

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Granting a Limited Waiver of Sovereign Immunity for Willard R. Manuel)**

RESOLUTION NO. 99-577

1 **WHEREAS, a presentation and request was brought forth by Willard R. Manuel for limited**
2 **waiver of sovereign immunity for the purposes of seeking judicial remedy for**
3 **the termination of Willard R. Manuel's employment by the Tohono O'odham**
4 **Nation in or about June, 1999 and the validity of that termination and the**
5 **administrative grievance procedures and any final administrative remedy; and**

6 **WHEREAS, the Preamble of the Constitution of the Tohono O'odham Nation affirms the**
7 **sovereign powers of the Tohono O'odham Nation to protect and to promote the**
8 **rights of the members; and**

9 **WHEREAS, Article I - Jurisdiction, Section 1, 2 & 3, of the Constitution of the Tohono**
10 **O'odham Nation expresses the sovereign authority of the Tohono O'odham**
11 **Nation; and**

12 **WHEREAS, Article V - Legislative Branch Section 1. & Article VI - Powers of the Tohono**
13 **O'odham Legislative Council vests and delegates all Legislative Power of the**
14 **Tohono O'odham Nation to the Legislative Council; and**

15 **WHEREAS, the Tohono O'odham Nation is immune from suit, the Nation immunity may**
16 **only be waived by an act of the Tohono O'odham Legislative Council.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
18 **grants Willard R. Manuel a limited waiver of sovereign immunity and allows**
19 **him a judicial remedy upon completion of his grievance hearing.**

20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH.**
21 **of OCTOBER 1999 at a meeting at which a quorum was present with a vote of 1,263.25 FOR;**
22 **902.25 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the**
23 **Council by Section 1 of Article VI of the Constitution of the Tohono O'Odham Nation,**
24 **adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting**
25 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**
26 **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31 **Dennis Ramon, Legislative Chairman**

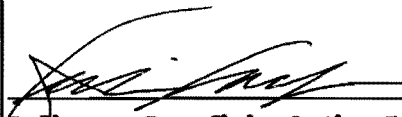
32 19th day of October, 19 99
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Page 2 of 2

1 **ATTEST:**

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5 **Julianna Saraficio, Acting Legislative Secretary**

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7 13 day of October, 19 99.

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9 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
10 **O'odham Nation on the 19th day of October, 19 99 at 4:48 o'clock,**
11 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will**
12 **become effective upon his approval or upon his failure to either approve or disapprove it**
13 **within 48 hours of submittal.**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**


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19 **Dennis Ramon, Legislative Chairman**

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23 **APPROVED**

on the 21 day of OCTOBER, 19 99

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25 **DISAPPROVED**

at 3:46 o'clock, P.M.

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

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34 **Returned to the Legislative Secretary on the 21 day of**

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36 October, 19 99, at 3:57 o'clock, P.M.

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40 **Julianna Saraficio, Acting Legislative Secretary**

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ACTION: GRANTING A LIMITED WAIVER OF SOVEREIGN IMMUNITY FOR WILLARD R. MANUEL

MOVED: COUNCILWOMAN EVELYN JUAN

SECOND: COUNCILWOMAN FERN SALCIDO

DATE: OCTOBER 13, 1999

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9		X		
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			X
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95		X		
	2. DENNIS RAMON ()	82.95		X		
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25		X		
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25		X		
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4		X		
	2. JOHNSON JOSE ()	78.4		X		
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05		X		
	2. GLORIA RAMIREZ ()	64.05		X		
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			
	2. GLORIA MONTANA ** (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05		X		
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			X
TOTAL		2,165.5	1,263.25	902.25	-0-	[02]

**PASSED VOTES