

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Election Contest Hearing Procedures)

LEGISLATIVE ORDER NO. 15-130

1 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that the "Council shall**
2 **enact an election ordinance . . . which shall prescribe the qualifications of**
3 **candidates, the registration requirements for voting and such other rules and**
4 **procedures necessary to the orderly conduct of elections, including but not**
5 **limited to procedures for validation of petitions and the settlement of any and**
6 **all election disputes." (Constitution, Article X, Section 7); and**

7 **WHEREAS, the "decision of the Tohono O'odham Council in all election matters, including**
8 **the eligibility and qualifications of candidates, shall be final." (Constitution,**
9 **Article X, Section 7); and**

10 **WHEREAS, 12 T.O.C. Chapter 1 - Elections establishes the procedure for "any eligible voter**
11 **of the Nation" to contest an election upon specific grounds, including "for**
12 **misconduct on the part of any district election board or of the Board, or any**
13 **member thereof" (Elections, Section 1901(A)); and**

14 **WHEREAS, when a contest statement alleges Board misconduct, the Legislative Council has**
15 **jurisdiction to hear the contest (Elections, Section 1904); and**

16 **WHEREAS, in accordance with the Council's constitutional authority to "establish rules and**
17 **procedures to regulate all meetings of the Tohono O'odham Council" the**
18 **Legislative Council adopted amended Election Contest Hearing Procedures to**
19 **govern contests to the Nation's 2013 general election (Constitution, Article VI,**
20 **Section 1(a); Legislative Order No. 13-154); and**

21 **WHEREAS, the Legislative Rules Committee recommends that the Council adopt the**
22 **"Election Contest Hearing Procedures May 2015 Amendments," which are**
23 **incorporated by this reference.**

24 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it adopts**
25 **the Election Contest Hearing Procedures May 2015 Amendments.**

26 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 05TH day of**
27 **MAY, 2015 at a meeting at which a quorum was present with a vote of 2,926.9 FOR; -0- AGAINST;**
28 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article V,**
29 **Section 1; Article VI, Subsections 1(a), 1(g) & 1(l); Article X, Section 7 of the Constitution of the**
30 **Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and**
31 **approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6,**
32 **1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

15 day of May, 2015

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ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

15 day of *May*, 2015

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ACTION: AMENDING ELECTION CONTEST HEARING PROCEDURES

Moved: COUNCILWOMAN LORETTA LEWIS

SECOND: COUNCILMAN VERNON SMITH

DATE: MAY 05, 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. ANTHONY J. RIOS ()	87.1	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS (<i>Absent</i>) (Daniel L.A. Preston III) (<i>Present</i>)	112.1	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			X
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	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 (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			X
BABOQUIVARI 357.7	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,926.9	2,926.9	-0-	-0-	[03]