

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendments to the Gaming Ordinance)

RESOLUTION NO. 07-300

1 **WHEREAS, by Resolution No. 93-296, the Nation enacted an Ordinance for the Regulation of**
2 **Gaming Activities within the Tohono O'odham Nation (the "Gaming Ordinance"); and**

3 **WHEREAS, the Gaming Ordinance was amended in 1997 by Resolution Nos . 97 -168 and 97-303,**
4 **and numbered as Ordinance No . 93-01; and**

5 **WHEREAS, the Gaming Ordinance was amended in 1999 by Resolution No . 99 -206; and**

6 **WHEREAS, the Gaming Ordinance was amended in 2003 by Resolution No . 03-084; and**

7 **WHEREAS, by Resolution No. 02-562, the Nation approved a new tribal-state gaming compact**
8 **("Compact") with the State of Arizona; and**

9 **WHEREAS, the Compact allows for waiver of state certification requirements for the licenses of**
10 **vendors if the state determines that such certification is not necessary to protect the**
11 **public interest; and**

12 **WHEREAS, the Gaming Office of the Tohono O'odham Nation recommends amendment to the**
13 **provisions for vendor licensing in the Gaming Ordinance to allow the Gaming Office**
14 **to waive the vendor licensing requirements if the Gaming Office determines that such**
15 **licensing is not necessary to protect the public interest; and**

16 **WHEREAS, the Gaming Enterprise of the Tohono O'odham Nation and the Commerce Committee**
17 **of the Legislative Council support the recommended amendment to the Gaming**
18 **Ordinance.**

19 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
20 **approves and authorizes the following:**

- 21 **1. Section 701 of the Gaming Ordinance authorized and adopted by Resolution No.**
22 **03-084 is hereby amended as follows:**

23 **Section 701. Requirement of License. Each Manufacturer and each**
24 **Distributor of Gaming Devices shall be licensed by the Gaming Office before**
25 **selling or leasing any Gaming Devices to the Gaming Facility Operator. Each**
26 **supplier of Gaming Services also shall be licensed by the Gaming Office before**
27 **providing Gaming Services to the Gaming Facility Operator. The Gaming Office**
28 **may waive the requirement of a license under this section if it determines**
29 **licensing is not necessary to protect the public interest. Such waiver will be in**
30 **effect for two years unless withdrawn earlier by the Gaming Office. In addition,**
31 **any Person extending or guarantying financing for a Gaming Operation or**


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Gaming Facility shall be licensed by the Gaming Office, unless the Person is an agency of the United States or a lending institution licensed and regulated by the State or the United States.

- 2. All other terms in the Gaming Ordinance not inconsistent with the above-stated amendment shall remain effective.**
- 3. The Gaming Ordinance shall be reprinted in its entirety bearing Ordinance No. 93-01 and showing a revision date of May, 2007.**
- 4. The amendments to the Gaming Ordinance approved hereby shall be effective, immediately, subject only to disapproval by the National Indian Gaming Commission.**
- 5. The Chairperson of the Tohono O'odham Nation is authorized and directed to submit the amended Gaming Ordinance to the National Indian Gaming Commission for approval, and to take all other reasonable and necessary steps for implementation of this Resolution.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST Day of MAY, 2007 at a meeting at which a quorum was present with a vote of 726.05 FOR; 452.5 AGAINST; 1,262.25 NOT VOTING; and [06] 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



Verlon M. Jose, Legislative Chairman

25 day of May, 2007

ATTEST:



Lucille Lopez, Acting Legislative Secretary

21 day of May, 2007.

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 25 day of May, 2007 at 5:02 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



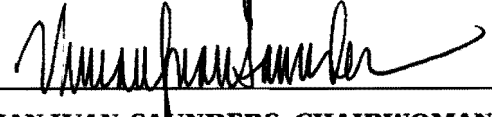
Verlon M. Jose, Legislative Chairman

APPROVED

on the 28 day of May, 2007

DISAPPROVED

at 3:29 o'clock, P.M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 29 day of

May, 2007, at 9:18 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING AMENDMENTS TO THE GAMING ORDINANCE

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: MAY 21, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35		X		X
	2. VERLON M. JOSE (David Garcia)	129.35		X		
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80			X	
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80			X	X
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70			X	X
	2. SANDRA ORTEGA ()	83.70			X	
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. LORRAINE EILER ()	84.50			X	
	2. GLORIA RAMIREZ ()	84.50			X	X
SAN XAVIER 193.8	1. FELICIA NUÑEZ** ()	96.90		X		
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90		X		
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN** ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN** ()	210.50			X	
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50			X	
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35			X	X
	2. DARLENE ANDREW (Rita Wilson)	93.35			X	
TOTAL		2,440.80	726.05	452.5	1,262.25	[06]

**PASSED VOTES