

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Chapter 2 of the Tohono O'Odham
Law and Order Code)

D E F E A T E D
RESOLUTION NO. 92-179

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4 **WHEREAS,** *the Tohono O'Odham Nation (then known as the Papago Tribe) adopted*
5 *Chapter 2 of the Law and Order Code by Tribal Council Resolution on*
6 *April 7, 1945, which was approved by the Secretary of the Interior on*
7 *July 27, 1945; and*

8
9 **WHEREAS,** *Chapter 2 of the Law and Order Code entitled "Civil Actions" has not*
10 *been amended since its enactment; and*

11 **WHEREAS,** *the Tohono O'Odham people adopted a new Constitution by popular vote*
12 *on January 18, 1986 which was approved by the Secretary of the*
13 *Interior on March 6, 1986; and*

14
15 **WHEREAS,** *the Tohono O'Odham Constitution defines the jurisdiction of the Nation,*
16 *and consequently its courts, to "extend to all persons and activities*
17 *carried on within the boundaries of the Tohono O'Odham Nation*
18 *consistent with federal law" (Art. I, Sec. 2), and to members of the*
19 *Nation whether within or beyond the geographical boundaries of the*
20 *Nation (Art. I, Sec. 3); and*

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22
23 **WHEREAS,** *the Tohono O'Odham Legislative Council finds that amendments to*
24 *Chapter 2, "Civil Actions", of the Law and Order Code are necessary to*
25 *bring the ordinance into conformity with the Tohono O'Odham*
26 *Constitution, and to clarify the law regarding the extent of the Nation's*
27 *jurisdiction; and*
28

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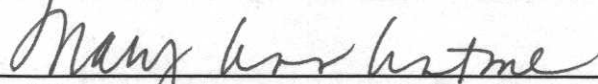
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WHEREAS, Title I of the Laws of the Tohono O'Odham Nation is reserved for the Criminal Code and Title II has been reserved to codify the activities, authority, duties, rules and procedures of the Judicial Branch, former Chapter 2, "Civil Actions", needs to be redesignated and incorporated in the existing system of codification of the Laws of the Tohono O'Odham Nation.

NOW, THEREFORE, BE IT RESOLVED that Chapter 2, "Civil Actions", of the Law and Order Code is amended as provided in Exhibit A (attached hereto) and integrated into the Laws of Tohono O'Odham as Title III, Civil Actions.


The foregoing Resolution was presented to the Tohono O'odham Council on the 6TH day of MAY, 1992 at a meeting at which a quorum was present with a vote of 645.0 FOR; 896.5 AGAINST; 63.5 NOT VOTING; and 119.0 [4] absent, failed to pass because it did not receive a majority of the votes cast as required by Section 2 of Article V of the Constitution of the Tohono O'Odham Nation.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Mary Ann Antone, Legislative Chairwoman

ATTEST:


Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN JOHN RENOSUBJECT: [D E F E A T E D] AMENDING CHAPTER 2 OFSECOND: COUNCILMAN EARL A. FRANCISCOTHE TOHONO O'ODHAM LAW AND ORDER CODEDATE: MAY 06, 1992

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5		X		
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ()	62.5		X		
GU VO 114.0	1. Michael Flores	57.0		X		
	2. Emilio Lewis (Anthony Flores)	57.0		X		
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			X
	2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5				X
	2. Chester Antone (Fernando Valentine)	59.5				X
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			X
	2. Willard Anita ()	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5		X		
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5			X	
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		
	2. Frances Francisco (Joseph Juan)	53.5		X		
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0		X		
	2. Andrew Patricio (Lucille Encinas)	155.0		X		
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Delbert Thomas)	79.0		X		
TOTAL		1,724.0	645.0	896.5	63.5	119.0 [4]

**PASSED VOTES