

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

**RESOLUTION NO. 99-622**

1 **WHEREAS, on June 28, 1997 the voters of the Tohono O'odham Nation (the "Nation")**  
2 **approved Initiative No. IN-01-97 (the "Initiative"); and**

3 **WHEREAS, the Initiative authorized funding from Gaming Revenues for several**  
4 **measures, including a one-time per capita distribution of \$2,000 to each**  
5 **member of the Nation enrolled on June 28, 1997 (the "Initial Per Capita**  
6 **Distribution"); and**

7 **WHEREAS, pursuant to Resolution 97-451, the Legislative Council adopted an Initiative**  
8 **Funding and Implementation Plan (the "FIP") which authorized the**  
9 **establishment of set-aside accounts for the Initial Per Capita Distribution and**  
10 **other Initiative measures, and set certain conditions on the expenditure of**  
11 **funds from such accounts; and**

12 **WHEREAS, by Resolution 97-478, the Legislative Council approved the transfer of funds**  
13 **from the Desert Diamond Savings Account to certain designated set-aside**  
14 **accounts established at Bank of America Arizona, including the sum of \$41.5**  
15 **million to set-aside account no. 3030425-1067524 for the Initial Per Capita**  
16 **Distribution (the "Per Capita Account"); and**

17 **WHEREAS, three of the conditions to expenditure of the Per Capita Account specified in**  
18 **the FIP are (1) approval by the Secretary of the Interior of a per capita**  
19 **distribution plan (the "Revenue Allocation Plan") pursuant to the**  
20 **requirements of the Indian Gaming Regulatory Act, 25 U.S.C. § 2710 (b) (3); (2)**  
21 **acceptance by the Legislative Council of a Certification of Eligible Members**  
22 **submitted by the Enrollment Office and based upon receipt of a properly**  
23 **completed and filed Certificate of Eligibility Verification for Per Capita**  
24 **Payment for each member; and (3) as to each Minor Eligible Member,**  
25 **establishment of a restricted account at Bank of America for deposit of such**  
26 **member's per capita payment; and**

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- 1 **WHEREAS, pursuant to Resolution 97-452, the Legislative Council adopted a Revenue**  
2 **Allocation Plan and caused the Plan to be submitted for approval by the**  
3 **Phoenix Area Office of the Bureau of Indian Affairs in accordance with**  
4 **authority delegated to the Area Office by the Secretary of the Interior; and**  
5 **WHEREAS, by letter dated December 18, 1997, the Area Office approved the Revenue**  
6 **Allocation Plan with respect to the Initial Per Capita Distribution and**  
7 **disapproved the Plan with respect to the Biennial Per Capita Payments; and**  
8 **WHEREAS, an agreement with Bank of America has not yet been finalized for the**  
9 **establishment of the restricted accounts which is required as a condition to**  
10 **disbursement of the Initial Per Capita Distribution to such accounts for Minor**  
11 **Eligible Members; and**  
12 **WHEREAS, pursuant to Resolution Nos. 97-525, 98-010, 98-037, 98-084, 98-128, 98-192, 98-**  
13 **207, 98-278, 98-316, 98-360, 98-431, 98-478, 98-505, 99-006, 99-041, 99-081, 99-**  
14 **142, 99-201, 99-312, 99-363, 99-422, 99-478 and 99-563 the Legislative Council**  
15 **accepted and approved Certifications of Eligible Members for the Initial Per**  
16 **Capita Distribution, and disbursements have been made to such members;**  
17 **and**  
18 **WHEREAS, the Enrollment Office has filed with the Legislative Council a Certification of**  
19 **Eligible Members listing 31 adult members who are eligible for receipt of the**  
20 **Initial Per Capita Distribution; and**  
21 **WHEREAS, all conditions under the laws of the United States and the Nation have been**  
22 **satisfied to permit the disbursement of the Initial Per Capita Distribution to**  
23 **the members listed in the Certification of Eligible members.**  
24 **NOW, THEREFORE, BE IT RESOLVED THAT:**  
25 **1. The Tohono O'odham Legislative Council hereby accepts and approves**  
26 **the Certification of Eligible Members, in the form attached hereto.**  
27 **2. The Legislative Council authorizes (a) the transfer of the sum of**

