

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Codifying Gaming Revenue Distribution Formula Adopted Pursuant to Resolution No. 94-098,**  
**as Amended, and District Allocation Guidelines Adopted Pursuant to Resolution No. 95-397,**  
**Article 3, Chapter One of Tohono O'odham Code Title 26 - Finance)**

**RESOLUTION NO. 06-535**

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

6 **WHEREAS, pursuant to Resolution No. 83-88, "Adoption of Budget and Finance Committee's Plan**  
7 **of Operation," the Legislative Council Budget and Finance Committee is delegated the**  
8 **power to "review and recommend legislative measures or action to the Legislative**  
9 **Council . . . affecting general revenue sharing" (Plan of Operation, Section 1(b)(6)(ii));**  
10 **and**

11 **WHEREAS, pursuant to Resolution No. 06-466, the Tohono O'odham Legislative Council directed**  
12 **the Budget and Finance Committee "to develop a Finance Code to protect the Nation's**  
13 **financial integrity while allowing business to be conducted in an efficient and timely**  
14 **manner"; and**

15 **WHEREAS, the distribution of the Nation's gaming revenues is governed by the formula**  
16 **established pursuant to Resolution No. 94-098, "Authorizing Gaming Revenue**  
17 **Distribution Formula," as amended; and**

18 **WHEREAS, the expenditure of the District Allocation portion of the Nation's gaming revenues is**  
19 **governed by the guidelines set forth in Resolution No. 95-397, "Re-establishing**  
20 **Guidelines for Expenditure of the District Allocation of Gaming Revenue"; and**

21 **WHEREAS, although the name of the Nation's gaming entity was changed to the "Tohono O'odham**  
22 **Gaming Enterprise" by Resolution No. 04-513, Resolution No. 94-098 and Resolution**  
23 **No. 95-397 retain outdated references to the Nation's "Gaming Authority"; and**

24 **WHEREAS, Resolution No. 94-098, as amended, and Resolution No. 95-397 also contain outdated**  
25 **references to Section 7(d) of the current Gaming Enterprise Charter as a basis for**  
26 **making distributions of gaming revenues to the Nation; and**

27 **WHEREAS, as a result of Charter amendments made to comply with the Nation's new tribal-state**  
28 **gaming compact, Charter Section 7(e), and not Section 7(d), currently governs gaming**  
29 **revenue distributions to the Nation (Resolution No. 03-231); and**

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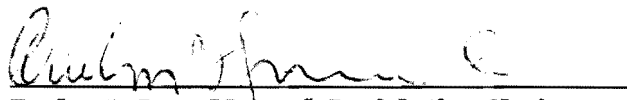
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1 **WHEREAS, it is in the Nation's best interest to correct the above-noted references and to codify**  
2 **the existing formula and guidelines as set forth in Tohono O'odham Code Title 26 -**  
3 **Finance Code, Chapter One - Finance, Article 3, Gaming Revenue Distribution Formula**  
4 **and District Allocation, which is hereby incorporated by this reference, without**  
5 **amending the gaming revenue distribution formula percentages or methodology.**

6 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that Tohono**  
7 **O'odham Code Title 26 - Finance Code, Chapter One - Finance, Article 3, Gaming**  
8 **Revenue Distribution Formula and District Allocation, is hereby adopted and shall**  
9 **supercede and replace Resolution No. 94-098, as amended, and Resolution No. 95-397,**  
10 **provided that any references in the laws of the Nation to the provisions of such**  
11 **resolutions or their amendments shall be construed as referring to the**  
12 **corresponding, renumbered sections of Tohono O'odham Code Title 26, Chapter One,**  
13 **Article 3.**

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup> Day**  
15 **of AUGUST, 2006 at a meeting at which a quorum was present with a vote of 2,247.0 FOR; -0-**  
16 **AGAINST; 193.8 NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**  
17 **Section 1(d)(2) and 1(e) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**  
18 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
19 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
20 **18, 1934 (48 Stat. 984).**

21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23   
24  
25 **Evelyn B. Juan Manuel, Legislative Chairwoman**

26  
27 17<sup>th</sup> day of August, 2006

28  
29 **ATTEST:**

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33 **Lucille Lopez, Acting Legislative Secretary**

34  
35 10 day of August, 2006.

36  
37 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**  
38 **O'Odham Nation on the 17<sup>th</sup> day of August, 2006 at 4:37 o'clock,**  
39 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
40 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**  
41 **of submittal.**

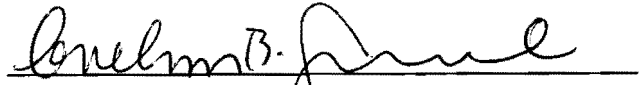
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
**Evelyn B. Juan Manuel, Legislative Chairwoman**

**APPROVED**

on the 18<sup>th</sup> day of August, 2006

**DISAPPROVED**

at 8:10 o'clock, A.M.

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

**Returned to the Legislative Secretary on the 18 day of**

August, 2006, at 8:20 o'clock, A.M.

  
**Lucille Lopez, Acting Legislative Secretary**

**ACTION:** CODIFYING GAMING REVENUE DISTRIBUTION FORMULA ADOPTED PURSUANT TO RESOLUTION NO. 94-098, AS AMENDED, AND DISTRICT ALLOCATION GUIDELINES ADOPTED PURSUANT TO RESOLUTION NO. 95-397, ARTICLE 3, CHAPTER ONE OF TOHONO O'ODHAM CODE TITLE 26 - FINANCE

**MOVED:** COUNCILMAN GERALD FAYUANT

**SECOND:** COUNCILWOMAN MARLENE SARAFICIO

**DATE:** AUGUST 10, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			X
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			X
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			X
	2. MICHAEL FLORES (Absent) (Grace Manuel) (Present)	96.55	X			
<b>HICKIWAN</b> 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ** ( )	83.70	X			
<b>PISINEMO</b> 171.8	1. BARBARA SALVICIO ( )	85.90	X			X
	2. GERALD FAYUANT ( )	85.90	X			
<b>SAN LUCY</b> 169.0	1. JOHN W. LAWSON, SR. ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER</b> 193.8	1. FELICIA NUÑEZ ( )	96.90			X	X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90			X	
<b>SCHUK TOAK</b> 146.9	1. FRANCES B. CONDE ** ( )	73.45	X			
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
<b>SIF OIDAK</b> 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,247.0</b>	<b>-0-</b>	<b>193.8</b>	<b>[05]</b>

\*\*PASSED VOTES