

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Directing Submission of "Upholding Integrity in Tribal Leadership: Felony Disqualification
Referendum" to Nation's Voters During 2015 General Election)

LEGISLATIVE ORDER NO. 15-074

1 **WHEREAS, "The Tohono O'odham Council shall enact an election ordinance . . . which shall**
2 **prescribe the qualifications of candidates . . . and such other rules and**
3 **procedures necessary to the orderly conduct of elections, including but not**
4 **limited to procedures for validation of petitions and the settlement of any and**
5 **all election disputes. The decision of the Tohono O'odham Council in all**
6 **election matters, including the eligibility and qualifications of candidates, shall**
7 **be final." (Constitution of the Tohono O'odham Nation, Article X, Section 7); and**
8 **WHEREAS, after spending several years drafting amendments to the Nation's Uniform**
9 **Election Ordinance, conducting public hearings across the Nation, submitting**
10 **multiple drafts for public comment, and reviewing more than 100 written and**
11 **oral comments, the Legislative Rules Committee submitted comprehensive**
12 **Election Ordinance amendments to the Legislative Council for consideration in**
13 **2012; and**
14 **WHEREAS, the comprehensive amendments included provisions to disqualify convicted**
15 **felons from running for or being appointed as district council chairperson or**
16 **vice-chairperson, Legislative Council representative or alternate, or Nation's**
17 **chairperson or vice-chairperson but would not apply to candidates for district**
18 **council representative or alternate; and**
19 **WHEREAS, the amendments were passed by the Legislative Council in 2012 but were vetoed**
20 **and the felony disqualification amendments were withdrawn prior to the**
21 **enactment of 12 Tohono O'odham Code Chapter 1 - Elections in 2013; and**
22 **WHEREAS, members of the public, Legislative Council representatives, and the Nation's**
23 **chairman recommended that the Nation's voters be given the opportunity to**
24 **vote on the felony disqualification amendments; and**
25 **WHEREAS, the Legislative Council shall, "either at the direction of the Council itself, or**
26 **upon receipt of a petition signed by not less than three hundred registered**
27 **voters of the Tohono O'odham Nation, submit any enacted or proposed**
28 **ordinance, resolution or other national legislation to a referendum of the**
29 **registered voters." (Constitution, Article XIV); and**
30 **WHEREAS, in 2015 the Legislative Rules Committee compiled the felony disqualification**
31 **amendments within the "Upholding Integrity in Tribal Leadership: Felony**
32 **Disqualification Referendum," redistributed the provisions to the public, and**
33 **presented the Referendum during additional public hearings; and**
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1 WHEREAS, if enacted by the Nation's voters, the felony disqualification amendments would
2 apply to candidacies for election or appointment after the Nation's 2015 general
3 election; and

4 WHEREAS, it is in the Nation's best interest for voters to decide whether to approve the
5 Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum,
6 which is incorporated by this reference.

7 NOW, THEREFORE, BE IT ORDERED that the Tohono O'odham Legislative Council directs the
8 submission of the Upholding Integrity in Tribal Leadership: Felony
9 Disqualification Referendum to the Nation's voters during the May 23, 2015
10 general election.

11 BE IT FURTHER ORDERED that pursuant to 12 T.O.C. Chapter 1, Section 11311(B), all Legislative
12 Council representatives shall be provided an opportunity to comment on the
13 draft analysis of the Upholding Integrity in Tribal Leadership: Felony
14 Disqualification Referendum and to submit popular arguments favoring and
15 opposing the Referendum.

16 BE IT FURTHER ORDERED that the Legislative Rules Committee shall compile comments and
17 arguments without attribution to individual representatives and provide them
18 for Council approval and submission to the Election Board in accordance with
19 12 T.O.C. Chapter 1, Section 11311.

20 BE IT FINALLY ORDERED that the Tohono O'odham Legislative Council's action submitting the
21 Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum
22 pursuant to Article XIV of the Constitution and does not represent the Council's
23 support for or opposition to the Referendum.

