

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Monthly Age 18 Report for January 2023 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. 23-004

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 "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 O'odham**
12 **Nation ("Gaming Ordinance") was subsequently amended to authorize per capita**
13 **distribution payments in accordance with the Initiative (Legislative Council**
14 **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);**
30 **and**

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1 **WHEREAS, the Trust Agreement with Principal Trust Company requires that a listing of all**
2 **minor beneficiaries turning 18 and identified in the Monthly Age 18 Report for**
3 **January 2023 be presented to the Tohono O'odham Legislative Council to obtain**
4 **approval to distribute the trust funds to eligible minor members as they are no**
5 **longer restricted beneficiaries; and**

6 **WHEREAS, the Enrollment Office has determined that the minors identified on the Monthly Age**
7 **18 Report for January 2023 reached, or will reach the age of 18 during the month**
8 **of January 2023, and are no longer restricted from receiving their per capita**
9 **payments; and**

10 **WHEREAS, the Enrollment Office has verified that the beneficiaries on the Monthly Age 18**
11 **Report for January 2023 are also listed on the applicable master minor listing**
12 **approved by Legislative Council resolution.**

13 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
14 **Monthly Age 18 Report for January 2023 and authorizes Principal Trust Company**
15 **to commence payment to the non-restricted beneficiaries listed on the Monthly**
16 **Age 18 Report for January 2023, subject to the additional requirements of the**
17 **Trust Agreement and written confirmation of the beneficiary's current mailing**
18 **address and other information.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH**
20 **day of JANUARY, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
21 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by,**
22 **Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
23 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
25 **18, 1934 (48 Stat.984).**

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28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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32 **Timothy Joaquin, Legislative Chairman**

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34 13 day of January, 2023

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1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

5 13 day of January, 2023

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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
9 O'odham Nation on the 13 day of January, 2023 at 1:32 o'clock, P.m.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
11 effective upon his approval or upon his failure to either approve or disapprove it within 48
12 hours of submittal.

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Timothy Joaquin, Legislative Chairman**

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22 **APPROVED**

on the 13 day of January, 2023

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24 **DISAPPROVED**

at 1:10 o'clock, P.m.

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28 **NED NORRIS, JR., CHAIRMAN**
29 **TOHONO O'ODHAM NATION**

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35 **Returned to the Legislative Secretary on the 13 day of**

36 January, 2023, at 1:19 o'clock, P.m.

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41 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING ENROLLMENT OR ADOPTION APPLICATIONS FOR MEMBERSHIP IN THE TOHONO O'ODHAM NATION FOR JANUARY 2023**Moved: COUNCILWOMAN MARY LOPEZ****SECOND: COUNCILWOMAN TERESA F. DONAHUE****DATE: JANUARY 09, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (<i>Absent</i>) (Racheal Vilson-Stoner) (<i>Present</i>) 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			X
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN () 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ () 2. DELMA M. GARCIA ()	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL () 2. CYNTHIA SAAVEDRA (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN () 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (<i>Absent</i>) (Frances G. Antone) (<i>Present</i>) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			X
	TOTAL	3,218.0	3,218.0	-0-	-0-	[02]