

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting and Approving a Tribal-State Gaming Compact)**

RESOLUTION NO. 93-225

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3 **WHEREAS, by Resolution No. 93-121, the Legislative Council authorized**
4 **and directed the Nation's Gaming Negotiating Committee to**
5 **negotiate an agreement on behalf of the Nation pursuant to**
6 **which class III gaming may be conducted within the Nation,**
7 **giving due regard to the last best offer for a compact proposal**
8 **approved by the Legislative Council and selected by the**
9 **Mediator, the provisions of the Indian Gaming Regulatory Act,**
10 **25 U.S.C. Sections 2701-2721, and other relevant factors and**
11 **circumstances affecting the ability of the Nation to resume class**
12 **III gaming; and**

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16 **WHEREAS, by Resolution No. 93-134, the Legislative Council authorized**
17 **and directed the Nation's Gaming Negotiating Committee to**
18 **finalize and execute an agreement in principle to implement the**
19 **proposal of the Secretary of Interior for resolution of the class**
20 **III gaming issue; and**

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23 **WHEREAS, by letter dated May 12, 1993, the Chairman of the Nation**
24 **transmitted to the Governor of Arizona the Gaming Negotiating**
25 **Committee's proposed agreement in principle pursuant to which**
26 **the Nation and the State would enter into a Tribal-State Gaming**
27 **Compact upon the occurrence of the State's repeal of SB 1001,**
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RESOLUTION NO. 93-225

(Accepting and Approving a Tribal-State Gaming Compact)

Page 2 of 5

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the State's amendment of Arizona Revised Statutes Section 5-601 to ratify the Secretary of Interior's proposal, and the State's dismissal of its appeal in Yavapai-Prescott Indian Tribe, et al. v. State of Arizona, et al., (Case No. 92-16954) pending in the United States Court of Appeals for the Ninth Circuit; and

WHEREAS, the Governor of Arizona called a special session of the Arizona legislature to address the requirements set forth by the Nation and the other Tribes in Arizona for implementation of a Tribal-State Gaming Compact even though the Governor had not accepted the terms of the Nation's proposed agreement in principle due to a continuing dispute over the number of gaming devices permitted under the proposed compact and the extent and process by which the scope of permissible gaming would be reopened should the State authorize additional off-reservation gaming; and

WHEREAS, during the course of the special legislative session Tribal leaders of the Arizona Tribes united in agreement on the terms of the proposed Tribal-State Gaming Compact including the number of gaming devices permissible under the proposed Compact; and

RESOLUTION NO. 93-225

(Accepting and Approving a Tribal-State Gaming Compact)

Page 3 of 5

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WHEREAS, Tribal leaders of the Arizona Tribes united in proposing legislation to address their requirements for implementing a Tribal-State Gaming Compact; and

WHEREAS, the Arizona legislature failed to approve the Tribes' proposed legislation and adjourned the special session without taking any formal action on the Tribal-State Gaming Compact issue; and

WHEREAS, leaders from the other Arizona Tribes and the Governor of Arizona are prepared to go forward and execute a Tribal-State Gaming Compact; and

WHEREAS, the Nation's Gaming Negotiating Committee has presented to the Council the Committee's best recommendation for a Tribal-State Gaming Compact to be entered into by the Nation.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council accepts the recommendation of the Nation's Gaming Negotiating Committee and approves the proposed Tribal-State Gaming Compact presented at the June 15, 1993 Special Session of the Legislative Council, a copy of which is attached hereto.

BE IT FURTHER RESOLVED that the Legislative Council authorizes the Nation's Chairman to execute on behalf of the Tohono O'Odham Nation the attached Tribal-State Gaming Compact,

RESOLUTION NO. 93-225

(Accepting and Approving a Tribal-State Gaming Compact)

Page 4 of 5

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subject to technical changes to form, and provided that an additional provision shall be added to the Compact that provides that should any other Tribe in Arizona obtain a compact or procedures which authorize more gaming devices or types of gaming than are included in this Compact, then the Tohono O'Odham Nation - State of Arizona Compact will be amended to include such gaming, so long as such provisions are approved by the Gaming Negotiating Committee.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 15TH. day of JUNE, 1993 at a meeting at which a quorum was present with a vote of 1,695.5 FOR; 67.5 AGAINST; -0- NOT VOTING; and 03 ABSENT, pursuant to the powers vested in the Council by Section 1 (b) & (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



Alex J. Ramon, Legislative Chairman

15th day of June, 1993

RESOLUTION NO. 93-225

(Accepting and Approving a Tribal-State Gaming Compact)

Page 5 of 5

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

15th day of June, 1993.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 15th day of June, 1993, at 3:54 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

Alex J. Ramon
Alex J. Ramon, Legislative Chairman

APPROVED on the 15 day of June, 1993

DISAPPROVED) at 4:47 o'clock, P.M.

Sylvester Listo
SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 16th day of June, 1993, at 9:08 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN ANDREW PATRICIOSUBJECT: ACCEPTING AND APPROVING A TRIBAL-STATESECOND: COUNCILMAN WILLARD ANITAGAMING COMPACTDATE: JUNE 15, 1993

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. Willard Juan, Sr. (Delbert Thomas)	75.5	X			
	2. Mary Ann Antone (Nellie Miguel)	75.5	X			X
SELLS 290.0	1. Andrew Patricio (Lucille Encinas)	145.0	X			
	2. Joseph T. Joaquin (Allen W. Garcia, Jr.)	145.0	X			X
SCHUK TOAK 113.0	1. Frances Francisco ()	56.5	X			
	2. Kenneth J. Antone ()	56.5	X			
SAN XAVIER 135.0	1. Eugene Enis (Michael R. Rios)	67.5		X		
	2. Dennis Ramon ()	67.5	X			
BABOQUIVARI 230.0	1. Frances Miguel ()	115.0	X			
	2. Earl A. Francisco (Lucilda Norris)	115.0	X			X
GU ACHI 180.0	1. Willard Anita ()	90.0	X			
	2. Alex J. Ramon (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. Chester Antone (Fernando Valentine)	64.0	X			
	2. Johnson Jose (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. John Reno ()	49.0	X			
	2. Albert Manuel, Jr. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. Emilio Lewis (Anthony Flores)	62.0	X			
	2. Michael Flores (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. Manuel Osequeda, Jr. ()	68.0	X			
	2. Lloyd Francisco (Henry A. Ramon)	68.0	X			
CHUKUT KUK 178.0	1. Alberta M. Lopez (Berdella Jose)	89.0	X			
	2. Kenneth Williams ()	89.0	X			
TOTAL		1,763.0	1,763.0			

**PASSED VOTES