

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Certification of the Tohono O'odham Eligible Adult Members**  
**Listing for Third Per Capita 40<sup>th</sup> Approved Listing Payout Distribution)**

**RESOLUTION NO. 10-005**

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 40<sup>th</sup> payout distribution is**  
17 **05; 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 05 eligible adult members for**  
25 **the Third Per Capita 40<sup>th</sup> approved listing payout distribution.**
- 26 **2. Authorizes (a) the transfer of \$10,000.00 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**  
29 **Third Per Capita Checking Account in the amount of (i) \$2,000.00 to each Eligible**

**RESOLUTION NO. 10-005**

**(Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita 40<sup>th</sup> Approved Listing Payout Distribution)**

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Member residing in the United States and listed in the Certification Listing of Eligible Members and (ii) \$1,400.00 to each Eligible Member residing outside the United States and listed in the Certification Listing of Eligible Members, with the Balance of \$600.00 withheld and remitted to the Internal Revenue Service pursuant to the requirements of federal law.

- 3. Designates Sells as the distribution site for the disbursement of the 40<sup>th</sup> and subsequent payouts of the third per capita checks to members of the Nation.
- 4. Authorizes the Chairman of the Nation to execute such other documents as may be necessary to implement this Resolution.

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

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup> Day of JANUARY, 2010 at a meeting at which a quorum was present with a vote of 2,396.80 FOR; -0- AGAINST; -0- NOT VOTING; and 198.70[05] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) and (3) 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).

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Verlon M. Jose, Legislative Chairman

5<sup>th</sup> day of January, 2010

**ATTEST:**

  
Evonne Wilson, Legislative Secretary

4 day of January, 2010.

**RESOLUTION NO. 10-005**

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5<sup>th</sup> day of January, 2010 at 4:50 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 Nunez for  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 07 day of January, 2010

DISAPPROVED

at 3:37 o'clock, P.M.

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

Returned to the Legislative Secretary on the 7 day of

January, 2010, at 3:47 o'clock, P.M.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 40<sup>TH</sup> APPROVED LISTING PAYOUT DISTRIBUTION**

**MOVED: COUNCILWOMAN LORRAINE EILER**

**SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**DATE: JANUARY 04, 2010**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK 198.7</b>	1. WAVALENE ROMERO (Nicholas Jose)	99.35				X
	2. MARY LOPEZ ( )	99.35				X
<b>SELLS 449.6</b>	1. KIMBERLY LISTO ( )	224.80	X			
	2. EVELYN B. JUAN MANUEL ( )	224.80	X			
<b>SCHUK TOAK 159.0</b>	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			X
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
<b>SAN XAVIER 204.7</b>	1. FELICIA NUÑEZ ( )	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY 187.1</b>	1. LORRAINE EILER ( )	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			
<b>PISINEMO 184.5</b>	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN 174.5</b>	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			
<b>GU VO 206.3</b>	1. GRACE MANUEL ( )	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI 230.1</b>	1. TIMOTHY L. JOAQUIN ( )	115.05	X			X
	2. CYNTHIA E. MANUEL ( )	115.05	X			
<b>CHUKUT KUK 277.0</b>	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ( )	138.50	X			X
<b>BABOQUIVARI 324.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
<b>TOTAL</b>		<b>2,595.50</b>	<b>2,396.80</b>	<b>-0-</b>	<b>-0-</b>	<b>198.70 [05]</b>