

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Appointing Members of Human Resources Development Committee as  
Interim TERO Commissioners)**

**RESOLUTION NO. 19-241**

1   **WHEREAS,**    the Legislative Council is vested with the authority to enact ordinances “to  
2                   promote, protect and provide for public health, peace, morals, education and  
3                   general welfare of the Tohono O’odham Nation and its members” and the power  
4                   “to provide for, appoint, or provide for the appointment of, and prescribe the  
5                   duties and powers of committees, boards, officers and agents” (Constitution of  
6                   the Tohono O’odham Nation, Article VI, Section 1(c)(2) and 1(b)); and  
7   **WHEREAS,**    in 1985 the Papago Council enacted the Papago Employment Rights Ordinance  
8                   (“TERO Ordinance”), thereby establishing the Papago Employment Rights  
9                   Commission (a.k.a., “TERO Commission”) and vesting the Council with the power  
10                  to select, appoint, and remove TERO Commissioners by resolution (13 Tohono  
11                  O’odham Code, Chapter 1 Tribal Employment Rights); and  
12   **WHEREAS,**    in 2012, the Nation suspended the TERO Commissioners by Resolution No. 12-384  
13                  “Suspending TERO Commissioners” and ultimately removed the TERO  
14                  Commissioners by Resolution No. 14-060 “Removing TERO Commissioners”; and  
15   **WHEREAS,**    in 2013 when the TERO Commissioners were suspended, but had not yet been  
16                  removed, interim TERO Commissioners were appointed to serve until successors  
17                  could be appointed so that the Commission could conduct business, ensure that  
18                  Indian preference was enforced, and provide necessary services for the Nation’s  
19                  members (Resolution No. 13-093, No. 13-094, No. 13-095, No. 13-096); and  
20   **WHEREAS,**    in 2016, because all interim Commissioners had resigned, Representatives  
21                  Chester Antone, Louis R. Lopez, Daniel L.A. Preston, III, Sandra Ortega, and  
22                  Barbara Havier were appointed as interim TERO Commissioners for a term of six  
23                  months or as otherwise provided by subsequent action of the Legislative Council  
24                  (Resolution No. 16-063); and  
25   **WHEREAS,**    by Resolution No. 16-412, the appointments of Representatives Chester Antone,  
26                  Louis R. Lopez, Daniel L.A. Preston, III, Sandra Ortega, and Barbara Havier were  
27                  extended until a successor was appointed; and  
28   **WHEREAS,**    by Resolution No. 17-019, the Legislative Council approved the appointment of  
29                  Delma M. Garcia to the TERO Commission to replace Representative Barbara  
30                  Havier; and  
31   **WHEREAS,**    it is in the Nation’s best interest that two additional members of the Human  
32                  Resources Development Committee be appointed as interim TERO  
33                  Commissioners to join Representative Sandra Ortega and Representative Louis

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1 **R. Lopez as they continue to serve until successors are appointed and to exercise**  
2 **the Commission's functions and evaluate TERO operations.**

3 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council appoints**  
4 **Representative Vivian Juan Saunders and Representative Lucinda Allen as**  
5 **interim TERO Commissioners; provided that**

- 6 **(1) nothing in this resolution precludes the Legislative Council from appointing**  
7 **TERO Commissioners to replace interim TERO Commissioners;**  
8 **(2) if an interim TERO Commissioner appointed by this resolution no longer**  
9 **serves on the Human Resources Development Committee for any reason, his**  
10 **or her appointment shall expire immediately;**  
11 **(3) the interim TERO Commissioners appointed by this resolution shall not be**  
12 **eligible for per diem, mileage, travel expenses or any other payments as**  
13 **interim TERO Commissioners, but may be reimbursed for mileage from the**  
14 **Legislative Branch budget in accordance with applicable Legislative Branch**  
15 **policies; and**  
16 **(4) each interim Commissioner shall continue to serve until a successor has**  
17 **been appointed.**

18 **BE IT FINALLY RESOLVED that permanent TERO Commissioners shall be appointed in**  
19 **accordance with 13 T.O.C. Chapter 1 and the Tohono O'odham Nation Board**  
20 **Appointment Guidelines.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup>**  
22 **day of JULY, 2019 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-**  
23 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
24 **Article VI, Section 1 (c)(2) and 1(b) of the Constitution of the Tohono O'odham Nation, adopted by**  
25 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
26 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
27 **18, 1934 (48 Stat.984).**

28  
29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 **Timothy Joaquin Legislative Chairman**

35 12 day of July, 2019

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38 **ATTEST:**

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41 **Evonne Wilson, Legislative Secretary**

42 12 day of July, 2019  
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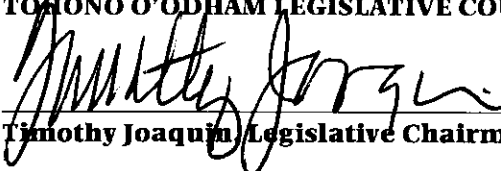
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of July, 2019 at 4:37 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

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

APPROVED

on the 15 day of July, 2019

DISAPPROVED

at 1:20 o'clock, P.m.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

July, 2019, at 1:50 o'clock, P.m.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

**ACTION: APPOINTING MEMBERS OF HUMAN RESOURCES DEVELOPMENT COMMITTEE AS INTERIM TERO COMMISSIONERS**

**Moved: COUNCILMAN LOUIS R. LOPEZ**

**SECOND: COUNCILWOMAN LUCINDA ALLEN**

**DATE: JULY 09, 2019**

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			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			X
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III ( )	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. ADRIANNE TILLER ( )	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			
<b>TOTAL</b>		<b>3,175.7</b>	<b>3,175.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>