PLAN OF OPERATION FOR
THE HEALTH AND HUMAN SERVICES COMMITTEE

I. ESTABLISHMENT

The Health and Human Services Committee (the "Committee") of the Tohono O'odham Legislative Council ("Legislative Council") is established as a standing committee of the Legislative Council pursuant to the Rules of the Tohono O'odham Legislative Council ("Legislative Rules").

II. PURPOSE

The purpose of this Plan of Operation is to define the scope of the Committee's general powers and its oversight authority with respect to the Legislative, Judicial and Executive Branches of the Tohono O'odham Nation (the "Nation"), entities and enterprises of the Nation.

III. POWERS

A. Scope and Extent. The Committee shall review matters within the Committee's general powers and its oversight authority prescribed in this Article III and shall make recommendations to the Legislative Council on any matters requiring action by the Legislative Council.

B. General Powers. The Committee shall exercise the following general powers in matters within its oversight authority:

1. Exercise any specific authority delegated to the Committee by the Legislative Council.

2. Adopt internal policies, subject to review of the Rules Committee of the Legislative Council.

3. Subject to approval by the Legislative Council, to consult and negotiate agreements and contracts with tribal, federal, state and local governments, their departments, agencies, or political subdivisions, and with private persons or organizations on all matters within the Committee's authority.

4. Advise and make recommendations to the Legislative Council regarding federal activities that effect the Nation and the appointment or removal of federal employees assigned to duties with the Nation.

5. Draft, review and make recommendations on proposed laws, ordinances, or resolutions necessary or incidental to the exercise of legislative powers.

6. Review, advise and make recommendations on vetoed legislation.

7. Recommend legislation to be put on a referendum.

8. Review, advise and make recommendations on initiatives submitted by members of the Nation.

9. Conduct investigations as needed to exercise its general powers and oversight authority.

C. General Oversight Authority. The Committee shall have the following general oversight authority:

1. Executive Branch.

(a) Department of Health and Human Services

2. Enterprises/Entities.

(a) Archie Hendricks, Sr. Skilled Nursing Facility

(b) Tohono O'odham Nursing Care Authority

3. Other Matters.

(a) Any other activity of the Nation, its enterprises or entities which relates to human health and welfare.

(b) Any activity of a tribal, federal, state or local government, or private entity or individual which relates to human health and welfare.

(c) Any grant of authority to the Committee by Legislative Council or the laws of the Nation.

D. Specific Oversight Authority. The Committee shall have specific oversight authority to review and recommend action by the Legislative Council on appointments of directors, officers, and heads of any department listed in Section III (C) which are made by the Chairman of the Nation and subject to approval of the Legislative Council pursuant to Section 2(e) of Article VII of the Nation's Constitution or any law of the Tohono O'odham Nation.

IV. MEMBERSHIP

A. Number. Except in the event of a vacancy, the Committee shall consist of five members of the Legislative Council. The Chairman and Vice Chairman of the Legislative Council shall be ex officio, non-voting members of the Committee.

B. Selection. The members of the Committee shall be selected in accordance with

the Legislative Rules.

C. Term of Office. Each Committee member shall serve for a term of two years or until the election of Committee members in accordance with the Legislative Rules following the next general election.

D. Officers. The officers of the Committee shall be a Chairperson and Vice Chairperson who shall be selected from the Committee membership pursuant to the procedures set forth in the Legislative Rules. The presence of a Committee officer is not required to conduct a meeting.

E. Removal.

1. The Committee may, by majority vote, recommend to the Legislative Council that any Committee member be removed from the Committee for lack of participation, non-attendance at Committee meetings, or other justifiable cause.

2. In accordance with Article VI, Section C of this Plan, the Committee member whose removal is under consideration shall not vote on the removal recommendation or be counted for the purpose of establishing a quorum, but may make a statement regarding the removal recommendation before the vote is taken.

3. If the Legislative Council takes action upon and accepts the Committee's removal recommendation pursuant to the Legislative Rules, the Committee member shall be removed and shall no longer be a member of the Committee.

V. SUBCOMMITTEES

A. Establishment. The Committee may establish one or more subcommittees for the purposes described in the Legislative Rules.

B. Membership. There shall be no less than three members of a subcommittee who shall be selected from the membership of the Committee.

VI. VOTING

A. Quorum. At any meeting, a quorum shall consist of not less than three Committee members. No formal action shall be taken without a quorum present. One ex officio, non-voting member of the Committee present at the meeting shall be deemed a member of the Committee for the purpose of establishing a quorum only.

B. Vote. The vote of a majority of the members comprising a quorum shall constitute the action of the Committee.

C. Conflict of Interest. No member of the Committee shall participate in the discussion or vote on any matter before the Committee in which the member or the member's immediate family has a personal or financial interest. The term "immediate family" means a household member, spouse, cohabitant, child, grandchild, parent, grandparent, brother or sister of whole or half blood and their spouses and the parent, brother, sister or child of a spouse or cohabitant. A member of the Committee shall immediately disclose to the other Committee members any conflict of interest as soon as the member becomes aware that a conflict exists. A Committee member who has a conflict of interest on a matter pending before the Committee shall not be counted for the purpose of determining whether a quorum exists on such matter.

VII. MEETINGS

A. Regular Meetings. Regular meetings of the Committee shall be held on the day designated by the Legislative Council. Regular meetings shall be held at the time designated by the Legislative Council or if no time is specified, at the time determined by the Committee.

B. Special Meetings. Special meetings of the Committee shall be at the time and date designated by the Chairperson of the Committee, by the Vice Chairperson of the Committee in the absence of the Chairperson, or by two members of the Committee. All Committee Members shall receive notice of any special meeting.

C. Place. All meetings of the Committee shall be held in Sells, Arizona unless a different location is set by the Committee during a meeting at which a quorum is present.

D. Closed Session. A majority of the Committee may vote to address a matter in closed session. The Committee may determine whether to permit any person who is not a Committee member to attend a closed session. No person shall disclose any documents, discussions, or other information from a closed session to any person who was not present at that session other than a Committee member.

VIII. AMENDMENTS

This Plan of Operation may be amended by Legislative Order of the Legislative Council upon the Committee's recommendation after review by the Legislative Rules Committee.