

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Granting a Limited Waiver of Sovereign Immunity for Raymond Price)**

**RESOLUTION NO. 2000-300**

1 **WHEREAS, a presentation and request was brought by Raymond Price for limited waiver of**  
2 **sovereign immunity for the purposes of initiating and proceeding with a lawsuit in**  
3 **Tribal Court for his claims regarding Tohono O'odham Nation's violation of the**  
4 **Constitution and Indian preference hiring and provisions and laws; and**  
5 **WHEREAS, the Preamble of the Constitution of the Tohono O'odham Nation affirms the**  
6 **sovereign powers of the Tohono O'odham Nation to protect and to promote the rights**  
7 **of the members; and**  
8 **WHEREAS, Article I - Jurisdiction, Section 1, 2 & 3, of the Constitution of the Tohono O'odham**  
9 **Nation expresses the sovereign authority of the Tohono O'odham Nation; and**  
10 **WHEREAS, Article V - Legislative Branch Section 1, & Article VI - Powers of the Tohono O'odham**  
11 **Legislative Council vests and delegates all Legislative Power of the Tohono O'odham**  
12 **Nation to the Legislative Council; and**  
13 **WHEREAS, the Tohono O'odham Nation is immune from suit, the Nation immunity may only be**  
14 **waived by an act of the Tohono O'odham Legislative Council; and**  
15 **WHEREAS, the importance of sovereign immunity requires that the Legislative Council consider**  
16 **a waiver of sovereign immunity on the basis of the individual circumstances, and**  
17 **consider the impact of any waiver, and this has been so considered.**  
18 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby grants**  
19 **Raymond Price a waiver of sovereign immunity limited to the extent necessary to**  
20 **allow him to initiate and proceed with a lawsuit against the Nation in the Nation's**  
21 **Tribal Court for his claims regarding the Nation's violation of the Constitution, and**  
22 **Indian preference and hiring provisions, and laws.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup> Day**  
24 **of JULY, 2000 at a meeting at which a quorum was present with a vote of 1,233.7 FOR; 931.8**  
25 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**  
26 **Section 1 of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
27 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
28 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
29 **Stat. 984).**  
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31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 **Dennis Ramon, Legislative Chairman**

35 11<sup>th</sup> day of July, 2000  
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1 **ATTEST:**

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5 **Julianna Saraficio, Acting Legislative Secretary**

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7 10 day of July, 20 00.

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9 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
10 **Nation on the 11<sup>th</sup> day of July, 20 00 at 8:57 o'clock, A.M.,**  
11 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
12 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
13 **submittal.**


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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Dennis Ramon, Legislative Chairman**

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24  **APPROVED**

on the 13 day of July, 20 00  
at 8:27 o'clock, A.M.

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26  **DISAPPROVED**

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30 **EDWARD D. MANUEL, Chairman**  
31 **TOHONO O'ODHAM NATION**

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36 **Returned to the Legislative Secretary on the 13 day of**  
37 **July, 20 00, at 8:55 o'clock, A.M.**

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42 **Julianna Saraficio, Acting Legislative Secretary**

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ACTION: GRANTING A LIMITED WAIVER OF SOVEREIGN IMMUNITY FOR RAYMOND PRICE

MOVED: COUNCILWOMAN EVELYN JUAN

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: JULY 10, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9		X		
	2. RITA MARTINEZ (Nicholas Jose)	85.9		X		
<b>SELLS</b> 372.7	1. DENNIS E. JOSE ( )	186.35	X			
	2. EVELYN JUAN ( )	186.35	X			
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7		X		
	2. AMBROSE ENCINAS ( )	66.7		X		
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95		X		
	2. DENNIS RAMON ( )	82.95		X		
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25		X		
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4		X		
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05	X			
	2. GLORIA RAMIREZ ( )	64.05	X			
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0		X		
	2. GLORIA MONTANA (Phillip Antone)	80.0		X		
<b>HICKIWAN</b> 158.1	1. SHIRLEY MOLINA ( )	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05		X		
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			X
<b>TOTAL</b>		<b>2,165.5</b>	<b>1,233.7</b>	<b>931.8</b>	<b>-0-</b>	<b>[01]</b>

\*\*PASSED VOTES