

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving FY 2017 District Allocation and Apportionment of Gaming Revenues to  
Districts by 50/50 Distribution (1/2 Equal and 1/2 Population) Distribution)**

**DEFEATED  
RESOLUTION NO. 16-367**

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 50/50 Distribution (1/2 Equal and 1/2 Population) distribution effective August**  
29           **1, 2016 in accordance with the FY 2017 District Gaming Allocation Table.**

**DEFEATED RESOLUTION NO. 16-367**

**(Approving FY 2017 District Allocation and Apportionment of Gaming Revenues to Districts by 50/50 Distribution (1/2 Equal and 1/2 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 01<sup>ST</sup>  
7 day of AUGUST, 2016 at a meeting at which a quorum was present with a vote of 1,294.2 FOR;  
8 1,727.2 AGAINST; -0- NOT VOTING and [04] 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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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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20 Timothy Joaquin, Legislative Chairman

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22 11<sup>TH</sup> day of August, 2016

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27 ATTEST:

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31 Evonne Wilson, Legislative Secretary

32 11 day of August, 2016  
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**DEFEATED  
RESOLUTION NO. 16-367**

**ACTION: APPROVING FY 2017 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY 50/50 DISTRIBUTION (1/2 EQUAL AND 1/2 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			
	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			
	2. LORETTA LEWIS ( )	132.50	X			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		
	2. SANDRA ORTEGA ( )	102.90		X		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		
	2. MARY LOPEZ ( )	115.80		X		
<b>TOTAL</b>		<b>3,021.4</b>	<b>1,294.2</b>	<b>1,727.2</b>	<b>-0-</b>	<b>[04]</b>