

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing the Transfer of Funds in the amount of \$38,282,000.00 from Desert Diamond Savings to Fourth Per Capita Set Aside Account for Fourth Per Capita Distribution For Adult Members)**

**RESOLUTION NO. 09-430**

1 **WHEREAS, on June 28<sup>th</sup>, 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 Fourth Per Capita Revenue Allocation Plan per**  
10 **Legislative Council Resolution No. 09-164; and**

11 **WHEREAS, the Nation's Chairman received written notification from the Department of the**  
12 **Interior on June 15, 2009 that the Nation's Revenue Allocation plan had been**  
13 **approved; and**

14 **WHEREAS, Tohono O'odham Legislative Council Resolution #09-399 authorized establishment**  
15 **of the bank account at Bank of America for the Fourth Per Capita Distribution; and**

16 **WHEREAS, Tohono O'odham Membership Services did present the Master List for eligible Tohono**  
17 **O'odham adult members for the Fourth Per Capita Distribution and pursuant to**  
18 **Tohono O'odham Legislative Council Resolution #09-428, entitled "Approving the**  
19 **Master List for the Fourth Per Capita Distribution for Eligible Adult Members," the**  
20 **Legislative Council established the number of eligible adult members at 19,141**  
21 **members; and**

22 **WHEREAS, authorization is requested to transfer \$38,282,000.00 from the Desert Diamond**  
23 **Savings Account to the Fourth Per Capita Set Aside Account.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves and**  
25 **authorizes the Office of the Treasurer to transfer \$38,282,000.00 from the Desert**  
26 **Diamond Savings Bank Account to Fourth Per Capita Set Aside Account at Bank of**  
27 **America, pursuant to the terms of the Nation's Revenue Allocation Plan.**

28 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16<sup>TH</sup>. Day**  
29 **of JULY, 2009 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**  
30 **-0- NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by Article VI**  
31 **Section 1 (d)(2) of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
32 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
33 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
34 **Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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Verlon Jose

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Verlon M. Jose, Legislative Chairman

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20 day of July, 2009

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ATTEST:

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Eyonne Wilson

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Eyonne Wilson, Legislative Secretary

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10 day of July, 2009.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 20 day of July, 2009 at 9:26 o'clock, a. 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.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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Verlon Jose

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Verlon M. Jose, Legislative Chairman

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APPROVED

on the 20 day of July, 2009

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DISAPPROVED

at 4:21 o'clock, P. M.

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Ned Norris, Jr.

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NED NORRIS, JR., CHAIRMAN

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TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 21 day of

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July, 2009, at 8:31 o'clock, a. M.

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Eyonne Wilson

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Eyonne Wilson, Legislative Secretary

**ACTION: AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$38,282,000.00 FROM DESERT DIAMOND SAVINGS TO FOURTH PER CAPITA SET ASIDE ACCOUNT FOR FOURTH PER CAPITA DISTRIBUTION FOR ADULT MEMBERS**

**Moved: COUNCILWOMAN EVELYN JUAN MANUEL**

**SECOND: COUNCILWOMAN CYNTHIA E. MANUEL**

**DATE: JULY 16, 2009**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> <b>198.7</b>	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS</b> <b>449.6</b>	1. KIMBERLY LISTO ( )	224.80	X			
	2. EVELYN B. JUAN MANUEL ( )	224.80	X			
<b>SCHUK TOAK</b> <b>159.0</b>	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
<b>SAN XAVIER</b> <b>204.7</b>	1. FELICIA NUÑEZ ( )	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY</b> <b>187.1</b>	1. LORRAINE EILER (Charlotte Cadavas)	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			
<b>PISINEMO</b> <b>184.5</b>	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN</b> <b>174.5</b>	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			
<b>GU VO</b> <b>206.3</b>	1. GRACE MANUEL ( )	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI</b> <b>230.1</b>	1. TIMOTHY L. JOAQUIN ( )	115.05	X			
	2. CYNTHIA E. MANUEL ( )	115.05	X			
<b>CHUKUT KUK</b> <b>277.0</b>	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ( )	138.50	X			
<b>BABOQIVARI</b> <b>324.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE	162.0	X			