RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of Revised Ordinance for Removal and Exclusion of Non-Members and the Repeal of Prior Ordinance No. 02-82)

RESOLUTION NO. 97-087

WHEREAS, the Tohono O'Odham Nation is fully authorized to act on behalf of our members in matters arising under the Indian Self-Determination Act of 1975, P.L. 93-638, as amended, 25 U.S.C. 450 et. seq., (hereinafter the Act); and

WHEREAS, the Tohono O'Odham Legislative Council is empowered to act for and on behalf of its Tohono O'Odham Members in adopting resolutions; and

WHEREAS, the Nation recognizes that with the passage of time certain ordinances may become outdated and thereby do not meet the current needs of the Nation; and

WHEREAS, Ordinance No. 02-82 (Removal and Exclusion of Non-Members) is outdated and does not meet the current needs of the Nation; and

WHEREAS, the Nation has an interest in having all criminal acts committed within its exterior boundaries reported to the Tohono O'Odham Police Department when committed by either non-members or members; and

WHEREAS, the Nation recognizes that Ordinance No. 02-82 has no such requirements; and

WHEREAS, Ordinance No. 02-82 only allows a tribal member to initiate

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a removal and exclusion action against a non-member; and

WHEREAS, the Tohono O'Odham Police Department and Office of the Prosecutor are intricately involved in most removal and exclusion actions and need to have the ability to file such an action; and

WHEREAS, Ordinance 02-82 does not provide for any sanction against a non-member who violates a removal and exclusion order of the Tohono O'Odham Judiciary; and

WHEREAS, the proposed revised ordinance for removal and exclusion of non-members has been reviewed by the Domestic Affairs Committee of the Tohono O'Odham Legislative Council, the Attorney General's Office and the Office of the Prosecutor and its approval and passage is recommended by the Domestic Affairs Committee; and

WHEREAS, this resolution shall remain in effect until such time as this resolution has been fully completed, expressly rescinded or modified by the Legislative Council.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves the revised Ordinance for Removal and Exclusion of Non-Members and the repeal of prior Ordinance No. 02-82.

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The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the **6TH.** day of **MARCH**, **1997** at a meeting at which a quorum was present with a vote of **1,397.0** FOR; **-0-** AGAINST; **479.0** NOT VOTING; and **[08]** ABSENT, pursuant to the powers vested in the Council by Article VI, Section **1(c)(7)** of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Dennis Ramon
Dennis Ramon, Legislative Chairman
10th day of March, 1997

ATTEST:

Frances G. Antone
Frances G. Antone, Legislative Secretary
10th day of March, 1997.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10th day of March, 1997 at 4:50 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Dennis Ramon, Legislative Chairman

[X] APPROVED on the 12th day of March , 19 97

[ ] DISAPPROVED at 11:50 o'clock, A .M.

EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12th day of
March , 19 97 , at 12:38 o'clock, P .M.

Frances G. Antone, Legislative Secretary

ACTION: APPROVAL OF REVISED ORDINANCE FOR REMOVAL AND EXCLUSION OF NON-MEMBERS AND THE REPEAL OF PRIOR ORDINANCE NO. 02-82

MOVED: COUNCILWOMAN FERN SALCIDO   **SECOND:** COUNCILWOMAN GLORIA MONTANA

DATE: MARCH 6, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			X
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			X
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ( )	58.5			X	X
	2. JOSEPH JUAN ( )	58.5			X	
SAN XAVIER 142.0	1. DENNIS RAMON ( )	71.0	X			
	2. TONY BURRELL ( )	71.0	X			X
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5			X	
	2. FRANCES MIGUEL ( )	128.5			X	X
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			
	2. ALEX J. RAMON (Marian Johnson)	93.5	X			X
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2.BARBARA SALVICIO ( )	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ( )	52.5			X	
	2. JOHN RENO (Mary Hoffman)	52.5			X	X
GU VO 134.0	1. GLORIA MONTANA ( )	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	X			
HICKIWAN 142.0	1. LLOYD FRANCISCO ( )	71.0	X			
	2. ALEX JOSE ( )	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ( )	91.5	X			X
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1876.0	1,397.0	-0-	479.0	[08]

**PASSED VOTES