

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Certification of the Tohono O'odham Eligible Adult Members
Listing for Third Per Capita 43rd Approved Listing Payout Distribution)

RESOLUTION NO. 10-107

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 43rd payout distribution is 14;**
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 14 eligible adult members for**
25 **the Third Per Capita 43rd approved listing payout distribution.**
- 26 **2. Authorizes (a) the transfer of \$28,000.00 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. 10-107

(Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita 43rd Approved Listing Payout Distribution)

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

6 **3. Designates Sells as the distribution site for the disbursement of the 43rd and**
7 **subsequent payouts of the third per capita checks to members of the Nation.**

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

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

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH Day**
15 **of APRIL, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-**
16 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section**
17 **1 (d)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
18 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
19 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
20 **Stat. 984).**

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22 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

27 **1** day of **April**, 2010

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32 **ATTEST:**

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35 **Evonne Wilson, Legislative Secretary**

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37 **6** day of **April**, 2010.
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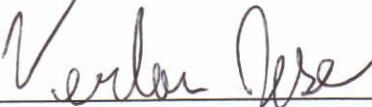
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
2 Nation on the 7 day of April, 2010 at 4:57 o'clock, p..M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

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15 **APPROVED**

on the _____ day of _____, 2010

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17 **DISAPPROVED**

at _____ o'clock, _____.M.

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19 **EXCEEDED 48 HOURS**

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21 **NED NORRIS, JR., CHAIRMAN**
22 **TOHONO O'ODHAM NATION**

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27 **Returned to the Legislative Secretary on the 12 day of**

28 April, 2010, at 12:03 o'clock, p..M.

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33 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 43RD APPROVED LISTING PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN KIMBERLY LISTO

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: APRIL 05, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (<i>Absent</i>) (Fredrick Jose) (<i>Present</i>)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			X
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	162.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[03]