

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Certification of the Tohono O'odham Eligible Adult Members**  
**Listing for Third Per Capita 44<sup>th</sup> Approved Listing Payout Distribution)**

**RESOLUTION NO. 10-158**

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 44<sup>th</sup> payout distribution is 10;**  
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 10 eligible adult members for**  
25 **the Third Per Capita 44<sup>th</sup> approved listing payout distribution.**
- 26 **2. Authorizes (a) the transfer of \$20,000.00 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. 10-158**

**(Approving the Certification of the Tohono O'odham Eligible Adult Members Listing for Third Per Capita 44<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 44<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 10<sup>TH</sup> Day of MAY, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST; -0- NOT VOTING; and 03 ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) 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**

*Felicia Murray for*  
**Verlon M. Jose, Legislative Chairman**

*12<sup>th</sup>* day of *May*, 2010

**ATTEST:**

*Evonne Wilson*  
**Evonne Wilson, Legislative Secretary**

*11* day of *May*, 2010.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12<sup>th</sup> day of May, 2010 at 5:14 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**

Jelicia Mueny for  
**Verlon M. Jose, Legislative Chairman**

APPROVED

on the 13<sup>th</sup> day of May, 2010

DISAPPROVED

at 4:18 o'clock, P.M.

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

Returned to the Legislative Secretary on the 13 day of

May, 2010, at 4:34 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 44<sup>TH</sup> APPROVED LISTING PAYOUT DISTRIBUTION**

**MOVED: COUNCILWOMAN LORRAINE EILER**

**SECOND: COUNCILWOMAN MARY LOPEZ**

**DATE: MAY 10, 2010**

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			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY</b> <b>187.1</b>	1. LORRAINE EILER ( )	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			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			X
	2. PAMELA ANGHILL(Absent) (Angela Ortiz) (Present)	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>BABOQUIVARI</b> <b>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>2,595.50</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>