

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Certification of the Tohono O'odham Eligible Adult Members
Listing for Third Per Capita 64THApproved Listing Payout Distribution)

RESOLUTION NO. 12-069

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 64TH payout distribution is 08;**
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 08 eligible adult members for**
25 **the Third Per Capita 64TH approved listing payout distribution.**
- 26 **2. Authorizes (a) the transfer of \$16,000.00 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**

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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 64TH 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 12TH Day of MARCH, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 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



Timothy Joaquin, Legislative Chairman
14 day of March, 2012

ATTEST:



Evonne Wilson, Legislative Secretary

14 day of March, 2012

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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 14 day of March, 2012 at 3:27 o'clock, P.M.,
3 pursuant to the provisions of Section 4 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**

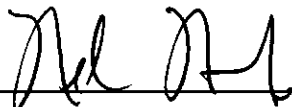
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11 **Timothy Joannin, Legislative Chairman**

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15 **APPROVED**

on the 15 day of March, 2012

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17 **DISAPPROVED**

at 8:55 o'clock, A.M.

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

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28 **Returned to the Legislative Secretary on the 15 day of**

29 March, 2012, at 10:21 o'clock, A.M.

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34 **Evonne Wilson, Legislative Secretary**

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