

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Execution of the Accurate Background, Inc. Method of Payment Form)**

**LEGISLATIVE ORDER NO. 16-076**

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

7 **WHEREAS, by Legislative Order No. 06-047, "Amended Delegation of Authority to Legislative**  
8 **Council Chairperson and Vice Chairperson" legislative officers are only**  
9 **authorized to conclude agreements that "do no indemnify a third party or**  
10 **authorize payment of an award of attorney fees or costs of litigation or**  
11 **arbitration, unless previously authorized by majority vote of the Legislative**  
12 **Council"; and**

13 **WHEREAS, in order to conduct background investigations for potential employment with**  
14 **the Legislative Branch or appointment to certain boards, committees, or**  
15 **commissions, the Legislative Branch uses Accurate Background, Inc. to provide**  
16 **background investigation services; and**

17 **WHEREAS, in order to efficiently process monthly payments to Accurate Background, Inc.**  
18 **by credit card, the Legislative Branch must execute the Method of Payment form,**  
19 **which includes an agreement "to pay all costs of collection or legal fees should**  
20 **such action be necessary due to non-payment"; and**

21 **WHEREAS, the Method of Payment form agreement exceeds the authority delegated to the**  
22 **Legislative Officers by Legislative Order No. 06-047 and requires Legislative**  
23 **Council approval.**

24 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it**  
25 **authorizes the Legislative Council officers to execute the Accurate Background,**  
26 **Inc. Method of Payment form, provided that nothing in this legislative order**  
27 **shall be construed as a waiver of the Legislative Branch's sovereign immunity or**  
28 **as a waiver of the Nation's sovereign immunity.**

29 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 19<sup>TH</sup> day of**  
30 **FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 2,587.0 FOR; -0-**  
31 **AGAINST; -0- NOT VOTING; and 434.4[06] ABSENT, pursuant to the powers vested in the Council**  
32 **by Article VI, Section 1(b) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted**  
33 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
34 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
35 **Act of June 18, 1934 (48 Stat.984).**

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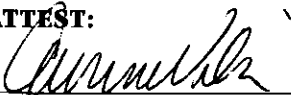
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

1 day of March, 2016

ATTEST:



Evonne Wilson, Legislative Secretary

1 day of March, 2016

ACTION: AUTHORIZING EXECUTION OF THE ACCURATE BACKGROUND, INC. METHOD OF PAYMENT FORM

MOVED: COUNCILWOMAN LORETTA LEWIS

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: FEBRUARY 19, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90				X
	2. SANDRA ORTEGA ( )	102.90				X
PISINEMO 219.9	1. CHESTER ANTONE (Tony Murrietta)	109.95	X			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Gene Enis)	114.30				X
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30				X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Theresa Donahue)	90.30	X			
	2. QUINTIN C. LOPEZ (Absent) (John Fendenheim) (Present)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			
SIF Oidak 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			
TOTAL		3,021.4	2,587.0	-0-	-0-	434.4 [06]