

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Adopting "Legislative Rules of Procedure Upon Accusation for Removal" and  
Rescinding Legislative Order No. 97-051, "Adopting Special Rules of Procedure  
Upon Accusation for Removal")**

**LEGISLATIVE ORDER NO. 03-054**

1 **WHEREAS, the Legislative Council is constitutionally delegated "all of the legislative powers**  
2 **vested in the Tohono O'odham Nation" and is specifically delegated exclusive**  
3 **authority to hold hearings to consider removal from office of any representative of**  
4 **the Tohono O'odham Council, elected officer or judge of the Tohono O'odham Nation**  
5 **upon accusation by any voter or voters of the Tohono O'odham Nation (Constitution**  
6 **of the Tohono O'odham Nation, Article VI, Section 1 and Article XIII, Section 1;**  
7 **Uniform Election Ordinance, Article IX, Section 2); and**

8 **WHEREAS, the Council is further empowered "[t]o establish rules and procedures to regulate all**  
9 **meetings of the Tohono O'odham Council" (Constitution, Article VI, Section 1(a)); and**

10 **WHEREAS, as the Tohono O'odham Judicial Court has recognized, removal upon accusation**  
11 **hearings are uniquely legislative and political in nature and the Council is exclusively**  
12 **vested with the power to adopt removal hearing procedures (*Francisco v. Legislative***  
13 ***Council of the Tohono O'odham Nation*, Case No. 89-M-4592 (March 7, 1989)); and**

14 **WHEREAS, for this reason, it is necessary for the Council to adopt legislative rules of procedure**  
15 **to govern removal upon accusation hearings in order to assure a fair and timely**  
16 **hearing, and to promote the dignity and integrity of the government of the Tohono**  
17 **O'odham Nation; and**

18 **WHEREAS, the Legislative Rules of Procedure Upon Accusation for Removal, which are hereby**  
19 **incorporated by this reference, have been developed by the Judiciary Committee,**  
20 **reviewed by Rules Committee, and presented to the Legislative Council.**

21 **NOW, THEREFORE, BE IT ORDERED by the Legislative Council that the Legislative Rules of**  
22 **Procedure Upon Accusation for Removal are hereby adopted.**

23 **BE IT FINALLY ORDERED that the Special Rules of Procedure Upon Accusation for Removal**  
24 **adopted pursuant to Legislative Order No. 97-051 are hereby rescinded.**

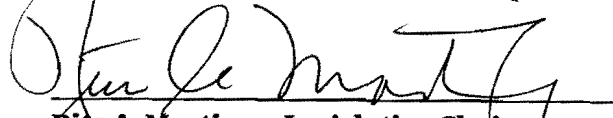
25  
26 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 23<sup>RD</sup> Day of**  
27 **JANUARY 2003 at a meeting at which a quorum was present with a vote of 1,354.7 FOR; 626.45**  
28 **AGAINST; 436.35 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
29 **Section 1 (a) & (l) of Article VI and Article XIII of the Constitution of the Tohono O'Odham Nation,**  
30 **adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy**  
31 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act**  
32 **of June 18, 1934 (48 Stat. 984).**  
33

**LEGISLATIVE ORDER NO. 03-054**


**(Adopting "Legislative Rules of Procedure Upon Accusation for Removal" and Rescinding Legislative Order No. 97-051, "Adopting Special Rules of Procedure Upon Accusation for Removal")**  
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
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**Rita A. Martinez, Legislative Chairwoman**

**ATTEST:**

  
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**Julianna Saraficio, Acting Legislative Secretary**

**ACTION: ADOPTING "LEGISLATIVE RULES OF PROCEDURE UPON ACCUSATION FOR REMOVAL" AND RESCINDING LEGISLATIVE ORDER NO. 97-051, "ADOPTING SPECIAL RULES OF PROCEDURE UPON ACCUSATION FOR REMOVAL"**

**MOVED: COUNCILMAN ISIDRO LOPEZ**

**SECOND: COUNCILWOMAN EVELYN JUAN**

**DATE: JANUARY 23, 2003**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85		X		
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85		X		
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05		X		
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. JEROME F. JOAQUIN ( )	115.35	X			
<b>GU VO</b> 188.3	1. FERN SALCIDO ** ( )	94.15			X	
	2. EMILIO LEWIS (Michael Flores)	94.15			X	
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35			X	
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	X
	2. GLORIA RAMIREZ ( )	80.35			X	
<b>SAN XAVIER</b> 184.7	1. FELICIA NUÑEZ ( )	92.35		X		X
	2. DENNIS RAMON ( )	92.35		X		
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF Oidak</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,354.7</b>	<b>626.45</b>	<b>436.35</b>	<b>[02]</b>

**\*\*PASSED VOTES**