

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Monthly Age 18 Report for April 2021 of Tohono O'odham Eligible Minor Members and Authorizing Distribution of the Per Capita Payments and Interest Held in Trust on Their Behalf by Principal Trust Company)

RESOLUTION NO. 21-091

- 1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the power to "manage any funds within the exclusive
3 control of the Tohono O'odham Nation, including proceeds derived from lands
4 and resources of the Tohono O'odham Nation, and to appropriate these funds for
5 the benefit of the nation and its members" (Constitution, Article VI, Section
6 1(d)(2)); and
- 7 **WHEREAS,** on June 28, 1997, the Nation's voters approved Initiative No. IN-01-97, the
8 "O'odham Voice on Use of Gaming Revenues" ("Initiative"), which authorizes per
9 capita payments to the Nation's members provided that sufficient gaming
10 revenues are available; and
- 11 **WHEREAS,** the Ordinance for the Regulation of Gaming Activities Within the Tohono
12 O'odham Nation ("Gaming Ordinance") was subsequently amended to authorize
13 per capita distribution payments in accordance with the Initiative (Legislative
14 Council Resolution No. 97-303); and
- 15 **WHEREAS,** the 2020 Tohono O'odham Nation Non-Gaming Per Capita Plan was adopted by
16 Legislative Council Resolution No. 20-070 to govern a one-time non-gaming
17 revenue per capita distribution to Eligible Members of the Tohono O'odham
18 Nation; and
- 19 **WHEREAS,** by Resolution No. 20-291, the Legislative Council approved the Master List for the
20 2020 Non-Gaming Per Capita Distribution for Minor Tohono O'odham Members
21 for use by Membership Services in the administration of the 2020 Non-Gaming
22 Per Capita Distribution; and
- 23 **WHEREAS,** disbursement of the 2020 Non-Gaming Per Capita payment to each eligible minor
24 Tohono O'odham member is contingent upon certification of the member's
25 eligibility and compliance with the Trust Agreement of the Nation for the benefit
26 of minor Eligible Members, which establishes interest bearing accounts on
27 behalf of the recipient minor Eligible Members and outlines the administration
28 of and payment from these accounts (Section III.D.1 and III.D.2 of the 2020
29 Tohono O'odham Nation Non-Gaming Per Capita Plan); and
- 30 **WHEREAS,** the Trust Agreement with Principal Trust Company requires that a listing of all
31 minor beneficiaries turning 18 and identified in the Monthly Age 18 Report for

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1 April 2021 be presented to the Tohono O'odham Legislative Council to obtain
2 approval to distribute the trust funds to eligible minor members as they are no
3 longer restricted beneficiaries; and

4 **WHEREAS,** the Enrollment Office has determined that the minors identified on the Monthly
5 Age 18 Report for April 2021 reached, or will reach the age of 18 during the month
6 of April 2021, and are no longer restricted from receiving their per capita
7 payments; and

8 **WHEREAS,** the Enrollment Office has verified that the beneficiaries on the Monthly Age 18
9 Report for April 2021 are also listed on the applicable master minor listing
10 approved by Legislative Council resolution.

11 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
12 Monthly Age 18 Report for April 2021 and authorizes Principal Trust Company to
13 commence payment to the non-restricted beneficiaries listed on the Monthly Age
14 18 Report for April 2021, subject to the additional requirements of the Trust
15 Agreement and written confirmation of the beneficiary's current mailing address
16 and other information.

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH
18 day of APRIL, 2021 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-
19 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
20 Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the
21 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
22 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
23 18, 1934 (48 Stat.984).

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25 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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29 Timothy Joaquin, Legislative Chairman

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31 18 day of April, 2021

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34 **ATTEST:**

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37 Evonne Wilson, Legislative Secretary

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39 7 day of April, 2021
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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 13 day of April, 2021 at 12:55 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

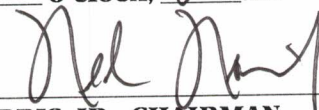
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11 Timothy Joaquin, Legislative Chairman
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15 APPROVED

16 on the 13 day of April, 2021

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18 DISAPPROVED

19 at 1:58 o'clock, P.m.

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22 NED NORRIS, JR., CHAIRMAN
23 TOHONO O'ODHAM NATION
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27 Returned to the Legislative Secretary on the 13 day of

28 April, 2021, at 3:30 o'clock, P.m.

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33 Evonne Wilson, Legislative Secretary
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ACTION: APPROVING THE MONTHLY AGE 18 REPORT FOR APRIL 2021 OF TOHONO O'ODHAM ELIGIBLE MINOR MEMBERS AND AUTHORIZING DISTRIBUTION OF THE PER CAPITA PAYMENTS AND INTEREST HELD IN TRUST ON THEIR BEHALF BY PRINCIPAL TRUST COMPANY

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: APRIL 05, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GU ACHI 279.3	1. VICTORIA HOBBS ()	139.65	X			
	2. TIMOTHY L. JOAQUIN (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	139.65	X			X
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80	X			
	2. JANA MONTANA (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			X
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			
	2. ARTHUR WILSON ()	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	3,175.7	-0-	-0-	[03]