
16 **18, 1934 (48 Stat. 984).**

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18 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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22 **Rita A. Martinez, Legislative Chairwoman**

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25 **ATTEST:**

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29 **Julianna Saraficio, Acting Legislative Secretary**

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ACTION: FINING UNEXCUSED LEGISLATIVE COUNCIL REPRESENTATIVES FOR FAILURE TO ATTEND MANDATORY REJECTION HEARINGS

Moved: COUNCILWOMAN FRANCES ANTONE

SECOND: VICE CHAIRMAN CAMILLUS LOPEZ

DATE: MARCH 12, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85		X		
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05		X		
	2. DAVID GARCIA (Mary Audrey Juan)	124.05		X		X
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35			X	
GU VO 188.3	1. FERN SALCIDO ()	94.15		X		
	2. EMILIO LEWIS (Michael Flores)	94.15			X	
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65			X	
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			X
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35		X		
	2. GLORIA RAMIREZ ()	80.35		X		
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,462.55	661.8	293.15	[03]

****PASSED VOTES**