

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Certification of the Tohono O'odham Eligible Adult Members
Listing for Third Per Capita 78TH Approved Listing Payout Distribution)

RESOLUTION NO. 13-474

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 78th 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**
25 **member for the Third Per Capita 78th approved listing payout**
26 **distribution;**
- 27 **2. Authorizes (a) the transfer of \$2,000.00 from the Third Per Capita Money**
28 **Market Account to the Third Per Capita Checking Account established at**
29 **Bank of America; and (b) upon the authorized signature of the Nation,**

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1 issuance of a check on the Third Per Capita Checking Account in the
2 amount of (i) \$2,000.00 to each Eligible Member residing in the United
3 States and listed in the Certification Listing of Eligible Members and (ii)
4 \$1,400.00 to each Eligible Member residing outside the United States and
5 listed in the Certification Listing of Eligible Members, with the Balance of
6 \$600.00 withheld and remitted to the Internal Revenue Service pursuant
7 to the requirements of federal law;

8 3. Designates Sells as the distribution site for the disbursement of the 78th
9 and subsequent payouts of the third per capita checks to members of the
10 Nation; and

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

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

18 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02ND**
19 **day of DECEMBER, 2013 at a meeting at which a quorum was present with a vote of 2,946.5**
20 **FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the**
21 **Council by Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation,**
22 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
23 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
24 **16 of the Act of June 18, 1934 (48 Stat.984).**

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27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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32 Timothy Joaquin, Legislative Chairman

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6 day of December, 2013

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1 ATTEST:

2 *Evonne Wilson*
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4 Evonne Wilson, Legislative Secretary

5 04 day of December, 2013
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11 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
12 O'odham Nation on the 6 day of December, 2013 at 4:26 o'clock, P.m.,
13 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
14 effective upon his approval or upon his failure to either approve or disapprove it within 48
15 hours of submittal.
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17 TOHONO O'ODHAM LEGISLATIVE COUNCIL

18 *Timothy Joaquin*
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21 Timothy Joaquin, Legislative Chairman
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26 APPROVED

on the 10 day of December, 2013

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28 DISAPPROVED

at 9:31 o'clock, A.m.

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31 *Ned Norris, Jr.*
32 NED NORRIS, JR., CHAIRMAN
33 TOHONO O'ODHAM NATION
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40 Returned to the Legislative Secretary on the 10 day of

41 December, 2013, at 10:26 o'clock, A.m.

42 *Evonne Wilson*
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45 Evonne Wilson, Legislative Secretary
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ACTION: APPROVING THE CERTIFICATION OF THE TOHONO O'ODHAM ELIGIBLE ADULT MEMBERS LISTING FOR THIRD PER CAPITA 78TH APPROVED LISTING PAYOUT DISTRIBUTION

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: DECEMBER 02, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ()	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS (<i>Absent</i>) (Daniel L.A. Preston, III) (<i>Present</i>)	112.1	X			
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			X
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[01]