

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing the Transfer of Funds in the Amount of \$35,338,000.00 from Desert Diamond Savings to Third per Capita Set Aside Account for Third Per Capita Distribution for Eligible Tohono O'odham Adult Members)**

RESOLUTION NO. 06-625

- 1 WHEREAS, on June 28<sup>th</sup>, 1997 the Nation's voters approved Initiative No. IN-01-97, the "Tohono  
2 O'odham Voice in the Use of Gaming Revenues" ("Initiative"), which authorizes per  
3 capita payments to the Nation's members provided that sufficient gaming revenues  
4 are available; and
- 5 WHEREAS, the Ordinance for the Regulation of Gaming Activities within the Tohono O'odham  
6 Nation ("Gaming Ordinance") was subsequently amended to authorize per capita  
7 distribution payments in accordance with the Initiative (Legislative Council  
8 Resolution No. 97-303); and
- 9 WHEREAS, the Legislative Council did adopt the Third Per Capita Revenue Allocation Plan per  
10 Legislative Council Resolution No.06-307; and
- 11 WHEREAS, the Secretary of the Department of the Interior did approve the Third Per Capita  
12 Revenue Allocation plan on July 28, 2006; and
- 13 WHEREAS, Tohono O'odham Legislative Council Resolution #06-565 authorized establishment  
14 of the bank account at Bank of America for the Third Per Capita Distribution; and
- 15 WHEREAS, Tohono O'odham Membership Services did present the Master List of eligible Tohono  
16 O'odham adult members for the Third Per Capita Distribution and pursuant to  
17 Tohono O'odham Legislative Council Resolution #06-624, entitled "Approving the  
18 Master List for the Third Per Capita Distribution for Eligible Tohono O'odham Adult  
19 Members," the Tohono O'odham Legislative Council established the number of  
20 eligible adult members at 17,669 members; and
- 21 WHEREAS, authorization is requested to transfer \$35,338,000.00 from the Desert Diamond  
22 Savings Account to the Third Per Capita Set Aside Account; and
- 23 WHEREAS, any interest earned less bank fees will be transferred back to the Desert Diamond  
24 Savings Account.
- 25 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves  
26 and authorizes the Office of the Treasurer to transfer \$35,338,000.00 from the  
27 Desert Diamond Savings Bank Account to Third Per Capita Set Aside Account at  
28 Bank of America, to fund the Third Per Capita Revenue Allocation Plan.

**RESOLUTION NO. 06-625**

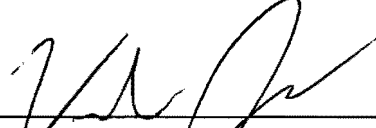
**(Authorizing the Transfer of Funds in the Amount of \$35,338,000.00 from Desert Diamond Savings to Third Per Capita Set Aside Account for Third per Capita Distribution for Adult Members)**

**Page 2 of 3**


1 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the  
2 **Office of the Treasurer to transfer any interest earned less bank fees back to the**  
3 **Desert Diamond Savings Account.**

4 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15<sup>TH</sup> Day**  
5 **of SEPTEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**  
6 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
7 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**  
8 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
9 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
10 **18, 1934 (48 Stat. 984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

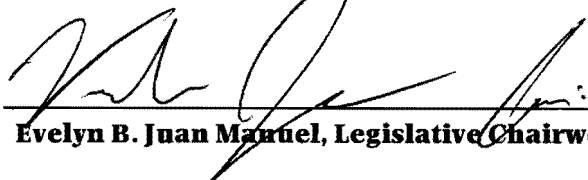
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16 \_\_\_\_\_  
17 Evelyn B. Juan Manuel, Legislative Chairwoman  
18 16 day of September, 2006

19 **ATTEST:**

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22 \_\_\_\_\_  
23 Lucille Lopez, Acting Legislative Secretary  
24  
25 15 day of September, 2006.

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27 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**  
28 **O'Odham Nation on the 16 day of September, 2006 at 4:24 o'clock, p. .M.,**  
29 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
30 **upon her approval or upon her failure to either approve or disapprove it within 48 hours of**  
31 **submittal.**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

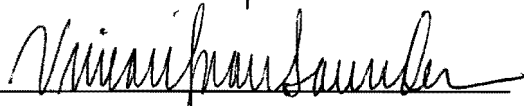
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36 \_\_\_\_\_  
37 Evelyn B. Juan Manuel, Legislative Chairwoman

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40  **APPROVED**

on the 18 day of September, 2006

41  
42  **DISAPPROVED**

at 4:29 o'clock, p. .M.

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46 \_\_\_\_\_  
47 VIVIAN JUAN-SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

**RESOLUTION NO. 06-625**

**(Authorizing the Transfer of Funds in the Amount of \$35,338,000.00 from Desert Diamond Savings to Third Per Capita Set Aside Account for Third per Capita Distribution for Adult Members)**

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Returned to the Legislative Secretary on the 18 day of

September, 2006, at 4:37 o'clock, P.M.

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary

**ACTION:** AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$35,338,000.00 FROM DESERT DIAMOND SAVINGS TO THIRD PER CAPITA SET ASIDE ACCOUNT FOR THIRD PER CAPITA DISTRIBUTION FOR ADULT MEMBERS

**MOVED:** COUNCILWOMAN DELMA GARCIA

**SECOND:** COUNCILWOMAN FRANCES MIGUEL

**DATE:** SEPTEMBER 15, 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))(Pres.)	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	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			
	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** (Kimberly Listo)	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>[02]</b>

\*\*PASSED VOTES