

**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. 05-475

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 56 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 \$112,000.00 from the Per Capita #2 Trust Account No. 68-01-101-0327262 to**

RESOLUTION NO. 05-475

(Accepting Certification of Eligible Members and Authorizing the Expenditure of Funds for Per Capita Payments under the Second Per Capita Plan)

Page 2 of 3

1 Per 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
11 as may be necessary to implement this Resolution.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day
13 of SEPTEMBER, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 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 _____
23 Evelyn Juan B. Manuel, Legislative Chairwoman

24
25 13 day of September, 2005

26
27
28 ATTEST:

29 
30 _____
31 Lucille Lopez, Acting Legislative Secretary

32 13th day of September, 2005.
33

34
35 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
36 O'Odham Nation on the 13 day of September, 2005 at 4:13 o'clock, 7.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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RESOLUTION NO. 05-475

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Page 3 of 3

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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Evelyn B. Juan Manuel, Legislative Chairwoman

APPROVED

on the ^{14th}~~15~~ day of September, 2005

DISAPPROVED

at 1:18 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14th day of

September, 2005, at 3:19 o'clock, P.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 FRANCES CONDE

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE: SEPTEMBER 12, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE ** (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			X
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.8	2,440.80	-0-	-0-	[01]

**PASSED VOTES