

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving the Certification of the Tohono O'odham Eligible Adult Members  
Listing for Third Per Capita 77<sup>th</sup> Approved Listing Payout Distribution)**

**RESOLUTION NO. 13-398**

1 **WHEREAS, on June 28, 1997 the Nation's voters approved Initiative No. IN-01-97, the**  
2 **"Tohono O'odham Voice in the Use of Gaming Revenues" ("Initiative"), which**  
3 **authorizes per capita payments to the Nation's members provided that**  
4 **sufficient gaming revenues are available; and**

5 **WHEREAS, the Ordinance for the Regulation of Gaming Activities within the Tohono**  
6 **O'odham Nation ("Gaming Ordinance") was subsequently amended to authorize**  
7 **per capita distribution payments in accordance with the Initiative (Legislative**  
8 **Council Resolution No. 97-303); and**

9 **WHEREAS, the Legislative Council did adopt the Third Per Capita Revenue Allocation Plan**  
10 **per 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**  
15 **third per capita distribution; and**

16 **WHEREAS, the total verified adult members for the third per capita 77<sup>th</sup> payout distribution**  
17 **is 1; and**

18 **WHEREAS, pursuant to Resolution No. 06-624 the Legislative Council approved the Master**  
19 **Listing 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**  
22 **O'odham 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 1 eligible adult member**  
25 **for the Third Per Capita 77<sup>th</sup> approved listing payout distribution.**  
26 **2. Authorizes (a) the transfer of \$2,000.00 from the Third Per Capita Money**  
27 **Market Account to the Third Per Capita Checking Account established at**  
28 **Bank of America; and (b) upon the authorized signature of the Nation,**  
29 **issuance of a check on the Third Per Capita Checking Account in the**

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1 amount of (i) \$2,000.00 to each Eligible Member residing in the United  
2 States and listed in the Certification Listing of Eligible Members and (ii)  
3 \$1,400.00 to each Eligible Member residing outside the United States and  
4 listed in the Certification Listing of Eligible Members, with the balance of  
5 \$600.00 withheld and remitted to the Internal Revenue Service pursuant to  
6 the requirements of federal law.

7 3. Designates Sells as the distribution site for the disbursement of the 77<sup>th</sup>  
8 and subsequent payouts of the third per capita checks to members of the  
9 Nation.

10 4. Authorizes the Chairman of the Nation to execute such other documents as  
11 may be necessary to implement this Resolution.

12 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the disbursement of  
13 funds to each additional eligible adult Tohono O'odham member is contingent  
14 upon verification of a member by the Enrollment Program and further  
15 certification of additional eligible members by the Tohono O'odham Legislative  
16 Council.

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>  
18 day of OCTOBER, 2013 at a meeting at which a quorum was present with a vote of 2,946.5  
19 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the  
20 Council by Article VI, Section 1 (d)(2) and (3) of the Constitution of the Tohono O'odham Nation,  
21 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting  
22 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section  
23 16 of the Act of June 18, 1934 (48 Stat.984).

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26 TOHONO O'ODHAM LEGISLATIVE COUNCIL

27   
28 Timothy Joaquin, Legislative Chairman

29  
30 14 day of October, 2013

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35 ATTEST:

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38 Evonne Wilson, Legislative Secretary

39 11 day of October, 2013  
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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 14 day of October, 2013 at 1:42 o'clock, P.m.,  
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
4 effective upon his approval or upon his failure to either approve or disapprove it within 48  
5 hours of submittal.  
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7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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10 Timothy Joaquin, Legislative Chairman  
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16  APPROVED

on the 14 day of October, 2013

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18  DISAPPROVED

at 3:30 o'clock, P.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 14 day of

29 October, 2013, at 4:30 o'clock, P.m.

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33 Evonne Wilson, Legislative Secretary  
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**ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTIN FOR THIRD PER CAPITA 77<sup>TH</sup> APPROVED LISTING PAYOUT DISTRIBUTION**

**Moved: COUNCILWOMAN MARY LOPEZ**

**SECOND: COUNCILWOMAN LORRAINE EILER**

**DATE: OCTOBER 07, 2013**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak 224.2</b>	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ( )	112.1	X			
<b>SELLS 502.0</b>	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ( )	251.0	X			
<b>SCHUK TOAK 174.2</b>	1. FRANCES B. STEPHENS ( <i>Absent</i> ) (Anthony J. Rios) ( <i>Present</i> )	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenhelm)	87.1	X			
<b>SAN XAVIER 224.2</b>	1. HILARION CAMPUS ( )	112.1	X			X
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
<b>SAN LUCY 219.6</b>	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			X
	2. JANA MONTANA ( )	109.8	X			
<b>PISINEMO 210.6</b>	1. CHESTER ANTONE (Tony Murrletta)	105.3	X			
	2. EDWARD MANUEL, SR. ( )	105.3	X			
<b>HICKIWAN 196.9</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			X
<b>HIA CED 19.6</b>	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ( )	9.8	X			
<b>GU VO 241.0</b>	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			X
<b>GU ACHI 257.3</b>	1. TIMOTHY L. JOAQUIN ( )	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
<b>CHUKUT KUK 319.2</b>	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ( )	159.6	X			
<b>BABOQUIVARI 357.7</b>	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			X
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
<b>TOTAL</b>		<b>2,946.5</b>	<b>2,946.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>