

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Overriding of Veto of Resolution No. 23-095, "Amending Section 21 of
the Second Restated Plan of Operation of the Tohono O'odham Utility
Authority, 24 Tohono O'odham Code Chapter 1")**

**DEFEATED
RESOLUTION NO. 23-096**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the power to promote, protect and provide for public
3 health, peace, morals, education and general welfare of the Tohono O'odham
4 Nation and its members" (Constitution of the Tohono O'odham Nation, Article VI,
5 Section 1(c)(2)); and

6 **WHEREAS,** pursuant to Article VII, Section 5 of the Nation's Constitution,

7 Every law, ordinance, resolution or separate appropriation item passed by the
8 Tohono O'odham Council shall be presented to the chairman for his approval
9 before it becomes effective. If he approves, he shall sign it. But if he
10 disapproves, he shall return it to the Tohono O'odham Council within forty-
11 eight (48) hours, with his objections. If after consideration, it again passes the
12 council by a majority of two-thirds (2/3) of the votes cast, it shall become law
13 and he shall sign it notwithstanding his objections.

14 ; and

15 **WHEREAS,** on March 9, 2023, the Legislative Council passed Resolution No. 23-095,
16 "Amending Section 21 of the Second Restated Plan of Operation of the Tohono
17 O'odham Utility Authority, 24 Tohono O'odham Code Chapter 1"; and

18 **WHEREAS,** on March 14, 2023, the Nation's Chairman vetoed Resolution No. 23-095; and

19 **WHEREAS,** pursuant to Article IX, Sections 2(B), (C), and (D) of the Legislative Rules of the
20 Tohono O'odham Legislative Council, vetoed legislation shall be placed on the
21 agenda of the next legislative session for reconsideration and shall have priority
22 over all items on the legislative agenda, and the Chairperson of the Legislative
23 Council may, without debate, call for a final vote on the vetoed legislation.

24 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council overrides the
25 veto of Resolution No. 23-095, "Amending Section 21 of the Second Restated Plan
26 of Operation of the Tohono O'odham Utility Authority, 24 Tohono O'odham Code
27 Chapter 1."

DEFEATED RESOLUTION NO. 23-096

(Overriding of Veto of Resolution No. 23-095, "Amending Section 21 of the Second Restated Plan of Operation of the Tohono O'odham Utility Authority, 24 Tohono O'odham Code Chapter 1")

Page 2 of 3

1 The foregoing Vetoed Resolution was presented to the Tohono O'odham Legislative Council on
2 the 24TH day of MARCH, 2023 at a meeting at which a quorum was present, and by a vote of
3 1,825.45 FOR; 1,392.55 AGAINST; [01] NOT VOTING; and -0- ABSENT, failed to pass because it did
4 not receive a majority of two-thirds (2/3) [2,145.33] of the votes cast as required by Section 5 of
5 Article VII of the Constitution of the Tohono O'odham Nation.
6
7

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

24 day of March, 2023

ATTEST:



Evonne Wilson, Legislative Secretary

24 day of March, 2023

ACTION: OVERRIDING OF VETO OF RESOLUTION NO. 23-095, "AMENDING SECTION 21 OF THE SECOND RESTATED PLAN OF OPERATION OF THE TOHONO O'ODHAM UTILITY AUTHORITY, 24 TOHONO O'ODHAM CODE CHAPTER 1"

MOVED: COUNCILWOMAN GRACE MANUEL

SECOND: COUNCILWOMAN JANICE FELIX

DATE: MARCH 24, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8		X		
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8		X		
SELS 556.5	1. ARTHUR WILSON (Shelia Espino)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25		X		
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25		X		
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3		X		
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X		X	
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35		X		
	2. EDWARD D. MANUEL (Monica Morgan)	116.35		X		
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3		X		
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35		X		
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8		X		
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	1,825.45	1,392.55	[01]	-0-

<REQUIRED 2/3 VOTE FOR OVERRIDE: 2,145.33>