

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Addition to the Master List for Eligible Minor Tohono O'odham Members for the Fourth Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company)

LEGISLATIVE ORDER NO. 21-177

1 **WHEREAS,** the Tohono O'odham Legislative Council is authorized "to manage any funds
2 within the exclusive control of the Tohono O'odham Nation . . . and to appropriate
3 these funds for the benefit of the nation and its members" provided that "[a]ll
4 expenditures of these funds shall be pursuant to appropriations or budgets"
5 authorized by resolution or ordinance (Constitution of the Tohono O'odham
6 Nation, Article VI, Section 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" (the "Initiative"), which authorizes
9 per 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 (the "Gaming Ordinance") was subsequently amended to
13 authorize per capita distribution payments in accordance with the Initiative
14 (Legislative Council Resolution No. 97-303); and

15 **WHEREAS,** the Legislative Council did adopt the Tohono O'odham Nation Revenue Allocation
16 Plan pursuant to Legislative Council Resolution No. 09-164; and

17 **WHEREAS,** on June 15, 2009, the Tohono O'odham Nation received notice from the Secretary
18 of the Department of Interior that the Tohono O'odham Nation Revenue
19 Allocation Plan was approved; and

20 **WHEREAS,** the Tohono O'odham Nation Department of Membership Services submitted to
21 the Tohono O'odham Legislative Council the Master List for Eligible Minor
22 Tohono O'odham Members for the Fourth Per Capita Distribution ("Master List")
23 for review and approval; and

24 **WHEREAS,** Legislative Council approved the Master List with the initial number of 8,665
25 verified minor members (Resolution Number 09-429); and

26 **WHEREAS,** the Enrollment Program has identified one eligible minor member who was left
27 of the Master List for the fourth per capita distribution; and

28 **WHEREAS,** the one minor member eligible for the fourth per capita payment did not have the
29 Principal Trust Company trust account established in accordance with the
30 Principal Trust Company Trust Agreement, which was approved by Tohono
31 O'odham Legislative Council Resolution No. 06-258; and

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1 **WHEREAS, the Nation's Treasurer has calculated the accrued interest due to the eligible**
2 **minor member for the fourth per capita payment.**

3 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby:**

- 4 **1. Approves the addition of one eligible Tohono O'odham minor member to**
5 **the Master List for Eligible Minor Tohono O'odham Member for the Fourth**
6 **Per Capita Distribution, who is listed in the attached June 2021 Addition to**
7 **the Minor Master List for the Fourth Per Capita Distribution.**
- 8 **2. Authorizes the Office of the Treasurer to transfer \$2,000 from the Principal**
9 **Trust Company Fourth Per Capita Excess Funds Account to establish a**
10 **trust account for the one minor at Principal Trust Company pursuant to**
11 **the terms of the Trust Agreement approved by Tohono O'odham**
12 **Legislative Council Resolution No. 06-258.**
- 13 **3. Authorizes the Office of the Treasurer to transfer \$1,413.73 from the**
14 **Principal Trust Company Fourth Per Capita Excess Funds Account to pay**
15 **the accrued interest income due for the fourth per capita payment.**
- 16 **4. Authorizes the Chairperson of the Nation or a designated official to**
17 **execute such other documents as may be necessary to implement this**
18 **resolution.**

19 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that any future additions**
20 **to the Master List for Minor Eligible Members for the Fourth Per Capita**
21 **Distribution is subject to the approval of the Tohono O'odham Legislative**
22 **Council.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH**
24 **day of JUNE, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
25 **AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by**
26 **Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
27 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
28 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
29 **18, 1934 (48 Stat.984).**

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31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 _____
34 **Timothy Joaquin, Legislative Chairman**

35 21 day of June, 2021
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ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

21 day of June, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 21 day of June, 2021 at 4:02 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.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

on the 22 day of June, 2021

DISAPPROVED

at 9:33 o'clock, a.m.

Ned Norris, Jr.

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

Returned to the Legislative Secretary on the 22 day of

June, 2021, at 11:27 o'clock, a.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

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ACTION: APPROVING AN ADDITION TO THE MASTER LIST FOR ELIGIBLE MINOR TOHONO O'ODHAM MEMBERS FOR THE FOURTH PER CAPITA DISTRIBUTION AND AUTHORIZING THE TRANSFER OF FUNDS TO SET UP A TRUST ACCOUNT AT PRINCIPAL TRUST COMPANY

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: JUNE 14, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25	X			
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUAL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. DALLAS LEWIS ()	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	TOTAL	3,218.0	3,218.0	-0-	-0-	-0-