

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

LEGISLATIVE ORDER NO. 13-154

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

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

10 **WHEREAS, Article VIII of the Uniform Election Ordinance, Ordinance No. 03-86, establishes the**  
11 **procedure for "any eligible voter of the nation" to contest an election upon specific**  
12 **grounds, including "for misconduct on the part of any District Election Board or of the**  
13 **Election Board, or any member thereof" (Uniform Election Ordinance, Article VIII,**  
14 **Section 1.A.); and**

15 **WHEREAS, when "a contest statement [is] based on allegations of misconduct on the part of the**  
16 **Election Board or any member thereof," the Legislative Council has jurisdiction to**  
17 **hear the contest (Uniform Election Ordinance, Article VIII, Section 5); and**

18 **WHEREAS, in accordance with the Council's constitutional authority to "establish rules and**  
19 **procedures to regulate all meetings of the Tohono O'odham Council" the Legislative**  
20 **Council adopted Election Contest Hearing Procedures to govern contests to the**  
21 **Nation's 2011 general election (Constitution, Article VI, Section 1(a); Legislative Order**  
22 **No. 11-213); and**

23 **WHEREAS, the Legislative Rules Committee recommends that the Council adopt the "Election**  
24 **Contest Hearing Procedures May 2013 Amendments," which are incorporated by this**  
25 **reference, to provide generally applicable hearing procedures to govern future**  
26 **election contests within the Council's jurisdiction.**

27 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it adopts the**  
28 **Election Contest Hearing Procedures May 2013 Amendments.**

29 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup> day of**  
30 **MAY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST;**  
31 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article V,**  
32 **Section 1; Article VI, Section 1 ; Article VI, subsection 1 (a) and 1(l); and Article X, Section 7 of the**  
33 **Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January**  
34 **18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on**  
35 **March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**  
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**



**Timothy Joaquin, Legislative Chairman**

14 day of May, 2013

**ATTEST:**



**Evonne Wilson, Legislative Secretary**

13 day of May, 2013

ACTION: AMENDING ELECTION CONTEST HEARING PROCEDURES

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: MAY 08, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith) ( <i>Present</i> )	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			X
	2. CYNTHIA E. MANUEL ( <i>Absent</i> ) (Louis L. Johnson) ( <i>Present</i> )	122.45	X			
GU VO 226.7	1. GRACE MANUEL ( <i>Absent</i> ) (Floyd Flores) ( <i>Present</i> )	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			X
	2. SANDRA ORTEGA ( )	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			X
	2. MARIA ACKERMAN ( )	237.85	X			
SIF Oidak 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>