

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Enacting 7 Tohono O'odham Code Chapter 1 - Criminal Code, Section 3.15 -
Violating an Executive Order)**

RESOLUTION NO. 20-150

1 **WHEREAS,** the Legislative Council is vested with the power "to enact criminal and civil laws
2 governing the conduct of any person within the Tohono O'odham Nation" and to
3 provide laws "to promote, protect and provide for public health, peace, morals,
4 education and general welfare of the Tohono O'odham Nation and its members"
5 (Constitution of the Tohono O'odham Nation, Article VI, Section 1(c)(6) and
6 1(c)(2)); and

7 **WHEREAS,** the Tohono O'odham Legislative Council has enacted the Tohono O'odham
8 Criminal Code, as amended, to define criminal offenses, establish sentencing
9 guidelines, define the Judicial Court's jurisdiction in criminal actions, and to
10 otherwise govern the enforcement of the Nation's criminal laws (7 T.O.C. Chapter
11 1); and

12 **WHEREAS,** in response to public safety concerns raised by Nation's members about the
13 enforcement of Executive Orders relating to the COVID-19 pandemic, the
14 Domestic Affairs Committee has drafted Criminal Code Section 3.15 - Violating an
15 Executive Order which by enactment of this law will make violating an executive
16 order an offense under the Nation's Criminal Code punishable by a fine; and

17 **WHEREAS,** the Domestic Affairs Committee recommends that the Legislative Council enact 7
18 Tohono O'odham Code Chapter 1 - Criminal Code, Section 3.15 - Violating an
19 Executive Order as dated for reference May 2020, which is incorporated by this
20 reference, as an additional tool for protecting public safety.

21 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council enacts 7
22 Tohono O'odham Code Chapter 1 - Criminal Code, Section 3.15 - Violating an
23 Executive Order, which shall become effective on the date this resolution takes
24 effect in accordance with the Constitution of the Tohono O'odham Nation.

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
26 **day of MAY, 2020 at a meeting at which a quorum was present with a vote of 1,647.1 FOR; 1,528.6**
27 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
28 **Article VI, Section 1(c)(6) and 1(c)(2) of the Constitution of the Tohono O'odham Nation, adopted**
29 **by the Tohono O'odham Nation on January 18, 1986; approved by the Acting Deputy Assistant**
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
31 **18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

14 day of May, 2020

RESOLUTION NO. 20-150

(Enacting 7 Tohono O'odham Code Chapter 1 - Criminal Code, Section 3.15 - Violating an Executive Order)

Page 2 of 2

1 **ATTEST:**

2 *Evonne Wilson*
3
4 **Evonne Wilson, Legislative Secretary**

5
6 14 day of May, 2020

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
9 **O'odham Nation on the 14 day of May, 2020 at 2:07 o'clock, P.m.,**
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
11 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
12 **hours of submittal.**

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14
15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

16
17 *Timothy Joaquin* *for*
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19 **Timothy Joaquin, Legislative Chairman**

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23 **APPROVED**

24 on the 18 day of May, 2020

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26 **DISAPPROVED**

27 at 11:25 o'clock, A.m.

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29 *Ned Norris, Jr.*
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31 **NED NORRIS, JR., CHAIRMAN**
32 **TOHONO O'ODHAM NATION**

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37 **Returned to the Legislative Secretary on the 18 day of**
38 May, 2020, at 12:22 o'clock, P.m.

39 *Evonne Wilson*
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43 **Evonne Wilson, Legislative Secretary**

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ACTION: ENACTING 7 TOHONO O'ODHAM CODE CHAPTER 1 - CRIMINAL CODE, SECTION 3.15 - VIOLATING AN EXECUTIVE ORDER

Moved: COUNCILWOMAN GRACE MANUEL

SECOND: COUNCILMAN LEANDER MASE

DATE: MAY 13, 2020

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40		X		
	2. ALBERTA J. RAY (Frances G. Antone)	192.40		X		
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ()	139.65		X		
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90		X		
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35		X		
	2. MARIETTA MARTIN ()	115.35		X		
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			X
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45		X		
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55		X		
	2. ARTHUR WILSON ()	273.55		X		
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	1,647.1	1,528.6	-0-	[01]