

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY-2005 General Revenue Surplus Funding and Authorizing a
Divided Percentage Allocation to the Legislative, Judicial and Executive Branch)

RESOLUTION NO. 05-080

- 1 **WHEREAS, the Constitution of the Tohono O'odham Nation (the Constitution), Article VI, Section**
2 **1 (d) (2) vests the Tohono O'odham Council (Legislative Council) with the power to**
3 **manage any funds within the exclusive control of the Tohono O'odham Nation and to**
4 **appropriate funds for the benefit of the Nation and its members; and**
- 5 **WHEREAS, the Constitution, Article VI, Section 1 (d) (3) vests the Legislative Council with the**
6 **power to adopt, approve and amend annual budgets and to authorize the expenditure**
7 **of funds in accordance with approved budgets; and**
- 8 **WHEREAS, the Legislative Council did approve Resolution No. 03-564 Modifying the Gaming**
9 **Revenue Distribution Formula Authorized by Resolution No. 94-098; and**
- 10 **WHEREAS, the Legislative Council did approve Resolution No. 04-323 Approving FY-2005**
11 **Projected Revenues in the amount of \$49,493,008; and**
- 12 **WHEREAS, the Legislative Council did appropriate FY-2005 funding to the three branches of the**
13 **Nation's government in the amounts of: Legislative Branch, \$2,393,947.00 Resolution**
14 **No. 04-650, Judicial Branch, \$5,041,228.54 Resolution No. 04-648 and 04-649, and**
15 **Executive Branch, \$38,571,596.98 Resolution No. 04-609, and 04-702; and**
- 16 **WHEREAS, the combined total FY-2005 appropriated and approved budgets for each respective**
17 **branch of the Nation's government is \$46,006,772.52; and**
- 18 **WHEREAS, the total approved projected revenues for the Nation's FY-2005 budget years is**
19 **\$49,493,008.00 leaving a surplus of revenue in the amount of \$3,486,235.48; and**
- 20 **WHEREAS, the Legislative Council did approve a Christmas Bonus for all Nation's employees,**
21 **elected and appointed officials in the amount of \$642,981.19; and**
- 22 **WHEREAS, the Legislative Council acknowledges an outstanding balance owed to the Arizona**
23 **Indian Gaming Association in support of Proposition 202 in the amount of**
24 **\$104,951.53; and**
- 25 **WHEREAS, the leadership of each government branch, namely the Legislative Chairman,**
26 **Legislative Branch; the Chief Judge, Judicial Branch; and the Chairwoman, Executive**
27 **Branch have had numerous discussions specific to the surplus revenue and agree**
28 **collectively to recommend the following distribution of FY-2005 Surplus Revenue in**
29 **the amount of \$3,486,235.48 in the following manner:**
- 30 **• Christmas Bonus in the amount of \$642,981.19**

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- 1 • **Arizona Indian Gaming Association for Proposition 202 outstanding balance in**
2 **the amount of \$104,951.43**
- 3 • **Legislative Branch the amount of \$136,915.14 (5%)**
- 4 • **Judicial Branch the amount of \$301,213.31 (11%)**
- 5 • **Executive Branch the amount of \$2,300,174.40 (84%)**
- 6 **Total Distribution of Surplus Revenue equals - \$3,486,235.48**

7 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby approves the FY-2005**
8 **budget Surplus Revenue in the amount of \$3,486,235.48.**

9 **BE IT FURTHER RESOLVED that the Legislative Council does appropriate the FY-2005 Surplus**
10 **Revenue in the following manner:**

- 11 • **Legislative Branch the sum of \$136,915.14 (5%)**
- 12 • **Judicial Branch the sum of \$301,213.31 (11%)**
- 13 • **Executive Branch the sum of \$2,300,174.40 (84%)**

14 **BE IT FURTHER RESOLVED that each governmental branch, the Legislative Branch, the Judicial**
15 **Branch, and the Executive Branch, are directed to develop budgets for the**
16 **expenditure of the amounts appropriated to each branch and process said budgets**
17 **in the manner established and required for any other budget considered and**
18 **approved by the Legislative Council.**

19 **BE IT FINALLY RESOLVED that no funds appropriated to each respective branch will be expended**
20 **without an adopted, approved an/or an amended budget by the Legislative Council**
21 **and in accordance with Article VI, Section 1 (d) (3) of the Constitution of the Tohono**
22 **O'odham Nation.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH Day**
24 **of FEBRUARY, 2005 at a meeting at which a quorum was present with a vote of 1,510.9 FOR; 992.0**
25 **AGAINST; 126.8 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
26 **Section 1 (d)(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
27 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
28 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
29 **18, 1934 (48 Stat. 984).**

30
31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 
34 **Isidro Lopez, Legislative Chairman**

35
36 1TH day of February, 2005

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ATTEST:

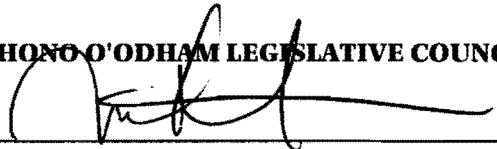


Lucille Lopez, Acting Legislative Secretary

17th day of February, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 17th day of February, 2005 at 11:28 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Isidro Lopez, Legislative Chairman

APPROVED

on the 17th day of February, 2005

DISAPPROVED

at 1:59 o'clock, p.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17th day of

February, 2005, at 3:04 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING FY-2005 GENERAL REVENUE SURPLUS FUNDING AND AUTHORIZING A DIVIDED PERCENTAGE ALLOCATION TO THE LEGISLATIVE, JUDICIAL AND EXECUTIVE BRANCH

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES ANTONE

DATE: FEBRUARY 10, 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 (Rita Martinez)	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		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			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 (Absent) (Roberta Picard) (Present)	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	1,510.9	992.0	126.8	[03]

****PASSED VOTES**