

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting Certification of Eligible Members and Authorizing the Expenditure
of Funds for Per Capita Payments under the Second Per Capita Plan)**

RESOLUTION NO. 05-007

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 distribution 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 No. 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 35 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 Tohono O'odham Legislative Council authorizes (a) the transfer of the sum**
28 **of \$70,000.00 from the Per Capita #2 Trust Account No. 68-01-101-0327262 to Per**

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

10 **3. The Chairwoman of the Nation is authorized to execute such other documents as**
11 **may be necessary to implement this Resolution.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03rd. Day**
13 **of JANUARY, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (d)(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
16 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
17 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
18 **18, 1934 (48 Stat. 984).**

19
20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

21
22 *for* 
23 **Isidro Lopez, Legislative Chairman**
24
25 04th day of January, 2005

26
27
28 **ATTEST:**

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31 **Lucille Lopez, Acting Legislative Secretary**

32 05th day of January, 2005.

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35 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
36 **O'Odham Nation on the 04th day of January, 2005 at 8:51 o'clock, AM.M.,**
37 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
38 **upon her approval or upon her failure to either approve or disapprove it within 48 hours of**
39 **submittal.**

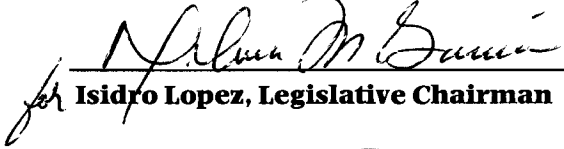
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



for **Isidro Lopez, Legislative Chairman**

APPROVED

on the 7th day of January, 2005

DISAPPROVED

at 5:40 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10th day of

January, 2005, at 8:41 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: ACCEPTING CERTIFICATION OF ELIGIBLE MEMBERS AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE SECOND PER CAPITA PLAN

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN JEROME JOAQUIN

DATE: JANUARY 03, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW(Absent) (Rita Martinez)(Present)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			X
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[01]

****PASSED VOTES**