

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing Settlement for the Resumption of Class III Gaming)**

**RESOLUTION NO. 93-134**

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3 **WHEREAS, by Resolution No. 93-121, the Legislative Council authorized the**  
4 **Nation's Gaming Negotiating Committee to negotiate an**  
5 **agreement on behalf of the Nation pursuant to which class III**  
6 **gaming may be conducted within the Nation; and**

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8 **WHEREAS, by Resolution No. 93-121, the Legislative Council directed the**  
9 **Nation's Gaming Negotiating Committee to submit to the**  
10 **Council for final approval the Committee's best**  
11 **recommendation for a proposal pursuant to which class III**  
12 **gaming may be conducted within the Nation; and**

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15 **WHEREAS, the Secretary of Interior has submitted a proposal to the three**  
16 **mediating tribes for resolution of the class III gaming issue,**  
17 **which the other two mediating tribes are prepared to accept;**  
18 **and**

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20 **WHEREAS, following discussions with the Secretary, the Nation's Gaming**  
21 **Negotiating Committee recommends that the Nation also accept**  
22 **the Secretary's proposal; and**

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24 **WHEREAS, on April 27, 1993, in Special Session, the Nation's Gaming**  
25 **Negotiating Committee presented to the Council the**  
26 **Committee's best recommendation for a proposal pursuant to**  
27 **which class III gaming may be conducted within the Nation.**  
28

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**NOW, THEREFORE, BE IT RESOLVED THAT the Legislative Council**  
**accepts the recommendation of the Nation's Gaming Negotiating**  
**Committee for the resumption of class III gaming within the**  
**Nation.**

**BE IT FURTHER RESOLVED that the Legislative Council authorizes and**  
**directs the Committee and the Nation's Chairman to finalize**  
**and execute an agreement in principle for the implementation**  
**of the Secretary's proposal that requires the following:**

- (1) dismissal with prejudice of the appeal pending before the**  
**Ninth Circuit Court of Appeals (Case No. 92-16954);**
- (2) repeal of Senate Bill 1001 and the State's waiver of its**  
**Tenth and Eleventh Amendment defenses; and**
- (3) finalization of the terms of a tribal-state gaming compact**  
**implementing the Secretary's proposal, including 1,250**  
**gaming devices at no less than four locations.**

**BE IT FURTHER RESOLVED THAT the final tribal-state gaming compact**  
**resulting from this process be submitted to Council for**  
**approval.**

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The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 27th day of APRIL, 1993 at a meeting at which a quorum was present with a vote of 1,195.0 FOR; 246.0 AGAINST; -0- NOT VOTING; and 283.0 [10] ABSENT, pursuant to the powers vested in the Council by Section 1(b) & 1(f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Mary Ann Antone*  
for Mary Ann Antone, Legislative Chairwoman

28<sup>th</sup> day of April, 19 93

**ATTEST:**

*Teresa M. Choyguhá*  
Teresa M. Choyguhá, Legislative Secretary

28<sup>th</sup> day of April, 19 93.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 28<sup>th</sup> day of April, 19 93, at 1:57 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**

*Mary Ann Antone*  
for Mary Ann Antone, Legislative Chairwoman

**RESOLUTION NO. 93-134**

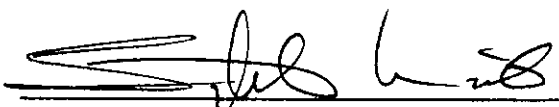
**(Authorizing Settlement for the Resumption of  
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**APPROVED** on the 28 day of April, 1993

**DISAPPROVED**) at 2:18 o'clock, P..M.

  
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**SYLVESTER LISTO, Chairman  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 28<sup>th</sup> day of April,  
1993, at 2:32 o'clock, P..M.

  
\_\_\_\_\_  
**Teresa M. Choyguha, Legislative Secretary**

MOVED: COUNCILMAN ANDREW PATRICIOSUBJECT: AUTHORIZING SETTLEMENT FOR THESECOND: COUNCILMAN JOHN RENORESUMPTION OF CLASS III GAMINGDATE: APRIL 27, 1993

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			X
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5				X
	2. Manuel Osequeda, Jr. ( )	62.5				X
GU VO 114.0	1. Michael Flores	57.0	X			X
	2. Emilio Lewis (Anthony Flores)	57.0	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ( )	53.0	X			
PISINEMO 119.0	1. Johnson Jose ( )	59.5		X		
	2. Chester Antone (Fernando Valentine)	59.5		X		X
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			X
	2. Willard Anita ( )	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			X
	2. Frances Miguel ( )	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5		X		
	2. Eugene Enis, Sr.** (Michael R. Rios)	63.5		X		
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			X
	2. Frances Francisco (Joseph Juan)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0				X
	2. Willard Juan, Sr. (Delbert Thomas)	79.0				X
TOTAL		1,724.0	1,195.0	246.0	-0-	10 [283.0]

\*\*PASSED VOTES