

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving disbursement of the Compact Section 12(d) 12% contribution)

RESOLUTION NO. 03-480

1 **WHEREAS, by Resolution No. 02-562, the Nation approved a new tribal-state gaming compact (the**
2 **“Compact”) with the State of Arizona which authorizes the Nation to expand its**
3 **gaming operations; and**

4 **WHEREAS, pursuant to Section 12(b) of the Compact, in consideration for the substantial**
5 **exclusivity covenants by the State in Section 3(h) of the Compact, the Nation agreed**
6 **to contribute for the benefit of the public a percentage of the Nation's Class III Net**
7 **Win for each fiscal year of the Gaming Facility Operator; and**

8 **WHEREAS, Section 12(d) of the 2002 compact requires the Nation to make 12% of its total annual**
9 **contribution under Section 12(b) of the compact in either or both of the following**
10 **forms:**

11 **i. Distributions to cities, towns or counties for government services that benefit the**
12 **general public, including public safety, mitigation of impacts of gaming, or**
13 **promotion of commerce and economic development;**

14 **ii. Deposits to the Commerce and Economic Development Commission Local**
15 **Communities Fund established by A.R.S. § 41-1505.12; and**

16 **WHEREAS, the first disbursement of the Compact Section 12(d) 12% contribution is due on**
17 **October 25, 2003; and**

18 **WHEREAS, the Chairwoman of the Nation and the Commerce Committee of the Legislative**
19 **Council recommend approval of the disbursement of the first Compact Section 12(d)**
20 **12% contribution.**

21 **NOW, THEREFORE, BE IT RESOLVED that:**

22 **1. The first Compact Section 12(d) 12% contribution due to be paid on October 25,**
23 **2003 shall be made to the Arizona Commerce and Economic Development**
24 **Commission Local Communities Fund established by A.R.S. § 41-1505.12.**

25 **2. Each subsequent payment of the Compact Section 12(d) 12% contribution due to**
26 **be paid shall be made in accordance with the determination of the Legislative**
27 **Council in consultation with the Chairwoman of the Nation.**

28 **3. Each endorsement pursuant to A.R.S. § 41-1505.12(C) of an award of funds**
29 **contributed by the Tohono O'odham Nation shall be made in accordance with**
30 **the determination of the Legislative Council in consultation with the**
31 **Chairwoman of the Nation.**

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- 4. For any payment of the Compact Section 12(d) 12% contribution due to be paid for which the Legislative Council has not timely determined, in consultation with the Chairwoman of the Nation, where the contribution shall be made, the Tohono O'odham Gaming Authority is directed to timely make payment to the Arizona Commerce and Economic Development Commission Local Communities Fund established by A.R.S. §41-1505.12, as provided in Compact Section 12(d)(ii).
- 5. Each payment required under this Resolution shall be made by the Tohono O'odham Gaming Authority in accordance with Section 1304(c) of the Nation's Gaming Ordinance, Ordinance No. 93-01.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day of OCTOBER, 2003 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) 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

for *Dennis Ramon*
 Dennis Ramon, Legislative Chairman

10th day of October, 2003

ATTEST:

Vivian Hedrington
 Vivian Hedrington, Legislative Secretary

09 day of October, 2003.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 10th day of October, 2003 at 4:25 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Dennis Ramon
 Dennis Ramon, Legislative Chairman

RESOLUTION NO. 03-480

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APPROVED

on the 13 day of October, 2003

DISAPPROVED

at 12:07 o'clock, P.M.



**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 13 day of

October, 2003, at 2:03 o'clock, P.M.


Vivian Hedrington, Legislative Secretary

ACTION: APPROVING DISBURSEMENT OF THE COMPACT SECTION 12(D) 12% CONTRIBUTION

MOVED: COUNCILMAN DENNIS JOSE

SECOND: COUNCILMAN ISIDRO LOPEZ

DATE: OCTOBER 09, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ ()	107.70	X			X
	2. DENNIS RAMON ()	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			X
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN ** (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN ()	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			X
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[03]

**PASSED VOTES