

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Certification of the Tohono O'odham Eligible Adult Members
Listing for Third Per Capita Second Payout Distribution)

RESOLUTION NO. 06-766

1 **WHEREAS, on June 28, 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, the Enrollment Program submits to the Tohono O'odham Legislative Council the**
14 **Certification Listing for eligible adult members for review and approval for the**
15 **third per capita distribution; and**

16 **WHEREAS, the total verified adult members for the third per capita second payout distribution**
17 **is 1,465; and**

18 **WHEREAS, pursuant to Resolution No. 06-624 the Legislative Council approved the Master**
19 **Listing for Eligible Adult members; and**

20 **WHEREAS, the disbursement of funds to each eligible adult member is contingent upon**
21 **verification of a member's eligibility and further certification by the Tohono**
22 **O'odham Legislative Council.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby:**

- 24 **1. accepts and approves the Certification Listing for 1,465 eligible adult**
25 **members for the Third Per Capita second payout distribution;**
- 26 **2. authorizes (a) the transfer of the sum of \$2,930,000.00 from the the Third Per**
27 **Capita Money Market Account to the Third Per Capita Checking Account**
28 **established at Bank of America; and (b) upon the authorized signature of the**

RESOLUTION NO. 06-766

(Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita Second Payout Distribution)

Page 2 of 3

1 Nation, issuance of a check on the third Per Capita Checking Account in the
2 amount of (i) \$2,000 to each Eligible Member residing in the United States and
3 listed in the Certification Listing of Eligible Members and (ii) \$1,400 to each
4 Eligible Member residing outside the United States and listed in the
5 Certification Listing of Eligible Members, with the Balance of \$600.00
6 withheld and remitted to the Internal Revenue Service pursuant to the
7 requirements of federal law;

8 3. designates Sells as the distribution site for the disbursement of the second
9 and subsequent payouts of the third per capita checks to members of the
10 Nation; and

11 4. authorizes the Chairwoman of the Nation to execute such other documents
12 as may be necessary to implement this Resolution.

13 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the disbursement of
14 funds to each additional eligible adult Tohono O'odham member is contingent
15 upon verification of a member by the Enrollment Program and further certification
16 of additional eligible members by the Tohono O'odham Legislative Council.

17 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH. Day**
18 **of NOVEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,013.1 FOR; -0-**
19 **AGAINST; -0- NOT VOTING; and 427.7[09] ABSENT, pursuant to the powers vested in the Council by**
20 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
21 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
22 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
23 **18, 1934 (48 Stat. 984).**

24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

25
26
27
28 Verlon M. Jose, Legislative Chairman

29
30 17 day of November, 2006

31
32 **ATTEST:**

33
34
35
36 Lucille Lopez, Acting Legislative Secretary

37
38 17 day of November, 2006.

RESOLUTION NO. 06-766

(Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita Second Payout Distribution)

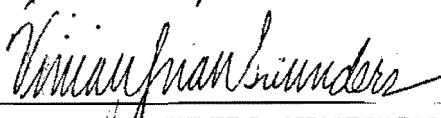
Page 3 of 3

1 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
2 O'odham Nation on the 17 day of November, 2006 at 5:24 o'clock, .M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon her approval or upon her failure to either approve or disapprove it within 48 hours of
5 submittal.

6
7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

8
9 
10 _____
11 **Verlon M. Jose, Legislative Chairman**

12
13
14
15 **APPROVED** on the 17th day of November, 2006
16
17 **DISAPPROVED** at 5:35 o'clock, P.M.

18
19 
20 _____
21 **VIVIAN JUAN SAUNDERS, CHAIRWOMAN**
22 **TOHONO O'ODHAM NATION**

23
24
25
26 **Returned to the Legislative Secretary on the 17 day of**
27 November, 2006, at 5:40 o'clock, P.M.

28
29
30 
31 _____
32 **Lucille Lopez, Acting Legislative Secretary**

33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA SECOND PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: NOVEMBER 17, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (<i>Absent</i>) (Vernon J. Smith) (<i>Present</i>)	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			X
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			X
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50				X
	2. GLORIA RAMIREZ ()	84.50				X
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)(<i>Present</i>)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE ROMERO (<i>Absent</i>) (Isidro Lopez) (<i>Present</i>)	93.35	X			
	2. DARLENE ANDREW (<i>Absent</i>) (Rita Wilson)(<i>Present</i>)	93.35	X			
TOTAL		2,440.80	2,013.1	-0-	-0-	427.7 [09]

****PASSED VOTES**