

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Extending authorization of the Gaming Device Assessment Rate)**

RESOLUTION NO. 98-520

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3 **WHEREAS, by Resolution No. 96-233, the Legislative Council authorized payment of the**
4 **gaming device assessment at an interim annual rate of \$258 per gaming**
5 **device through June 30, 1998, pending negotiation of the rate in**
6 **accordance with Section 12(b) of the Gaming Compact; and**

7 **WHEREAS, on June 2, 1998, by Resolution No. 98-218, the Legislative Council**
8 **authorized payment of the gaming device assessment fee at the rate of**
9 **\$500.00 per gaming device per annum, for one calendar quarter only,**
10 **commencing July 1, 1998, as a sign of good faith and the Nation's sincere**
11 **desire to resolve the disputes in litigation through negotiation; and**

12 **WHEREAS, on September 16, 1998, by Resolution No. 98-378, the Legislative Council**
13 **extended the authorization for payment of the gaming device assessment**
14 **fee at the rate of \$500.00 per gaming device per annum, for one additional**
15 **calendar quarter only, commencing October 1, 1998, as a continued sign**
16 **of good faith and the Nation's sincere desire to resolve the disputes in**
17 **litigation through negotiation; and**

18 **WHEREAS representatives of the Nation met with representatives of the State on**
19 **numerous occasions between October 1, 1998 and December 1, 1998, to**
20 **discuss settlement of the issues in litigation; and**

21 **WHEREAS the Acting Director of the Arizona Department of Gaming has indicated a**
22 **willingness to renegotiate the assessment rate; and**

23 **WHEREAS as a sign of the Nation's continued good faith and sincere desire to resolve**
24 **the disputes in litigation through negotiation, it is in the Nation's interest**
25 **to continue payment of the gaming device assessment rate at the**
26 **annualized rate of \$500.00 per gaming device pending resolution of the**
27 **issue either through negotiation or litigation.**
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RESOLUTION NO. 98-520

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Page 2 of 3

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NOW, THEREFORE, BE IT RESOLVED THAT:

1. **As a continued sign of good faith and the Nation's sincere desire to resolve the disputes in litigation through negotiation, authorization for payment of the gaming device assessment fee at the rate of \$500.00 per gaming device per annum, is hereby extended pending resolution of the issue either through negotiation or litigation.**
2. **In accordance with Resolution No. 95-383, the Executive Director of the Gaming Office and the Commerce Committee are authorized to meet with representatives of the State to negotiate the gaming device fee and shall present to the Legislative Council for approval the final proposal for a new fee rate.**
3. **Nothing contained herein shall be interpreted or construed as affecting or limiting the authorization for payment of actual costs incurred by ADOG presented in timely notices from ADOG in accordance with Section 12(b), sentence 7, of the Compact, as provided in Resolution No. 96-233.**

The foregoing Resolution was passed by the Tohono O'odham Council on the 09TH day of DECEMBER, 1998 at a meeting at which a quorum was present with a vote of 1,870.0 FOR; 57.0 AGAINST; -0- NOT VOTING; and [03] 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

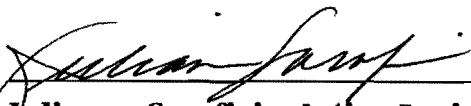
Albert Manuel, Jr For
Dennis Ramon, Legislative Chairman

15th day of December, 19 98

RESOLUTION NO. 98-520
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Page 3 of 3

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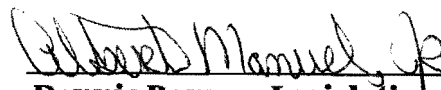
ATTEST:


Julianna Saraficio, Acting Legislative Secretary

9 day of December, 19 98.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15th day of December, 1998 at 11:53 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

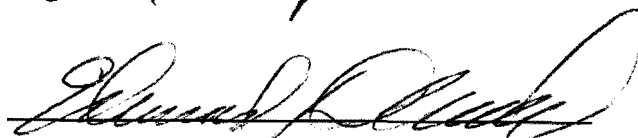
 FOR
Dennis Ramon, Legislative Chairman

APPROVED

on the 15th day of December, 1998

DISAPPROVED

at 2:46 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of
December, 1998, at 3:50 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: EXTENDING AUTHORIZATION OF THE GAMING DEVICE ASSESSMENT RATE

MOVED: COUNCILMAN LOUIS JOHNSON

SECOND: COUNCILMAN JOHN RENO

DATE: DECEMBER 09, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0		X		
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0	X			X
SELLS 322.0	1. DENNIS E. JOSE ()	161.0	X			
	2. EVELYN JUAN ()	161.0	X			X
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,870.0	57.0	-0-	[03]

**PASSED VOTES