24 The foregoing Order was passed by the Tohono O'odham Legislative Council on the 31ST day of
25 MARCH, 2015 at a meeting at which a quorum was present with a vote of 2,786.9 FOR; 159.6
26 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
27 Article VI, Section 1 and 1(a); Article X, Sect 7 and Article XIV of the Constitution of the Tohono
28 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved
29 by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,
30 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

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33 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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36 Timothy Joaquin, Legislative Chairman

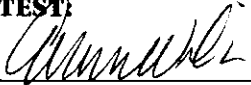
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38 2 day of April, 2015
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LEGISLATIVE ORDER NO. 15-074

(Directing Submission of "Upholding Integrity in Tribal Leadership: Felony Disqualification Referendum" to Nation's Voters During 2015 General Election)

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ATTEST:



Evonne Wilson, Legislative Secretary

01 day of April, 2015

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ACTION: DIRECTING SUBMISSION OF "UPHOLDING INTEGRITY IN TRIBAL LEADERSHIP: FELONY DISQUALIFICATION REFERENDUM" TO NATION'S VOTERS DURING 2015 GENERAL ELECTION

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: MARCH 31, 2015

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|------------------------------|--|----------------|----------------|--------------|------------|-------------|
| SIF OIDAK 224.2 | 1. LUCINDA ALLEN (Nicholas Jose) | 112.1 | X | | | |
| | 2. MARY LOPEZ () | 112.1 | X | | | |
| SELLS 502.0 | 1. ARTHUR WILSON (Ophelia Patten) | 251.0 | X | | | |
| | 2. BARBARA HAVIER (Beverly Rivas) | 251.0 | X | | | |
| SCHUK TOAK 174.2 | 1. FRANCES B. STEPHENS (Anthony J. Rios) | 87.1 | X | | | |
| | 2. QUINTIN C. LOPEZ (John Fendenhelm) | 87.1 | X | | | |
| SAN XAVIER 224.2 | 1. HILARION CAMPUS (Daniel L.A. Preston III) | 112.1 | X | | | |
| | 2. RACHEAL VILSON-STONER(Absent) (Olivia Villegas-Liston) (Present) | 112.1 | X | | | |
| SAN LUCY 219.6 | 1. DIANA MANUEL (Gloria Ramirez) | 109.8 | X | | | |
| | 2. JANA MONTANA () | 109.8 | X | | | X |
| PISINEMO 210.6 | 1. CHESTER ANTONE (Tony Murrietta) | 105.3 | X | | | X |
| | 2. EDWARD MANUEL, SR. () | 105.3 | X | | | X |
| HICKIWAN 196.9 | 1. LOUIS R. LOPEZ () | 98.45 | X | | | X |
| | 2. SANDRA ORTEGA (Manuel Osequeda, Jr.) | 98.45 | X | | | X |
| HIA CED 19.6 | 1. PATRICK ANDREWS (Janice E. Paul) | 9.8 | X | | | |
| | 2. VIRGINIA GARCIA () | 9.8 | X | | | |
| GU VO 241.0 | 1. GRACE MANUEL (Floyd Flores) | 120.5 | X | | | |
| | 2. PAMELA ANGHILL (Jeffery Antone, Sr.) | 120.5 | X | | | |
| GU ACHI 257.3 | 1. TIMOTHY L. JOAQUIN () | 128.65 | X | | | |
| | 2. LORETTA LEWIS (Louis Johnson) | 128.65 | X | | | |
| CHUKUT KUK 319.2 | 1. ETHEL GARCIA (Absent) (Marlakay C. Henry) (Present) | 159.6 | X | | | |
| | 2. BILLMAN LOPEZ () | 159.6 | | X | | |
| BABOQUIVARI 357.7 | 1. FRANCES MIGUEL (Absent) (Robert Harvey) (Present) | 178.85 | X | | | |
| | 2. VERNON J. SMITH (Gloria Zazueta) | 178.85 | X | | | |
| TOTAL | | 2,946.5 | 2,786.9 | 159.6 | -0- | [03] |