

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Extending Interim Commissioners' Terms)**

**RESOLUTION NO. 13-354**

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"**  
4 **and the power "to provide for, appoint, or provide for the appointment of, and**  
5 **prescribe the duties and powers of committees, boards, officers and agents"**  
6 **(Constitution, Article VI, Section 1 (c)(2) and 1 (b)); and**

7 **WHEREAS, in 1985 the Papago Council enacted the Papago Employment Rights Ordinance**  
8 **("TERO Ordinance"), thereby establishing the Papago Employment Rights**  
9 **Commission (a.k.a., "TERO Commission") and vesting the Council with the power**  
10 **to select and appoint TERO commissioners (13 Tohono O'odham Code Chapter 1**  
11 **Employment Rights, Ordinance No. 01-85, subsection 6(B)(2)); and**

12 **WHEREAS, by Resolution Nos. 12-284 and 13-040, the Legislative Council suspended the**  
13 **Nation's TERO commissioners; and**

14 **WHEREAS, on March 20, 2013, the Legislative Council appointed interim commissioners**  
15 **Anthony J. Rios, Rose Johnson Antone, Bernadette E. Blackwater, and Gloria**  
16 **Pancho as the interim TERO Commission for a term expiring on September 27,**  
17 **2013; and**

18 **WHEREAS, it is in the Nation's best interest to extend the interim TERO Commission's terms**  
19 **so that the Commission may conduct business, ensure that Indian preference is**  
20 **enforced, and provide necessary services for the Nation's members; and**

21 **WHEREAS, the Human Resources Development Committee recommends extending the**  
22 **interim TERO Commissioner's terms until successors are appointed or as**  
23 **otherwise provided by subsequent action of the Legislative Council.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
25 **extends the interim TERO Commissioners' terms until successors are appointed**  
26 **or as otherwise provided by subsequent action of the Legislative Council.**

27 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the interim TERO**  
28 **Commission is authorized to exercise the duties of the TERO Commission**  
29 **pursuant to the TERO Ordinance, provided that the Nation's chairperson or the**

1                    **chairperson's designee shall retain the authorities delegated by Resolution Nos.**  
2                    **12-284 and 13-040 as modified in the manner described below:**

- 3                    **1.        manage and expend funds under the Commission's FY 2013 and FY 2014**  
4                    **budgets, provided that subject to review and approval by the Nation's**  
5                    **chairperson or chairperson's designee, the Interim Commission may**  
6                    **request expenditures of funds in order to perform its functions;**
- 7                    **2.        exercise the Commission's signature authority, except that the Interim**  
8                    **Commission shall exercise independent signature authority for**  
9                    **Commission correspondence, issuing written hearing decision, adopting**  
10                   **rules and regulations, and other matters that do not directly authorize**  
11                   **the expenditure of funds; and**
- 12                   **3.        secure and/or take control of all TERO Commission property and assets,**  
13                   **including but not limited to all bank accounts, credit cards and accounts,**  
14                   **real and personal property, financial and other records and documents;**  
15                   **provided that the Interim Commission shall have access to property and**  
16                   **records necessary to perform its functions if such access does not impede**  
17                   **any criminal investigation and may expend funds in accordance with**  
18                   **additional provisions of this resolution.**

19                   **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup>**  
20                   **day of SEPTEMBER, 2013 at a meeting at which a quorum was present with a vote of 2,946.5**  
21                   **FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the**  
22                   **Council by Article VI, Section 1(b),1(c)(2),1(d),and1(l) of the Constitution of the Tohono**  
23                   **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved**  
24                   **by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,**  
25                   **pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

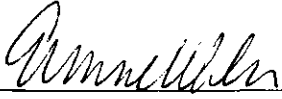
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28                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31                   **Timothy Joaquin, Legislative Chairman**

32                   23 day of September, 2013  
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**(Extending Interim Commissioners' Terms)**  
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1 **ATTEST:**

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5 **Evonne Wilson, Legislative Secretary**

6 23 day of September, 2013  
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9 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
10 **O'odham Nation on the 23 day of September, 2013 at 2:18 o'clock, P.m.,**  
11 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
12 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
13 **hours of submittal.**  
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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**


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18 **Timothy Joaquin, Legislative Chairman**

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25  **APPROVED**

on the 23 day of September, 2013

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27  **DISAPPROVED**

at 3:20 o'clock, P.m.

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32 **NED NORRIS, JR., CHAIRMAN**  
33 **TOHONO O'ODHAM NATION**  
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40 **Returned to the Legislative Secretary on the 24 day of**

41 September, 2013, at 9:40 o'clock, A.m.  
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46 **Evonne Wilson, Legislative Secretary**  
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ACTION: EXTENDING INTERIM COMMISSIONERS' TERMS

MOVED: COUNCILMAN ARTHUR WILSON

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: SEPTEMBER 11, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ( )	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ( )	251.0	X			X
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS ( )	112.1	X			
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ( )	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			X
	2. EDWARD MANUEL, SR. ( )	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ( )	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ( )	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			X
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ( )	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
<b>TOTAL</b>		<b>2,946.5</b>	<b>2,946.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>