

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Rescinding Resolution No. 147-89 "Delegation to  
Farming Authority the Responsibility for P.L. 97-203  
Farm Development and Request Secretary for '638  
Construction Contracts)

RES. NO. 209-89

1  
2 WHEREAS, the Farming Authority requested to contract the P.L.  
3 97-293 farm development, entitled "the Southern Arizona  
4 Water Rights Settlement Act of 1982", which provides for  
5 the delivery of C.A.P. water to the development of lands  
6 located within the San Xavier District and the Schuk  
7 Toak District of the Tohono O'Odham Nation; and

8 WHEREAS, under the provision of Section 102(a) of P.L. 93-638, as  
9 amended, the Secretary of the Interior is directed upon  
10 request by the Nation, by resolution, to enter into a  
11 self-determination contract or contracts with a Nation's  
12 organization to plan, conduct and administer  
13 construction programs or portions thereof, the act  
14 further provides that the Nation's organization may  
15 submit a proposal for a self-determination contract to  
16 the Secretary, for review and approval, and unless  
17 otherwise agreed to by the resolution of the Nation's  
18 organization, the Secretary shall not revise or amend a  
19 self-determination contract with such Nation's  
20 organization; and

21 WHEREAS, the Tohono O'Odham Farming Authority does have the  
22 authority and responsibility to develop, manage,  
23 operate, and maintain all farms and agricultural  
24 facilities owned or operated by the Nation; and

25 WHEREAS, the Tohono O'Odham Legislative Council on May 4, 1989  
26 passed Resolution No. 147-89 "Delegating to Farming  
27 Authority the responsibility for P.L. 97-293 Farm  
28 Development and request to Secretary for '638  
29 Construction Contracts"; and

30 WHEREAS, Resolution No. 147-89 was vetoed by the Chairman of the  
31 Tohono O'Odham Nation on May 9, 1989; and

32 WHEREAS, the vetoed resolution was reintroduced to the Tohono  
O'Odham Legislative Council on May 9, 1989; and

(Rescinding Resolution No. 147-89 "Delegation to Farming Authority the Responsibility for P.L. 97-203 Farm Development and Request Secretary for '638 Construction Contracts)  
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1  
2 WHEREAS, the Tohono O'odham Legislative Council failed to  
3 override the vetoed resolution; and

4 WHEREAS, a legal question and opinion arose regarding the 48  
5 hour period veto process; and

6 WHEREAS, in order to clear the polemics, the Farming Authority  
7 withdraws its request to contract the Public Law 97-293.

8 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham  
9 Legislative Council hereby rescinds Resolution No.  
10 147-89.

11  
12 The foregoing Resolution was passed by the Tohono O'odham Council  
13 on the 8th. day of June, 1989 at a meeting at which a quorum  
14 was present with a vote of 1,724.0 for; -0- against; -0- not  
15 voting; and -0- absent, pursuant to the powers vested in the  
16 Council by Section 1(f), (1) 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).

17  
18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

19   
20 Edward D. Manuel, Legislative Chairman

21 27 day of June, 1989.

22  
23 ATTEST:

24   
25 Teresa M. Choyguha, Legislative Secretary

26 27<sup>th</sup> day of June, 1989.

27 Said Resolution was submitted for approval to the office of the  
28 Chairman of the Tohono O'odham Nation on the 27 day of  
June, 1989, at 1:42 o'clock, P.M.,  
29 pursuant to the provisions of Section 5 of Article VII of the  
30 Constitution and will become effective upon his approval or upon  
his failure to either approve or disapprove it within 48 hours of  
submittal.

31  
32 TOHONO O'ODHAM LEGISLATIVE COUNCIL

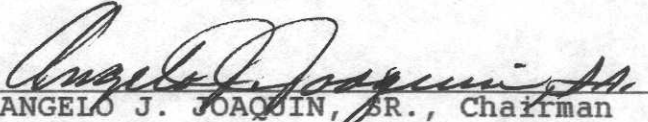
  
Edward D. Manuel, Legislative Chairman

RES. NO. 209-89

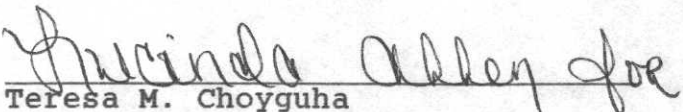
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[X] APPROVED ) on the 28 day of June, 1989,  
[ ] DISAPPROVED ) at 1:00 o'clock, P. .M.

  
ANGELO J. JOAQUIN, SR., Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 28<sup>th</sup> day of  
June, 1989, at 1:54 o'clock, P. .M.

  
Teresa M. Choyguha  
Legislative Secretary

MOVED: John Reno

SUBJECT: Rescinding Resolution

SECOND: Joanne Preston

No. 147-89

DATE: June 8, 1989

RESOLUTION #209-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Eleanor Santos)	62.5	X			
	2. Henry Ramon (Billy Manuel)	62.5	X			
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			
	2. Virgil Lewis (Michael Flores)	57.0	X			
SAN LUCY 106.0	1. John Reno ( )	53.0	X			
	2. Albert Manuel Jr (Max P. Jose)	53.0	X			
PISINEMO 119.0	1. Edward D. Manuel (Alex Antone)	59.5	X			
	2. Johnson Jose ( )	59.5	X			
GU ACHI 166.0	1. Alex J. Ramon (Fernando Joaquin)	83.0	X			
	2. Percy Lopez ( )	83.0	X			
BABOQUIVARI 229.0	1. Joann Garcia (Frances Miguel)	114.5	X			
	2. Earl A. Francisco (Kenneth Chico Sr.)	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis (Michael Rios)	63.5	X			
SCHUK TOAK 107.0	1. Joseph Juan (Frances Francisco)	53.5	X			
	2. Joann Francisco (David Valenzuela Sr.)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			
SIF OIDAK 158.0	1. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
	2. Mary Ann Antone (Nina Jose)	79.0	X			
TOTAL		1,724.0	1,724.0	-0-	-0-	-0-