

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting Certification of Eligible Members and Authorizing the Initial Expenditure
of Funds for Per Capita Payments under the Second Per Capita Plan)**

RESOLUTION NO. 09-003

1 **WHEREAS, on June 28, 1997 the voters of the Tohono O'odham Nation approved Initiative No IN-**
2 **01-97 (the "Initiative"); and**

3 **WHEREAS, pursuant to Initiative and Resolution Nos. 97-451 and 97-452 the Tohono O'odham**
4 **Legislative Council adopted an Initiative Funding and Implementation Plan and**
5 **Revenue Allocation Plan (collectively the "First Per Capita Plan"); and**

6 **WHEREAS, an initial Per Capita Distribution under the first Per Capita Plan was approved on**
7 **December 18, 1997 by the Phoenix Area Office of the Bureau of Indian Affairs; and**

8 **WHEREAS, initial Per Capita distribution have been and continue to be disbursed to Adult**
9 **Eligible members under the first Per Capita Plan; and**

10 **WHEREAS, pursuant to the Initiative Resolution No. 2000-269 and 2000-472, the Legislative**
11 **Council adopted (1) a Second Initiative Funding and Implementation Plan, (2) a**
12 **Second Revenue Allocation Plan, and (3) Amendment No. 1 to each Plan (collectively**
13 **the "Second Per Capita Plan"); and**

14 **WHEREAS, under the second Per Capita Plan each eligible member who is certified as eligible is**
15 **entitled to receive a per capita payment of \$2,000.00; and**

16 **WHEREAS, by letter dated October 25, 2000 the Deputy Commissioner of Indian Affairs approved**
17 **the Second Per Capita Plan; and**

18 **WHEREAS, as required by the Second Per Capita Plan, the Attorney General of the Nation issued**
19 **a Notice of Compliance on October 26, 2000; and**

20 **WHEREAS, as required by the Second Per Capita Plan the Enrollment Office has filed a**
21 **certification of Eligible Members listing 43 adult eligible Members who are eligible**
22 **for receipt of a per capita payment under the terms of the Second Per Capita Plan and**
23 **the applicable laws of the United States and the Nation.**

24 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 25 **1. The Tohono O'odham Legislative Council hereby accepts and approves the**
26 **certification of Eligible Members, in the form attached hereto.**
- 27 **2. The Tohono O'odham Legislative Council authorizes (a) the transfer of the sum**
28 **of \$86,000.00 from the Per Capita #2 Trust Account to Per Capita #2 checking**
29 **account established at Bank of America (the Per Capita Checking Account) and (b)**

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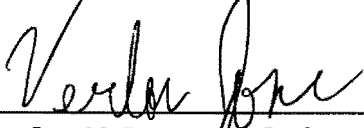
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1 upon the authorized signature of the Nation, issuance of a check on the Per Capita
2 Checking Account in the amount of (i) \$2,000.00 to each Eligible Member residing
3 in the United States and listed in the attached Certification of Eligible Members
4 and (ii) \$1,400.00 to each Eligible Member residing outside the United States and
5 listed in the attached certification, with the balance of \$600.00 withheld and
6 remitted to the Internal Revenue Service pursuant to the requirements of federal
7 law.

8 3. The Chairman of the Nation is authorized to execute such other documents as
9 may be necessary to implement this Resolution.

10 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH. Day
11 of JANUARY, 2009 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0-
12 AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by
13 Section 1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by
14 the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
15 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
16 18, 1934 (48 Stat. 984).

17
18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

19
20 
21 _____
22 Verlon M. Jose, Legislative Chairman

23
24 7 day of January, 2009

25
26 ATTEST:

27
28 
29 _____
30 Lucille Lopez, Acting Legislative Secretary

31 05 day of January, 2009.

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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
35 Nation on the 7 day of January, 2009 at 4:07 o'clock, P.M.,
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
37 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
38 submittal.

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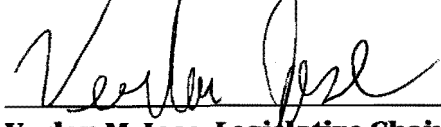
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



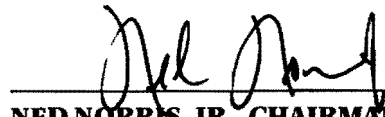
Verlon M. Jose, Legislative Chairman

APPROVED

on the 08 day of January, 2009

DISAPPROVED

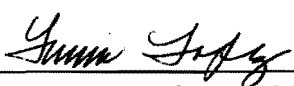
at 3:30 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 08 day of

January, 2009, at 4:40 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: ACCEPTING CERTIFICATION OF ELIGIBLE MEMBERS AND AUTHORIZING THE INITIAL EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE SECOND PER CAPITA PLAN

Moved: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: JANUARY 05, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. RAYMOND VICTOR ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			X
PISINEMO 182.4	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			X
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			X
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,534.5	-0-	-0-	[05]

****PASSED VOTES**