

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Repealing the Tohono O'Odham Health Department's
Administrative Plan)

RES. NO. 409-89

1
2 WHEREAS, the Tohono O'Odham Legislature did reorganize and re-
3 establish the Tohono O'Odham Health Board, its Plan of
4 Operation and its Administrative Plan, by Resolution of
5 the Tohono O'Odham Legislative Council, Resolution
6 Numbers 29-83, 42-85 and 421-87, respectively; and

7 WHEREAS, the Tohono O'Odham Nation is experiencing critical
8 problems with the delivery of services and adminis-
9 tration of the Nation's Health Department, Grants and
10 Contracts; and

11 WHEREAS, such problems stem directly from the lack of appropriate
12 and effective management of the Health Programs, attri-
13 butable to the actions and lack thereof, of the Health
14 Board, including but not limited to the fact that the
15 Nation is the Grantee of all grants and contracts
16 awarded for Health Department activities and the Health
17 Board enacts contracts and activities without the prior
18 knowledge or participation from the Nation; and

19 WHEREAS, the Tohono O'Odham Legislative Council, in concert with
20 the Nation's Executive Branch finds that the provision
21 of the Health Administrative Plan is premature and a
22 major factor in the resultant conflicts and breakdown in
23 communication and completion of contractual obligations;
24 and

25 WHEREAS, the provision of an Administrative Plan is much more
26 appropriate subsequent to the implementation of systems
27 and methodologies being developed, by the Nation, under
28 the auspices of the congressionally funded and author-
29 ized Demonstration Project; and

30 WHEREAS, the Tohono O'Odham Legislature has deemed it expedient
31 to take appropriate and decisive action to protect the
32 health and welfare of its people as well as to implement
an effective and efficient administration of existing
and committed obligations in the health area.

1
2 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham
3 Legislative Council does hereby repeal and rescind the
4 Tohono O'Odham Health Department's Plan of Operation and
5 Administrative Plan authorized by Tohono O'Odham Legis-
6 lative Council (Papago Tribal Council) Resolution Nos.
7 29-83, 42-85 and 421-87 and all provisions and
8 appurtenances thereto.

9 BE IT FURTHER RESOLVED that any other instrument, not named
10 herein, relating to the Plan of Operation and/or the
11 Administrative Plan of the Tohono O'Odham Nation's
12 Health Department, is hereby rescinded, and all
13 provisions thereof invalidated.

14 BE IT FURTHER RESOLVED that the Tohono O'Odham Legislative
15 Council, in concert with the Tohono O'Odham Executive
16 shall formulate and empower a Task Force, to be composed
17 of membership derived from the Nation's Legislative and
18 Executive Branches and from the Chairmanships of the
19 Districts of the Tohono O'Odham Nation and others as
20 deemed necessary by the two Branches.

21 BE IT FURTHER RESOLVED that the makeup and membership of such
22 Task Force shall be by joint appointment by the Nation's
23 Legislative and Executive Branches.

24 BE IT FURTHER RESOLVED that the purpose of the Task Force shall
25 be two-fold, to provide interim guidance and direction
26 to the Health Department and to research, review and
27 recommend to the Nation's Legislative and Executive
28 Branches regarding any and all aspects of the Health
29 Administrative oversight provisions.

30 BE IT FURTHER RESOLVED that the Task Force shall serve at the
31 pleasure and discretion of the joint Legislative and
32 Executive Branches and shall terminate upon the


1 acceptance and enactment, by both Branches of a
2 Comprehensive Administrative Plan providing appropriate
3 oversight of the Health Department.

4
5 BE IT FURTHER RESOLVED that during the interim, from the time of
6 enactment of this Resolution and the appointment and
7 enactment of the Task Force, the Executive Committee
8 shall have administrative oversight of the Health
9 Department.

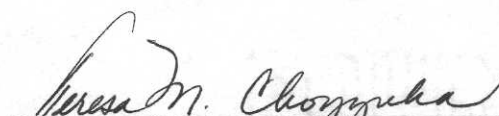
10 BE IT FURTHER RESOLVED that the provisions of this Resolution are
11 effective immediately, upon passage by the Nation's
12 Legislature and upon enactment, by signature of
13 approval, by the Chairman of Nation's Executive Branch.

14 The foregoing Resolution was passed by the Tohono O'odham Council
15 on the 28th day of December, 1989 at a meeting at which a quorum
16 was present with a vote of 919.0 for; 805.0 against; -0- not
17 voting; 04 absent, pursuant to the powers vested in the Council
18 by Section 1(b)(c)(2) of Article VI of the Constitution of the
19 Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
20 January 18, 1986, and approved by the Acting Deputy Assistant
21 Secretary - Indian Affairs (Operations) on March 6, 1986,
22 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.
23 984).

24 TOHONO O'ODHAM LEGISLATIVE COUNCIL

25
26 
27 Edward D. Manuel, Legislative Chairman
28 29th day of December, 1989.

29 ATTEST:

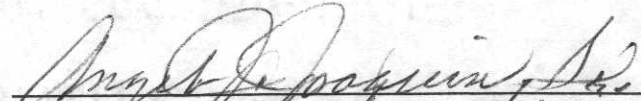
30 
31 Teresa M. Choyguha, Legislative Secretary
32 29th day of December, 1989.

Said Resolution was submitted for approval to the office of the
Chairman of the Tohono O'odham Nation on the 29th day of
December, 1989, at 11:15 o'clock, A.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.

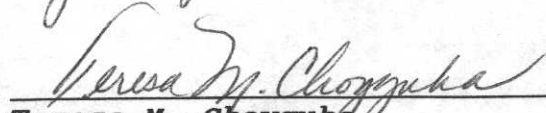
TOHONO O'ODHAM LEGISLATIVE COUNCIL


Edward D. Manuel, Legislative Chairman

[] APPROVED) on the 2 day of Jan., 1990.
[] DISAPPROVED) at 2:49 o'clock, P..M.


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

Returned to the Legislative Secretary on the 3rd day of
January, 1990, at 8:20 o'clock, A..M.


Teresa M. Choyguha
Legislative Secretary

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MOVED: Virgil Lewis

SUBJECT: Repealing the Tohono O'odham

SECOND: Mary Ann Antone

Health Department's Administrative Plan

DATE: December 28, 1989

RESOLUTION NO. 409-89

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 (Billy C. Manuel)	62.5		X		
	2. Henry Ramon ()	62.5		X		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			X
PISINEMO 119.0	1. Edward 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		X
	2. Earl A. Francisco (Kenneth Chico, Sr.)	114.5		X		
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			X
	2. Eugene Enis, Sr. (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	919.0	805.0	-0-	04

*PASSED VOTES