

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Setting April 12, 2013 Special Session for Review of Sequestration Impacts and Treasurer's  
Report on Nation's Finances)**

**LEGISLATIVE ORDER NO. 13-127**

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power "to manage any**  
2 **funds within the exclusive control of the Tohono O'odham Nation, including proceeds**  
3 **derived from lands and resources of the Tohono O'odham Nation, and to appropriate**  
4 **these funds for the benefit of the nation and its members." (Constitution, Article VI,**  
5 **Section 1(d)(2)); and**

6 **WHEREAS, "All expenditures of these funds shall be pursuant to appropriations or budgets**  
7 **authorized under resolutions or in accordance with ordinances of the Tohono**  
8 **O'odham Council" (Constitution, Article VI, Section 1(d)(2)); and**

9 **WHEREAS, the Legislative Council is likewise empowered "to adopt, approve and amend annual**  
10 **budgets and to authorize the expenditure of funds in accordance with these budgets"**  
11 **(Constitution, Article VI, Section 1(d)(3)); and**

12 **WHEREAS, the Legislative Council has enacted extensive financial legislation governing budgets,**  
13 **revenue distribution, taxation, banking, fiscal signature authority, grants,**  
14 **procurement, contracting, and other financial matters; and**

15 **WHEREAS, as the Tohono O'odham Judicial Court has declared,**

16 **The power of the Legislative Council is to enact laws. In order to legislate properly**  
17 **and supervise the functions of the Executive and administrative agencies, it must**  
18 **be thoroughly informed. In short, it must have the power to investigate. The scope**  
19 **of its power can be as penetrating and far reaching as the power to make laws, and,**  
20 **is proper under the Constitution.**

21 ***Francisco v. Toro*, 1 TOR 2d 68, 75 (appeal dismissed, *Francisco v. Toro*, 3 TOR 2d 15 (Sep.**  
22 **4, 2008)); and**

23 **WHEREAS, the Legislative Council cannot effectively perform its constitutional obligation to**  
24 **budget, appropriate, manage or invest the Nation's funds, or to exercise its additional**  
25 **fiscal powers, without being thoroughly informed by receiving complete, accurate,**  
26 **and timely information on all the Nation's finances; and**

27 **WHEREAS, the Legislative Council Budget and Finance Committee has requested an analysis of**  
28 **impacts to the Nation from federal sequestration spending reductions and the Council**  
29 **has requested regular reports on the Nation's finances.**

30 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it sets a**  
31 **special session on April 12, 2013 for an analysis of impacts to the Nation from federal**

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sequestration spending reductions and for a detailed report from the Nation's treasurer on the Nation's finances.


BE IT FINALLY ORDERED that the Tohono O'odham Legislative Council directs the Nation's treasurer

(1) to prepare and provide the Legislative Council with a detailed, written account of all the Nation's finances, including but not limited to all current and projected revenues, accounts and account balances, investments, budgets, budget surpluses, and obligations, and to present this and any other information requested by the Budget and Finance Committee in closed session during the April 12, 2013 special session, and

(2) to provide the same information in writing, or any other format requested, and in person to the Budget and Finance Committee and Legislative Council on a quarterly basis and upon request from the Budget and Finance Committee.

The foregoing Order was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup> day of APRIL, 2013 at a meeting at which a quorum was present with a vote of 2,680.25 FOR; 100.35 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d) and (l) 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

  
Timothy Joaquin, Legislative Chairman

10 day of April, 2013

ATTEST:

  
Evonne Wilson, Legislative Secretary

10 day of April, 2013

**ACTION: SETTING APRIL 12, 2013 SPECIAL SESSION FOR REVIEW OF SEQUESTRATION IMPACTS AND TREASURER'S REPORT ON NATION'S FINANCES**

**MOVED: COUNCILWOMAN FRANCES MIGUEL**

**SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**DATE: APRIL 04, 2013**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith) ( <i>Present</i> )	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			X
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			X
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35		X		
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			X
<b>SELLS</b> 475.7	1. ARTHUR WILSON ( <i>Absent</i> ) (Kimberly Mull) ( <i>Present</i> )	237.85	X			X
	2. MARIA ACKERMAN ( )	237.85	X			
<b>SIF Oidak</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,680.25</b>	<b>100.35</b>	<b>-0-</b>	<b>[04]</b>