

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Gaming Enterprise Charter Amendment)**

RESOLUTION NO. 23-070

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "authorize, charter and regulate public or private corporations
3 and associations" and to "promote, protect and provide for public health, peace,
4 morals, education and general welfare of the Tohono O'odham Nation and its
5 members" (Constitution, Article VI, Section 1(e) and 1(c)(2)); and

6 **WHEREAS,** by Resolution No. 93-311, the Legislative Council approved the charter of the
7 Tohono O'odham Gaming Authority, subsequently renamed as the Tohono
8 O'odham Gaming Enterprise (the "Gaming Enterprise"), as a wholly owned tribal
9 government enterprise that is responsible for operating the Nation's gaming
10 facilities and conducting gaming activities (Charter of the Gaming Enterprise, as
11 amended, 16 Tohono O'odham Code Chapter 2) ("Gaming Enterprise's Charter");
12 and

13 **WHEREAS,** by Resolution No. 21-437, the Legislative Council, in pertinent part, amended
14 Section 6(m)(1) of the Gaming Enterprise's Charter to establish a first preference
15 for enrolled members of the Tohono O'odham Nation in all hiring, promotion,
16 training, lay-offs, and all other aspects of employment; and

17 **WHEREAS,** the Commerce Committee recommends amending Section 6(m)(1) to clarify that
18 the Tohono O'odham Nation Gaming Office, consistent with its broad grant of civil
19 oversight authority over the Gaming Enterprise and the Nation's Constitution Art.
20 VII § (2)(c), is responsible for overseeing the Gaming Enterprise's implementation
21 and application of the "preference" mandate set forth at Section 6(m)(1) of the
22 Gaming Enterprise's Charter; and

23 **WHEREAS,** the Commerce Committee recommends approving the above referenced
24 amendment to Section 6(m)(1) of the Gaming Enterprise's Charter which is
25 attached hereto and incorporated herein by this reference.

26 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
27 proposed amendment to Section 6(m)(1) of the Gaming Enterprise's Charter.

28 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH
29 day of MARCH, 2023 at a meeting at which a quorum was present with a vote of 2,589.5 FOR;
30 628.5 AGAINST; [02] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council
31 by, Article VI, Section 1(e) and (c)(2); Article VII, Section (2)(c) of the Constitution of the Tohono
32 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by
33 the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant
34 to Section 16 of the Act of June 18, 1934 (48 Stat.984).
35

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin
Timothy Joaquin, Legislative Chairman
8 day of March, 2023

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
8 day of March, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 8 day of March, 2023 at 3:18 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED on the 9th day of March, 2023
 DISAPPROVED at 3:11 o'clock, P.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of
March, 2023, at 2:34 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: APPROVING TOHONO O'ODHAM GAMING ENTERPRISE CHARTER AMENDMENT

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILMAN ROGER MANUEL

DATE: MARCH 06, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8		X	X	
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8		X		
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Wilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X		X	
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3		X		
GU VO 270.7	1. GRACE MANUEL ()	135.35		X		
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25		X		
CHUKUT KUK 351.6	1. MARLAKAY HENRY (<i>Absent</i>) (Billman Lopez) (<i>Present</i>)	175.8	X			X
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>)	194.45	X			
	TOTAL	3,218.0	2,589.5	628.5	[02]	[01]