

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving August 2023 District Allocation and Apportionment of Gaming
Revenues to Districts by Equal Distribution)**

RESOLUTION NO. 23-279

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham**
2 **Legislative Council with legislative and fiscal powers, including the power "to**
3 **manage any funds within the exclusive control of the Tohono O'odham Nation,**
4 **including proceeds derived from lands and resources of the Tohono O'odham**
5 **Nation" (Constitution, Article VI, Section 1(d)(2)); and**

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

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

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

16 **WHEREAS, 26 Tohono O'odham Code Chapter 1, §1301(C)(2)(b) provides that the remainder**
17 **of the District Allocation be divided among all districts in accordance with the**
18 **allocation formula established by the Legislative Council; and**

19 **WHEREAS, the Budget and Finance Committee has discussed three options for dividing the**
20 **remainder of the August 2023 District Allocation: (1) by equal distribution, (2) by**
21 **population distribution, or (3) by 50/50 distribution (1/2 equal and 1/2**
22 **population); and**

23 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has calculated the August**
24 **2023 District Allocation in accordance with the August 2023 District Gaming**
25 **Allocation Table, which is incorporated by this reference.**

26 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it approves**
27 **the allocation of the August 2023 Host District Share and the remainder of the**
28 **August 2023 District Allocation among the 11 Districts of the Nation by equal**
29 **distribution effective August 1, 2023 in accordance with the August 2023 District**
30 **Gaming Allocation Table.**

31 **BE IT FINALLY RESOLVED, by the Tohono O'odham Legislative Council that all August 2023**
32 **District Allocation funds, including the Host District Share, shall be made**

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1 available for expenditure subject to budgets approved in accordance with Article
2 VI, Section (d)(2) and Article IX, Section 7 of the Nation's Constitution, and the
3 additional requirements of Tohono O'odham Code Title 26, Chapter 1, Article 3.


4 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 28th
5 day of JULY, 2023 at a meeting at which a quorum was present with a vote of 1,642.5 FOR;
6 1,575.5 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council
7 by, Article VI, Section 1(d)(2) and Article IX, Section 7 of the Constitution of the Tohono O'odham
8 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
9 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
10 16 of the Act of June 18, 1934 (48 Stat.984).

11 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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16 Alberta J. Ray, Legislative Vice Chairwoman

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18 28 day of July, 2023
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22 ATTEST:

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24 _____
25 Evonne Wilson, Legislative Secretary

26
27 28 day of July, 2023
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29 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
30 O'odham Nation on the 31 day of July, 2023 at 8:14 o'clock, a.m.,
31 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
32 effective upon his approval or upon his failure to either approve or disapprove it within 48
33 hours of submittal.

34 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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39 Alberta J. Ray, Legislative Vice Chairwoman

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APPROVED

on the 01 day of August, 2023

DISAPPROVED

at 3:00 o'clock, P.m.



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

Returned to the Legislative Secretary on the 1 day of

August, 2023, at 3:15 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING AUGUST 2023 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY EQUAL DISTRIBUTION**MOVED: COUNCILWOMAN GRACE MANUEL****SECOND: COUNCILMAN DANIEL L.A. PRESTON III****DATE: JULY 28, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (<i>Absent</i>) (Ann M. Garcia) (<i>Present</i>)	122.8	X			X
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. SHEILA ESPINO ()	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 ()	121.3	X			
SAN LUCY 243.8	1. 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. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GUACHI 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		
BABOQIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45		X		
	2. LEANDER MASE (Francine Schooling)	194.45		X		
	TOTAL	3,218.0	1,642.5	1,575.5	-0-	[01]