

**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 Initiative)**

**RESOLUTION NO. 11-161**

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

3 **WHEREAS, the Initiative authorized funding from Gaming Revenues for several measures,**  
4 **including a one-time per capita distribution of \$2,000.00 to each member of the**  
5 **Nation enrolled on June 28, 1997 (the Initial Per Capita Distribution); and**

6 **WHEREAS, pursuant to Resolution No. 97-451, the Tohono O'odham Legislative Council adopted**  
7 **an Initiative Funding and Implementation Plan (the FIP) which authorized the**  
8 **establishment of set-aside accounts for the Initial Per Capita Distribution and other**  
9 **Initiative measures, and set certain conditions on the expenditure of funds from such**  
10 **accounts; and**

11 **WHEREAS, pursuant to Resolution No. 97-478, the Tohono O'odham Legislative Council approved**  
12 **the transfer of funds from the Desert Diamond Savings Account to certain designated**  
13 **set-aside accounts established at Bank of America, including the sum of \$41.5 million**  
14 **to a set-aside for the Initial Per Capita Distribution (the Per Capita Account); and**

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

24 **WHEREAS, pursuant to Resolution No. 97-452, the Tohono O'odham Legislative Council adopted**  
25 **a Revenue Allocation Plan and caused the Plan to be submitted for approval by the**  
26 **Phoenix Area Office of the Bureau of Indian Affairs in accordance with authority**  
27 **delegated to the Area Office by the Secretary of the Interior; and**

28 **WHEREAS, by letter dated December 18, 1997 the Area Office approved the Revenue Allocation**  
29 **Plan with respect to the Initial Per Capita Distribution and disapproved the Plan with**

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1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the disbursement of  
2 funds to each additional eligible adult Tohono O'odham member is contingent upon  
3 verification of a member by the Enrollment Program and further certification of  
4 additional eligible members by the Tohono O'odham Legislative Council.

5 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup> Day  
6 of MAY, 2011 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;  
7 -0- NOT VOTING; and [07] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)  
8 and (3) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono  
9 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
10 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
11 Stat. 984).

12  
13 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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15  
16 Felicia Muniz for  
17 Verlon M. Jose, Legislative Chairman

18  
19 12<sup>th</sup> day of May, 2011

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21  
22 ATTEST:

23  
24 Evonne Wilson  
25  
26 Evonne Wilson, Legislative Secretary

27  
28 12 day of May, 2011.

29  
30 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
31 Nation on the 12<sup>th</sup> day of May, 2011 at 4:18 o'clock, P.M.,  
32 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
33 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
34 submittal.

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36 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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39 Felicia Muniz for  
40 Verlon M. Jose, Legislative Chairman

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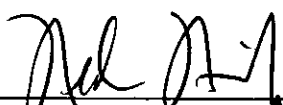
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APPROVED

on the 13 day of May, 2011

DISAPPROVED

at 1:00 o'clock, 1.M.

  
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NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

May, 2011, at 1:35 o'clock, 2.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 INITIATIVE**

**Moved: COUNCILWOMAN MARY LOPEZ**

**SECOND: COUNCILWOMAN EVELYN JUAN MANUEL**

**DATE: MAY 09, 2011**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS</b> 449.6	1. KIMBERLY LISTO ( )	224.80	X			
	2. EVELYN B. JUAN MANUEL ( )	224.80	X			
<b>SCHUK TOAK</b> 159.0	1. FRANCES B. CONDE (Stanely Stephans)	79.50	X			X
	2. FREDRICK JOSE (Phyllis Cachora)	79.50	X			
<b>SAN XAVIER</b> 204.7	1. FELICIA NUÑEZ ( )	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY</b> 187.1	1. LORRAINE EILER ( )	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			
<b>PISINEMO</b> 184.5	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN</b> 174.5	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			X
<b>GU VO</b> 206.3	1. GRACE MANUEL ( )	103.15	X			X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI</b> 230.1	1. TIMOTHY L. JOAQUIN ( )	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			X
<b>CHUKUT KUK</b> 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			X
	2. VERLON M. JOSE ( )	138.50	X			
<b>BABOQUIVARI</b> 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
<b>TOTAL</b>		<b>2,595.50</b>	<b>2,595.50</b>	<b>-0-</b>	<b>-0-</b>	<b>[07]</b>