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1                   **\$62,000.00 from the Per Capita Account to the special checking account**  
2                   **no. 252-350-324 established at Bank of America Arizona (the "Per Capita**  
3                   **Checking Account"); and (b) upon the joint signature of the Chairman and**  
4                   **Vice Chairman of the Nation, issuance of a check on the Per Capita**  
5                   **Checking Account in the amount of (i) \$2,000 to each Eligible Member**  
6                   **residing in the United States and listed in the attached Certification of**  
7                   **Eligible Members and (ii) \$1,400 to each Eligible Member residing outside**  
8                   **the United States and listed in the attached Certification, with the balance**  
9                   **of \$600 withheld and remitted to the Internal Revenue Service pursuant**  
10                   **to the requirements of federal law.**

11                   **3. The Chairman of the Nation is authorized to execute such other**  
12                   **documents as may be necessary to implement this Resolution.**

13 **The foregoing Resolution was passed by the Tohono O'odham Council on the 17<sup>TH</sup> of**  
14 **NOVEMBER 1999 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0-**  
15 **AGAINST; -0- NOT VOTING; and [07] ABSENT, pursuant to the powers vested in the Council by**  
16 **Section 1 (d)(1), (2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation,**  
17 **adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting**  
18 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**  
19 **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
\_\_\_\_\_  
**Dennis Ramon, Legislative Chairman**

18<sup>th</sup> day of November, 19 99

**ATTEST:**

  
\_\_\_\_\_  
**Julianna Saraficio, Acting Legislative Secretary**

17 day of November, 19 99.

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1 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
2 **O'Odham Nation on the 18<sup>th</sup> day of November, 19 99 at 4:48 o'clock,**  
3 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will**  
4 **become effective upon his approval or upon his failure to either approve or disapprove it**  
5 **within 48 hours of submittal.**

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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11 **Dennis Ramon, Legislative Chairman**

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16  **APPROVED**

on the 22<sup>nd</sup> day of November, 19 99

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18  **DISAPPROVED**

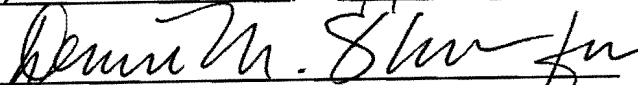
at 10:37 o'clock, A.M.

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22 **EDWARD D. MANUEL, Chairman**  
23 **TOHONO O'ODHAM NATION**

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28 **Returned to the Legislative Secretary on the 22<sup>nd</sup> day of**

29 **November, 19 99, at 3:30 o'clock, P.M.**

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32 **Julianna Saraficio, Acting Legislative Secretary**  
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**ACTION: ACCEPTING CERTIFICATION OF ELIGIBLE MEMBERS AND AUTHORIZING THE INITIAL EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE INITIATIVE**

**Moved: COUNCILWOMAN RITA MARTINEZ**

**SECOND: COUNCILMAN TONY BURRELL**

**DATE: NOVEMBER 17, 1999**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF ODAK</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			X
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
<b>SELLS</b> 372.7	1. DENNIS E. JOSE ( )	186.35	X			
	2. EVELYN JUAN ( )	186.35	X			
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7	X			
	2. AMBROSE ENCINAS ( )	66.7	X			X
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			X
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			X
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05	X			X
	2. GLORIA RAMIREZ ( )	64.05	X			
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
<b>HICKIWAN</b> 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			X
<b>TOTAL</b>		<b>2,165.5</b>	<b>2,165.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[07]</b>

\*\*PASSED VOTES