

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting Certification of Eligible Adult Members and Authorizing the Initial
Expenditure of Funds for Per Capita Payments under the Second Per Capita Plan)**

RESOLUTION NO. 10-406

- 1 **WHEREAS, on June 28, 1997 the voters of the Tohono O'odham Nation approved Initiative No IN-**
2 **01-97 (the "Initiative"); and**
- 3 **WHEREAS, pursuant to Initiative and Resolution Nos. 97-451 and 97-452 the Tohono O'odham**
4 **Legislative Council adopted an Initiative Funding and Implementation Plan and**
5 **Revenue Allocation Plan (collectively the "First Per Capita Plan"); and**
- 6 **WHEREAS, an initial Per Capita Distribution under the first Per Capita Plan was approved on**
7 **December 18, 1997 by the Phoenix Area Office of the Bureau of Indian Affairs; and**
- 8 **WHEREAS, initial Per Capita distribution have been and continue to be disbursed to Adult**
9 **Eligible members under the first Per Capita Plan; and**
- 10 **WHEREAS, pursuant to the Initiative Resolution No. 2000-269 and 2000-472, the Legislative**
11 **Council adopted (1) a Second Initiative Funding and Implementation Plan, (2) a**
12 **Second Revenue Allocation Plan, and (3) Amendment No. 1 to each Plan (collectively**
13 **the "Second Per Capita Plan"); and**
- 14 **WHEREAS, under the second Per Capita Plan each eligible member who is certified as eligible is**
15 **entitled to receive a per capita payment of \$2,000.00; and**
- 16 **WHEREAS, by letter dated October 25, 2000 the Deputy Commissioner of Indian Affairs approved**
17 **the Second Per Capita Plan; and**
- 18 **WHEREAS, as required by the Second Per Capita Plan, the Attorney General of the Nation issued**
19 **a Notice of Compliance on October 26, 2000; and**
- 20 **WHEREAS, as required by the Second Per Capita Plan the Enrollment Office has filed a**
21 **certification of Eligible Members listing 01 eligible adult Members who are eligible**
22 **for receipt of a per capita payment under the terms of the Second Per Capita Plan and**
23 **the applicable laws of the United States and the Nation.**
- 24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby:**
- 25 **1. Accepts and approves the certification listing for 01 Eligible Adult Members for**
26 **the Second Per Capita approved listing payout distribution.**
- 27 **2. Authorizes (a) the transfer of \$2,000.00 from the Second Per Capita Investment**
28 **Account to the Second Per Capita Checking Account established at Bank of**
29 **America; and (b) upon the authorized signature of the Nation, issuance of a check**
30 **on the Second Per Capita Checking Account in the amount of (I) \$2,000.00 to each**

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

6 3. Authorizes the Chairman of the Nation to execute such other documents as may
7 be necessary to implement this Resolution.

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

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH Day**
13 **of OCTOBER, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by**
16 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
17 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
18 **18, 1934 (48 Stat. 984).**

19
20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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24 Verlon M. Jose, Legislative Chairman

25
26 14th day of October, 2010

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29 **ATTEST:**

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31 _____
32 Evonne Wilson, Legislative Secretary

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34 12 day of October, 2010.

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36 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
37 **Nation on the 17th day of October, 2010 at 1:18 o'clock, P.M.,**
38 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
39 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
40 **submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

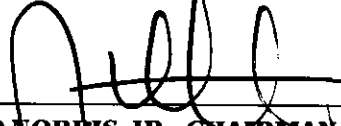

Verlon M. Jose, Legislative Chairman

APPROVED

on the 14 day of October, 2010

DISAPPROVED

at 1:55 o'clock, P.M.


NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION
VICE CHAIRMAN

Returned to the Legislative Secretary on the 14 day of

October, 2010, at 2:39 o'clock, P.M.


Evonne Wilson, Legislative Secretary

ACTION: ACCEPTING CERTIFICATION OF ELIGIBLE ADULT MEMBERS AND AUTHORIZING THE INITIAL EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE SECOND PER CAPITA PLAN

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: OCTOBER 11, 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 (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			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			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	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 (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	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 (Roberta Harvey)	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-	[02]