## **RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL** (Amending Resolution No. 02-561, "Approving a Tribal-State Gaming Compact")

## RESOLUTION NO. 02-562

1	WHEREAS,	by Resolution No. 02-539, the Legislative Council accepted the recommendation of the			
2	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Nation's Gaming Negotiating Committee to approve the new standard form of tribal-			
3		state gaming compact set forth in Proposition 202 and directed the Nation's			
4					
5		Chairman, upon passage of Proposition 202, to timely execute on behalf of the			
		Tohono O'odham Nation a new standard form of tribal-state gaming compact; and			
6	WHEREAS,				
7		2002 election; it will become effective upon proclamation by the Governor of Arizona			
8		which will occur on or after November 25, 2002; and			
9	WHEREAS,	Section 17 of the Proposition 202 standard form of tribal-state gaming compact			
10		requires the Nation and the State to negotiate in good faith within 180 days of the			
11		effective date of the compact proposed amendments to certain enumerated			
12		regulatory provisions of the compact; and			
13	WHEREAS,	the Governor of Arizona has proposed addressing the Section 17 regulatory			
14		provisions of the compact at this time so that those provisions may be included in the			
15		compact prior to execution, thereby avoiding subsequent amendment; and			
16	WHEREAS,	the Governor's authority under state law to enter into new or amended tribal-state			
17		gaming compacts continues to be challenged by the racetracks in both state court			
18		and federal court; and			
19	WHEREAS,	it is in the Nation's interest to execute a new or amended tribal-state gaming compact			
20		at the earliest opportunity.			
21	NOW, THEREFORE, BE IT RESOLVED THAT:				
22		1. The Legislative Council authorizes and directs the Nation's Chairman to timely			
23		request on behalf of the Tohono O'odham Nation a new standard form of tribal-			
24		state gaming compact in the form set forth in Proposition 202.			
25		2. In addition to that grant of authority, the Legislative Council also authorizes the			
26		Nation's Gaming Negotiating Committee (with the advice and assistance of the			
27		Nation's Gaming Office, Gaming Authority and Office of Attorney General) to: (i)			
28		negotiate the regulatory amendments proposed by the Governor of Arizona; (ii)			
29		recommend to the Chairman of the Nation whether it is in the best interests of the			
30		Nation to enter into a new standard form of tribal-state gaming compact as set			
	ł				

	RESOLUTION NO. <u>02-562</u> (Amending Resolution No. 02-561, "Approving a Tribal-State Gaming Compact") Page 2 of 3						
1	forth in Proposition 202, or a new standard form of tribal-state gaming compact						
2	as modified by the Section 17 regulatory amendments, or an amended tribal-state						
3	gaming compact incorporating the regulatory amendments negotiated with the						
4	Governor of Arizona.						
5	3. The Legislative Council authorizes and directs the Nation's Chairman, upon the						
6	recommendation of the Nation's Gaming Negotiating Committee, to enter into the						
7	new standard form of tribal-state gaming compact as set forth in Proposition 202,						
8	or a new standard form of tribal-state gaming compact as modified by the Section						
9	17 regulatory amendments, or an amended tribal-state gaming compact						
10	incorporating the regulatory amendments negotiated with the Governor of						
11	Arizona including any memoranda of understanding implementing the compact.						
12 13 14 15 16 17 18 19 20	The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 23 <sup>RD</sup> . Day of <u>NOVEMBER</u> , 2002 at a meeting at which a quorum was present with a vote of <u>1,917.75</u> FOR; <u>83.65</u> AGAINST; <u>416.1</u> NOT VOTING; and <u>[03]</u> ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of Article VI 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						
<ol> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> <li>27</li> </ol>	Rita A. Martinez, Legislative Chairwoman 23 day of <u>Monember</u> , 20_02						
28	ATTEST:						
29 30							
30 31	Junihr						
32	Julianna Saraficio, Acting Legislative Secretary						
33	23 day of Novenh, 20 02.						
34 35	<u> </u>						
36							
37	Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham						
38	Nation on the 23rd day of Movember, 20 02 at 5:02 o'clock, P.M.,						
39	pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective						
40	upon his approval or upon his failure to either approve or disapprove it within 48 hours of						
41	submittal.						

**RESOLUTION NO. 02-562** (Amending Resolution No. 02-561, "Approving a Tribal-State Gaming Compact") Page 3 of 3 **TOHONO O'ODHAM LEGISLATIVE COUNCIL** RitaA. Martinez, Legislative Chairwoman on the 23 day of Movember, 20 02 APPROVED at <u>5:03</u> o'clock, <u>P</u>.M. **] DISAPPROVED EDWARD D. MANUEL. Chairman TOHONO O'ODHAM NATION** Returned to the Legislative Secretary on the  $\frac{\partial 3}{\partial d}$  day of oven 2002, at 5:08 o'clock, \_\_\_.M. Julianna Saraficio, Acting Legislative Secretary 

ACTION: AMENDING RESOLUTION NO. 02-561, "APPROVING A TRIBAL-STATE GAMING COMPACT"

MOVED: VICE CHAIRMAN CAMILLUS LOPEZ

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: NOVEMBER 23, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI	1. FRANCES MIGUEL	158.85	x			
317.7	( ) 2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	x			
CHUKUT KUK	1. KENNETH WILLIAMS	124.05	х			
248.1	(Juanita Homer) 2. DAVID GARCIA (Mary Audrey Juan)	124.05	x			x
GU ACHI	1. CAMILLUS LOPEZ	115.35	Х			
230.7	2. JEROME JOAQUIN	115.35	X			
GU VO	1. FERN SALCIDO	94.15	х			
188.3	() 2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN	1. SHIRLEY MOLINA	83.65		х		
167.3	2. SANDRA ORTEGA	83.65	X			
PISINEMO	1. BARBARA SALVICIO	87.35	х			
174.7	(Alex Antone) 2. PATRICIA CRUZ ** (Johnson Jose)	87.35	X			
SAN LUCY	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	х			
160.7	2. GLORIA RAMIREZ ** ()	80.35	x			
SAN XAVIER	1. FELICIA NUÑEZ	92.35	х			Х
184.7	( ) 2. DENNIS RAMON ( )	92.35	x			
SCHUK TOAK	1. MARY FLORES	72.25	х			
144.5	( ) 2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	x			x
SELLS	1. DENNIS E. JOSE	208.05			x	
416.1	( ) 2. EVELYN JUAN ** ( )	208.05			x	
SIF OIDAK	1. ISIDRO LOPEZ	92.35	x			
184.7	() 2. RITA MARTINEZ (Nicholas Jose)	92.35	x			
Т	<b>'OTAL</b>	2,417.5	1,917.75	83.65	416.1	[03]

**\*\*PASSED VOTES**