

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Selection of Negotiating Committee for Tribal
State Compact - Gaming Activities)

RES. NO. 260-89

1 WHEREAS, on October 17, 1989, the Indian Gaming Regulatory Act
2 (S.555) was enacted into law providing for (1) a
3 statutory basis for operations of gaming by Indian
4 tribes, (2) a statutory basis for the regulation of
5 gaming by an Indian tribe, and (3) the establishment of
6 independent federal regulatory authority and standards
7 for gaming on Indian lands; and

8 WHEREAS, the Tohono O'Odham Nation has for many years owned and
9 operated a bingo hall on the San Xavier Reservation
10 herein the game of bingo is played both electronically
11 and manually including other games similar to bingo;
12 and

13 WHEREAS, the Indian Gaming Regulatory Act divides the gaming on
14 Indian lands into three classes, namely, Class I
15 gaming, meaning social games which are unregulated by
16 the Act; Class II gaming such as bingo and games
17 similar to bingo, excluding electronic or electro-
18 mechanical bingo machines, which are tribally and
19 federally regulated; and Class III gaming, meaning all
20 forms of gaming that are not Class I or Class II
21 gaming; and

22 WHEREAS, the Act further provides that Class III gaming
23 activities are lawful on Indian lands if such
24 activities are (1) authorized by a tribal ordinance or
25 resolution, (2) located in a state that permits such
26 gaming activities, and (3) conducted in conformance
27 with a Tribal-State compact entered into by the Indian
28 tribe and the State; and

29 WHEREAS, the Act further provides that for a period of one year
30 from the date of enactment of the Act, Class II gaming
31 includes electronic or electromechanical facsimiles of
32 any game of chance (bingo) that was legally operated on

1 Indian lands on or before May 1, 1988, if the Indian
2 tribe having jurisdiction over the lands on which such
3 gaming was operated requests the State, by no later
4 than the date that is 30 days after the date of
5 enactment of the Act, to negotiate a Tribal-State
6 compact under the provisions of the Act; and

7 WHEREAS, within 30 days after enactment of the Act, this Council
8 did authorize (Res. No. 314-88) and the Chairman of the
9 Nation did send a request to the State of Arizona to
10 negotiate a Tribal-State compact for the operation of
11 gaming activities within the Tohono O'Odham Nation
12 which are allowable under the provisions of the Indian
13 Gaming Regulatory Act (S.555) only by means of a
14 Tribal-State compact; and

15 WHEREAS, the Governor of the State of Arizona has responded to
16 the Nation's request stating that the State is willing
17 to commence negotiations of the Tribal-State compact
18 and requested that the Nation make arrangements with
19 the State to schedule negotiation meetings; and

20 WHEREAS, it is necessary that this Council select a Negotiating
21 Committee to represent the Nation and negotiate the
22 terms and conditions of a Tribal-State compact which
23 terms and conditions shall be subject to Council's
24 approval.

25 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Legis-
26 lative Council does hereby select and appoint the
27 following people to be members of the Nation's
28 Negotiating Committee for the purpose of negotiating a
29 Tribal-State compact with the State of Arizona for the
30 operation of gaming activities within the Tohono
31 O'Odham Nation which are allowable under the provisions
32 of the Indian Gaming Regulatory Act (S.555) only by
means of Tribal-State compact.

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- 1. Legislative Commerce Committee
- 2. Angelo Joaquin, Sr. Tohono O'odham Nation Chairman
- 3. Edward Manuel, Tohono O'odham Legislative Council Chairman
- 4. Austin Nunez, San Xavier District Chairman

BE IT FURTHER RESOLVED that Andrew Patricio, Chairman of the Commerce Committee is hereby designated as Chairperson of this Committee and that he is hereby authorized and directed to contact the State of Arizona as soon as possible to schedule the necessary meetings to negotiate the terms and conditions of this Tribal-State compact.

BE IT FURTHER RESOLVED that the terms and conditions of this Tribal-State compact shall not become effective or binding on the Nation until they have been approved by the Nation and notice of approval by the Secretary of the Interior of such compact has been published by the Secretary in the Federal Register.

BE IT FURTHER RESOLVED that the Negotiating Committee is hereby authorized to consult with any appropriate advisors in negotiating this Tribal-State Compact.

The foregoing Resolution was passed by the Tohono O'odham Council on the 18th day of July, 1989 at a meeting at which a quorum was present with a vote of 1,351.5 for; 372.5 against; -0- not voting; and 02 absent, pursuant to the powers vested in the Council by Section 1 (b) and (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

Edward D. Manuel
 for Edward D. Manuel, Legislative Chairman
20th day of July, 1989.

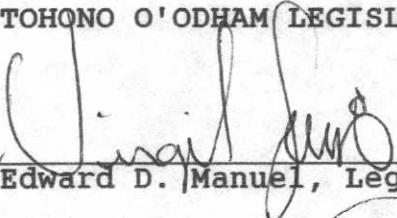
ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary
20th day of July, 1989.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20th day of July, 19 89, at 5:12 o'clock, P.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



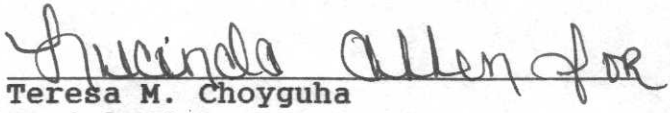
for Edward D. Manuel, Legislative Chairman

[] APPROVED) on the 24 day of July, 19 89.
[] DISAPPROVED) at 9:16 o'clock, A.M.



ANGELO J. JOAQUIN, SR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 24th day of July, 19 89, at 11:18 o'clock, A.M.



Teresa M. Choyguha
Legislative Secretary

MOVED: Virgil Lewis

SUBJECT: Selection of Negotiating

SECOND: John Reno

Committee for Tribal State Compact -

DATE: July 18, 1989

Gaming Activities

RESOLUTION NO. 260-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Henry Ramon ()	62.5	X			X
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			
	2. Virgil Lewis (Michael Flores)	57.0	X			
SAN LUCY 106.0	1. John Reno ()	53.0	X			
	2. Albert Manuel, Jr. (Max P. Jose)	53.0	X			X
PISINEMO 119.0	1. Edward Manuel (Alex Antone)	59.5		X		
	2. Johnson Jose ()	59.5	X			
GU ACHI 166.0	1. Alex J. Ramon (Fernando Joaquin)	83.0	X			
	2. Percy Lopez ()	83.0	X			
BABOQUIVARI 229.0	1. Joann Garcia (Frances Miguel)	114.5	X			
	2. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5		X		
	2. Eugene Enis, Sr. (Michael Rios)	63.5		X		
SCHUK TOAK 107.0	1. Joseph Juan (Frances Francisco)	53.5		X		
	2. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			
SIF OIDAK 158.0	1. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
	2. Mary Ann Antone (Nina Jose)	79.0		X		
TOTAL		1,724.0	1,351.5	372.5	-0-	02