

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Recognizing the Sells District Council Appointment and Seating of Kimberly Listo**  
**as Alternate to Legislative Representative Evelyn Juan Manuel)**

**LEGISLATIVE ORDER NO. 06-220**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation empowers the Legislative Council to**  
2 **“enact laws and ordinances for conducting and regulating elections” and provides**  
3 **that the “decision of the Tohono O'odham Council in all election matters, including**  
4 **the eligibility and qualifications of candidates, shall be final” (Constitution, Article**  
5 **VI, Section 1(g) and Article X, Section 7); and**

6 **WHEREAS, the Tohono O'odham Nation Election Board conducted the 2005 general election on**  
7 **Saturday, May 28, 2005; and**

8 **WHEREAS, Evelyn Juan Manuel received the most votes for the open Sells Legislative**  
9 **Representative seat during the 2005 general election; and**

10 **WHEREAS, since Councilwoman Juan Manuel's election to the Legislative Council, her**  
11 **alternate's seat has remained vacant; and**

12 **WHEREAS, although the Uniform Election Ordinance does not expressly empower a district**  
13 **council to appoint an alternate to the Legislative Council unless the respective**  
14 **representative's seat first becomes vacant, the district council's power to fill a vacant**  
15 **Legislative Council alternate's seat has been repeatedly recognized as a means of**  
16 **ensuring that each district is fully represented on the Legislative Council; and**

17 **WHEREAS, on November 30, 2005 the Sells District Council approved Kimberly Listo as alternate**  
18 **to Councilwoman Juan Manuel pursuant to District Resolution No. SD-38-05.**

19 **NOW, THEREFORE, BE IT ORDERED that the Tohono O'odham Legislative Council recognizes that**  
20 **(1) the Sells District has duly appointed Kimberly Listo as the Legislative Council**  
21 **alternate to Councilwoman Evelyn Juan Manuel and (2) Kimberly Listo is hereby**  
22 **seated as Councilwoman Juan Manuel's alternate and shall serve when**  
23 **Councilwoman Juan Manuel is unable to attend a meeting in accordance with the**  
24 **Constitution and laws of the Tohono O'odham Nation and the rules and procedures**  
25 **of the Legislative Council, provided that she shall be seated effective retroactively to**  
26 **9:00 a.m. on April 3, 2006.**

27

**LEGISLATIVE ORDER NO. 06-220**

**(Recognizing the Sells District Council Appointment and Seating of Kimberly Listo as Alternate to Legislative Representative Evelyn Juan Manuel)**

**Page 2 of 2**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

**The foregoing Order was passed by the Tohono O'odham Legislative Council on the 03<sup>RD</sup> Day of APRIL, 2006 at a meeting at which a quorum was present with a vote of 2,354.9 FOR; 85.90 AGAINST; -0- NOT VOTING; and [01] 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**

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

**ATTEST:**

  
**Lucille Lopez, Acting Legislative Secretary**

**ACTION: RECOGNIZING THE SELLS DISTRICT COUNCIL APPOINTMENT AND SEATING OF KIMBERLY LISTO AS ALTERNATE TO LEGISLATIVE REPRESENTATIVE EVELYN JUAN MANUEL**

**MOVED: COUNCILWOMAN FRANCES ANTONE**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: APRIL 03, 2006**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL ( )	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES <i>(Absent)</i> (Grace Manuel) <i>(Present)</i>	96.55	X			
<b>HICKIWAN</b> 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ( )	83.70	X			
<b>PISINEMO</b> 171.8	1. BARBARA SALVICIO ( )	85.90	X			
	2. GERALD FAYUANT ( )	85.90		X		
<b>SAN LUCY</b> 169.0	1. JOHN W. LAWSON, SR. ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER</b> 193.8	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ( )	96.90	X			
<b>SCHUK TOAK</b> 146.9	1. FRANCES B. CONDE ( )	73.45	X			
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL ( )	210.50	X			X
<b>SIF OIDAK</b> 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,354.9</b>	<b>85.90</b>	<b>-0-</b>	<b>[01]</b>

**\*\*PASSED VOTES**