

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Certification of the Tohono O'odham Eligible Adult Members
Listing for Third Per Capita 27TH Approved Listing Payout Distribution)

RESOLUTION NO. 08-686

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 27TH payout distribution is 09;**
17 **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 09 eligible adult members for**
25 **the Third Per Capita 27TH approved listing payout distribution.**
- 26 **2. Authorizes (a) the transfer of \$18,000.00 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 27TH 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 01ST. Day**
16 **of DECEMBER, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0-**
17 **AGAINST; -0- NOT VOTING; and [02]ABSENT, pursuant to the powers vested in the Council by Section**
18 **1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
19 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
21 **18, 1934 (48 Stat. 984).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

28
29 3rd day of December, 2008

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31 **ATTEST:**

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35 **Lucille Lopez, Acting Legislative Secretary**

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37 01 day of December, 2008.
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
2 Nation on the 3rd day of December, 2008 at 11:04 o'clock, P.M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

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10 Felicia Munoz for
11 Verlon M. Jose, Legislative Chairman

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15 APPROVED

on the 3 day of December, 2008

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17 DISAPPROVED

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

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21 Ned Norris, Jr.
22 **NED NORRIS, JR., CHAIRMAN**
23 **TOHONO O'ODHAM NATION**
24 **VICE CHAIRMAN**

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26 Returned to the Legislative Secretary on the 03 day of

27
28 December, 2008, at 4:03 o'clock, P.M.

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31 Lucille Lopez
32 **Lucille Lopez, Acting Legislative Secretary**

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ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 27TH APPROVED LISTING PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN PHYLLIS CACHORA

DATE: DECEMBER 01, 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			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			X
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. RAYMOND VICTOR ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE (Tony Murrietta)	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 ()	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			
TOTAL		2,534.5	2,534.5	-0-	-0-	[02]

****PASSED VOTES**