

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing Interim Gaming Device Fee Payment to the State)**

**RESOLUTION NO. 95-383**

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3 **WHEREAS, the Tohono O'odham Nation entered into an agreement with the**  
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5 **State of Arizona; Tohono O'odham Nation and State of Arizona**  
6 **Gaming Compact - 1993 (Compact), and**

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8 **WHEREAS, the Tohono O'odham Nation has advised the Arizona State Gaming**  
9 **Agency (ASGA) of the requirements of Section 12(a), (b), and (c) of**  
10 **the Compact for the payment, reporting and renegotiation of**  
11 **Gaming Device Payment, fees at the end of the initial two (2) years**  
12 **of the Compact, and**

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15 **WHEREAS, the Nation has requested the required quarterly reports with**  
16 **supporting documentation that would provide the actual and**  
17 **projected costs and expense information necessary for the Nation to**  
18 **negotiate with the State; and**

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21 **WHEREAS, the Nation has made written demand for the supporting**  
22 **documentation but has not received said information; and**

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25 **WHEREAS, the Nation has made written demand to the State to negotiate the**  
26 **Gaming Device Assessment fee; and**  
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**WHEREAS, the Nation has determined and made payment to the State of \$375,000 based on historical facts and current expense reports submitted by the State, that the State does not and has not required the full amount paid to the State by the Nation; and**

**WHEREAS, the State's actual expenses are less than three quarters of the annual fee paid to the State.**

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

- 1. An interim Gaming Device Assessment fee is hereby authorized at a rate of two hundred and fifty-eight dollars (\$258) per gaming device, per annum.**
- 2. In accordance with the provisions of the Nation's Gaming Ordinance two quarterly payments of thirty-two thousand, two hundred fifty dollars (\$32,250) each shall be made to the State to cover the period from July 1995 through December 1995.**
- 3. The Executive Director of the Tohono O'odham Gaming Office and Commerce Committee are hereby authorized to meet with**

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representatives of the State to negotiate the gaming device fee  
in accordance with the provision of the Compact.

4. The final proposal for a new fee rate must be presented to  
the Legislative Council for approval.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 10TH day of AUGUST, 1995 at a meeting at which a quorum was present with a vote of 1,393.5 FOR; 482.5 AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 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**

*Dennis Ramon*  
Dennis Ramon, Legislative Chairman

15 day of August, 1995

**ATTEST:**

*Frances Antone*  
Frances Antone, Legislative Secretary  
14<sup>th</sup> day of August, 1995

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 15 day of August, 1995 at 10:51 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**



**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 17<sup>th</sup> day of August, 1995

**DISAPPROVED**

at 8:20 o'clock, A.M.



**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 17<sup>th</sup> day of August, 1995, at 8:47 o'clock, A.M.



**Frances Antone, Legislative Secretary**

ACTION: AUTHORIZING INTERIM GAMING DEVICE PAYMENT TO THE STATE

MOVED: COUNCILWOMAN RITA MARTINEZ

SECOND: COUNCILMAN WILLARD ANITA

DATE: AUGUST 10, 1995

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			X
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ( )	58.5	X			
	2. MARY JANE JUAN-MOORE ( )	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ( )	71.0	X			X
	2. TONY BURRELL ( )	71.0	X			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5		X		
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5		X		X
GU ACHI 187.0	1. ALEX J. RAMON (Marian Johnson)	93.5	X			
	2. WILLARD ANITA (Louis Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ( )	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ( )	52.5	X			X
	2. JOHN RENO (Mary Hoffman)	52.5	X			
GU VO 134.0	1. MICHAEL FLORES ( )	67.0		X		X
	2. FERN SALCIDO (Larry Montana)	67.0		X		
HICKIWAN 142.0	1. LLOYD FRANCISCO ( )	71.0	X			
	2. ALEX JOSE ( )	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ( )	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5		X		
<b>TOTAL</b>		<b>1,876.0</b>	<b>1,393.5</b>	<b>482.5</b>	<b>-0-</b>	<b>[05]</b>

\*\*PASSED VOTES