

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)

RESOLUTION NO. 02-572

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, as required by the Second Per Capita Plan, the Enrollment Office has filed a**
21 **Certification of Eligible Members listing 40 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 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 Legislative Council authorizes (a) the transfer of the sum of \$80,000.00 from**
28 **the Per Capita#2 Trust Account No. 68-01-101-0327262 to Per Capita#2 Checking**

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- 1 Account No. 467-571-7067 established at Bank of America Arizona (the "Per Capita
2 Checking Account") and (b) upon the joint signature of the Chairman and Vice
3 Chairman of the Nation, issuance of a check on the Per Capita Checking Account
4 in the amount of (i) \$2,000 to each Eligible Member residing in the United States
5 and listed in the attached Certification of Eligible Members and (ii) \$1,400 to each
6 Eligible Member residing outside the United States and listed in the attached
7 Certification, with the balance of \$600 withheld and remitted to the Internal
8 Revenue Service pursuant to the requirements of federal law.
- 9 3. The Chairman of the Nation is authorized to execute such other documents as
10 may be necessary to implement this Resolution.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02ND Day
12 of DECEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,229.2 FOR; -0-
13 AGAINST; -0- NOT VOTING; and 188.3 [04] ABSENT, pursuant to the powers vested in the Council by
14 Section 1 (d)(2) of Article VI and Section 2 (d) of Article VII of the Constitution of the Tohono
15 O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by
16 the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to
17 Section 16 of the Act of June 18, 1934 (48 Stat. 984).

18
19 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21
22
23 Rita A. Martinez, Legislative Chairwoman

24 2nd day of December, 20 02

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26
27 ATTEST:

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30 Julianna Saraficio, Acting Legislative Secretary

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32 02 day of December, 20 02

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36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
37 Nation on the 2nd day of December, 20 02 at 2:18 o'clock, P.M.,
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
39 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
40 submittal.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Rita A. Martinez for
Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 3rd day of December, 2002

DISAPPROVED

at 8:26 o'clock, A.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 3RD day of

December, 2002, at 8:36 o'clock, A.M.

Julianna Saraficio for
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

MOVED: COUNCILMAN ALBERT MANUEL, JR.

SECOND: COUNCILWOMAN MARY FLORES

DATE: DECEMBER 02, 2002

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			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			X
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. 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			X
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	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. FELICIA NUÑEZ ()	92.35	X			
	2. DENNIS RAMON ()	92.35	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	2,229.2	-0-	-0-	188.3 [04]

****PASSED VOTES**