

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the "Monthly Age 18 Report" listing of Tohono O'odham Eligible Minor
members and authorizing commencement of payment of the Third Per Capita
Payment held on their behalf by Wells Fargo Bank)

RESOLUTION NO. 06-785

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, in 2006 it was determined that sufficient gaming revenues were available to permit**
10 **the Nation to provide a per capita payment in accordance with the Initiative; and**

11 **WHEREAS, the Legislative Council did adopt the Third Per Capita Revenue Allocation Plan**
12 **("Plan") pursuant to Legislative Council Resolution No. 06-307, which authorized a**
13 **third per capita payment for the Nation subject to the review by the appropriate**
14 **Bureau of Indian Affairs official, as required by federal regulation; and**

15 **WHEREAS, the appropriate Bureau of Indian Affairs official, the Acting Deputy Assistant**
16 **Secretary for Policy and Economic Development, did determine that the Plan**
17 **complied with the Indian Gaming Regulatory Act and did approve the Third Per**
18 **Capita Revenue Allocation Plan (the "Plan") on July 28, 2006; and**

19 **WHEREAS, the Plan incorporated a Trust Agreement (the "Trust Agreement") with Wells Fargo**
20 **Bank that would be established to protect the interests of minors and legally**
21 **incompetent persons (the "Beneficiaries") entitled to receive per capita payments;**
22 **and**

23 **WHEREAS, the Trust Agreement provided that monthly the Nation's Enrollment Office shall**
24 **prepare a listing of Beneficiaries who have attained the age of eighteen, which shall**
25 **be called the "Monthly Age 18 Report", and which shall subsequently be approved**
26 **by the Legislative Council thereby authorizing commencement of payments to**
27 **identified Beneficiaries; and**

28 **WHEREAS, on September 18, 2006, through Resolution No. 06-628, the Legislative Council**
29 **authorized the transfer of funds to Wells Fargo Bank of the amounts necessary to**
30 **cover the interests of 9,282 identified Beneficiaries; and**

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1 **WHEREAS, the Enrollment Office has determined that, for the period of September 18, 2006**
2 **through October 31, 2006, or the Monthly Age 18 Reports for the months of**
3 **September and October, 56 minors have reached the age of 18 and are no longer**
4 **restricted from receiving their per capita payments; and**

5 **WHEREAS, the Enrollment Office verifies the listing of Beneficiaries who have reached age 18**
6 **and were certified on the Master Minor Listing approved by Legislative Council**
7 **Resolution No. 06-627.**

8 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
9 **Monthly Age 18 Report for the months of September and October, which is a listing of 56**
10 **minors who have reached the age of 18 and are no longer restricted Beneficiaries, and who**
11 **are thus eligible for commencement of payments from Wells Fargo Bank of the amounts**
12 **held in trust for the identified Beneficiaries.**

13 **BE IT FINALLY RESOLVED that the Legislative Council authorizes Wells Fargo Bank to commence**
14 **payments to the 56 non-restricted Beneficiaries identified in the September and October**
15 **Monthly Age 18 Reports.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29TH Day**
17 **of NOVEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
18 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
19 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
20 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
21 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
22 **18, 1934 (48 Stat. 984).**

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25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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30 **Verlon M. Jose, Legislative Chairman**

31 29 day of November, 2006

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34 **ATTEST:**

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38 **Lucille Lopez, Acting Legislative Secretary**

39 29th day of November, 2006.
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1 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
2 O'odham Nation on the 29 day of November, 2006 at 4:59 o'clock, P.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.

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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12 **Verlon M. Jose, Legislative Chairman**

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15 **APPROVED**

on the 29 day of November, 2006

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17 **DISAPPROVED**

at 5:09 o'clock, P.M.

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22 **VIVIAN JUAN SAUNDERS, CHAIRWOMAN**
23 **TOHONO O'ODHAM NATION**

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26 **Returned to the Legislative Secretary on the 29 day of**

27 November, 2006, at 5:15 o'clock, P.M.

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32 **Lucille Lopez, Acting Legislative Secretary**

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ACTION: APPROVING THE "MONTHLY AGE 18 REPORT" LISTING OF TOHONO O'ODHAM ELIGIBLE MINOR MEMBERS AND AUTHORIZING COMMENCEMENT OF PAYMENT OF THE THIRD PER CAPITA PAYMENT HELD ON THEIR BEHALF BY WELLS FARGO BANK

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN GERALD FAYUANT

DATE: NOVEMBER 29, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith) (155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			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			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			X
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			X
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[04]

**PASSED VOTES