

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving to Add Eligible Minors to the Minor Master List for Payment of
the Third Per Capita)

RESOLUTION NO. 09-108

1 **WHEREAS, On June 28, 1997, the Nation's voters approved Initiative No. IN-01-97, the "Tohono**
2 **O'odham Voice in the Use of Gaming Revenues" (Initiative"), which authorizes per**
3 **capita payments to the Nation's members provided that sufficient gaming revenues**
4 **are available; and**

5 **WHEREAS, the Ordinance for the Regulation of Gaming Activities within the Tohono O'odham**
6 **Nation, was subsequently amended to authorize per capita distribution payments in**
7 **accordance with the Initiative (Legislative Council Resolution No. 97-303); and**

8 **WHEREAS, in 2006 it was determined that sufficient gaming revenues were available to permit the**
9 **Nation to provide a per capita payment in accordance with the Initiative; and**

10 **WHEREAS, the Legislative Council adopt the Third Revenue Allocation Plan ("RAP") pursuant to**
11 **Legislative Council Resolution No. 06-307, which authorized a third per capita**
12 **payment for the Nation; and**

13 **WHEREAS, the RAP Incorporated a Trust Agreement (the "Trust Agreement") with Wells Fargo**
14 **Bank to protect the interests of minors and legally Incompetent persons (the**
15 **"Beneficiaries") eligible for per capita payments; and**

16 **WHEREAS, the Trust Agreement provides that monthly the Nation's Enrollment Office shall**
17 **prepare a listing of Beneficiaries who have attained the age of eighteen, which shall**
18 **be called the "Monthly Age 18 Report", which shall subsequently be approved by the**
19 **Legislative Council thereby authorizing and commencing payments to approved**
20 **Beneficiaries; and**

21 **WHEREAS, the Legislative Council approved the Master list for Third Per Capita Distribution for**
22 **eligible Tohono O'odham Minor Members on September 18, 2006 pursuant to**
23 **Resolution No. 06-627; and**

24 **WHEREAS, the Enrollment Program has identified 3 eligible minors who turned eighteen and**
25 **were left off the Minor Master List approved by the Legislative Council; and**

26 **WHEREAS, pursuant to Resolution No. 06-627 approval of eligible Tohono O'odham Minor**
27 **Member's for set-up of minor accounts are contingent upon verification and**
28 **certification by the Tohono O'odham Legislative Council.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby;**

- 30 **1. Accepts and approves the attached list of 3 minors turned 18 years whose names**
31 **were left off the Minor Master List and such names shall be incorporated into the**
32 **Minor Master List approved by the Legislative Council on September 18, 2006.**

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- 2. Approves and authorizes the Office of the Treasurer to transfer \$6,000.00 from the Bank of America Desert Diamond Savings Account to Wells Fargo Bank for the establishment of minor accounts pursuant to terms of the Trust Agreement and Service Agreement approved by Tohono O'odham Legislative Council Resolution No. 06-258.
- 3. That any eligible names identified in the future will be added to the Minor Master List contingent on verification and certification by the Tohono O'odham Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH . Day of MARCH, 2009 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d)(2) & (3) 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

Felicia Munoz for
Verlon M. Jose, Legislative Chairman

12th day of *March*, 2009

ATTEST:

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

09 day of *March*, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the *12th* day of *March*, 2009 at *5:30* o'clock, *P*.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Munoz for
Verlon M. Jose, Legislative Chairman

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APPROVED

on the 13 day of March, 2009

DISAPPROVED

at 4:15 o'clock, P.M.



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

Returned to the Legislative Secretary on the 16 day of

March, 2009, at 9:15 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TO ADD ELIGIBLE MINORS TO THE MINOR MASTER LIST FOR PAYMENT OF THE THIRD PER CAPITA

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN PHYLLIS CACHORA

DATE: MARCH 09, 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 (Vernon Smith)	158.45	X			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	
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			
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	2,443.95	-0-	90.55	[04]

**PASSED VOTES