

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Deputy Attorney General as Acting Attorney General)**

RESOLUTION NO. 17-108

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the power to "employ legal
2 **counsel for the protection and advancement of the rights of the Tohono O'odham**
3 **Nation" (Constitution of the Tohono O'odham Nation, Article VI, Section 2(a)); and**

4 **WHEREAS,** the "Statute Creating the Office of the Attorney General of the Tohono O'odham
5 **Nation" was enacted by the Legislative Council pursuant to Resolution No. 326-89,**
6 **as amended by Resolutions No. 91-500 and 15-492; and**

7 **WHEREAS,** pursuant to Section 2.B. of the Statute, "The Attorney General and any Deputy or
8 **Assistant Attorney General shall be licensed attorneys, admitted to practice**
9 **before the highest court of a state of the United States, and in the case of the**
10 **Attorney General, shall have had at least ten years experience in the practice of**
11 **law prior to taking office"; and**

12 **WHEREAS,** pursuant to Section 2.C. of the Statute, "The Attorney General shall be appointed
13 **by the Chairman of the Nation, from among a group of no fewer than three**
14 **persons qualified for the position, nominated by the Domestic Affairs Committee**
15 **of the Legislative Council. The appointment shall become effective upon its**
16 **approval by a majority of the Legislative Council."; and**

17 **WHEREAS,** when the Nation's Attorney General position is vacant, Resolution No. 15-286
18 **authorizes the Deputy Attorney General to serve as Acting Attorney General until**
19 **the position is permanently filled in accordance with Section 2.C. of the Statute**
20 **Creating the Office of the Attorney General; and**

21 **WHEREAS,** it is in the Nation's best interest to ensure the Nation has a qualified attorney
22 **serving in an acting capacity as Attorney General, including when an Attorney**
23 **General is appointed but before the appointee assumes office.**

24 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that when the
25 **position of Attorney General is vacant the Deputy Attorney General shall serve as**
26 **Acting Attorney General until the position is permanently filled in accordance**
27 **with Section 2.C. of the Statute Creating the Office of the Attorney General and the**
28 **appointee assumes office.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH**
30 **day of MARCH, 2017 at a meeting at which a quorum was present with a vote of 2,931.1 FOR; -0-**
31 **AGAINST; 90.3 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
32 **Article VI, Section 2(a) of the Constitution of the Tohono O'odham Nation, adopted by the**
33 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
34 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
35 **18, 1934 (48 Stat.984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Yucinda J. Allen for:
Timothy Joaquin, Legislative Chairman
9th day of March, 2017

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
9 day of March, 2017

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9th day of March, 2017 at 2:05 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

Yucinda J. Allen for:
Timothy Joaquin, Legislative Chairman

APPROVED

on the 9th day of March, 2017

DISAPPROVED

at 3:26 o'clock, P.m.

Edward D. Manuel
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 09 day of
March, 2017, at 3:50 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: APPOINTING DEPUTY ATTORNEY GENERAL AS ACTING ATTORNEY GENERAL

MOVED: COUNCILMAN DANIEL L.A. PRESTON, III

SECOND: COUNCILWOMAN PAMELA ANGHILL

DATE: MARCH 08, 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 (Gloria Zazueta)	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			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			X
PISINEMO 219.9	1. CHESTER ANTONE (<i>Absent</i>) (Caroline D. Garcia) (<i>Present</i>)	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			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 (Felicia Nunez)	114.30	X			
	2. RACHEAL VILSON-STONER (<i>Present</i>) (Olivia Villegas-Liston) (<i>Absent</i>)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30		X		
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (<i>Absent</i>) (Idaleen Reyes) (<i>Present</i>)	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN ()	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	2,931.1	90.3	-0-	[03]