

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing Gaming Revenue Distribution Formula)**

**RESOLUTION NO. 94-098**

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3 **WHEREAS, by Resolution No. 93-296, the Legislative Council**  
4 **enacted the Ordinance for the Regulation of Gaming**  
5 **Activities within the Tohono O'Odham Nation (the**  
6 **"Gaming Ordinance") authorizing the conduct of**  
7 **gaming activities within the Tohono O'Odham Nation;**  
8  
9 **and**

10 **WHEREAS, Section 302 of the Gaming Ordinance requires that net**  
11 **revenues received by the Nation from all Gaming**  
12 **Activities be utilized for funding government**  
13 **operations or programs of the Nation or Districts,**  
14 **providing for the general welfare of the Nation and its**  
15 **members, promoting the Nation's economic**  
16 **development, or benefitting charitable organizations**  
17 **providing services within the Nation; and**

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21 **WHEREAS, by Resolution No. 93-311, the Nation established**  
22 **pursuant to Charter the Tohono O'Odham Gaming**  
23 **Authority ("Gaming Authority"), as the enterprise of the**  
24 **Nation charged with managing and operating all**  
25 **Gaming Facilities (as that term is defined in the**  
26 **Gaming Ordinance) within the Nation; and**

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28 **WHEREAS, it is in the Nation's best interest to establish a formula**

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**for allocating gaming revenues for use in meeting the  
needs of its members**

**NOW, THEREFORE, BE IT ORDERED THAT:**

**1. The following formula is hereby established for  
purposes of allocating all revenue from Gaming  
Facilities paid to the Nation by the Gaming  
Authority pursuant to Section 7(d) of the Gaming  
Authority Charter (hereinafter referred to as  
"Gaming Revenues"):**

**a. Fifty percent (50%) of all Gaming Revenues shall  
be allocated to a separate account, and  
segregated from all other sources of revenue,  
for purposes of making long-term investments  
in accordance with the Nation' Financial  
Investment Policy. All interest derived  
therefrom shall be reinvested in like manner.  
Following consultation with the Districts, the  
Legislative Council may, by resolution or  
ordinance, authorize disbursement of funds  
from such long-term investment accounts.**

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**b. The remaining fifty percent (50%) of all Gaming Revenues shall be allocated as follows:**

**(i) Seventy percent (70%) of such amount shall be allocated to the Nation's general fund for purposes of appropriation as authorized by the Nation's Constitution and in accordance with the Gaming Ordinance.**

**(ii) Thirty percent (30%) of such amount shall be allocated to the Districts (hereinafter referred to as the "District Allocation") in the following manner:**

**(A) Thirty percent (30%) of the District Allocation shall be allocated to the District where the Gaming Facility which generated such revenue is located.**

**(B) The remainder of the District allocation shall be divided among all eleven Districts of the Nation.**

**2. The District Allocation shall be allocated to a separate account and segregated from all other sources of revenue, shall be held for the benefit of**

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3 the respective Districts, and shall only be made  
4 available for expenditure by authorization of the  
5 Legislative Council in accordance with Article IX,  
6 Section 7 of the Nation's Constitution commencing  
7 with the fiscal year 1995 budget cycle.  
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10 3. The Budget and Finance Committee and the  
11 Commerce Committee shall develop guidelines for  
12 approved expenditures of the District Allocation for  
13 Gaming Revenues for purposes of providing  
14 guidance to the Districts in developing budgets and  
15 appropriate audit and internal control procedures  
16 required for all Districts expending Gaming  
17 Revenues, in accordance with the Indian Gaming  
18 Regulatory Act, the Nation's Gaming Ordinance and  
19 the Nation's Constitution  
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23 The foregoing Resolution was passed by the Tohono O'Odham  
24 Legislative Council on the 21ST. day of MARCH, 1994 at a meeting  
25 at which a quorum was present with a vote of 1,398.0 FOR; 365.0  
26 AGAINST; -0- NOT VOTING; and 02 ABSENT, pursuant to the powers  
27 vested in the Council by Section 1(d)(2)(3) of Article VI of the  
28 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).

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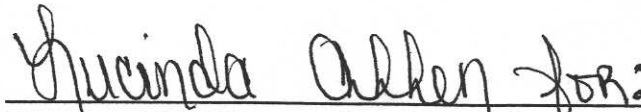
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Alex J. Ramon, Legislative Chairman**

21<sup>st</sup> day of March, 1994

**ATTEST:**

  
**Teresa M. Choyguha, Legislative Secretary**

21<sup>st</sup> day of March, 1994.

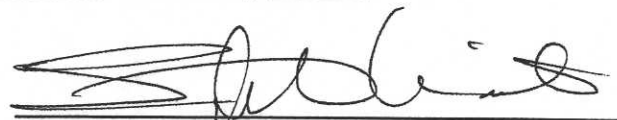
Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 22<sup>nd</sup> day of March, 1994 at 8:13 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Alex J. Ramon, Legislative Chairman**

**APPROVED** on the 23 day of March, 1994

**DISAPPROVED** at 11:56 o'clock, A.M.

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

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**Returned to the Legislative Secretary on the 23<sup>RD</sup> day of**  
March, 1994, at 12:01 o'clock, P.M.

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

ACTION: AUTHORIZING GAMING REVENUE DISTRIBUTION FORMULA

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILMAN WILLARD ANITA

DATE: MARCH 21, 1994

DISTRICT	LEGISLATIVE 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			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ( )	56.5	X			
	2. KENNETH J. ANTONE ( )	56.5	X			X
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ( )	67.5		X		
	2. DENNIS RAMON ( )	67.5		X		
BABOQUIVARI 230.0	1. FRANCES MIGUEL ( )	115.0		X		
	2. EARL A. FRANCISCO ( )	115.0		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 M. 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 ( )	62.0	X			X
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ ** (Berdella Jose)	89.0	X			
	2. KENNETH WILLIAMS ( )	89.0	X			
<b>TOTAL</b>		<b>1,763.0</b>	<b>1,398.0</b>	<b>365.0</b>	<b>-0-</b>	<b>02</b>

\*\*PASSED VOTES