

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Directing Submission of Candidate for Nation's Treasurer to the Legislative
Council for Approval)

RESOLUTION NO. 06-800

1 **WHEREAS, Article VII, Section 2(e) of the Constitution of the Tohono O'odham Nation vests the**
2 **Nation's Chairperson with the power to "[w]ith the approval of the Tohono O'odham**
3 **Council, to appoint the treasurer, and other officers and heads of all governmental**
4 **departments"; and**

5 **WHEREAS, Article VI, Section 1(d)(2) of the Constitution further vests the Legislative Council**
6 **with the power and duty to "manage any funds within the exclusive control of the**
7 **Tohono O'odham Nation"; and**

8 **WHEREAS, the position of the Nation's Treasurer has not been filled by an appointee approved**
9 **by the Legislative Council for a number of years (Resolution No. 02-269, appointing**
10 **Treasurer Kimberly Swanberg); and**

11 **WHEREAS, the Nation's Chairwoman has recently appointed Michael Johnson to serve as the**
12 **Nation's treasurer but has not brought Mr. Johnson's appointment to the Legislative**
13 **Council for approval as constitutionally required; and**

14 **WHEREAS, the Budget and Finance Committee is vested by its Plan of Operation with authority**
15 **to "review recommendations made by the Chairman of the Nation for appointment**
16 **to the office of Treasurer of the Nation" and to "review and recommend legislative**
17 **measures or actions affecting . . . the office of Treasurer of the Nation" (Plan of**
18 **Operation, Article 1(b)(7) and (b)(8)); and**

19 **WHEREAS, the Budget and Finance Committee has accordingly made a written request that the**
20 **Chairwoman notify the Committee in writing "as soon as possible" when she intends**
21 **to bring Mr. Johnson's appointment to the Council for approval, but has received no**
22 **official response; and**

23 **WHEREAS, in order to preserve the fiscal integrity of the Nation, it is essential that the**
24 **Legislative Council be given the opportunity to fully review Mr. Johnson's**
25 **certifications and other qualifications; work, credit, and other history; and consider**
26 **his appointment during the December general session.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council**
28 **hereby (1) directs the Nation's Chairwoman to submit to the Legislative Council her**
29 **appointee to the position of the Nation's Treasurer no later than December 8, 2006**

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for Council review and approval or disapproval and (2) directs that Michael Johnson cease performing any function that is committed exclusively to the Nation's Treasurer until such appointment as the Nation's Treasurer is approved by the Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day of DECEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,254.1 FOR; -0- AGAINST; 186.7 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1 (b)(d)&(l) of Article VI and Section 2 (e) of Article VII of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

6 day of December, 2006

ATTEST:


Lucille Lopez, Acting Legislative Secretary

06 day of December, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 6 day of December, 2006 at 3:48 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

[] APPROVED on the _____ day of _____, 2006

[] DISAPPROVED at _____ o'clock, ____ .M.

Returned Unsigned

VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 08 day of

December, 2006, at 2:59 o'clock, P.M.

Lucille Lopez

Lucille Lopez, Acting Legislative Secretary

ACTION: DIRECTING SUBMISSION OF CANDIDATE FOR NATION'S TREASURER TO THE LEGISLATIVE COUNCIL FOR APPROVAL

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN GLORIA RAMIREZ

DATE: DECEMBER 06, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Lucilda J. Valenzuela (Norris)) <i>(Present)</i>	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. (Vacant) ()	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. (Vacant) ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			X
	2. EVELYN B. JUAN MANUEL <i>(Absent)</i> (Kimberly Listo) <i>(Present)</i>	210.50	X			
SIF Oidak 186.7	1. WVALENE ROMERO (Isidro Lopez)	93.35			X	
	2. DARLENE ANDREW (Rita Wilson)	93.35			X	
TOTAL		2,440.80	2,254.1	-0-	186.7	[02]

**PASSED VOTES