

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2017 District Allocation and Apportionment of Gaming Revenues to District by
Population Distribution)

DEFEATED
RESOLUTION NO. 16-366

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham**
2 **Legislative Council with legislative and fiscal powers, including the power "to**
3 **manage any funds within the exclusive control of the Tohono O'odham Nation,**
4 **including proceeds derived from lands and resources of the Tohono O'odham**
5 **Nation" (Constitution, Article VI, Section 1(d)(2)); and**

6 **WHEREAS, the Legislative Council has adopted a formula for distributing the Nation's**
7 **gaming revenues ("Formula"), which includes an allocation to the Nation's**
8 **districts ("District Allocation") (26 Tohono O'odham Code Chapter 1, §1301); and**
9 **WHEREAS, §1304 provides that on August 1 each year the District Allocation for each district**
10 **shall be apportioned in accordance with the allocation formula established by**
11 **the Legislative Council; and**

12 **WHEREAS, Section 1301(B)(ii)(a) and (b) of the Formula provide that "Fifteen percent (15%) of**
13 **the District Allocation shall be allocated to the District where the Gaming Facility**
14 **which generated such revenue is located" (the "Host District Share") and that the**
15 **remainder of the District Allocation be divided among all districts in accordance**
16 **with the allocation formula established by the Legislative Council (26 T.O.C.**
17 **Sections 1301(B)(ii) and 1304); and**

18 **WHEREAS, the Legislative Budget and Finance Committee has discussed three options for**
19 **dividing the remainder of the FY 2017 District Allocation by (1) equal distribution,**
20 **(2) population distribution, or (3) 50/50 distribution (1/2 equal and 1/2**
21 **population); and**

22 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has calculated the FY 2017**
23 **District Allocation in accordance with the FY 2017 District Gaming Allocation**
24 **Table, which is incorporated by this reference .**

25 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it approves**
26 **and authorizes the allocation of the FY 2017 Host District Share and the**
27 **remainder of the FY 2017 District Allocation among the 11 Districts of the Nation**
28 **by population distribution effective August 1, 2016 in accordance with the FY 2017**
29 **District Gaming Allocation Table.**

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(Approving FY 2017 District Allocation and Apportionment of Gaming Revenues to District by Population Distribution)

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1 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2017 District**
2 **Allocation funds, including the Host District Share, shall be made available for**
3 **expenditure subject to budgets approved in accordance with Article VI, Section**
4 **1(d)(2) and Article IX, Section 7 of the Nation's Constitution, and the additional**
5 **requirements of Tohono O'odham Code Title 26, Chapter 1, Article 3.**

6 **The foregoing Resolution was defeated by the Tohono O'odham Legislative Council on the 01ST**
7 **day of AUGUST, 2016 at a meeting at which a quorum was present with a vote of 1,477.8 FOR;**
8 **1,543.6 AGAINST; -0- NOT VOTING and [06] ABSENT, pursuant to the powers vested in the Council**
9 **by Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
10 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
11 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
12 **18, 1934 (48 Stat.984).**

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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Timothy Joaquin, Legislative Chairman** FOR

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27 11th day of August, 2016

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32 **ATTEST:**

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36 **Evonne Wilson, Legislative Secretary**

37 11 day of August, 2016
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**DEFEATED
RESOLUTION NO. 16-366**

ACTION: APPROVING FY 2017 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICT BY POPULATION DISTRIBUTION

Moved: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILMAN ARTHUR WILSON

DATE: AUGUST 01, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			X
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			X
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.3		X		
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.3		X		
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90		X		X
	2. SANDRA ORTEGA ()	102.90		X		
PISINEMO 219.9	1. CHESTER ANTONE (Tony Murrietta)	109.95		X		X
	2. MONICA K. MORGAN ()	109.95		X		
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25		X		
	2. JANA MONTANA (Gloria Ramirez)	113.25		X		
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.3		X		X
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3		X		
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.3		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3		X		
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF Oidak 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80		X		X
	2. MARY LOPEZ ()	115.80		X		
TOTAL		3,021.4	1,477.8	1,543.6	-0-	[06]