

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Adopting a Second Revenue Allocation Plan and a Second Initiative Funding and  
Implementation Plan for Per Capita Payments)**

RESOLUTION NO. 2000-269

- 1   **WHEREAS, on June 28, 1997 the voters for the Tohono O'odham Nation (the "Nation") approved**  
2       **Initiative No. IN-01-97 (the "Initiative"); and**
- 3   **WHEREAS, the Initiative authorized (1) funding from "Gaming Revenues" for a one-time per**  
4       **capita distribution of \$2,000 for each member of the Nation enrolled on June 28,**  
5       **1997; and (2) funding from "available" Gaming Revenues for biennial per capita**  
6       **distributions of \$2,000 to each member of the Nation enrolled on the date which is**  
7       **two years from the date of the initial, one-time per capita distribution, and every two**  
8       **years thereafter; and**
- 9   **WHEREAS, pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. §2710(b)(3), Gaming**  
10       **Revenues may not be used to make per capita payments until a per capita**  
11       **distribution plan (the "revenue allocation plan") is approved by the Secretary of the**  
12       **Department of the Interior (the "Secretary"); and**
- 13   **WHEREAS, the Secretary delegated to the Bureau of Indian Affairs ("BIA") his authority to**  
14       **approve revenue allocation plans; and**
- 15   **WHEREAS, by Resolution Nos. 97-451 and 97-452 the Tohono O'odham Legislative Council**  
16       **adopted an Initiative Funding and Implementation Plan and a Revenue Allocation**  
17       **Plan (collectively the "First Plans") to implement the disbursement of per capita**  
18       **payments to eligible members of the Tohono O'odham Nation, as authorized by the**  
19       **Initiative; and**
- 20   **WHEREAS, in a letter dated December 18, 1997, the BIA approved the First Plans with respect to**  
21       **a one-time per capita payment and disapproved the Plans as to biennial per capita**  
22       **payments; and**
- 23   **WHEREAS, a second per capita payment (the "Second Per Capita Payment") has been proposed**  
24       **in the amount of \$2,000 for each member of the Nation who was enrolled on**  
25       **December 26, 1999 (the eligibility date identified in the Initiative for the first**  
26       **biennial payment); and**
- 27   **WHEREAS, approval by the BIA of a second per capita payment is governed by the federal**  
28       **regulations at 25 CFR Part 290 (Tribal Revenue Allocation Plans), effective April 17,**  
29       **2000, a copy of which is attached hereto; and**

1 **WHEREAS, to facilitate disbursement of the Second Per Capita Payment, the attached Second**  
2 **Revenue Allocation Plan and Second Initiative Funding and Implementation Plan**  
3 **(collectively the "Second Plans") have been drafted in compliance with 25 CFR part**  
4 **290 and the Initiative; and**

5 **WHEREAS, the Investment Committee and Commerce Committee recommend approval of the**  
6 **Second Plans by the Legislative Council.**

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

- 8 **1. The Tohono O'odham Legislative Council (a) approves the Second Revenue**  
9 **Allocation Plan and the Second Initiative Funding and Implementation Plan,**  
10 **each in the form attached hereto, and (b) authorizes and directs the Chairman**  
11 **of the Nation to submit the Plans to the Bureau of Indian Affairs for approval.**
- 12 **2. The Legislative Council (a) authorizes and directs the Investment Committee to**  
13 **establish the set-aside accounts for the Second Per Capita Payment and for**  
14 **related administrative costs pursuant to the terms of the Second Initiative**  
15 **Funding and Implementation Plan and (b) authorizes expenditure of funds in**  
16 **such accounts pursuant to budgets approved by the Legislative Council and**  
17 **compliance with the other conditions prescribed in such Plan.**

18 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH,**  
19 **Day of JUNE, 2000 at a meeting at which a quorum was present with a vote of 1,581.75 FOR; 455.65**  
20 **AGAINST; 128.1 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
21 **Section 1 (d)(1),(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**  
22 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
23 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
24 **18, 1934 (48 Stat. 984).**

25  
26 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

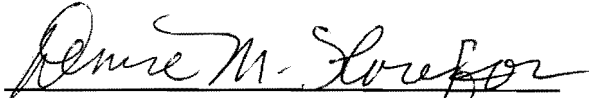
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31 **Dennis Ramon, Legislative Chairman**

32 9 day of JUNE, 20 00

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**RESOLUTION NO. 2000-269**  
**(Adopting a Second Revenue Allocation Plan and a Second Initiative Funding and Implementation Plan for Per Capita Payments)**  
**Page 3 of 3**

1 ATTEST:

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4   
5 Julianna Saraficio, Acting Legislative Secretary

6  
7 08 day of June, 2000.

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11 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
12 O'Odham Nation on the 9 day of June, 2000 at 5:04 o'clock,  
13 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
14 effective upon his approval or upon his failure to either approve or disapprove it within 48 hours  
15 of submittal.

16  
17 TOHONO O'ODHAM LEGISLATIVE COUNCIL


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21 Dennis Ramon, Legislative Chairman

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26  APPROVED

on the 12<sup>th</sup> day of June, 2000

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28  DISAPPROVED

at 8:55 o'clock, A.M.

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32 EDWARD D. MANUEL, Chairman  
33 TOHONO O'ODHAM NATION

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37 Returned to the Legislative Secretary on the 12 day of

38  
39 June, 2000, at 9:25 o'clock, A.M.

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41   
42 Julianna Saraficio, Acting Legislative Secretary  
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**RESOLUTION NO. 2000-269**

**ACTION: ADOPTING A SECOND REVENUE ALLOCATION PLAN AND A SECOND INITIATIVE FUNDING AND IMPLEMENTATION PLAN FOR PER CAPITA PAYMENTS**

**MOVED: COUNCILWOMAN FERN SALCIDO**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: JUNE 08, 2000**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
<b>SELLS</b> 372.7	1. DENNIS E. JOSE** ( )	186.35		X		
	2. EVELYN JUAN ( )	186.35		X		
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7	X			X
	2. AMBROSE ENCINAS ( )	66.7	X			
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95		X		
	2. DENNIS RAMON ( )	82.95	X			
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05			X	X
	2. GLORIA RAMIREZ ( )	64.05			X	
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
<b>HICKIWAN</b> 158.1	1. SHIRLEY MOLINA ( )	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			X
<b>TOTAL</b>		<b>2,165.5</b>	<b>1,581.75</b>	<b>455.65</b>	<b>128.1</b>	<b>[03]</b>

**\*\*PASSED VOTES**