

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Gaming Revenue Distribution Formula to Reduce Host District Share
and Increase Gaming Revenue Allocations to All Districts)**

RESOLUTION NO. 08-060

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, the Legislative Council has adopted and repeatedly amended a Gaming Revenue**
7 **Distribution Formula as a method for allocating the Nation's gaming revenues to the**
8 **Nation's general fund, long-term investments, and the Nation's eleven districts (the**
9 **"District Allocation") (Tohono O'odham Code Title 26, Chapter One, Article 3, Section**
10 **1301); and**

11 **WHEREAS, Section 1301(B)(ii)(a) of the Gaming Revenue Distribution Formula currently provides**
12 **that "Thirty (30%) of the District Allocation shall be allocated to the District where the**
13 **Gaming Facility which generated such revenue is located" ("Host District Share"); and**

14 **WHEREAS, Section 1301(B)(ii)(b) of Gaming Revenue Distribution Formula further provides that**
15 **the "remainder of the District Allocation shall be divided among all eleven Districts**
16 **of the Nation"; and**

17 **WHEREAS, on July 18, 2006 a majority of the Legislative Council voted to delete the Host District**
18 **Share but the resolution was vetoed and did not take effect ((vetoed) Resolution No. 06-**
19 **496); and**

20 **WHEREAS, pursuant to Resolution No. 06-509, the Legislative Council authorized the Legislative**
21 **Budget and Finance and Commerce Committees, with the Nation's Chairperson, and**
22 **in consultation with the Accounting Department, to consult with the San Xavier and**
23 **Hickiwan Districts concerning reductions in the Host District Share portion of the**
24 **Gaming Revenue Distribution Formula and increased allocations to all the Nation's**
25 **Districts; and**

26 **WHEREAS, the Legislative Council subsequently directed the Committees to conclude the Host**
27 **District Share consultations and submit a draft resolution to amend the Gaming**
28 **Revenue Distribution Formula to the Legislative Council no later than February 2008**
29 **(Resolution No. 07-464, "Extending Consultation on Host District Share Reductions and**
30 **Increases in Gaming Revenue Allocations to All Districts"); and**

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1 **WHEREAS, the Committees have presented to the Legislative Council options for amending the**
2 **Host District Share percentage.**

3 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby amends**
4 **Tohono O'odham Code Title 26, Chapter One, Article 3, Section 1301(B)(ii)(a) as follows:**

- 5 **1. Effective for the period from August 1, 2008 through July 31, 2009, the Section**
6 **1301(B) (ii)(a) Host District Share percentage shall be amended from "Thirty**
7 **percent (30%)" to "Twenty-five percent (25%)".**
- 8 **2. Effective for the period from August 1, 2009 through July 31, 2010, the Section**
9 **1301(B)(ii)(a) Host District Share percentage shall be amended from "Twenty-five**
10 **percent (25%)" to "Twenty percent (20%)".**
- 11 **3. Effective August 1, 2010, the Section 1301(B)(ii)(a) Host District Share percentage**
12 **shall be amended from "Twenty percent (20%)" to "Fifteen percent (15%)".**

13 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day**
14 **of FEBRUARY, 2008 at a meeting at which a quorum was present with a vote of 1,350.35 FOR;**
15 **1,184.15 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council**
16 **by Section 1 (d) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
17 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
18 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
19 **18, 1934 (48 Stat. 984).**

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23 
24 _____
25 **Verlon M. Jose, Legislative Chairman**

26
27 15 day of February, 2008

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29 **ATTEST:**

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32 _____
33 **Lucille Lopez, Acting Legislative Secretary**

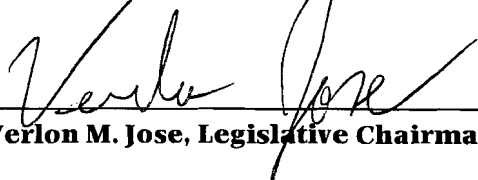
34
35 07 day of February, 2008.

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
38 **Nation on the 15 day of February, 2008 at 4:15 o'clock, P.M.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
40 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
41 **submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

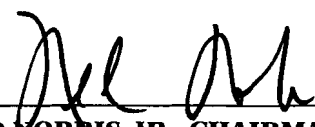

Verlon M. Jose, Legislative Chairman

APPROVED

on the 19 day of February, 2008

DISAPPROVED

at 6:25 o'clock, P.M.


NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20 day of

February, 2008, at 9:07 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: AMENDING GAMING REVENUE DISTRIBUTION FORMULA TO REDUCE HOST DISTRICT SHARE AND INCREASE GAMING REVENUE ALLOCATIONS TO ALL DISTRICTS

MOVED: COUNCILMAN GERALD FAYUANT

SECOND: COUNCILMAN CHESTER ANTONE

DATE: FEBRUARY 07, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45		X		
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			X
	2. VERLON M. JOSE ()	132.40	X			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95		X		
	2. CYNTHIA E. MANUEL ()	113.95		X		
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			X
	2. MICHAEL FLORES ()	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00		X		
	2. SANDRA ORTEGA ()	86.00		X		
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55		X		
	2. GLORIA RAMIREZ ()	90.55		X		
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE <i>(Absent)</i> (Frederick Jose) <i>(Present)</i>	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35		X		
	2. EVELYN B. JUAN MANUEL ()	222.35		X		
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	1,350.35	1,184.15	-0-	[02]

**PASSED VOTES