

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Formalizing Membership in Arizonans for Tribal Government Gaming)

RESOLUTION NO. 10-224

1 **WHEREAS, the Legislative Council is vested with the power to “consult, negotiate and conclude**
2 **agreements and contracts on behalf of the Tohono O’odham Nation with Federal, State**
3 **and local governments and other Indian tribes or their departments, agencies, or**
4 **political subdivisions, or with private persons or organizations on all matters within**
5 **the authority of the Tohono O’odham Council” (Constitution of the Tohono O’odham**
6 **Nation, Article VI, Section 1(f)); and**

7 **WHEREAS, the Tohono O’odham Gaming Enterprise (“Gaming Enterprise”) has been established**
8 **as an enterprise of the Nation to conduct gaming activities, including the operation**
9 **of gaming devices, in accordance with the Tohono O’odham Nation-State of Arizona**
10 **Gaming Compact (“Compact”); and**

11 **WHEREAS, the Nation and the State of Arizona have entered into a tribal-state gaming compact**
12 **(the “Compact”); and**

13 **WHEREAS, consistent with the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 *et seq.*, the Compact**
14 **recognizes “gaming by Indian tribes as a means of promoting tribal economic**
15 **development, self-sufficiency, and strong tribal governments” (Compact, Declaration**
16 **of Policy and Purpose); and**

17 **WHEREAS, the Arizona Indian Gaming Association (“AIGA”) represents 19 sovereign tribal**
18 **governments in Arizona, including the Nation, and is organized in part to “preserve**
19 **and protect the integrity of gaming conducted in Arizona and Indian country;” and to**
20 **“maintain, protect, and advocate Indian tribal sovereignty” (AIGA Bylaws, Sections**
21 **1.3(A), (B), (E), and (F)); and**

22 **WHEREAS, AIGA has developed a comprehensive strategy to preserve existing tribal-state gaming**
23 **compacts and to counter the current horse and dog track campaign to undermine**
24 **tribal gaming (“AIGA Compact Preservation Effort”) and has requested financial**
25 **support from Arizona tribes; and**

26 **WHEREAS, the Tohono O’odham Legislative Council, by Resolution No. 09-449, authorized**
27 **disbursement of \$54,000 to support the Compact Preservation Effort, which funds**
28 **were subsequently disbursed in support of the Compact Preservation Effort; and**

29 **WHEREAS, as part of the AIGA Compact Preservation Effort, Arizona tribes have formed Arizonans**
30 **for Tribal Government Gaming, a nonprofit corporation (“ATG2”); and**

31
32

RESOLUTION NO. 10-224

(Formalizing Membership in Arizonans for Tribal Government Gaming)

Page 2 of 3

1 **WHEREAS, the Nation's Chairperson and Legislative Commerce Committee recommend that the**
2 **Nation formalize its membership in ATG2 in accordance with ATG2 articles of**
3 **incorporation and bylaws; and**

4 **WHEREAS, the Nation's Chairperson, Legislative Commerce Committee, and Budget and Finance**
5 **Committee recommend that the Nation contribute additional financial support to the**
6 **AIGA Compact Preservation Effort via ATG2 in an amount not to exceed \$37,328.13; and**

7 **WHEREAS, it is in the best interests of the Nation that it formalize its membership in ATG2 and**
8 **that it contribute additional financial support to the AIGA Compact Preservation**
9 **Effort via ATG2 in an amount not to exceed \$37,328.13, and that this amount be funded**
10 **through the Gaming Enterprise.**

11 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby:**

- 12 **1. Authorizes the Chairperson of the Nation to formally apply for membership in**
13 **ATG2.**
- 14 **2. Commits to the purposes and policies of ATG2's articles of incorporation and**
15 **bylaws, which are attached hereto and incorporated by reference.**
- 16 **3. Designates the Chairperson of the Nation as the Nation's Designated**
17 **Representative to the Board of Directors of ATG2, as defined by Section 2.3 of the**
18 **Bylaws of ATG2.**
- 19 **4. Designates the Chairperson of the Legislative Commerce Committee as the**
20 **Nation's Alternate Representative to the Board of Directors of ATG2, as defined by**
21 **Section 2.3 of the Bylaws of ATG2.**

22 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that it hereby directs the**
23 **Tohono O'odham Gaming Enterprise to remit payment in the amount of \$37,328.13 to**
24 **ATG2 to fund the AIGA Compact Preservation Effort via ATG2.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH Day**
26 **of JUNE, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**
27 **-0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI,**
28 **Section 1 (f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
29 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
30 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

31
32
33 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

34
35 
36 **Verlon M. Jose, Legislative Chairman**

37
38 16th day of June, 2010
39

RESOLUTION NO. 10-224
(Formalizing Membership in Arizonans for Tribal Government Gaming)
Page 3 of 3

1 ATTEST:

2 *Evonne Wilson*
3
4 **Evonne Wilson, Legislative Secretary**

5
6 15 day of June, 2010.

7
8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
9 Nation on the 16th day of June, 2010 at 5:08 o'clock, p.M.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
11 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
12 submittal.

13
14
15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16
17 *Felicia Muniz*
18
19 **Verlon M. Jose, Legislative Chairman**

20
21
22
23
24 APPROVED

on the 17 day of June, 2010

25
26 DISAPPROVED

at 12:35 o'clock, p.M.

27
28 *Ned Norris, Jr.*
29
30 **NED NORRIS, JR., CHAIRMAN**
31 **TOHONO O'ODHAM NATION**

32
33
34
35
36 Returned to the Legislative Secretary on the 17 day of

37 June, 2010, at 2:05 o'clock, p.M.

38
39 *Evonne Wilson*
40
41
42 **Evonne Wilson, Legislative Secretary**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

ACTION: FORMALIZING MEMBERSHIP IN ARIZONANS FOR TRIBAL GOVERNMENT GAMING

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: JUNE 11, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (<i>Absent</i>) (Agnes Joaquin) (<i>Present</i>)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			X
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			X
TOTAL		2,595.50	2,595.50	-0-	-0-	[04]