

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Overriding Veto of Resolution No. 18-072, "Enacting 1 Tohono O'odham
Code Chapter 4 'Appointed Officers'")**

RESOLUTION NO. 18-093

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 all of the Nation's legislative powers, and with the Nation's fiscal powers,
3 including the authority "to manage any funds within the exclusive control of the
4 Tohono O'odham Nation. . . and to appropriate these funds for the benefit of the
5 nation and its members. All expenditures of these funds shall be pursuant to
6 appropriations or budgets authorized under resolutions or in accordance with
7 ordinances of the Tohono O'odham Council." (Constitution, Article V, Section 1;
8 Section VI, Section 1 and 1(d)(2)); and

9 **WHEREAS,** Article VII, Section 2(e) of the Constitution of the Tohono O'odham Nation
10 provides that the "chairman shall be the chief executive officer of the Tohono
11 O'odham Nation and shall exercise the following powers subject to all express
12 limitations contained in this constitution . . . With the approval of the Tohono
13 O'odham Council, to appoint the treasurer, and other officers and heads of all
14 governmental departments, who shall serve until replaced at the request of the
15 chairman."; and

16 **WHEREAS,** on March 5, 2018, the Tohono O'odham Legislative Council passed Resolution No.
17 18-072, "Enacting 1 Tohono O'odham Code Chapter 4 'Appointed Officers'"); and

18 **WHEREAS,** pursuant to Article VII, Section 5 of the Nation's Constitution,
19 Every law, ordinance, resolution or separate appropriation item passed by the
20 Tohono O'odham Council shall be presented to the chairman for his approval
21 before it becomes effective. If he approves, he shall sign it. But if he disapproves,
22 he shall return it to the Tohono O'odham Council within forty-eight (48) hours,
23 with his objections. If after consideration, it again passes the council by a
24 majority of two-thirds (2/3) of the votes cast, it shall become law and he shall sign
25 it notwithstanding his objections.


26 ; and

27 **WHEREAS,** on March 9, 2018, the Nation's Chairman vetoed Resolution No. 18-072; and
28 **WHEREAS,** pursuant to Article IX, Sections 2(B), (C), and (D) of the Legislative Rules of the
29 Tohono O'odham Legislative Council, vetoed legislation shall be placed on the
30 agenda of the next legislative session for reconsideration, shall have priority over
31 all items, and the Chairperson of the Legislative Council, may, without debate,
32 call for a final vote on the vetoed legislation.


1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council overrides the
2 veto of Resolution No. 18-072, "Enacting 1 Tohono O'odham Code Chapter 4
3 'Appointed Officers.'"

4 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH
5 day of MARCH, 2018 at a meeting at which a quorum was present with a vote of 2,736.75 FOR;
6 347.85 AGAINST; -0- NOT VOTING; and [06] ABSENT, was passed by a vote of two-thirds (2/3)
7 [2,056.4] of the votes cast as required by Article V, Section 1, Article VI, Section 1(d); and Article
8 VII, Section 2(e) and Section 5 of the Constitution of the Tohono O'odham Nation.
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11 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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15 Timothy Joaquin, Legislative Chairman
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17 13 day of March, 2018
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20 ATTEST:

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23 Evonne Wilson, Legislative Secretary
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25 13 day of March, 2018
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30 SIGNED this 14 day of March, 2018 in accordance with the provisions of
31 Article VII, Section 5 of the Constitution of the Tohono O'odham Nation.
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36 EDWARD D. MANUEL, CHAIRMAN
37 TOHONO O'ODHAM NATION
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ACTION: OVERRIDING VETO OF RESOLUTION NO. 18-072, "ENACTING 1 TOHONO O'ODHAM CODE CHAPTER 4 'APPOINTED OFFICERS'"

MOVED: COUNCILWOMAN LORETTA LEWIS

SECOND: VICE CHAIRMAN QUINTIN C. LOPEZ

DATE: MARCH 09, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			X
	2. ADRIANNE TILLER (<i>Absent</i>) (Idaleen Reyes) (<i>Present</i>)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15		X		
	2. JANICE FELIX ()	116.15		X		X
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55		X		
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			X
HICKIWAN 209.0	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (<i>Absent</i>) (Nacho Flores) (<i>Present</i>)	128.45	X			X
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Vicenti)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			X
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	2,736.75	347.85	-0-	[06]

<REQUIRED 2/3 VOTE FOR OVERRIDE: 2,056.4>