

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Commerce Committee and Nation's Chairperson to Negotiate the Transfer of**  
**Additional Gaming Device Operating Rights)**

RESOLUTION NO. 06-575

- 1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult,**  
2 **negotiate and conclude agreements and contracts on behalf of the Tohono**  
3 **O'odham Nation with . . . other Indian tribes . . . on all matters within the authority**  
4 **of the Tohono O'odham Council" (Constitution of the Tohono O'odham Nation,**  
5 **Article VI, Section 1(f)); and**
- 6 **WHEREAS, subject to approval by the Legislative Council, the power to consult and negotiate**  
7 **with other Indian tribes on gaming matters has been delegated to the Legislative**  
8 **Commerce Committee (Plan of Operation for the Commerce Committee, Article**  
9 **III.B.3., as adopted by Legislative Order No. 03-010); and**
- 10 **WHEREAS, the Tohono O'odham Gaming Enterprise ("Gaming Enterprise") has been**  
11 **established as an enterprise of the Nation to conduct gaming activities, including**  
12 **the operation of gaming devices, in accordance with the Tohono O'odham Nation-**  
13 **State of Arizona Gaming Compact ("Compact"); and**
- 14 **WHEREAS, Section 3(c) of the Compact currently grants the Nation 1,400 gaming device**  
15 **operating rights and also permits the Nation to acquire an additional 1,020 gaming**  
16 **device operating rights through agreements allowing the Nation to operate a**  
17 **portion of other Indian tribes' unused gaming device operating rights; and**
- 18 **WHEREAS, the Nation has entered into a Gaming Device Operating Rights Transfer Agreement**  
19 **with the Navajo Nation through which the Nation has acquired an additional 200**  
20 **gaming device operating rights, with a term that expires in February 2008;**
- 21 **WHEREAS, the Gaming Enterprise has recommended that the Nation seek to acquire**  
22 **additional gaming device operating rights; and**
- 23 **WHEREAS, it is in the Nation's best interest to explore whether the Nation may obtain**  
24 **additional gaming device operating rights on a short-term or a long-term basis by**  
25 **negotiating additional or amended transfer agreements, whether directly with**  
26 **another Indian tribe or through a pooling arrangement, and to expressly authorize**  
27 **Nation's officials to negotiate such agreements.**

**RESOLUTION NO. 06-575**


**(Authorizing Commerce Committee and Nation's Chairperson to Negotiate the Transfer of Additional Gaming Device Operating Rights)**

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1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby  
2 authorizes the Commerce Committee and Chairperson of the Nation, with the  
3 primary assistance of the Office of the Attorney General and with additional  
4 assistance of other legal counsel of the Nation and the Gaming Enterprise, as  
5 requested, to consult with other Indian tribes and/or the State of Arizona, and to  
6 negotiate the transfer of additional gaming device operating rights in such  
7 numbers and on such terms as the Commerce Committee and Chairperson of the  
8 Nation deem appropriate, after consultation with the Gaming Enterprise; provided  
9 that any resulting agreement(s) shall be subject to final approval by Legislative  
10 Council resolution.

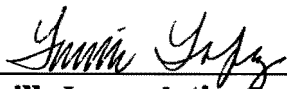
11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 30<sup>th</sup> Day  
12 of AUGUST, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-  
13 AGAINST; -0- NOT VOTING; and [07] ABSENT, pursuant to the powers vested in the Council by  
14 Section 1 (f) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono  
15 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
16 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
17 Stat. 984).

18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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22 Evelyn B. Juan Manuel, Legislative Chairwoman

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24 31<sup>st</sup> day of August, 2006

25  
26 ATTEST:

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30 Lucille Lopez, Acting Legislative Secretary

31  
32 30 day of August, 2006.

33 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
34 O'odham Nation on the 31<sup>st</sup> day of August, 2006 at 8:29 o'clock, 8 .M.,  
35 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
36 upon her approval or upon her failure to either approve or disapprove it within 48 hours of  
37 submittal.

38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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42 Evelyn B. Juan Manuel, Legislative Chairwoman

**RESOLUTION NO. 06-575**

**(Authorizing Commerce Committee and Nation's Chairperson to Negotiate the Transfer of Additional Gaming Device Operating Rights)**

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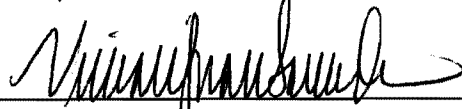
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APPROVED

on the 31 day of August, 2006

DISAPPROVED

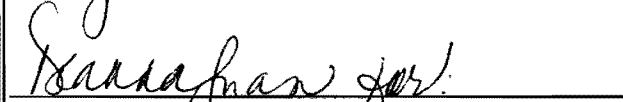
at 10:43 o'clock, a.M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 31<sup>st</sup> day of

August, 2006, at 11:32 o'clock, a.M.



Lucille Lopez, Acting Legislative Secretary

**ACTION: AUTHORIZING COMMERCE COMMITTEE AND NATION'S CHAIRPERSON TO NEGOTIATE THE TRANSFER OF ADDITIONAL GAMING DEVICE OPERATING RIGHTS**

**Moved: COUNCILWOMAN FRANCES CONDE**

**SECOND: COUNCILWOMAN BARBARA SALVICIO**

**DATE: AUGUST 30, 2006**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL ( <i>Absent</i> ) (Vernon J. Smith) ( <i>Present</i> )	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			X
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			X
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			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			
	2. GERALD FAYUANT ( )	85.90	X			
<b>SAN LUCY</b> 169.0	1. JOHN W. LAWSON, SR. ( )	84.50	X			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			X
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ( )	210.50	X			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>2,440.80</b>	<b>-0-</b>	<b>-0-</b>	<b>[07]</b>

\*\*PASSED VOTES