

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

RESOLUTION NO. 22-372

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, "O'odham
8 Voice on Use of Gaming Revenues" ("Initiative"), which authorizes per capita
9 payments to the Nation's members provided that sufficient gaming revenues are
10 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 Legislative Council did adopt the Third Per Capita Revenue Allocation Plan
16 pursuant to Legislative Council Resolution No. 06-307; and

17 **WHEREAS,** the Secretary of the Department of Interior did approve the Third Per Capita
18 Revenue Allocation Plan on July 28, 2006; and

19 **WHEREAS,** the Tohono O'odham Membership Services submitted to the Tohono O'odham
20 Legislative Council the Master List for Minor Eligible Members for the Third Per
21 Capita Distribution ("Master List") for review and approval for the third per
22 capita distribution; and

23 **WHEREAS,** pursuant to Resolution No. 06-627, the Tohono O'odham Legislative Council
24 approved the Master List and the approved number of verified eligible minor
25 members for the third per capita distribution was 9,282; and

26 **WHEREAS,** the Enrollment Program has identified an eligible minor member who was left off
27 the Master List for the third per capita payment; and

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

RESOLUTION NO. 22-372

(Approving An Addition to the Master List for Minor Eligible Members for the Third Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company)

Page 2 of 3

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


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

- 4 **1. Approves the addition of an eligible Tohono O'odham minor member to the**
5 **Master List for Minor Eligible Members for the Third Per Capita Distribution,**
6 **which is listed on the attached October 2022 Addition to the Minor Master List**
7 **for the Third Per Capita Distribution.**
8 **2. Authorizes the Office of the Treasurer to transfer \$2,000 from the Principal**
9 **Trust Company Third Per Capita Excess Funds Account to establish a trust**
10 **account for the minor at Principal Trust Company pursuant to the terms of**
11 **the Trust Agreement approved by Tohono O'odham Legislative Council**
12 **Resolution No. 06-258.**
13 **3. Authorizes the Office of the Treasurer to transfer \$1,253.09 from the Principal**
14 **Trust Company Third Per Capita Excess Funds Account to pay the accrued**
15 **interest income due for the third per capita payment.**
16 **4. Authorizes the Chairperson of the Nation or a designated official to execute**
17 **such other documents as may be necessary to implement this resolution.**

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

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH**
23 **day of OCTOBER, 2022 at a meeting at which a quorum was present with a vote of 2,975.4 FOR;**
24 **~~0~~ AGAINST; ~~0~~ NOT VOTING; and 242.6[06] ABSENT, pursuant to the powers vested in the**
25 **Council by, Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted**
26 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
27 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
28 **Act of June 18, 1934 (48 Stat.984).**
29

30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

31
32
33 
34 **Timothy Joaquin, Legislative Chairman** *per*

35
36 12 day of October, 2022
37
38
39

RESOLUTION NO. 22-372

(Approving An Addition to the Master List for Minor Eligible Members for the Third Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company)

Page 3 of 3

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

12 day of October, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of October, 2022 at 1:14 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 12 day of October, 2022

DISAPPROVED

at 3:50 o'clock, p.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12 day of October, 2022, at 4:00 o'clock, p.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

