

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Accepting Certification of Eligible Members and Authorizing the Initial Expenditure**  
**of Funds for Per Capita Payments under the Second Per Capita Plan)**

**RESOLUTION NO. 06-789**

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**  
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 is**  
15 **entitled to receive a per capita payment of \$2,000.00; and**

16 **WHEREAS, by letter dated October 25, 2000 the Deputy Commissioner of Indian Affairs approved**  
17 **the Second Per Capita Plan; and**

18 **WHEREAS, as required by the Second Per Capita Plan, the Attorney General of the Nation issued**  
19 **a 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 39 adult eligible Members who are eligible for**  
22 **receipt of a per capita payment under the terms of the Second Per Capita Plan and the**  
23 **applicable 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 \$78,000.00 from the Per Capita #2 Trust Account to Per Capita #2 checking**

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1 account established at Bank of America (the Per Capita Checking Account) and (b)  
2 upon the authorized signature of the Nation, issuance of a check on the Per Capita  
3 Checking Account in the amount of (i) \$2,000.00 to each Eligible Member residing  
4 in the United States and listed in the attached Certification of Eligible Members  
5 and (ii) \$1,400.00 to each Eligible Member residing outside the United States and  
6 listed in the attached certification, with the balance of \$600.00 withheld and  
7 remitted to the Internal Revenue Service pursuant to the requirements of federal  
8 law.

9 3. The Chairwoman of the Nation is authorized to execute such other documents as  
10 may be necessary to implement this Resolution.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup> Day  
12 of DECEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,273.4 FOR; -0-  
13 AGAINST; -0- NOT VOTING; and 167.4 [05] ABSENT, pursuant to the powers vested in the Council by  
14 Section 1 (d)(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the  
15 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
16 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
17 18, 1934 (48 Stat. 984).

18  
19 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21   
22 \_\_\_\_\_  
23 Verlon M. Jose, Legislative Chairman

24  
25 4 day of December, 2006

26  
27  
28 ATTEST:

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30   
31 \_\_\_\_\_  
32 Lucille Lopez, Acting Legislative Secretary

33  
34 04 day of December, 2006.

35  
36 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
37 O'Odham Nation on the 4 day of December, 2006 at 4:54 o'clock, P..M.,  
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
39 upon her approval or upon her failure to either approve or disapprove it within 48 hours of  
40 submittal.  
41

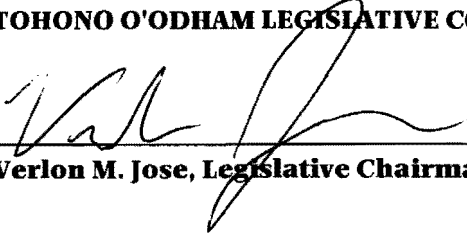
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
\_\_\_\_\_  
**Verlon M. Jose, Legislative Chairman**

**APPROVED**

on the 6<sup>th</sup> day of December, 2006

**DISAPPROVED**

at 9:11 o'clock, A.M.

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

Returned to the Legislative Secretary on the 06 day of

December, 2006, at 9:13 o'clock, A.M.

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

**ACTION:** ACCEPTING CERTIFICATION OF ELIGIBLE MEMBERS AND AUTHORIZING THE INITIAL EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE SECOND PER CAPITA PLAN

**MOVED:** COUNCILMAN RAYMOND VICTOR

**SECOND:** COUNCILWOMAN LUCILDA VALENZUELA

**DATE:** DECEMBER 04, 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 ( <i>Absent</i> ) (Lucilda J. Valenzuela (Norris))(Present)	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. (Vacant) ( )	83.70				
	2. SANDRA ORTEGA ( )	83.70				X
PISINEMO 171.8	1. BARBARA SALVICIO ( )	85.90	X			X
	2. GERALD FAYUANT ( )	85.90	X			
SAN LUCY 169.0	1. (Vacant) ( )	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 ( <i>Absent</i> ) (Kimberly Listo) (Present)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			X
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,273.4</b>	<b>-0-</b>	<b>-0-</b>	<b>167.4 [05]</b>

\*\*PASSED VOTES