

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Extending TERO Commissioners' Suspension)**

**RESOLUTION NO. 13-040**

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the authority to enact**  
2 **ordinances "to promote, protect and provide for public health, peace, morals,**  
3 **education and general welfare of the Tohono O'odham Nation and its members" and**  
4 **the power "to provide for, appoint, or provide for the appointment of, and prescribe**  
5 **the duties and powers of committees, boards, officers and agents" (Constitution,**  
6 **Article VI, Section 1(c)(2) and 1(b)); and**

7 **WHEREAS, in 1985 the Papago Council enacted the Papago Employment Rights Ordinance ("TERO**  
8 **Ordinance"), thereby establishing the Papago Employment Rights Commission (a.k.a.,**  
9 **"TERO Commission") and vesting the Council with the power to select and appoint**  
10 **TERO commissioners (TERO Ordinance, Ordinance No. 01-85, Section 6(B)(2)); and**

11 **WHEREAS, pursuant to Section 6(C) of the TERO Ordinance, the TERO Commission "shall report**  
12 **directly to the [Legislative] Council.;" and**

13 **WHEREAS, on September 27, 2012, the Legislative Council suspended the TERO Commission for**  
14 **six months (Resolution No. 12-384); and**

15 **WHEREAS, it is in the Nation's best interest to extend the TERO Commissioners' suspension for**  
16 **another six months.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby extends**  
18 **the suspension of TERO Commissioners Shawn Ramon, Karen Ventura, Juan Zazueta,**  
19 **Timothy Toro, and Norman Garcia from the TERO Commission until 11:59 p.m. on**  
20 **September 27, 2013 except as otherwise provided by subsequent action of the**  
21 **Legislative Council.**

22 **BE IT FURTHER RESOLVED that the commissioners suspended by this resolution shall not**  
23 **participate in the affairs of the TERO Office or Commission, have access to TERO Office**  
24 **or Commission records, property, funds, accounts, or credit cards or otherwise**  
25 **exercise any authority as a TERO Commissioner; the suspended commissioners shall**  
26 **immediately return any TERO Commission or TERO Office records and property,**  
27 **including but not limited to all keys, vehicles, computers, data, files, funds, or credit**  
28 **cards now in their possession or control to the Nation's chairperson or the**  
29 **chairperson's designee.**

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1 **BE IT FINALLY RESOLVED** that during the term of the commissioners' suspension, the chairperson  
2 of the Tohono O'odham Nation or the chairperson's designee is vested with exclusive  
3 authority to manage and expend funds under the Commission's FY 2013 budgets, shall  
4 exercise the Commission's signature authority, and shall secure and/or take control  
5 of all TERO Commission property and assets, including but not limited to all bank  
6 accounts, credit cards and accounts, real and personal property, financial and other  
7 records and documents.


8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup> Day**  
9 **of FEBRUARY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**  
10 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**  
11 **Section 1 of Article VI, Section 1 (b)(c)(2)(d) and (1) of the Constitution of the Tohono O'odham**  
12 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**  
13 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16**  
14 **of the Act of June 18, 1934 (48 Stat. 984).**

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17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21 **Timothy Joaquin, Legislative Chairman**

22  
23 11 day of February, 2013

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25 **ATTEST:**

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28 **Evonne Wilson, Legislative Secretary**

29  
30 11 day of February, 2013

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32 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**  
33 **Nation on the 11 day of February, 2013 at 4:19 o'clock, P..M.,**  
34 **pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective**  
35 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
36 **submittal.**

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38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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42 **Timothy Joaquin, Legislative Chairman**

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**(Extending TERO Commissioners' Suspension)**  
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APPROVED

on the 12 day of February, 2013

DISAPPROVED

at 8:53 o'clock, a.M.

  
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NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12 day of

February, 2013, at 9:52 o'clock, a.M.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

ACTION: EXTENDING TERO COMMISSIONERS' SUSPENSION

MOVED: VICE CHAIRMAN EDWARD MANUEL

SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: FEBRUARY 06, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta Harvey) ( <i>Present</i> )	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ( )	113.35	X			X
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			X
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			X
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( <i>Absent</i> ) (Diana Manuel) ( <i>Present</i> )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			X
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. MARIA ACKERMAN ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>