

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Representation in Litigation Regarding the Appointments of the Nation's
Treasurer, and Other Officers and Heads of all Governmental Departments)**

LEGISLATIVE ORDER NO. 16-512

1 **WHEREAS, Article VII, Section 2(e) of the Constitution of the Tohono O'odham Nation**
2 **provides that the Nation's**
3 **chairman shall be the chief executive officer of the Tohono O'odham**
4 **Nation and shall exercise the following powers, subject to all express**
5 **limitations contained in this constitution . . . (e) With the approval of the**
6 **Tohono O'odham Council, to appoint the treasurer, and other officers and**
7 **heads of all governmental departments, who shall serve until replaced at**
8 **the request of the chairman.**

9 **(Constitution, Article VII, Section 2(e)); and**

10 **WHEREAS, in accordance with the Legislative Council's power to approve or disapprove the**
11 **chairperson's appointment of the Nation's treasurer, and other officers and**
12 **heads of all governmental departments, an appointee who has been disapproved**
13 **by the Legislative Council has customarily immediately ceased to perform the**
14 **functions of that office; and**

15 **WHEREAS, the Legislative Council Chairperson is delegated with authority to . . . "With the**
16 **consent of a majority of the Legislative Council, authorize litigation on the**
17 **Council's behalf." Amended Delegation of Authority to Legislative Council**
18 **Chairperson and Vice Chairperson approved by Legislative Order No. 06-047; and**

19 **WHEREAS, on October 12, 2016, the Executive Branch filed a Petition for Declaratory Relief,**
20 **in the Judicial Court seeking declaratory judgment against the Council**
21 **concerning various director-appointment resolutions; and**

22 **WHEREAS, it is in the best interest of the Legislative Council to expressly authorize the**
23 **Legislative Attorney's Office to represent the Council in litigation regarding the**
24 **appointments of the Nation's treasurer, and other officers and heads of all**
25 **governmental departments.**

26 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it**
27 **authorizes the Legislative Attorney's Office to represent the Legislative Council in**
28 **litigation regarding the appointments of the Nation's treasurer, and other**
29 **officers and heads of all governmental departments, provided that the Legislative**
30 **Attorney's Office shall act under the direction of the Legislative Officers and the**
31 **Rules Committee.**

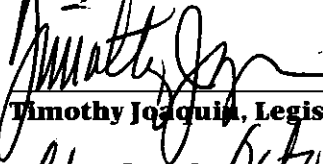
LEGISLATIVE ORDER NO. 16-512

(Authorizing Representation in Litigation Regarding the Appointments of the Nation's Treasurer, and Other Officers and Heads of all Governmental Departments)

Page 2 of 2

1 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 18TH day of**
2 **OCTOBER, 2016 at a meeting at which a quorum was present with a vote of 2,564.0 FOR; 125.3**
3 **AGAINST; 332.1[02] NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council**
4 **by Article VI, Section 1(b)and1(d)(2) and Article VII, Section 2(e) of the Constitution of the Tohono**
5 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by**
6 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant**
7 **to Section 16 of the Act of June 18, 1934 (48 Stat.984).**
8
9

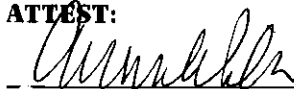
10 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

11 

12
13
14 **Timothy Joaquin, Legislative Chairman**

15
16 21 day of October, 2016

17
18
19
20
21 **ATTEST:**

22 

23
24 **Evonne Wilson, Legislative Secretary**

25 20 day of October, 2016
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

ACTION: AUTHORIZING REPRESENTATION IN LITIGATION REGARDING THE APPOINTMENTS OF THE NATION'S TREASURER, AND OTHER OFFICERS AND HEADS OF ALL GOVERNMENTAL DEPARTMENTS

Moved: COUNCILMAN ANTHONY J. FRANCISCO JR.

SECOND: COUNCILMAN ARTHUR WILSON

DATE: OCTOBER 18, 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			
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 (<i>Absent</i>) (Jeffery Antone, Sr.) (<i>Present</i>)	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 ()	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			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	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	2,564.0	125.3	332.1	[02]
					[02]	