

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amended Delegation of Authority to Legislative Council Chairperson and Vice Chairperson)**

LEGISLATIVE ORDER NO. 06-047

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with the**
2 **power to "negotiate and conclude agreements and contracts on behalf of the Tohono**
3 **O'odham Nation" with federal, state, and tribal governments and their subdivisions,**
4 **"or with private persons or organizations on all matters within the authority of the**
5 **Tohono O'odham Council" (Constitution, Article VI, Section 1(f)); and**

6 **WHEREAS, the Legislative Council is further vested with the power to elect and delegate**
7 **authority to the Council Chairperson and Vice Chairperson (Constitution, Article, V,**
8 **Section 4); and**

9 **WHEREAS, the Council has prescribed the duties and powers of the Council Chairperson and**
10 **Vice Chairperson (collectively, "legislative officers") by adopting the Legislative Rules**
11 **and by passing Legislative Order No. 01-477, "Approving Delegation of Authority to**
12 **Legislative Council Chairperson and Vice Chairperson"; and**

13 **WHEREAS, although Legislative Order No. 01-477 expressly delegates to the legislative officers**
14 **the authority to sign Legislative Branch documents, "allocate funds, staff, and other**
15 **resources for the effective operation of the Legislative Branch," and "approve**
16 **Legislative Branch expenditures," it is in the Branch's best interest to clarify the**
17 **power and extent of the officers' contracting authority; and**

18 **WHEREAS, the legislative officers' contracting authority is therefore expressly incorporated into**
19 **the below delegation of powers to the Chairperson (and in the Chairperson's absence,**
20 **to the Vice Chairperson) as number 15.**

21 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it does hereby**
22 **delegate the following authorities to the Council Chairperson in addition to any**
23 **authority otherwise delegated to the Chairperson:**

24 **The Legislative Council Chairperson shall have authority to:**

- 25 **1. Preside over all Council sessions.**
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27 **2. Rule on questions of procedure during Council sessions, subject to appeal of the**
28 **Council.**
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3. **Maintain order and decorum at all Legislative proceedings and events.**
4. **Follow up on implementation of legislation.**
5. **Sign all legislation and Legislative Branch documents.**
6. **Act as ex-officio, non-voting member of all Legislative Council committees.**
7. **Act as official liaison to the Nation's Executive and Judicial Branches.**
8. **Prepare and present an annual Legislative Branch budget to the Legislative Council for its review and approval.**
9. **Allocate funds, staff, and other resources for the effective operation of the Legislative Branch.**
10. **Approve Legislative Branch expenditures.**
11. **Exercise general administrative control over Legislative Branch offices, buildings, chambers and property.**
12. **Supervise and delegate the supervision of Legislative Branch employees.**
13. **Determine the employment and compensation of Legislative Branch employees.**
14. **With the consent of a majority of the Legislative Council, authorize litigation on the Council's behalf.**
15. **Negotiate, execute and otherwise conclude, and administer contracts that**
 - (a) **expend funds pursuant to appropriations or budgets authorized under resolutions or in accordance with ordinances of the Tohono O'odham Council;**
 - (b) **are within the authorities delegated to the officers by the Legislative Council;**
 - (c) **do not waive the Nation's sovereign immunity, unless a waiver has previously been authorized by a majority vote of the Legislative Council;**
 - (d) **do not indemnify a third party or authorize payment of an award of attorney fees or costs of litigation or arbitration, unless previously authorized by a majority vote of the Legislative Council; and**
 - (e) **have undergone any required legal review.**

BE IT FURTHER ORDERED by the Tohono O'odham Legislative Council that it does hereby delegate the following authorities to the Vice Chairperson in addition to any authority otherwise delegated by the Council or applicable law:

The Legislative Council Vice Chairperson shall have authority to:

1. **In the absence of the Chairperson, exercise all the duties and powers of the Chairperson.**

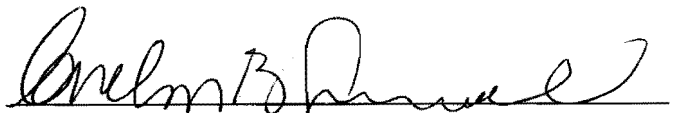
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2. Perform those duties assigned by the Chairperson.
3. At the Chairperson's request, assist the Chairperson in the performance of any duties.
4. Act as ex-officio, non-voting member of all Legislative Council committees.

BE IT FINALLY ORDERED that this Legislative Order and the delegations of authority contained herein shall supercede and replace Legislative Order No. 01-477.

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 13TH. Day of JANUARY, 2006 at a meeting at which a quorum was present with a vote of 1,751.25 FOR; -0- AGAINST; 689.55 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 4 of Article V and Sections 1(f) & 1(i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Evelyn B. Juan Manuel, Legislative Chairwoman

ATTEST:


Julianna Saraficio for:
Lucille Lopez, Acting Legislative Secretary

ACTION: AMENDED DELEGATION OF AUTHORITY TO LEGISLATIVE COUNCIL CHAIRPERSON AND VICE CHAIRPERSON

MOVED: COUNCILWOMAN CYNTHIA MANUEL

SECOND: COUNCILMAN MICHAEL FLORES

DATE: JANUARY 13, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			X
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70			X	
	2. SANDRA ORTEGA ()	83.70			X	X
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90			X	
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50			X	X
	2. GLORIA RAMIREZ ()	84.50			X	
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90			X	X
	2. OLIVIA VILLEGAS-LISTON ()	96.90			X	
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45			X	
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS ** (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	1,751.25	-0-	689.55	[04]

**PASSED VOTES