

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Codifying 21 Tohono O'odham Code Chapter 1 - Alcoholic Beverages Licensing and Control)

RESOLUTION NO. 14-513

1 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that "[a]ll legislative**
2 **powers of the Tohono O'odham Nation shall be vested in the Tohono O'odham**
3 **Council," and vests the Legislative Council with the power to "enact laws,**
4 **ordinances and resolutions necessary or incidental to the exercise of its**
5 **legislative powers" (Constitution, Article V, Section 1 and Article VI, Section 1(l));**
6 **and**

7 **WHEREAS, on April 6, 1982, the Papago Tribal Council enacted the Alcoholic Beverages**
8 **Licensing and Control Ordinance as Ordinance No. 05-82 for the regulation of the**
9 **introduction, sale, possession and consumption of alcoholic beverages within the**
10 **exterior boundaries of the Nation (21 T.O.C. Chapter 1); and**

11 **WHEREAS, Ordinance No. 05-82 was subsequently certified by the Assistant Secretary for**
12 **Indian Affairs as required by federal law and published in the Federal Register at**
13 **47 FR 47687-02; and**

14 **WHEREAS, pursuant to Legislative Order No. 06-267, the Legislative Council authorized and**
15 **directed the Legislative Attorney's Office "to maintain a current compilation of the**
16 **Nation's existing laws of permanent and general interest as the Tohono O'odham**
17 **Code" and "to prepare codified versions of the Nation's existing laws for inclusion**
18 **in the Tohono O'odham Code, subject to approval by the Legislative Council."; and**

19 **WHEREAS, 21 Tohono O'odham Code Chapter 1 - Alcoholic Beverages Licensing and Control,**
20 **which is incorporated by this reference, would codify the existing law by replacing**
21 **outdated references to the Papago Tribe and other outdated terminology,**
22 **including exemptions adopted by Resolution No. 01-119 and Resolution No. 04-**
23 **514, and making other non-substantive changes.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council codifies and**
25 **enacts 21 Tohono O'odham Code Chapter 1 - Alcoholic Beverages Licensing and**
26 **Control.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 24TH**
28 **day of NOVEMBER, 2014 at a meeting at which a quorum was present with a vote of 2,726.9 FOR;**
29 **-0- AGAINST; 219.6[01] NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the**
30 **Council by Article V, Section 1; Article VI, Section 1(c)(2) and 1(l) of the Constitution of the**
31 **Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and**
32 **approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6,**
33 **1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

2 day of December, 2014

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

1 day of December, 2014

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 2 day of December, 2014 at 1:21 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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

DISAPPROVED

on the 04 day of December, 2014

at 9:25 o'clock, A .m.

Ned Norris, Jr.

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

Returned to the Legislative Secretary on the 04 day of

December, 2014, at 10:28 o'clock, A .m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

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ACTION: CODIFYING 21 TOHONO O'ODHAM CODE CHAPTER 1 - ALCOHOLIC BEVERAGES LICENSING AND CONTROL

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES B. STEPEHENS

DATE: NOVEMBER 24, 2014

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			X
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	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 (Daniel L.A. Preston, III)	112.1	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8			X	X
	2. JANA MONTANA ()	109.8			X	
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			X
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8	X			
	2. VIRGINIA GARCIA ()	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			
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			
TOTAL		2,946.5	2,726.9	-0-	219.6 [01]	[03]