

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving August 2021 District Allocation and Apportionment of Gaming Revenues to
Districts by Population Distribution)

DEFEATED
RESOLUTION NO. 21-282

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,** by 26 Tohono O'odham Code Chapter 1, Section 1301, the Legislative Council has
8 adopted a formula for distributing the Nation's gaming revenues ("Formula"),
9 which includes an allocation to the Nation's districts ("District Allocation"); and

10 **WHEREAS,** 26 Tohono O'odham Code Chapter 1, Section 1304 provides that on August 1 each
11 year the District Allocation for each district shall be apportioned in accordance
12 with the allocation formula established by the Legislative Council; and

13 **WHEREAS,** 26 Tohono O'odham Code Chapter 1, Section 1301(B)(2)(a) of the Formula provides
14 that "Fifteen percent (15%) of the District Allocation shall be allocated to the
15 District where the Gaming Facility which generated such revenue is located" (the
16 "Host District Share"); and

17 **WHEREAS,** 26 Tohono O'odham Code Chapter 1, Section 1301(B)(2)(b) and Section 1304
18 provide that the remainder of the District Allocation be divided among all eleven
19 districts of the Nation in accordance with the allocation formula established by
20 the Legislative Council; and

21 **WHEREAS,** the remainder of the District Allocation has historically been allocated: (1) by
22 equal distribution, (2) by population distribution, or (3) by 50/50 distribution (1/2
23 equal and 1/2 population); and

24 **WHEREAS,** the Tohono O'odham Nation Office of the Treasurer has calculated the August
25 2021 District Allocation in accordance with the August 2021 District Gaming
26 Allocation Table, which is incorporated by this reference; and

27 **WHEREAS,** the Budget and Finance Committee has reviewed the August 2021 District Gaming
28 Allocation Table.

29 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
30 August 2021 Host District Share and approves the allocation of the remainder of
31 the August 2021 District Allocation among the 11 Districts of the Nation by
32 population distribution effective August 1, 2021 in accordance with the August
33 2021 District Gaming Allocation Table.

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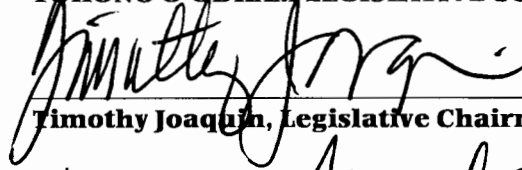
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Page 2 of 2

1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that all August 2021
2 **District Allocation funds, including the Host District Share, shall be made**
3 **available for expenditure subject to budgets approved in accordance with Article**
4 **VI, Section 1(d)(2) and Article IX, Section 7 of the Nation's Constitution, and the**
5 **additional requirements of 26 Tohono O'odham Code Chapter 1, Article 3.**

6 **The foregoing Resolution was defeated by the Tohono O'odham Legislative Council on the 11TH**
7 **day of AUGUST, 2021 at a meeting at which a quorum was present with a vote of 1,575.5 FOR;**
8 **1,642.5 AGAINST; -0- NOT VOTING and [01] ABSENT, pursuant to the powers vested in the Council**
9 **by Article VI, Section 1(d)(2) and Article IX, Section 7 of the Constitution of the Tohono O'odham**
10 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
11 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
12 **16 of the Act of June 18, 1934 (48 Stat.984).**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Timothy Joaquin, Legislative Chairman**

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21 17 day of August, 2020

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27 **ATTEST:**

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31 **Evonne Wilson, Legislative Secretary**

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33 10 day of August, 2020

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ACTION: APPROVING AUGUST 2021 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY POPULATION DISTRIBUTION

Moved: COUNCILMAN ARTHUR WILSON

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: AUGUST 11, 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 (Delma M. Garcia)	108.3		X		
GU VO 270.7	1. GRACE MANUEL ()	135.35		X		
	2. CYNTHIA SAAVEDRA (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			X
TOTAL		3,218.0	1,575.5	1,642.5	-0-	[01]