

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Seating of Shirley Molina as Tohono O'odham Legislative Council Representative
for the Hickiwan District)

LEGISLATIVE ORDER NO. 07-003

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 VI,**
5 **Section 1(g) and Article X, Section 7); and**

6 **WHEREAS, on November 28, 2006, Representative Delma Garcia resigned from her office on the**
7 **Tohono O'odham Legislative Council; and**

8 **WHEREAS, although the Uniform Election Ordinance does not expressly empower a district**
9 **council to appoint a Legislative Council representative when the representative's seat**
10 **becomes vacant and there is no alternate, the district council's power to fill a vacant**
11 **Legislative Council representative's seat has been recognized as a means of ensuring**
12 **that each district is fully represented on the Legislative Council; and**

13 **WHEREAS, because Representative Garcia had no alternate, the Hickiwan District Council has**
14 **appointed Shirley Molina to succeed to Delma Garcia's office as a Legislative Council**
15 **representative (Hickiwan District Council Resolution No. 120906-02).**

16 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it hereby**
17 **affirms the Hickiwan District Council's appointment of Shirley Molina and, effective**
18 **January 8, 2007, seats Representative Molina on the Legislative Council to fill the**
19 **vacancy left by former Representative Delma Garcia; provided that Representative**
20 **Molina shall hold office for the unexpired term of her predecessor.**

21 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 08TH Day of**
22 **JANUARY, 2007 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
23 **AGAINST; -0- NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by**
24 **Article VI, Section 1(g) and Article X, Section 7 of the Constitution of the Tohono O'Odham Nation,**
25 **adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy**
26 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act**
27 **of June 18, 1934 (48 Stat. 984).**

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29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 **Verlon M. Jose, Legislative Chairman**

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35 11 day of January, 2007

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ATTEST:

Lucille Lopez

Lucille Lopez, Acting Legislative Secretary

08 day of *January*, 2007.

ACTION: SEATING OF SHIRLEY MOLINA AS TOHONO O'ODHAM LEGISLATIVE COUNCIL REPRESENTATIVE FOR THE HICKIWAN DISTRICT

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: VICE CHAIRWOMAN CYNTHIA MANUEL

DATE: JANUARY 08, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	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. (VACANT) ()	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. (VACANT) ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[-0-]

****PASSED VOTES**