

**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. 13-004**

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 (collective 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 adult member who is eligible for receipt**  
22 **of a per capita payment under the terms of the Second Per Capita Plan and the**  
23 **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 member for the**  
26 **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 United States and listed in the Certification Listing  
2 of 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. Authorizes the Chairman of the Nation to execute such other documents as may be  
7 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 members by the Tohono O'odham Legislative Council.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>th</sup> Day  
13 of JANUARY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-  
14 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section  
15 1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the  
16 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

21   
22  
23  
24 Timothy Joaquin, Legislative Chairman

25  
26 11 day of January, 2013  
27  
28

29 ATTEST:

30   
31  
32 Evonne Wilson, Legislative Secretary

33  
34 11 day of January, 2013.  
35

36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
37 Nation on the 11 day of January, 2013 at 3:18 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**

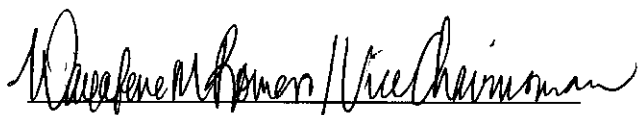
  
\_\_\_\_\_  
**Timothy Joaquin, Legislative Chairman**

**APPROVED**

on the 11 day of January, 2013

**DISAPPROVED**

at 4:28 o'clock, P.M.

  
\_\_\_\_\_  
**NED NORRIS, JR., CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 11 day of

January, 2013, at 4:42 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 MARY LOPEZ

**SECOND:** COUNCILWOMAN LORRAINE EILER

**DATE:** JANUARY 07, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE(Absent) (Vernon Smith)(Present)	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ( )	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE(Absent) (Tony Murrietta)(Present)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			X
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. MARIA ACKERMAN ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>