

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Representation in Chukut Kuk District Litigation)**

LEGISLATIVE ORDER NO. 11-273

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

8 **WHEREAS, in accordance with the Uniform Election Ordinance, Ordinance No. 03-86, on June 14-**  
9 **16, 2011, the Legislative Council conducted an election contest hearing to consider**  
10 **challenges to the 2011 general election in Chukut Kuk District; and**

11 **WHEREAS, pursuant to Article X, Section 7 of the Constitution and Article VIII, Section 7 of the**  
12 **Uniform Election Ordinance, the Council's June 16, 2011 decisions in the Chukut Kuk**  
13 **election contests are final; and**

14 **WHEREAS, on June 17, 2011, the Chukut Kuk District and eligible voters of the Nation filed a**  
15 **complaint in the Tohono O'odham Judicial Court against the Nation's Election Board,**  
16 **Board members, the Tohono O'odham Legislative Council, and individual Council**  
17 **representatives alleging various constitutional violations in the method of conducting**  
18 **the 2011 general election within the Chukut Kuk District, *Chukut Kuk District, et al.***  
19 ***v. Election Board of the Tohono O'odham Nation, et al.* case numbers 2011-0123AV,**  
20 **2011-0122AV, 2011-0124AV ("Chukut Kuk District litigation"); and**

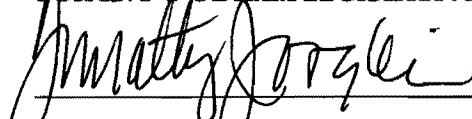
21 **WHEREAS, pursuant to Legislative Order No. 06-047, "Amended Delegation of Authority to**  
22 **Legislative Council Chairperson and Vice Chairperson," the Council Chairperson and**  
23 **Vice Chairperson ("Legislative Officers") "[w]ith the consent of a majority of the**  
24 **Legislative Council" are vested with the power to "authorize litigation on the Council's**  
25 **behalf"; and**

26 **WHEREAS, it is in the Legislative Council's best interest to be represented in the Chukut Kuk**  
27 **District litigation and related matters.**

28 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it hereby**  
29 **directs the Legislative Attorney's Office to represent the Legislative Council in the**  
30 **Chukut Kuk District litigation and related matters; provided that the Legislative**  
31 **Attorney's Office shall act under the direction of the chairperson and vice-chairperson**  
32 **of the Judiciary Committee, the chairperson and vice-chairperson of the Rules**  
33 **Committee, and the Legislative Officers.**

1 The foregoing Order was passed by the Tohono O'odham Legislative Council on the 22<sup>ND</sup> day of  
2 JUNE, 2011 at a meeting at which a quorum was present with a vote of 2,478.40 FOR; -0- AGAINST;  
3 302.20[02] NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article  
4 V, Article VI and Section 7 of Article X of the Constitution of the Tohono O'odham Nation, adopted  
5 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
7 18, 1934 (48 Stat. 984).  
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

8 day of July, 2011

16 ATTEST:

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19 Evonne Wilson, Legislative Secretary

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21 8 day of July, 2011  
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ACTION: AUTHORIZING REPRESENTATION IN CHUKUT KUK DISTRICT LITIGATION

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILMAN FREDERICK JOSE

DATE: JUNE 24, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta Harvey) ( <i>Present</i> )	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			X
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10			X	
	2. BILLMAN LOPEZ ( )	151.10			X	
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			X
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			X
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE ( )	100.35	X			X
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			X
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS ( )	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. CONDE ( )	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,478.40</b>	<b>-0-</b>	<b>302.20</b> <b>[02]</b>	<b>[05]</b>