

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Appropriating Gaming Savings for the Tohono O'odham Nursing Care Authority  
Operations in Fiscal Years 2018-2021)**

**RESOLUTION NO. 17-302**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power to appropriate Nation's funds "for the benefit of the nation and its**  
3 **members" and to provide laws "to promote, protect and provide for public health,**  
4 **peace, morals, education and general welfare of the Tohono O'odham Nation and**  
5 **its members" (Constitution, Article VI, Section 1(d)(2) and 1(c)(2)); and**

6 **WHEREAS, the Tohono O'odham Nursing Care Authority ("TONCA") and the Archie Hendricks**  
7 **Sr. Skilled Nursing Facility were created by the Nation and are vital resources for**  
8 **aging O'odham (17 Tohono O'odham Code Chapter 2, Amended and Restated**  
9 **Tohono O'odham Nursing Care Authority Charter); and**

10 **WHEREAS, by Resolutions No. 03-546, No. 07-452, No. 10-436, and No. 16-391, the Legislative**  
11 **Council has appropriated gaming saving funds to subsidize TONCA's operations**  
12 **for fiscal years 2004-2017; and**

13 **WHEREAS, from FY 2004 to FY 2016, the Nation's annual subsidy to TONCA grew from**  
14 **\$4,013,875 to \$7,086,048 and the Authority received a funding increase every year**  
15 **for 13 consecutive years; and**

16 **WHEREAS, pursuant to Resolution No. 16-391, the Legislative Council appropriated**  
17 **\$6,731,746 from gaming savings for TONCA's FY 2017 operations, directed TONCA**  
18 **to consult with the Nation's districts before presenting its next multi-year gaming**  
19 **savings subsidy request, and provided that Nation's gaming savings**  
20 **appropriations to the TONCA in fiscal years 2018-2021 shall not exceed \$6,731,746;**  
21 **and**

22 **WHEREAS, TONCA has consulted with each of the Nation's districts in accordance with Title**  
23 **26, Section 1301(A) and the TONCA Board of Directors has enacted a resolution**  
24 **requesting an annual subsidy from the Nation of \$6,731,746 for fiscal years 2018-**  
25 **2021; and**

26 **WHEREAS, Health and Human Services and Budget and Finance Committees have reviewed**  
27 **the multi-year subsidy request and the committees support TONCA's funding**  
28 **request.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council appropriates**  
30 **\$6,731,746 annually from gaming savings for fiscal years 2018-2021 to TONCA to**  
31 **support its operations, provided that:**

- 32 1. **Payment of \$6,731,746 will be transferred from the Nation to TONCA on**  
33 **October 1, 2017, October 1, 2018, October 1, 2019 and October 1, 2020.**

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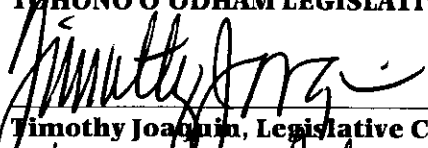
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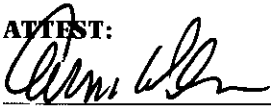
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- 2. Funds will be wired to TONCA's account on the date set forth above without further Tohono O'odham Legislative Council action; all funds shall remain assets of the Nation until transferred to TONCA.
- 3. Pursuant to 26 T.O.C. Chapter 1, Article 3, Section 1301 (A), TONCA shall consult the Nation's districts before presenting its next multi-year gaming savings subsidy request to the Legislative Council committees and full Council.

**BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the TONCA Board shall provide to the Health and Human Services and Budget and Finance Committees upon request any Authority records or reports for which disclosure is not prohibited by law, and shall make a financial and operational report, including a detailed expenditure report, to the Legislative Council within 120 days after the close of the TONCA's fiscal year in accordance with Article IV, 4.5.21. of 17 Tohono O'odham Code Chapter 2.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup> day of JULY, 2017 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) and 1(c)(2) 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  
17 day of July, 2017

ATTEST:  
  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary  
17 day of July, 2017

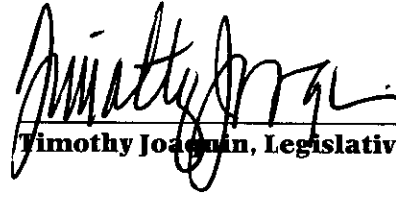
Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of July, 2017 at 5:55 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**



**Timothy Joaquin, Legislative Chairman**

**APPROVED**

on the 18 day of July, 2017

**DISAPPROVED**

at 3:18 o'clock, P.m.



**EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 18 day of**

July, 2017, at 4:16 o'clock, P.m.



**Evonne Wilson, Legislative Secretary**

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**ACTION:** APPROPRIATING GAMING SAVINGS FOR THE TOHONO O'ODHAM NURSING CARE AUTHORITY OPERATIONS IN FISCAL YEARS 2018-2021

**Moved:** COUNCILMAN ANTHONY J. FRANCISCO, JR.

**SECOND:** COUNCILWOMAN JANICE FELIX

**DATE:** JULY 12, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( )	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Beverly Rivas)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA ( )	115.55	X			X
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ( )	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ( )	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GUACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Vicenti)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE ( )	186.05	X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>3,084.6</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>