

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Enacting Tohono O'odham Code Title 17, Chapter 7 - Animal Control)

RESOLUTION NO. 07-025

1 **WHEREAS, the Legislative Council is vested with the power “to enact criminal and civil laws**
2 **governing the conduct of any person within the Tohono O’odham Nation” and to**
3 **provide laws “to promote, protect and provide for public health, peace, morals,**
4 **education and general welfare of the Tohono O’odham Nation and its members”**
5 **(Constitution of the Tohono O’odham Nation, Article VI, Section 1(c)(6) and 1(c)(2)); and**

6 **WHEREAS, while the Nation has existing laws governing the conduct of members and non-**
7 **members, these laws do not adequately address animal control issues; and**

8 **WHEREAS, in response to concerns over animal control, in part, raised by incidents in which**
9 **Nation’s members have been maimed or killed by animals at large, the Domestic**
10 **Affairs Committee drafted Tohono O’odham Code Title 17, Chapter 7 - Animal Control;**
11 **and**

12 **WHEREAS, the Domestic Affairs Committee subsequently met with the Natural Resources**
13 **Department staff and amended the draft law in accordance with the**
14 **recommendations of the director and veterinarian’s technician; and**

15 **WHEREAS, the draft law was also distributed to the Tohono O’odham Police Department, Office**
16 **of the Attorney General, Prosecutor’s Office, Advocate Program, Judicial Court for**
17 **review and comment; and**

18 **WHEREAS, on July 19, 2006, Title 17, Chapter 7 - Animal Control was provided to all Districts for**
19 **a 30-day public comment period; and**

20 **WHEREAS, the Domestic Affairs Committee reviewed the comments received and incorporated**
21 **suggestions into the revised draft Title 17, Chapter 7 - Animal Control, which is**
22 **incorporated by this reference and has been provided to the Legislative Council for**
23 **review; and**

24 **WHEREAS, if enacted, this law would create a legal framework for**

- 25 • **entering animal control services agreements;**
- 26 • **limiting the areas where animals may be at large;**
- 27 • **requiring identification tags;**
- 28 • **limiting the use of tie-outs;**
- 29 • **addressing vaccinations, diseased animals, and quarantines;**

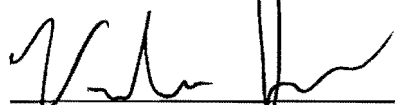
- 1 • dead animal disposal;
- 2 • control of vicious and destructive animals and owner liability;
- 3 • handling biting animals and animals harassing livestock;
- 4 • addressing prohibited breeds; and
- 5 • exercising jurisdiction over non-members and non-Indians for conduct in
- 6 violation of the Nation's laws; and

7 WHEREAS, if enacted, Title 17, Chapter 7 - Animal Control will improve the health, safety, and
8 welfare of the Nation's members.

9 NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby adopts and enacts
10 Tohono O'odham Code Title 17, Chapter 7 - Animal Control.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH. Day
12 of JANUARY, 2007 at a meeting at which a quorum was present with a vote of 2,247.7 FOR; -0-
13 AGAINST; 193.1 NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by
14 Article VI, Section 1(c)(1), 1(c)(2), and 1(c)(6) of the Constitution of the Tohono O'Odham Nation,
15 adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy
16 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
17 of June 18, 1934 (48 Stat. 984).

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19 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21 
22 _____
23 Verlon M. Jose, Legislative Chairman

24
25 18 day of January, 2007

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27 ATTEST:

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30 _____
31 Lucille Lopez, Acting Legislative Secretary

32
33 09 day of January, 2007.

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35 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
36 O'Odham Nation on the 18 day of January, 2007 at 4:46 o'clock,
37 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
38 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours
39 of submittal.

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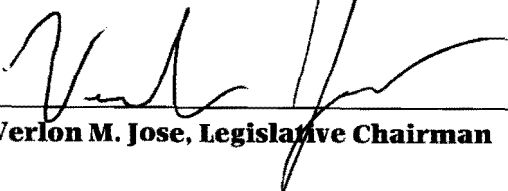
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



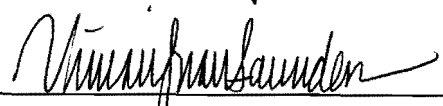
Verlon M. Jose, Legislative Chairman

APPROVED

on the 21 day of January, 2007

DISAPPROVED

at 1:30 o'clock, P.M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

January, 2007, at 9:37 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: ENACTING TOHONO O'ODHAM CODE TITLE 17, CHAPTER 7 - ANIMAL CONTROL

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: JANUARY 09, 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. SHIRLEY SANTOS-MOLINA ()	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. LORRAINE EILER ()	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	2,247.7	-0-	193.1	[-0-]

**PASSED VOTES