

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Adopting the Emergency Planning and Community Right-to-Know  
Ordinance (Ord. No. 98-02))**

**RESOLUTION NO. 98-210**

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4 **WHEREAS, the presence of Hazardous Materials within the lands of the Nation**  
5 **threatens or has a direct effect on the health and welfare of the Tohono**  
6 **O'odham Nation's members and all persons present on the lands of**  
7 **the Nation; and**

8 **WHEREAS, it is in the interest of the Nation to plan and prepare for emergencies**  
9 **involving Hazardous Materials as well as those caused by natural**  
10 **disasters; and**

11 **WHEREAS, effective emergency planning necessitates adequate reporting and**  
12 **notification requirements; and**

13 **WHEREAS, the Chairman of the Nation established the Superfund Amendments**  
14 **Reauthorization Act (SARA) Title III Workgroup to address these**  
15 **issues; and**

16 **WHEREAS, the Nation's SARA Title III Workgroup has drafted an Emergency**  
17 **Planning & Community Right-To-Know Ordinance to address these**  
18 **concerns; and**

19 **WHEREAS, the SARA Title III Workgroup has presented this draft Emergency**  
20 **Planning and Community Right-To-Know Ordinance to the Districts**  
21 **in a series of public review sessions; and**

22 **WHEREAS, the Districts have reviewed the Final Draft of the Emergency Planning**  
23 **and Community Right-To-Know Ordinance and approve of its intent**  
24 **and have shown their approval by passing Resolutions of Support; and**

25 **WHEREAS, the Executive Committee, the Domestic Affairs Committee, the Rules**  
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**(Adopting the Emergency Planning and Community Right-to-Know Ordinance (Ord. No. 98-02))**

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Committee, and the Commerce Committee have all reviewed this Ordinance and recommend its approval.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby adopts the Final Draft of the Emergency Planning and Community Right-To-Know Ordinance as amended in this Legislative Council session and in the form attached hereto, to be known as the Tohono O'odham Emergency Planning and Community Right-To-Know Ordinance.

BE IT FURTHER RESOLVED by the Tohono O'odham Nation Legislative Council that the Tohono O'odham Nation's officials, to wit: the Chairman, Vice Chairman and any designated official are hereby authorized to implement this Ordinance.

The foregoing Resolution was passed by the Tohono O'odham Council on the 01ST day of JUNE, 1998 at a meeting at which a quorum was present with a vote of 1,444.0 FOR; 402.5 AGAINST; 80.5 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1(c)(2) of Article VI 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

  
Dennis Ramon, Legislative Chairman

10<sup>th</sup> day of June, 19 98

ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

15 day of June, 19 98

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**(Adopting the Emergency Planning and Community Right-to-Know Ordinance  
(Ord. No. 98-02))**

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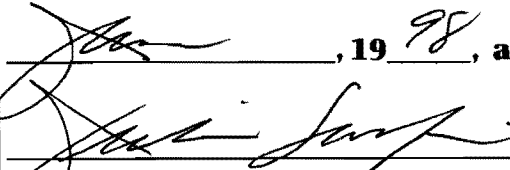
Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10<sup>th</sup> day of June, 19 98 at 4:49 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Dennis Ramon, Legislative Chairman

**APPROVED** on the 12<sup>th</sup> day of June, 19 98  
 **DISAPPROVED** at 10:45 o'clock, A.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of  
June, 19 98, at 3:15 o'clock, P.M.  
  
Julianna Saraficio, Acting Legislative Secretary

ACTION: ADOPTING THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ORDINANCE (ORD. NO. 98-02)

MOVED: COUNCILMAN ALEX RAMON

SECOND: COUNCILMAN LOUIS JOHNSON

DATE: JUNE 01, 1998

| DISTRICT                    | LEGISLATIVE REPRESENTATIVES                  | # OF VOTES     | FOR            | AGAINST      | NOT VOTING  | ABSENT      |
|-----------------------------|----------------------------------------------|----------------|----------------|--------------|-------------|-------------|
| <b>CHUKUT KUK</b><br>189.0  | 1. DAVID GARCIA<br>(Marvin Thomas)           | 94.5           | X              |              |             |             |
|                             | 2. KENNETH WILLIAMS<br>(Arnold F. Smith Sr.) | 94.5           | X              |              |             |             |
| <b>HICKIWAN</b><br>146.0    | 1. ALEX JOSE<br>( )                          | 73.0           | X              |              |             |             |
|                             | 2. LLOYD FRANCISCO<br>(Susan Sam)            | 73.0           | X              |              |             |             |
| <b>GU VO</b><br>142.0       | 1. FERN SALCIDO<br>(Larry Montana)           | 71.0           | X              |              |             |             |
|                             | 2. GLORIA MONTANA<br>(Phillip Antone)        | 71.0           | X              |              |             |             |
| <b>SAN LUCY</b><br>114.0    | 1. JOHN RENO<br>(Mary Hoffman)               | 57.0           | X              |              |             |             |
|                             | 2. ALBERT MANUEL, JR.<br>(Jana Montana)      | 57.0           | X              |              |             |             |
| <b>PISINEMO</b><br>139.0    | 1. BARBARA SALVICIO<br>( )                   | 69.5           | X              |              |             |             |
|                             | 2. JOHNSON JOSE<br>( )                       | 69.5           | X              |              |             |             |
| <b>GU ACHI</b><br>190.0     | 1. LOUIS JOHNSON<br>( )                      | 95.0           | X              |              |             |             |
|                             | 2. ALEX J. RAMON<br>( )                      | 95.0           | X              |              |             |             |
| <b>BABOQUIVARI</b><br>258.0 | 1. FRANCES MIGUEL<br>( )                     | 129.0          | X              |              |             | X           |
|                             | 2. FRANCES G. ANTONE<br>(Edward N. Kisto)    | 129.0          | X              |              |             |             |
| <b>SAN XAVIER</b><br>146.0  | 1. TONY BURRELL<br>( )                       | 73.0           | X              |              |             |             |
|                             | 2. DENNIS RAMON<br>( )                       | 73.0           | X              |              |             |             |
| <b>SCHUK TOAK</b><br>120.0  | 1. JOSEPH JUAN<br>( )                        | 60.0           | X              |              |             |             |
|                             | 2. AMBROSE ENCINAS<br>( )                    | 60.0           | X              |              |             | X           |
| <b>SELLS</b><br>322.0       | 1. DENNIS E. JOSE<br>( )                     | 161.0          |                | X            |             |             |
|                             | 2. EVELYN JUAN<br>( )                        | 161.0          |                | X            |             |             |
| <b>SIF OIDAK</b><br>161.0   | 1. RITA MARTINEZ<br>(Maxine Norris)          | 80.5           |                |              | X           |             |
|                             | 2. MARY ANN ANTONE<br>(Darlene Andrew)       | 80.5           |                | X            |             |             |
| <b>TOTAL</b>                |                                              | <b>1,927.0</b> | <b>1,444.0</b> | <b>402.5</b> | <b>80.5</b> | <b>[02]</b> |

\*\*PASSED VOTES