

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2015 District Allocation and Apportionment of Gaming
Revenues to Districts by Population Distribution)

DEFEATED
RESOLUTION NO. 14-269

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

6 **WHEREAS, the Legislative Council has adopted a formula for distributing the Nation's**
7 **gaming revenues ("Formula"), which includes an allocation to the Nation's**
8 **districts ("District Allocation") (26 Tohono O'odham Code Chapter 1, §1301); and**

9 **WHEREAS, §1304 provides that on August 1 each year the District Allocation for each district**
10 **shall be apportioned in accordance with the allocation formula established by**
11 **the Legislative Council; and**

12 **WHEREAS, Section 1301(B)(ii)(a) and (b) of the Formula provide that "Fifteen percent (15%)**
13 **of the District Allocation shall be allocated to the District where the Gaming**
14 **Facility which generated such revenue is located" (the "Host District Share") and**
15 **that the remainder of the District Allocation be divided among all districts in**
16 **accordance with the allocation formula established by the Legislative Council**
17 **(26 T.O.C. Sections 1301(B)(ii) and 1304); and**

18 **WHEREAS, the Legislative Budget & Finance Committee has discussed three options for**
19 **dividing the remainder of the FY 2015 District Allocation by (1) equal**
20 **distribution, (2) population distribution, or (3) 50/50 distribution (1/2 equal and**
21 **1/2 population); and**

22 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has calculated the FY 2015**
23 **District Allocation in accordance with the FY 2015 District Allocation Table,**
24 **which is incorporated by this reference.**

25 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
26 **approves and authorizes the allocation of the FY 2015 Host District Share and**
27 **the remainder of the FY 2015 District Allocation among the 12 Districts of the**
28 **Nation by population distribution effective August 1, 2013 in accordance with**
29 **the FY 2015 District Allocation Table.**

30 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2015 District**
31 **Allocation funds, including the Host District Share, shall be made available for**
32 **expenditure subject to budgets approved in accordance with Article VI, Section**

DEFEATED RESOLUTIONS NO. 14-269

(Approving FY 2015 District Allocation and Apportionment of Gaming Revenues to Districts by Population Distribution)

Page 2 of 2

**1 (d)(2) and Article IX, Section 7 of the Nation's Constitution, and the additional
2 requirements of Tohono O'odham Code Title 26, Chapter 1, Article 3.**

**3 The foregoing Resolution was defeated by the Tohono O'odham Legislative Council on the 08TH
4 day of JULY, 2014 at a meeting at which a quorum was present with a vote of 1,436.20 FOR;
5 1,510.30 AGAINST; -0- NOT VOTING and [03] ABSENT, pursuant to the powers vested in the
6 Council by Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation,
7 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
8 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
9 16 of the Act of June 18, 1934 (48 Stat.984).**

**10
11
12 TOHONO O'ODHAM LEGISLATIVE COUNCIL**

**13
14
15  For
16 Timothy Joaquin, Legislative Chairman**

**17
18 28 day of July, 2014**

**19
20
21
22 ATTEST:**

**23
24 
25
26 Evonne Wilson, Legislative Secretary**

**27
28 04 day of July, 2014**

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

ACTION: APPROVING FY 2015 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY POPULATION DISTRIBUTION

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: JULY 08, 2014

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		
SELLS 502.0	1. ARTHUR WILSON (Ophelia Pablo)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1		X		X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1		X		
SAN XAVIER 224.2	1. HILARION CAMPUS (Daniel L.A. Preston, III)	112.1		X		
	2. RACHEAL VILSON-STONER ()	112.1		X		
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8		X		
	2. JANA MONTANA ()	109.8		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 (<i>Absent</i>) (Manuel Osequeda, Jr.) (<i>Present</i>)	98.45		X		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		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			
TOTAL		2,946.5	1,436.2	1,510.3	-0-	[03]