RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Commerce Committee to Hold Hearings on Liquor License Applications Filed by the Tohono O'odham Gaming Enterprise)

RESOLUTION NO. 15-282

WHEREAS, the Constitution of the Tohono O'odham Nation provides that "[a]ll legislative powers of the Tohono O'odham Nation shall be vested in the Tohono O'odham Council," and vests the Legislative Council with the power to "enact laws, ordinances and resolutions necessary or incidental to the exercise of its legislative powers" (Constitution, Article V, Section 1 and Article VI, Section 1(b)); and

WHEREAS, the introduction, sale, possession, and consumption of alcoholic beverages within the exterior boundaries of the Nation is governed by 21 Tohono O'odham Code Chapter 1 - Alcoholic Beverages Licensing and Control; provided that the sale of and consumption of alcoholic beverages by the Tohono O'odham Gaming Enterprise shall be "in conformity with the laws of the State of Arizona applicable to any State-issued license held by the Gaming Enterprise" (21 T.O.C. Chapter 1, Section 1701(B)); and

WHEREAS, the Legislative Council has vested the Commerce Committee with legislative oversight of the Tohono O'odham Gaming Enterprise and all gaming-related matters (Plan of Operation for Commerce Committee, Article III.C.2.b. and III.C.3.a.); and

WHEREAS, the Tohono O'odham Gaming Enterprise has filed an liquor license application with the Arizona Department of Liquor Licenses and Control for the West Valley Resort located on the Nation's reservation at 91st and Northern Avenues in Maricopa County, Arizona; and

WHEREAS, pursuant to Arizona law, the Nation as the local governing body with jurisdiction over the Gaming Enterprise's West Valley Resort facility is required to hold a hearing on the liquor license application and recommend approval or disapproval to the Department of Liquor Licenses and Control (A.R.S. § 4-201(B) and (C)); and

WHEREAS, it is in the best interest of the Nation to authorize and empower the Commerce Committee to conduct hearings and issue recommendations on liquor license applications filed by the Tohono O'odham Gaming Enterprise.
NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it authorizes and empowers the Commerce Committee to

(1) provide notice and conduct hearings on liquor license applications filed by the Tohono O'odham Gaming Enterprise with the Arizona Department of Liquor Licenses and Control;

(2) adopt an order recommending approval or disapproval of liquor license applications within sixty days after filing of the application; and

(3) file a certified copy of the Committee's recommendation with the director of the Department of Liquor Licenses and Control.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13th day of JULY, 2015 at a meeting at which a quorum was present with a vote of 3,015 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article V, Section 1 and Article VI, Section 1(e) and 1(i) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman

15 day of July, 2015

ATTEST:

Evonne Wilson, Legislative Secretary

15 day of July, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15th day of July, 2015 at 4:08 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, Legislative Chairman
RESOLUTION NO. 15-282
(Authorizing Commerce Committee to Hold Hearings on Liquor License Applications Filed by the Tohono O'odham Gaming Enterprise)

[ ] APPROVED

[ ] DISAPPROVED

on the 16 day of July, 2015

at 6:55 o'clock, p.m.

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of

July, 2015, at 9:05 o'clock, a.m.

Evonne Wilson, Legislative Secretary
RESOLUTION NO. 15-282

ACTION: AUTHORIZING COMMERCE COMMITTEE TO HOLD HEARINGS ON LIQUOR LICENSE APPLICATIONS FILED BY THE TOHONO O'ODHAM GAMING ENTERPRISE

MOVED: COUNCILWOMAN ETHEL GARCIA
SECOND: COUNCILWOMAN FRANCES MIGUEL
DATE: JULY 13, 2015

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<th>DISTRICT</th>
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