

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving First Amendment to 401(k) Pension Plan)

RESOLUTION NO. 01-596

1 **WHEREAS, pursuant to Resolution No. 2000-453, the Tohono O'odham Legislative Council**
2 **approved a 401 (k) Pension Plan (the "Plan") for employees of the Tohono O'odham**
3 **Nation (the "Nation"); and**

4 **WHEREAS, on June 15, 2001, the Internal Revenue Service ("IRS") received the Plan which was**
5 **submitted by the Nation for a determination that the Plan qualifies under Section 401**
6 **(a) of the Internal Revenue Code ("IRC") and is entitled to favorable tax under the IRC**
7 **("qualified plan"); and**

8 **WHEREAS, by letter dated October 29, 2001, a copy of which is enclosed, the IRS issued a**
9 **favorable determination that the Plan was a qualified plan under the IRC, subject to**
10 **the adoption of certain amendments proposed during the IRS review of the Plan; and**

11 **WHEREAS, attached hereto are the proposed amendments to the Plan (the "First Amendment")**
12 **which incorporate the revisions requested by the IRS, as well as certain clarifying**
13 **changes to the Plan and model amendments authorized under federal law; and**

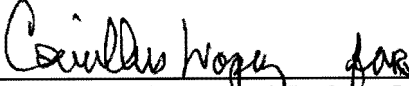
14 **WHEREAS, the Budget & Finance Committee recommends adoption of the First Amendment by**
15 **the Legislative Council..**

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

- 17 1. **The Tohono O'odham Legislative Council adopts the First Amendment to the**
18 **401 (k) Plan of the Tohono O'odham Nation, in the form attached hereto.**
- 19 2. **The Chairman of the Nation is authorized and directed to execute the First**
20 **Amendment.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04th. Day**
22 **of DECEMBER, 2001 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-**
23 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
24 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
25 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
26 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
27 **18, 1934 (48 Stat. 984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Rita A. Martinez, Legislative Chairwoman

10th day of December, 20 01

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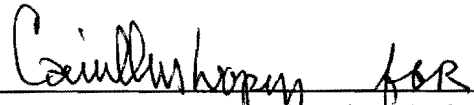
ATTEST:


Julianna Saraficio, Acting Legislative Secretary

04 day of December, 20 01.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10th day of December, 20 01 at 12:14 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

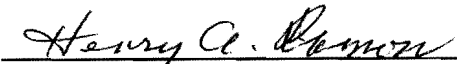

Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 10 day of December, 2001

DISAPPROVED

at 1:35 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of

December, 20 01, at 3:10 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING FIRST AMENDMENT TO 401(K) PENSION PLAN

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: DECEMBER 04, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON** (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA** ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	2,417.5	-0-	-0-	[03]

**PASSED VOTES