

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Amending Section 1104 of the Ordinance for the Regulation of  
Gaming Activities Within the Tohono O'odham Nation)**

**RESOLUTION NO. 97-150**

**WHEREAS, the Tohono O'odham Nation adopted the "Ordinance for the Regulation of Gaming Activities Within the Tohono O'odham Nation" (Gaming Ordinance) by Resolution Number 93-296 on August 16, 1993; and**

**Whereas, Chapter 16, Section 1601 of the Gaming Ordinance provides that the Gaming Ordinance may be amended by action of the Legislative Council; and**

**Whereas, Chapter 11 provides for the licensing requirements for gaming facilities including the payment of fees; and**

**Whereas, the current Gaming Facility License fee is three hundred thousand dollars (\$300,000) per year, based on gaming facilities having five hundred (500) gaming devices; and**

**Whereas, an annual fee of \$300,000 may be a financial burden to small gaming facilities with fewer than 500 gaming devices; and**

**Whereas, the Gaming Office of the Tohono O'odham Nation recommends that Sections 1104(a) and (b) be amended to address required fee payments of Gaming Facilities with less than 500 gaming devices.**

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

- 1. Section 1104 of the Tohono O'odham Gaming Ordinance is hereby amended as follows:**

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**(Amending Section 1104 of the Ordinance for the Regulation of**  
**Gaming Activities Within the Tohono O'odham Nation)**  
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**Section 1104. Fees**

**The Gaming Office shall collect the following fees in connection with the processing of applications and the issuance of licenses:**

**(a) Gaming Facility License:**

- 1. Annual fee of \$300,000.00 for gaming facilities with 400 to 500 gaming devices in operation.**
- 2. Annual fee of \$240,000.00 for gaming facilities with 300 to 400 gaming devices in operation.**
- 3. Annual fee of \$180,000.00 for gaming facilities with 200 to 300 gaming devices in operation.**
- 4. Annual fee of \$120,000.00 for gaming facilities with 100 to 200 gaming devices in operation.**
- 5. Annual fee of \$60,000.00 for gaming facilities with 100 or less gaming devices in operation.**
- 6. Application fee for the amendment of an existing Gaming Facility License shall be one-half of the annual fee applicable at the time of application for amendment and shall be paid in full at the time of application for amendment.**

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**(Amending Section 1104 of the Ordinance for the Regulation of Gaming Activities Within the Tohono O'odham Nation)**

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3           **(b) The annual fee shall be payable in equal quarterly**  
4           **installments, the first of which shall be payable**  
5           **within 15 days of receipt of notice of approval of**  
6           **the Gaming Facility License. The remaining**  
7           **installments shall be paid on the first day of each**  
8           **succeeding calendar quarter calculated at the**  
9           **rate imposed under subsection (a) then in effect**  
10           **for the number of gaming devices authorized for**  
11           **operation on the date each quarterly installment**  
12           **is due.**

14           **2. The Gaming Ordinance shall be reprinted in its**  
15           **entirety, bearing Ordinance Number 93-01 and showing**  
16           **a revision date of May 1997.**

18           **3. The Executive Director of the Gaming Office is**  
19           **authorized and directed to take all necessary and**  
20           **reasonable steps to obtain approval of the amendment**  
21           **to Section 1104 by the National Indian Gaming**  
22           **Commission.**

23  
24           **The foregoing Resolution was passed by the Tohono O'Odham Legislative**  
25           **Council on the 6TH. day of MAY, 1997 at a meeting at which a quorum was**  
26           **present with a vote of 1,876.0 FOR; -0- AGAINST; -0- NOT VOTING; and [07]**  
27           **ABSENT, pursuant to the powers vested in the Council by Article VI,**  
28           **Section 1(c) 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).**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
\_\_\_\_\_  
**Dennis Ramon, Legislative Chairman**

9<sup>th</sup> day of May, 19 97

**ATTEST:**

  
\_\_\_\_\_  
**Frances G. Antone, Legislative Secretary**

9<sup>th</sup> day of May, 19 97.

**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 9<sup>th</sup> day of May, 1997 at 9:43 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**


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**(Amending Section 1104 of the Ordinance for the Regulation of Gaming Activities Within the Tohono O'odham Nation)**

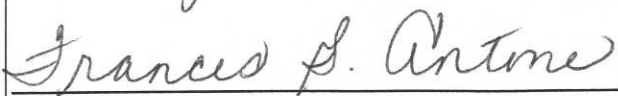
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APPROVED on the 12 day of May, 1997  
 DISAPPROVED at 9:33 o'clock, A.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12<sup>th</sup> day of  
May, 1997, at 9:46 o'clock, A.M.

  
Frances G. Antone, Legislative Secretary

**ACTION:** AMENDING SECTION 1104 OF THE ORDINANCE FOR THE REGULATION OF GAMING ACTIVITIES  
WITHIN THE TOHONO O'ODHAM NATION

**MOVED:** COUNCILWOMAN FRANCES MIGUEL

**SECOND:** COUNCILMAN TONY BURRELL

**DATE:** MAY 6, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			X
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
<b>SELLS</b> 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			X
<b>SCHUK TOAK</b> 117.0	1. KENNETH J. ANTONE ( )	58.5	X			X
	2. JOSEPH JUAN ( )	58.5	X			
<b>SAN XAVIER</b> 142.0	1. DENNIS RAMON ( )	71.0	X			X
	2. TONY BURRELL ( )	71.0	X			
<b>BABOQUIVARI</b> 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			X
	2. FRANCES MIGUEL ( )	128.5	X			
<b>GU ACHI</b> 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			X
	2. ALEX J. RAMON (Marian Johnson)	93.5	X			
<b>PISINEMO</b> 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ( )	67.5	X			
<b>SAN LUCY</b> 105.0	1. ALBERT MANUEL, JR. ** ( )	52.5	X			
	2. JOHN RENO (Mary Hoffman)	52.5	X			
<b>GU VO</b> 134.0	1. GLORIA MONTANA ( )	67.0	X			
	2. FERN SALCIDO ** (Larry Montana)	67.0	X			
<b>HICKIWAN</b> 142.0	1. LLOYD FRANCISCO ( )	71.0	X			
	2. ALEX JOSE ( )	71.0	X			X
<b>CHUKUT KUK</b> 183.0	1. KENNETH WILLIAMS ( )	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
<b>TOTAL</b>		<b>1876.0</b>	<b>1,876.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[07]</b>

\*\*PASSED VOTES