

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Enacting Nation's Garnishment Law as 4 Tohono O'odham Code Chapter 3)**

RESOLUTION NO. 17-040

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council**
2 **with the authority to "promote, protect and provide for public health, peace,**
3 **morals, education and general welfare of the Tohono O'odham Nation and its**
4 **members" and to "provide for the maintenance of law and order and the**
5 **administration of justice; to establish law enforcement agencies; to enact**
6 **criminal and civil laws governing the conduct of any person within the Tohono**
7 **O'odham Nation consistent with federal law" (Constitution, Article VI, Section**
8 **1(c)(2) and Section 1(c)(6)); and**

9 **WHEREAS, garnishment provides a method for Nation's members, parents, and creditors to**
10 **obtain payments for satisfaction of child support or adult protection orders, and**
11 **judgments from the Judicial Court; and**

12 **WHEREAS, Nation's children are entitled to financial support from parents and Nation's**
13 **elders deserve payment if an order of adult protection includes an award of**
14 **restitution and/or damages; and**

15 **WHEREAS, if a party obtains a money judgment from the Tohono O'odham Judicial Court**
16 **against another party, the Garnishment law would offer a method for payment**
17 **of that money judgment by the debtor; and**

18 **WHEREAS, the Domestic Affairs Committee held several public hearings and distributed**
19 **the proposed Garnishment law to the public for comment; and**

20 **WHEREAS, the Domestic Affairs Committee recommends the proposed Garnishment law in**
21 **the best interests of the Nation's members with an effective date of October 1,**
22 **2017.**

23 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it enacts**
24 **the Nation's Garnishment law as 4 Tohono O'odham Code Chapter 3 effective**
25 **October 1, 2017.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 31ST**
27 **day of JANUARY, 2017 at a meeting at which a quorum was present with a vote of 1,956.4 FOR;**
28 **859.2 AGAINST; -0- NOT VOTING; and 205.8[03] ABSENT, pursuant to the powers vested in the**
29 **Council by Article VI, Section 1(c)(2) and Section 2(c)(6) of the Constitution of the Tohono**
30 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved**
31 **by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,**
32 **pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Marcinda J. Allen For

Timothy Joaquin, Legislative Chairman

1st day of February, 2017

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

1 day of January, 2017

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 1 day of January, 2017 at 10:21 o'clock, a .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

Marcinda J. Allen For

Timothy Joaquin, Legislative Chairman

APPROVED on the _____ day of _____, 2017

DISAPPROVED at _____ o'clock, _____ .m.

Received Unsigned
FEB - 3 2017
Legislative Secretary's Office

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 03 day of February, 2017, at 10:10 o'clock, A .m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: ENACTING NATION'S GARNISHMENT LAW AS 4 TOHONO O'ODHAM CODE CHAPTER 3

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: JANUARY 31, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60		X		
	2. VERNON J. SMITH (<i>Absent</i>) (Gloria Zazueta) (<i>Present</i>)	183.60		X		
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marla Kay Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30		X		
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90				X
	2. SANDRA ORTEGA ()	102.90				X
PISINEMO 219.9	1. CHESTER ANTONE (Caroline D. Garcia)	109.95	X			
	2. MONICA K. MORGAN ()	109.95		X		
SAN LUCY 226.5	1. DIANA MANUEL (Lorraine Eiler)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (<i>Absent</i>) (Felicia Nunez) (<i>Present</i>)	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.3	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (Idaleen Reyes)	256.75		X		
SIF OIDAK 231.6	1. LUCINDA ALLEN ()	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	1,956.4	859.2	-0-	205.8 [03]