

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Tabling Consideration of Supplemental Appropriations and Expenditures
of Nation's Funds)

DEFEATED
LEGISLATIVE ORDER NO. 14-540

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham**
2 **Legislative Council with broad legislative and fiscal powers, including the power**
3 **"to manage any funds within the exclusive control of the Tohono O'odham**
4 **Nation, including proceeds derived from lands and resources of the Tohono**
5 **O'odham Nation" (Constitution, Article VI, Section 1(d)(2)); and**

6 **WHEREAS, the Legislative Council has amended the Gaming Revenue Distribution Formula**
7 **and taken other necessary steps to protect the long-term stability of the Nation's**
8 **finances and thereby support government operations and services to Nation's**
9 **members; and**

10 **WHEREAS, there are numerous, competing requests to appropriate additional Nation's**
11 **funds for projects both within and outside the Nation's government; and**

12 **WHEREAS, the Legislative Council Budget and Finance Committee is vested with general**
13 **oversight of any "activity of the Nation, its enterprises or entities which relates**
14 **to financial matters" and the committee is delegated the power to "review and**
15 **recommend legislative measures or actions to the Legislative Council (i)**
16 **appropriating, authorizing or approving the expenditure of public funds or**
17 **fiscal resources of the Tohono O'odham Nation" (Budget and Finance Committee**
18 **Plan of Operation, Section III.B.10. and Section III.C.2.a.); and**

19 **WHEREAS, based upon the treasurer's November 2014 financial update; saving, investment,**
20 **and general fund balances and projections; and anticipated obligations, the**
21 **Budget and Finance Committee believes it is in the Nation's best interest to**
22 **preserve existing resources to the maximum extent possible by tabling**
23 **consideration of supplemental and other funding requests for a six-month**
24 **period.**

25 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it tables**
26 **until June 1, 2015 consideration of any agenda item**

- 27 **(1) approving or amending the Nation's Executive, Judicial, or Legislative**
28 **Branch FY 2015 budgets in a manner that requires an additional**
29 **appropriation of Nation's funds; or**
30 **(2) appropriating Nation's funds for or authorizing the expenditure of**
31 **Nation's funds by any entity that is not within the Nation's Executive,**
32 **Judicial, or Legislative Branch.**

33

BE IT FINALLY ORDERED by the Tohono O'odham Legislative Council that this order does not prevent the Legislative Council from adding to its agenda and considering or approving

- (1) FY 2016 budgets;
- (2) contracts, agreements, sovereign immunity waivers, or loan documents that do not require an expenditure of Nation's funds except as a result of an arbitration award, court decision, default, breach, or similar contingency that does not require an appropriation of funds at the time the waiver or approval is granted; or
- (3) an FY 2015 district budget or a district budget amendment increasing the aggregate total of the funds budgeted if the budget or amendment is funded with the district's gaming allocation, mining royalties, savings, investments, or other funds that are not Nation's funds.

The foregoing Order was defeated by the Tohono O'odham Legislative Council on the 03RD day of DECEMBER, 2014 at a meeting at which a quorum was present with a vote of 1,141.45 FOR; 1,805.05 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d) 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

Timothy Joaquin, Legislative Chairman
9 day of January, 2015

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary
08 day of January, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

ACTION: TABLING CONSIDERATION OF SUPPLEMENTAL APPROPRIATIONS AND EXPENDITURES OF THE NATION'S FUNDS

MOVED: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILMAN VERNON SMITH

DATE: DECEMBER 03, 2014

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1		X		
	2. MARY LOPEZ ()	112.1		X		X
SELLS 502.0	1. ARTHUR WILSON (Ophelia Pablo)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1		X		
SAN XAVIER 224.2	1. HILARION CAMPUS <i>(Absent)</i> (Daniel L.A. Preston III) <i>(Present)</i>	112.1		X		
	2. RACHAEL VILSON-STONER (Olivia Villegas Liston)	112.1		X		
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	105.3		X		X
	2. EDWARD MANUEL, SR. ()	105.3		X		
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45		X		
	2. SANDRA ORTEGA <i>(Absent)</i> (Manuel Osequeda, Jr.) <i>(Present)</i>	98.45		X		X
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8		X		
	2. VIRGINIA GARCIA ()	9.8		X		X
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			X
	2. PAMELA ANGHILL <i>(Absent)</i> (Jeffery Antone, Sr.) <i>(Present)</i>	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65		X		
	2. LORETTA LEWIS (Louis Johnson)	128.65		X		
CHUKUT KUK 319.2	1. ETHEL GARCIA <i>(Absent)</i> (Marlakay C. Henry) <i>(Present)</i>	159.6		X		X
	2. BILLMAN LOPEZ ()	159.6		X		
BABOQUIVARI 357.7	1. FRANCES MIGUEL <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i>	178.85		X		
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	1,141.45	1,805.05	-0-	[06]