

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting Amendment to 6 T.O.C. Chapter 1, Section 1209, Court Fees)**

RESOLUTION NO. 11-489

1 **WHEREAS, the Tohono O'odham Nation Constitution vests the Tohono O'odham Legislative**
2 **Council with fiscal powers "to manage any funds within the exclusive control of the**
3 **Tohono O'odham Nation," "to appropriate these funds for the benefit of the nation**
4 **and its members," and "to adopt, approve and amend annual budgets and to**
5 **authorize the expenditure of funds in accordance with these budgets" (Constitution,**
6 **Article VI, Section 1(d)(2) and (3)); and**

7 **WHEREAS, pursuant to 6 T.O.C. Chapter 1, Section 1209(B), reasonable filing, docketing, other**
8 **court fees collected by the Judicial Court must be "transmit[ted] . . . to the tribal**
9 **treasurer for deposit in the Judicial Court's fund.;" and**

10 **WHEREAS, while this same provision appears in both 6 T.O.C. Chapter 1 and its predecessor law,**
11 **Ordinance No. 01-89, neither law provides a process for expending these funds; and**

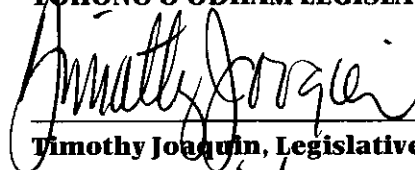
12 **WHEREAS, it is in the Nation's best interest to clarify the process for expenditure of fees that are**
13 **deposited in the Judicial Court fund; and**

14 **WHEREAS, the Judiciary Committee recommends amending 6 T.O.C. Chapter 1, Section 1209 in**
15 **accordance with the attached amendment, which is dated for reference October**
16 **2011 and is incorporated by this reference, to clarify that such funds may be**
17 **expended in accordance with a budget approved by the Legislative Council.**

18 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby adopts**
19 **the amendment to 6 T.O.C. Chapter 1, Section 1209 as dated for reference October**
20 **2011, provided that no such funds shall be expended except in accordance with a**
21 **budget approved by Legislative Council resolution.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day**
23 **of OCTOBER, 2011 at a meeting at which a quorum was present with a vote of 2,304.90 FOR; 475.70**
24 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article**
25 **VI, Section 1 (d)(2) and (3) of the Constitution of the Tohono O'odham Nation, adopted by the**
26 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
27 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
28 **18, 1934 (48 Stat. 984).**

30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 **Timothy Joaquin, Legislative Chairman**

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36 14 day of October, 2011

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RESOLUTION NO. 11-489

(Adopting Amendment to 6 T.O.C. Chapter 1, Section 1209, Court Fees)

Page 2 of 2

1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

5 14 day of October, 2011

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
9 **Nation on the 14 day of October, 2011 at 4:54 o'clock, p.M.,**
10 **pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective**
11 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
12 **submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**


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17 **Timothy Joaquin, Legislative Chairman**

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23 **APPROVED**

on the 17 day of October, 2011

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25 **DISAPPROVED**

at 8:30 o'clock, a.M.

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29 **NED NORRIS, JR., CHAIRMAN**
30 **TOHONO O'ODHAM NATION**

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35 **Returned to the Legislative Secretary on the 17 day of**

36 October, 2011, at 10:04 o'clock, a.M.

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39 **Evonne Wilson, Legislative Secretary**

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ACTION: ADOPTING AMENDMENT TO 6 T.O.C. CHAPTER 1, SECTION 1209, COURT FEES

MOVED: COUNCILWOMAN FRANCES CONDE

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: OCTOBER 12, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			X
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			X
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			X
	2. OLIVIA VILLEGAS-LISTON (<i>Absent</i>) (Eugene Enis) (<i>Present</i>)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85		X		
	2. EVELYN B. JUAN MANUEL ()	237.85		X		X
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,304.90	475.70	-0-	[04]