RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita 30th Approved Listing Payout Distribution)

RESOLUTION NO. 09-106

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 30^{th} payout distribution is <u>06;</u>
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, THEI	REFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby:
24		1. Accepts and approves the Certification Listing for <u>06</u> eligible adult members for
25		the Third Per Capita 30 th approved listing payout distribution.
26		2. Anthorizes (a) the transfer of <u>\$12,000.00</u> 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 30 th 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 16 17 18 19 20 21 22	The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the $\underline{09^{TH}}$. Day of <u>MARCH</u> , 2009 at a meeting at which a quorum was present with a vote of <u>2,534.5</u> FOR; <u>-0-</u> AGAINST; <u>-0-</u> NOT VOTING; and [<u>04</u>]ABSENT, pursuant to the powers vested in the Council by Section 1 (<u>d)(2) and (3)</u> of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).							
23 24	TOHONO O'ODHAM LEGISLATIVE COUNCIL							
25	Adia							
26 27	Flued Unies for Verlon M. Jose, Legislative Chairman							
28								
29	12 day of March_, 2009							
30 31	ATTEST:							
32								
33								
34	Summe Forfing							
35	Lucille Lopez, Acting Legislative Secretary							
36 37 38	01 day of Manh , 2009.							

RESOLUTION NO. 09-106 (Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita 30th Approved Listing Payout Distribution) Page 3 of 3 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the <u>12</u>^Hday of <u>March</u>, 2009 at <u>5779</u> o'clock, <u>p</u>.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** ia huney for Verion M. Jose, Legislative Cha on the 13 day of March , 2009 [V] APPROVED at _4:15 o'clock, _1 .M. **[] DISAPPROVED** NEDWORRIS, JR., CHAIRMAN **TOHONO O'ODHAM NATION** Returned to the Legislative Secretary on the $/\ell$ day of MMk , 2009, at 9:05 o'clock, A.M. Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 30th APPROVED LISTING PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN PHYLLIS CACHORA

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: MARCH 09, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSEN
BABOQUIVARI	1. FRANCES MIGUEL	158.45	x			
316.9	(Roberta Harvey) 2. FRANCES G. ANTONE (Vernon Smith)	158.45	x			x
CHUKUT KUK	1. ETHEL GARCIA	132.40	x			
264.8	2. VERLON M. JOSE	132.40	x			X
GU ACHI	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	x			
227.9	2. CYNTHIA E. MANUEL	113.95	x			
GU VO	1. GRACE MANUEL	99.60	x			
199.2	2. RAYMOND VICTOR	99.60	x			х
HICKIWAN	1. MICHELLE ORTEGA	86.00	x			
172.0	2. SANDRA ORTEGA	86.00	x			x
PISINEMO	1. CHESTER ANTONE	91.20	x			
182.4	(Tony Murrietta) 2. GERALD FAYUANT ()	91.20	x			
SAN LUCY	1. LORRAINE EILER	90.55	x			
181.1	2. GLORIA RAMIREZ	90.55	x			
SAN XAVIER	1. FELICIA NUÑEZ	98.25	x			
196.5	() 2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	х			
SCHUK TOAK	1. FRANCES B. CONDE (Frederick Jose)	77.30	x			
154.6	(Prederick Jose) 2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	x			
SELLS	1.KIMBERLY LISTO	222.35	x			
444.7	2.EVELYN B. JUAN MANUEL	222.35	х			
SIF OIDAK	1. WAVALENE ROMERO	97.20	х			
194.4	2. MARY LOPEZ ()	97.20	Х			
	2,534.5	2,534.5	-0-	-0-	[04]	