

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Setting Hearing on Removal Accusation Against Legislative Council Representative
Dennis E. Jose)**

LEGISLATIVE ORDER NO. 05-661

1 **WHEREAS, on October 24, 2005, Joseph "Tony" Burrell, who is a registered voter of the Tohono**
2 **O'odham Nation, filed a removal accusation ("Accusation") with the Chairperson of**
3 **the Judiciary Committee against Legislative Council Representative Dennis E. Jose in**
4 **accordance with the provisions of Section 2 of Article IX of the Uniform Election**
5 **Ordinance; and**

6 **WHEREAS, on November 10, 2005, the Judiciary Committee held a hearing upon the Accusation**
7 **in accordance with Section 2(C) of Article IX of the Election Ordinance and, by**
8 **Judiciary Committee Resolution No. 05-08, did find reasonable cause to believe that**
9 **Representative Jose committed the offense of misconduct reflecting on the dignity**
10 **and integrity of the Tohono O'odham government; and**

11 **WHEREAS, in accordance with Section 2(C) of Article IX of the Election Ordinance and pursuant**
12 **to Judiciary Committee Resolution No. 05-05, 05-06, and 05-07, a majority of the**
13 **Judiciary Committee did not find reasonable cause to believe that Representative Jose**
14 **committed the offenses of moral turpitude, gross neglect of duty, and malfeasance**
15 **in office; these allegations were therefore dismissed; and**

16 **WHEREAS, the Judiciary Committee did file its resolutions and the Accusation with the**
17 **Legislative Council Secretary on November 10, 2005 in accordance with the provisions**
18 **of Section 2(D) of Article IX of the Uniform Election Ordinance; and**

19 **WHEREAS, the Legislative Council has previously adopted the "Legislative Rules of Procedure**
20 **Upon Accusation for Removal" pursuant to Legislative Order No. 03-054 to govern**
21 **removal hearings before the Council; and**

22 **WHEREAS, the Uniform Election Ordinance requires that the Legislative Council set a hearing**
23 **on the Accusation.**


24 **NOW, THEREFORE, BE IT ORDERED by the Legislative Council that a hearing on the allegation of**
25 **misconduct reflecting on the dignity and integrity of the Tohono O'odham**
26 **government as contained in the Accusation against Legislative Council**
27 **Representative Dennis E. Jose shall be held on December 01, 2005 at 10:00 a.m. in the**
28 **Legislative Council chambers in Sells, Arizona.**

1 **BE IT FURTHER ORDERED** that, in accordance with Article IX, Section 2(D) of the Uniform Election
2 **Ordinance**, the Secretary of the Legislative Council shall serve a copy of the
3 **Accusation, Judiciary Committee Resolution No. 05-08, the "Legislative Rules of**
4 **Procedure Upon Accusation for Removal, this Legislative Order, and a notice of the**
5 **removal hearing date on the Accused not less than ten business days before the date**
6 **set for the hearing.**

7 **BE IT FINALLY ORDERED** that the removal process before the Legislative Council shall be governed
8 **by the "Legislative Rules of Procedure Upon Accusation for Removal" previously**
9 **adopted by the Council pursuant to Legislative Order No 03-054, except that the**
10 **witness lists, evidence lists, and documents required pursuant to Rules 12 and 13**
11 **shall be provided to the other party and the Legislative Secretary no later than 5:00**
12 **p.m. on November 28, 2005.**

13 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 14TH Day of**
14 **NOVEMBER, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
15 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
16 **Article IV, Section 1(a) and 1(1), Article XIII of the Constitution of the Tohono O'Odham Nation,**
17 **adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy**
18 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act**
19 **of June 18, 1934 (48 Stat. 984).**

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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25 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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27 **ATTEST:**

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31 **Lucille Lopez, Acting Legislative Secretary**

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ACTION: SETTING HEARING ON REMOVAL ACCUSATION AGAINST LEGISLATIVE COUNCIL REPRESENTATIVE DENNIS E. JOSE

MOVED: COUNCILWOMAN CYNTHIA MANUEL

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: NOVEMBER 14, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			X
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA** ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			X
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENÉ ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[02]

**PASSED VOTES