

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Amending Subsections 1301(A) and (B) of 26 Tohono O'odham Code Chapter 1, Article 3 -**  
**Gaming Revenue Distribution Formula and District Allocation Guidelines for Fiscal**  
**Years 2014 and 2015)**

RESOLUTION NO. 13-267

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**  
2 **Council with broad legislative and fiscal powers, including the power "to manage any**  
3 **funds within the exclusive control of the Tohono O'odham Nation, including proceeds**  
4 **derived from lands and resources of the Tohono O'odham Nation" (Constitution,**  
5 **Article VI, Section 1(d)(2)); and**

6 **WHEREAS, the Legislative Council Budget and Finance Committee is delegated the power to**  
7 **"review and recommend [to the Legislative Council] legislative measures or actions**  
8 **affecting . . . general revenue sharing" (Plan of Operation, Section III.B.16(ii)); and**

9 **WHEREAS, by Resolution No. 06-535, the Legislative Council codified within the Tohono O'odham**  
10 **Code the Gaming Revenue Distribution Formula and District Allocation Guidelines**  
11 **enacted by Resolution No. 94-098, as amended, and Resolution No. 95-397 (26 Tohono**  
12 **O'odham Code Chapter 1, Article 3); and**

13 **WHEREAS, the Formula and Guidelines were "established for purposes of allocating all revenue**  
14 **from Gaming Facilities paid to the Nation by the Gaming Enterprise pursuant to**  
15 **Section 7(e) of the Gaming Enterprise Charter (hereinafter referred to as 'Gaming**  
16 **Revenues')" (26 Tohono O'odham Code Chapter 1, Article 3, Section 1301); and**

17 **WHEREAS, the Formula currently allocates 30% of Gaming Revenues to long-term investments**  
18 **and an aggregate of 70% to the Nation's general fund and the District Allocation**  
19 **(subsections 1301(A) and (B)); and**

20 **WHEREAS, as a temporary measure to support government operations and services to Nation's**  
21 **members, the Budget and Finance Committee recommends allocating 100% of Gaming**  
22 **Revenues under 1301(B) to the Nation's general fund and the District Allocation for**  
23 **Fiscal Years 2014 and 2015 in accordance with the Gaming Revenue Distribution**  
24 **Formula and District Allocation Guidelines Fiscal Year 2014-2015 Amendment, which**  
25 **is incorporated by this reference.**

26 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that Section 1301**  
27 **of 26 Tohono O'odham Code, Chapter 1, Article 3, Gaming Revenue Distribution**  
28 **Formula and District Allocation Guidelines, is hereby amended effective August 1,**  
29 **2013 to allocate 100% of Gaming Revenues to the subsection 1301(B) allocation and to**

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**(Amending Subsections 1301(A) and (B) of 26 Tohono O'odham Code Chapter 1, Article 3 - Gaming Revenue Distribution Formula and District Allocation Guidelines for Fiscal Years 2014 and 2015)**  
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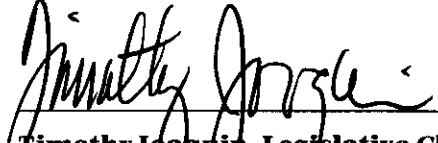
1 suspend the allocation to subsection 1301(A) investments for Fiscal Years 2014 and  
2 2015 in accordance with the Gaming Revenue Distribution Formula and District  
3 Allocation Guidelines Fiscal Year 2014-2015 Amendment.

4 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the remaining  
5 provisions of subsection 1301(A) shall remain in effect and the Nation's long-term  
6 investments shall be invested, any interest shall be reinvested, and such funds may be  
7 disbursed in accordance with the Nation's Financial Investment Policy and the  
8 provisions of subsection 1301(A).

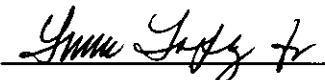
9 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Gaming Revenue  
10 Distribution Formula and District Allocation Guidelines Fiscal Year 2014-2015  
11 Amendment approved by this resolution shall expire September 30, 2015 and Section  
12 1301 of the Gaming Revenue Distribution Formula allocation shall revert to the  
13 allocation percentages in effect on May 1, 2013.

14 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18<sup>TH</sup> Day  
15 of JULY, 2013 at a meeting at which a quorum was present with a vote of 2,121.85 FOR; 824.65  
16 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article  
17 VI, Section 1 (d)(2) and 1(e) of the Constitution of the Tohono O'odham Nation, adopted by the  
18 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
19 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
20 18, 1934 (48 Stat. 984).

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23 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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27 Timothy Joaquin, Legislative Chairman  
28 19 day of July, 2013

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30 ATTEST:

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33 Evonne Wilson, Legislative Secretary  
34 19 day of July, 2013.

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RESOLUTION NO. 13-267

(Amending Subsections 1301(A) and (B) of 26 Tohono O'odham Code Chapter 1, Article 3 - Gaming Revenue Distribution Formula and District Allocation Guidelines for Fiscal Years 2014 and 2015)

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
2 Nation on the 19 day of July, 2013 at 1:35 o'clock, P.M.,  
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
5 submittal.

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7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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11 Timothy Joaquin, Legislative Chairman

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15  APPROVED

16 on the 23 day of July, 2013

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18  DISAPPROVED

19 at 11:08 o'clock, A.M.

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22 NED NORRIS, JR., CHAIRMAN  
23 TOHONO O'ODHAM NATION

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28 Returned to the Legislative Secretary on the 23 day of

29 July, 2013, at 12:03 o'clock, P.M.

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34 Evonne Wilson, Legislative Secretary

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**ACTION:** AMENDING SUBSECTIONS 1301(A) AND (B) OF 26 TOHONO O'ODHAM CODE CHAPTER 1, ARTICLE 3 - GAMING REVENUE DISTRIBUTION FORMULA AND DISTRICT ALLOCATION GUIDELINES FOR FISCAL YEARS 2014 AND 2015

**MOVED:** COUNCILWOMAN FRANCES MIGUEL

**SECOND:** COUNCILWOMAN ETHEL GARCIA

**DATE:** JULY 18, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ( )	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ( )	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1		X		
SAN XAVIER 224.2	1. HILARION CAMPUS ( )	112.1	X			
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8		X		
	2. JANA MONTANA ( )	109.8		X		X
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ( )	105.3		X		
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45		X		
	2. SANDRA ORTEGA (Absent) (Manuel Osequeda, Jr.) (Present)	98.45		X		
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ( )	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ( )	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65		X		
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ( )	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
<b>TOTAL</b>		<b>2,946.5</b>	<b>2,121.85</b>	<b>824.65</b>	<b>-0-</b>	<b>[02]</b>