

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Overriding Veto of Resolution No. 16-311, "Appointees to the Nation's Treasurer
and Other Officers and Heads of Governmental Departments that are
Disapproved by the Legislative Council No Longer in Office")**

RESOLUTION NO. 16-319

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

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

15 **WHEREAS,** on July 20, 2016, the Tohono O'odham Legislative Council passed Resolution No.
16 16-311, "Appointees to the Nation's Treasurer and Other Officers and Heads of
17 Governmental Departments that are Disapproved by the Legislative Council No
18 Longer in Office"; and

19 **WHEREAS,** pursuant to Article VII, Section 5 of the Nation's Constitution,

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

27 ; and

28 **WHEREAS,** on July 25, 2016, the Nation's Chairman vetoed Resolution No. 16-311; and

RESOLUTION NO. 16-319

(Overriding Veto of Resolution No. 16-311, "Appointees to the Nation's Treasurer and Other Officers and Heads of Governmental Departments that are Disapproved by the Legislative Council No Longer in Office")


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1 **WHEREAS,** pursuant to Article IX, Sections 2(B) and (C) of the Legislative Rules of the Tohono
2 **O'odham Legislative Council, vetoed legislation shall be placed on the agenda of**
3 **the next legislative session and shall have priority over all items.**

4 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it
5 **overrides the veto of Resolution No. 16-311, "Appointees to the Nation's**
6 **Treasurer and Other Officers and Heads of Governmental Departments that are**
7 **Disapproved by the Legislative Council No Longer in Office."**

8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 25TH**
9 **day of JULY, 2016 at a meeting at which a quorum was present with a vote of 2,119.4 FOR; 902.0**
10 **AGAINST; -0- NOT VOTING; and [05] ABSENT, was passed by a vote of two-thirds (2/3) [2,014.27] of**
11 **the votes cast as required by Article VI, Section 1(d) and Article VII, Section 2(e) of the**
12 **Constitution of the Tohono O'odham Nation.**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

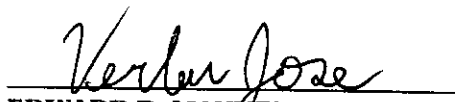
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20 **Timothy Joaquin, Legislative Chairman**
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22 26 day of July, 2016

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24 **ATTEST:**

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27 **Evonne Wilson, Legislative Secretary**

28 26 day of July, 2016

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34 **SIGNED this** 26th **day of** July, 2016 **in accordance with the provisions of**
35 **Article VII, Section 5 of the Constitution of the Tohono O'odham Nation.**

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40 **EDWARD D. MANDEL, CHAIRMAN**
41 **TOHONO O'ODHAM NATION**
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ACTION: OVERRIDING VETO OF RESOLUTION NO. 16-311, "APPOINTEES TO THE NATION'S TREASURER AND OTHER OFFICERS AND HEADS OF GOVERNMENTAL DEPARTMENTS THAT ARE DISAPPROVED BY THE LEGISLATIVE COUNCIL NO LONGER IN OFFICE"

Moved: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILWOMAN RACHEAL VILSON-STONER

DATE: JULY 25, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			X
	2. VERNON J. SMITH (<i>Absent</i>) (Gloria Zazueta) (<i>Present</i>)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. 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 ()	109.95		X		
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			X
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	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 (<i>Absent</i>) (John Fendenheim) (<i>Present</i>)	90.3		X		
SELLS 513.5	1. ARTHUR WILSON (<i>Absent</i>) (Beverly Rivas) (<i>Present</i>)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDA 231.6	1. LUCINDA ALLEN (<i>Absent</i>) (Nicholas Jose) (<i>Present</i>)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	2,119.4	902.0	-0-	[05]

<REQUIRED 2/3 VOTE FOR OVERRIDE: 2,014.27>