

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Adopting December 2020 Amendment to the TERO Ordinance)**

**RESOLUTION NO. 20-434**

1 **WHEREAS,** all members of the Tohono O'odham Nation "shall be given equal opportunity to  
2 participate in the economic resources and activities of the Tohono O'odham  
3 Nation" (Constitution, Article III, Section 3); and

4 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
5 the authority to "promote, protect and provide for public health, peace, morals,  
6 education and general welfare of the Tohono O'odham Nation and its members. .  
7 ." (Constitution, Article VI, Section 1(c)(2)); and

8 **WHEREAS,** on March 20, 1985, the Papago Council enacted the "Papago Employment Rights  
9 Ordinance," Ordinance No. 01-85, which was amended in 2002 to add a definition  
10 for "Indian preference laws, rules, regulations and guidelines. . ." (Resolution No.  
11 02-390) and which is currently codified at 13 Tohono O'odham Code Chapter 1 (the  
12 "TERO Ordinance"); and

13 **WHEREAS,** the killing of George Floyd by police in Minneapolis in May of 2020 led to a  
14 renewed Black Lives Matter movement that sparked nationwide protests against  
15 police violence and calls to address systemic racial discrimination throughout  
16 the United States; and

17 **WHEREAS,** in recognition of the common interest in combatting discrimination that  
18 members of the Tohono O'odham Nation share with the Black Lives Matter  
19 movement, and in response to public support for action by the Tohono O'odham  
20 Nation against racial discrimination, the Domestic Affairs Committee, Cultural  
21 Preservation Committee, and Human Resources Development Committee held a  
22 series of joint meetings to review the Nation's laws and discuss how the Nation  
23 might act to address racial discrimination; and

24 **WHEREAS,** during the joint meetings, the Committees recognized that an amendment to the  
25 TERO Ordinance that clearly prohibits discrimination in employment would  
26 enhance the Nation's employment laws and improve employment relationships  
27 within the Nation and also serve as an appropriate public statement by the Nation  
28 against systemic racial discrimination at a time when such statements are  
29 needed; and

30 **WHEREAS** the Committees agreed that the Human Resources Development Committee, as  
31 the primary oversight committee over employment matters, should develop an  
32 amendment to the TERO Ordinance for consideration by the Legislative Council;  
33 and

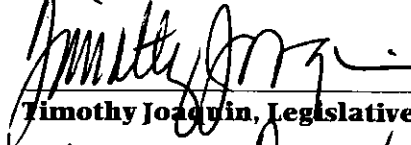
1 WHEREAS, it is in the Nation's best interest to amend 13 T.O.C. Chapter 1, to add a new Section  
2 1103, "Employment Discrimination Prohibited"; and

3 WHEREAS, the Human Resources Development Committee has reviewed the December 2020  
4 amendment to 13 T.O.C. Chapter 1, which is incorporated by this reference, and  
5 which would add a new Section 1103, "Employment Discrimination Prohibited"  
6 and recommends its approval by the Legislative Council.

7 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council adopts the  
8 amendment to 13 Tohono O'odham Code Chapter 1, which adds a new Section  
9 1103, "Employment Discrimination Prohibited," dated December 2020.

10 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup>  
11 day of DECEMBER, 2020 at a meeting at which a quorum was present with a vote of 2,476.05 FOR;  
12 485.85 AGAINST; -0- NOT VOTING; and 213.8[03] ABSENT, pursuant to the powers vested in the  
13 Council by Article III, Section 3 and Article VI, Section 1(c)(2) of the Constitution of the Tohono  
14 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by  
15 the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant  
16 to Section 16 of the Act of June 18, 1934 (48 Stat.984).

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18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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22 Timothy Joaquin, Legislative Chairman

23  
24 11 day of December, 2020

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27 ATTEST:

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30 Evonne Wilson, Legislative Secretary

31  
32 11 day of December, 2020

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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
35 O'odham Nation on the 11 day of December, 2020 at 12:45 o'clock, 10 .m.,  
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
37 effective upon his approval or upon his failure to either approve or disapprove it within 48  
38 hours of submittal.

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40 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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44 Timothy Joaquin, Legislative Chairman

**RESOLUTION NO. 20-434**  
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**Page 3 of 3**

**APPROVED**

on the 14 day of December, 2020

**DISAPPROVED**

at 4:08 o'clock, P.m.

  
\_\_\_\_\_  
**NED NORRIS, JR., CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 14 day of

December, 2020, at 4:30 o'clock, P.m.

  
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**Evonne Wilson, Legislative Secretary**

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ACTION: ADOPTING DECEMBER 2020 AMENDMENT TO THE TERO ORDINANCE

MOVED: COUNCILWOMAN LUCINDA ALLEN

SECOND: COUNCILMAN DANIEL L.A. PRESTON III

DATE: DECEMBER 09, 2020

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GU ACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			X
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90				X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90				X
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80		X		
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50		X		
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55		X		
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	2,476.05	485.85	-0-	213.8 [03]