

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Nation's Chairperson to Execute Memoranda of Understanding**  
**Necessary to Carry Out the Gaming Compact)**

**RESOLUTION NO. 07-180**

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 O'odham**  
3 **Nation with State and local governments . . . on all matters within the authority of the**  
4 **Tohono O'odham Council" (Constitution of the Tohono O'odham Nation, Article VI,**  
5 **Section 1(f)); and**

6 **WHEREAS, the Chairperson of the Tohono O'odham Nation is vested with the power to oversee**  
7 **the implementation of the Nation's laws, to act as the Nation's official representative,**  
8 **and to exercise powers delegated to the Chairperson by the Legislative Council**  
9 **(Constitution, Article VII, Section 2(c), 2(f), and 2(d)); and**

10 **WHEREAS, by Resolution No. 02-562, the Legislative Council authorized and directed the Nation's**  
11 **Chairperson, "upon recommendation of the Nation's Gaming Negotiating Committee,**  
12 **to enter into a new standard form of tribal-state gaming compact" or "a new standard**  
13 **form of tribal-state gaming compact as modified by the [compact] Section 17**  
14 **regulatory amendments, or an amended tribal-state gaming compact incorporating**  
15 **the regulatory amendments negotiated with the Governor of Arizona including any**  
16 **memoranda of understanding implementing the compact"; and**

17 **WHEREAS, on December 4, 2002, former Chairman Edward Manuel executed the Tohono**  
18 **O'odham Nation-State of Arizona Gaming Compact ("Gaming Compact") and the**  
19 **Memorandum of Understanding to Conduct Regarding Poker Between the Tohono**  
20 **O'odham Nation and the State of Arizona ("Poker MOU"); and**

21 **WHEREAS, because the Nation's Gaming Compact became effective in 2003, the Nation's**  
22 **Negotiating Committee, comprising the Nation's Chairperson and members of the**  
23 **Legislative Commerce Committee, is no longer active; and**

24 **WHEREAS, because the scope of the Nation's Chairperson's authority to execute amended or**  
25 **future memoranda of understanding under Resolution No. 02-562 is unclear and the**  
26 **Negotiating Committee is no longer active, the Commerce Committee recommends**  
27 **that the Legislative Council affirm the Chairperson's authority to execute any**  
28 **memoranda of understanding, including revised or amended memoranda of**  
29 **understanding, that are necessary to carry out the Gaming Compact.**

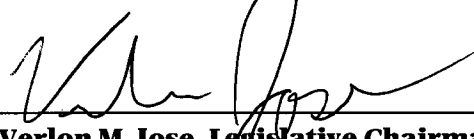
30 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
31 **authorizes and directs the Nation's Chairperson, upon the recommendation of the**  
32 **Legislative Commerce Committee and with the advice of the Gaming Office and the**

1 Office of Attorney General, to execute any memoranda of understanding, including  
2 revised or amended memoranda of understanding, that are necessary to carry out  
3 the Gaming Compact, which authority will extend for the full term of the Gaming  
4 Compact.

5 BE IT FINALLY RESOLVED that this Resolution shall supersede and replace the delegation of  
6 authority made by Resolutions No. 02-561 and 02-562; provided that any actions taken  
7 pursuant to the authority previously delegated by Resolutions No. 02-561 and 02-562,  
8 including but not limited to execution of the Gaming Compact and any memoranda  
9 of understanding implementing the Gaming Compact, shall remain valid and are  
10 hereby reaffirmed.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29<sup>TH</sup>. Day  
12 of MARCH, 2007 at a meeting at which a quorum was present with a vote of 1,403.0 FOR; -0-  
13 AGAINST; 1,037.8 NOT VOTING; and [04] 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  
15 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
16 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
17 18, 1934 (48 Stat. 984).

18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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22 Verlon M. Jose, Legislative Chairman

23  
24 30 day of March, 2007

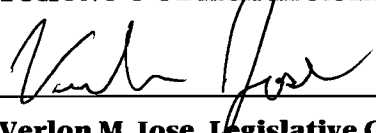
25 ATTEST:

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27   
28 Lucille Lopez, Acting Legislative Secretary

29  
30 29 day of March, 2007.

31  
32 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
33 O'Odham Nation on the 30 day of March, 2007 at 9:46 o'clock,  
34 a. .M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
35 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours  
36 of submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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41 Verlon M. Jose, Legislative Chairman

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**RESOLUTION NO. 07-180**

**(Authorizing Nation's Chairperson to Execute Memoranda of Understanding Necessary to Carry Out the Gaming Compact)**

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APPROVED

on the 30 day of March, 2007

DISAPPROVED

at 9:54 o'clock, a.M.

  
\_\_\_\_\_  
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 30 day of

March, 2007, at 9:54 o'clock, A.M.

  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary

**ACTION: AUTHORIZING NATION'S CHAIRPERSON TO EXECUTE MEMORANDA OF UNDERSTANDING NECESSARY TO CARRY OUT THE GAMING COMPACT**

**MOVED: COUNCILWOMAN FRANCES MIGUEL**

**SECOND: COUNCILWOMAN FRANCES ANTONE**

**DATE: MARCH 29, 2007**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>310.8</b>	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
<b>CHUKUT KUK</b> <b>258.7</b>	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			X
<b>GU ACHI</b> <b>221.6</b>	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO</b> <b>193.1</b>	1. RAYMOND VICTOR ( )	96.55			X	
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
<b>HICKIWAN</b> <b>167.4</b>	1. SHIRLEY SANTOS-MOLINA ( )	83.70			X	
	2. SANDRA ORTEGA ( )	83.70			X	X
<b>PISINEMO</b> <b>171.8</b>	1. BARBARA SALVICIO ( )	85.90			X	X
	2. GERALD FAYUANT ( )	85.90			X	
<b>SAN LUCY</b> <b>169.0</b>	1. LORRAINE EILER ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50			X	
<b>SAN XAVIER</b> <b>193.8</b>	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
<b>SCHUK TOAK</b> <b>146.9</b>	1. FRANCES B. CONDE ( )	73.45	X			
	2. PHYLLIS JUAN** ( )	73.45	X			
<b>SELLS</b> <b>421.0</b>	1. MARLENE SARAFICIO-JUAN ( )	210.50			X	X
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50			X	
<b>SIF OIDAK</b> <b>186.7</b>	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>1,403.0</b>	<b>-0-</b>	<b>1,037.8</b>	<b>[04]</b>

\*\*PASSED VOTES