

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Accepting Certification of Adult Eligible Members and Authorizing the Expenditure**  
**of Funds for Per Capita Payments under the Second Per Capita Plan; Rescinding**  
**Resolution No. 2000-556)**

**RESOLUTION NO. 2000-562**

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 a**  
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 distributions 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 Nos. 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**  
15 **is entitled to receive a per capita payment of \$2,000; and**

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

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

20 **WHEREAS, Resolution No. 2000-556 contained a duplication error with respect to listed members**  
21 **of the Hickywan District, and no payments have been made to any correctly listed**  
22 **members under Resolution No. 2000-556; and**

23 **WHEREAS, as required by the Second Per Capita Plan, the Enrollment Office has filed a**  
24 **Certification of Eligible Members listing 449 adult Eligible Members who are eligible**  
25 **for receipt of a per capita payment under the terms of the Second Per Capita Plan and**  
26 **the laws of the United States and the Nation.**

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**RESOLUTION NO. 2000-562**

**(Accepting Certification of Adult Eligible Members and Authorizing the Expenditure of Funds for Per Capita Payments under the Second Per Capita Plan; Rescinding Resolution No. 2000-556)**


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

- 2           **1. Resolution No. 2000-556 is rescinded to eliminate the duplication error.**
- 3           **2. The Legislative Council authorizes (a) the transfer of the sum of \$898,000.00 from**  
4           **the Per Capita#2 Trust Account No. 68-01-101-0327262 to Per Capita#2 Checking**  
5           **Account No. 467-571-7067 established at Bank of America Arizona (the "Per Capita**  
6           **Checking Account") and (b) upon the joint signature of the Chairman and Vice**  
7           **Chairman of the Nation, issuance of a check on the Per Capita Checking Account**  
8           **in the amount of (i) \$2,000 to each Eligible Member residing in the United States**  
9           **and listed in the attached Certification of Eligible Members and (ii) \$1,400 to each**  
10           **Eligible Member residing outside the United States and listed in the attached**  
11           **Certification, with the balance of \$600 withheld and remitted to the Internal**  
12           **Revenue Service pursuant to the requirements of federal law.**
- 13           **3. The Chairman of the Nation is authorized to execute such other documents as**  
14           **may be necessary to implement this Resolution.**


15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05<sup>TH</sup> Day**  
16 **of DECEMBER, 2000 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0-**  
17 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**  
18 **Section 1 (d)(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**  
19 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
21 **18, 1934 (48 Stat. 984).**

22  
23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

24  
25   
26 **Dennis Ramon, Legislative Chairman**

27  
28  
29 5 day of December, 20 00

30  
31 **ATTEST:**

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33  
34  
35 **Julianna Saraficio, Acting Legislative Secretary**

36  
37 5 day of December, 20 00.

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**RESOLUTION NO. 2000-562**

**(Accepting Certification of Adult Eligible Members and Authorizing the Expenditure of Funds for Per Capita Payments under the Second Per Capita Plan; Rescinding Resolution No. 2000-556)**

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5<sup>th</sup> day of December, 20 00 at 4:47 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**

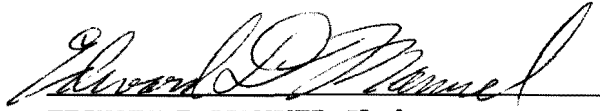
  
**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 17<sup>th</sup> day of December, 20 00

**DISAPPROVED**

at 2:06 o'clock, P.M.

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 7 day of

December, 20 00, at 3:40 o'clock, P.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION:** ACCEPTING CERTIFICATION OF ADULT ELIGIBLE MEMBERS AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE SECOND PER CAPITA PLAN; RESCINDING RESOLUTION NO. 2000-556

**MOVED:** COUNCILWOMAN FRANCES ANTONE

**SECOND:** COUNCILWOMAN FRANCES MIGUEL

**DATE:** DECEMBER 05, 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			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			
	2. AMBROSE ENCINAS ( )	66.7	X			
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			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			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			
	2. GLORIA RAMIREZ ( )	64.05	X			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			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			
<b>TOTAL</b>		<b>2,165.5</b>	<b>2,165.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>

\*\*PASSED VOTES