

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Certification of the Tohono O'odham Eligible Adult Members**  
**Listing for Third Per Capita 20<sup>th</sup> Approved Listing Payout Distribution)**

RESOLUTION NO. 08-225

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 third**  
15 **per capita distribution; and**

16 **WHEREAS, the total verified adult members for the third per capita 20<sup>th</sup> payout distribution is**  
17 **13; and**

18 **WHEREAS, pursuant to Resolution No. 06-624 the Legislative Council approved the Master Listing**  
19 **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 O'odham**  
22 **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 13 eligible adult members for**  
25 **the Third Per Capita 20<sup>th</sup> approved listing payout distribution.**

26 **2. Authorizes (a) the transfer of \$26,000.00 from the Third Per Capita Money Market**  
27 **Account to the Third Per Capita Checking Account established at Bank of America;**  
28 **and (b) upon the authorized signature of the Nation, issuance of a check on the**

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1                   **Third Per Capita Checking Account in the amount of (i) \$2,000.00 to each Eligible**  
2                   **Member residing in the United States and listed in the Certification Listing of**  
3                   **Eligible Members and (ii) \$1,400.00 to each Eligible Member residing outside the**  
4                   **United States and listed in the Certification Listing of Eligible Members, with the**  
5                   **Balance of \$600.00 withheld and remitted to the Internal Revenue Service**  
6                   **pursuant to the requirements of federal law.**

7                   **3. Designates Sells as the distribution site for the disbursement of the 20th and**  
8                   **subsequent payouts of the third per capita checks to members of the Nation.**

9                   **4. Authorizes the Chairman of the Nation to execute such other documents as may be**  
10                   **necessary to implement this Resolution.**

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

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05<sup>TH</sup>. Day**  
16 **of MAY, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;**  
17 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)**  
18 **and (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
19 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
20 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
21 **Stat. 984).**

22  
23                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

24  
25                   *Jelicia Menty for*  
26                   \_\_\_\_\_  
27                   **Verlon M. Jose, Legislative Chairman**

28                   *6<sup>th</sup>* day of *May*, 2008

31 **ATTEST:**

32  
33                   *Lucille Lopez*  
34                   \_\_\_\_\_  
35                   **Lucille Lopez, Acting Legislative Secretary**

36                   *05* day of *May*, 2008.  
37  
38

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 6<sup>th</sup> day of May, 2008 at 3:58 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

Felicia Muniz for  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 9 day of MAY, 2008

DISAPPROVED

at 3:11 o'clock, P.M.

EXCEEDED 48 HOURS

Ned Norris, Jr.  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 09 day of

May, 2008, at 3:15 o'clock, P.M.

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 20<sup>TH</sup> APPROVED LISTING PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: MAY 05, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith) ( <i>Present</i> )	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
GU VO 199.2	1. GRACE MANUEL ( )	99.60	X			
	2. RAYMOND VICTOR ( )	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			X
PISINEMO 182.4	1. CHESTER ANTONE ( )	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			X
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES