

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Rescinding Resolution No. 06-259, "Adopting Third Per Capita Revenue Allocation Plan")**

**RESOLUTION NO. 06-305**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that the "members of the**  
2 **Tohono O'odham Nation reserve the power to independently propose ordinances,**  
3 **resolutions or other legislation affecting the Tohono O'odham Nation" (Constitution,**  
4 **Article XV); and**

5 **WHEREAS, on June 28, 1997, the Nation's voters approved Initiative IN-97-01, the "Tohono**  
6 **O'odham Voice in the Use of Gaming Revenues" ("Initiative"), which authorizes per**  
7 **capita payments to the Nation's members provided that sufficient gaming revenues**  
8 **are available; and**

9 **WHEREAS, federal law requires that an Indian tribe making per capita payments from net gaming**  
10 **revenues derived from class II or class III gaming activities submit, and obtain**  
11 **approval for, a revenue allocation plan governing such payments (25 U.S.C. §**  
12 **2710(b)(3); 25 C.F.R. Part 290); and**

13 **WHEREAS, a Third Per Capita Revenue Allocation Plan was accordingly prepared and was**  
14 **adopted pursuant to Resolution No. 06-259; and**

15 **WHEREAS, based upon additional review of the Third Per Capita Revenue Allocation Plan, it has**  
16 **been determined that it is in the Nation's best interest to amend the Plan prior to its**  
17 **submission to the Papago Agency superintendent and Appropriate Bureau Official as**  
18 **required pursuant to 25 C.F.R. §§ 290.17 and 290.18.**

19 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby rescinds**  
20 **Resolution No. 06-259, "Adopting Third Per Capita Revenue Allocation Plan."**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup> day**  
22 **of MAY, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST;**  
23 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(2)**  
24 **and 1(f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
25 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
26 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
27 **Stat. 984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
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Evelyn B. Juan Manuel, Legislative Chairwoman

15<sup>th</sup> day of May, 2006

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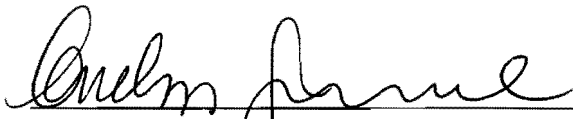
**ATTEST:**

  
\_\_\_\_\_  
**Lucille Lopez, Acting Legislative Secretary**

04 day of May, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 15<sup>th</sup> day of May, 2006 at 10:23 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**

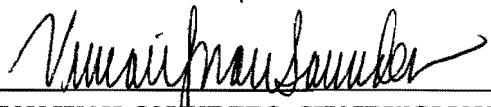
  
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**Evelyn B. Juan Manuel, Legislative Chairwoman**

**APPROVED**

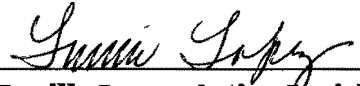
on the 15 day of May, 2006

**DISAPPROVED**

at 12:26 o'clock, P.M.

  
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**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 15 day of  
May, 2006, at 3:13 o'clock, P.M.

  
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**Lucille Lopez, Acting Legislative Secretary**

ACTION: RESCINDING RESOLUTION NO. 06-259, "ADOPTING THIRD PER CAPITA REVENUE ALLOCATION PLAN"

MOVED: COUNCILWOMAN MARLENE SARAFICIO

SECOND: COUNCILWOMAN DELMA GARCIA

DATE: MAY 04, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Lucilda J. Valenzuela (Norris)) <i>(Present)</i>	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			X
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			X
<b>HICKIWAN</b> 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ( )	83.70	X			
<b>PISINEMO</b> 171.8	1. BARBARA SALVICIO ( )	85.90	X			
	2. GERALD FAYUANT ( )	85.90	X			
<b>SAN LUCY</b> 169.0	1. JOHN W. LAWSON, SR. ( )	84.50	X			X
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER</b> 193.8	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
<b>SCHUK TOAK</b> 146.9	1. FRANCES B. CONDE ( )	73.45	X			
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL <i>(Absent)</i> (Kimberly Listo) <i>(Present)</i>	210.50	X			
<b>SIF OIDAK</b> 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,440.80</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES