

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving a Compact between the Tohono O'odham Nation, the Tohono O'odham**  
**Community College and the State of Arizona for TOCC to receive transaction**  
**privilege tax revenue funding pursuant to A.R.S. § 42-5031.01)**

**RESOLUTION NO. 09-336**

1 **WHEREAS, the Tohono O'odham Legislative Council passed resolution number 06-234 on April 5,**  
2 **2006, calling upon the Arizona Legislature to recognize the Tohono O'odham**  
3 **Community College (TOCC), as a qualifying tribal community college eligible for**  
4 **funding under Arizona Revised Statutes § 42-5031.01; and**

5 **WHEREAS, in 2007, the Arizona Legislature adopted SB 1133, which amended section 42-5031.01.,**  
6 **to allow the TOCC to receive either \$1.75 million or 1/10 of the Transaction Privilege**  
7 **Taxes (TPT), received from all sources located on the Tohono O'odham Nation's**  
8 **Reservation, whichever is less; and**

9 **WHEREAS, pursuant to A.R.S. § 42-5031.01, as amended, the Tohono O'odham Nation, as a**  
10 **qualifying Indian Tribe, is required to enter into a Ten (10) year compact with the State**  
11 **of Arizona, signed by the Governor to account for the use of monies distributed**  
12 **pursuant to ARS § 42-5031.01 which could only be used for maintenance, renewal and**  
13 **capital expenses for the TOCC; and**

14 **WHEREAS, the attached Compact between the Tohono O'odham Nation, the TOCC, and the State**  
15 **of Arizona, negotiated by the parties and attached and incorporated by this reference,**  
16 **sets forth the understandings and responsibilities of the respective parties for the**  
17 **distribution, receipt, accountability and use of transaction privilege tax revenues by**  
18 **the Tohono O'odham Nation and the TOCC pursuant to ARS §42-5031.01.**

19 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
20 **approves the attached Compact between the Tohono O'odham Nation, the Tohono**  
21 **O'odham Community College and the State of Arizona for distribution of transaction**  
22 **privilege tax revenues under A.R.S. § 42-5031.01., and hereby authorizes the Chairman**  
23 **of the Nation to execute said Compact.**

24 **BE IT FINALLY RESOLVED that any and all tax revenues received pursuant to ARS § 42-5031.01 shall**  
25 **be deposited into a specific bank account designated by and in the name of the Tohono**  
26 **O'odham Committee College and that the State of Arizona, be provided timely notice**  
27 **of the establishment of set account by TOCC in accordance with Compact**  
28 **requirements.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 9<sup>TH</sup>. Day**  
30 **of JUNE, 2009 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**  
31 **-0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(2)**  
32 **and (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
33 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
34

**RESOLUTION NO. 09-336**

**(Approving a Compact between the Tohono O'odham Nation, the Tohono O'odham Community College and the State of Arizona for TOCC to receive transaction privilege tax revenue funding pursuant to A.R.S. § 42-5031.01)**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

Verlon Jose  
Verlon M. Jose, Legislative Chairman

24 day of June, 2009

**ATTEST:**

Evonne Wilson  
Evonne Wilson, Legislative Secretary

9 day of June, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 24 day of June, 2009 at 4:11 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**

Verlon Jose  
Verlon M. Jose, Legislative Chairman

**APPROVED**

on the 25 day of June, 2009

**DISAPPROVED**

at 11:15 o'clock, a. .M.

Ned Morris, Jr.  
NED MORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 25 day of

June, 2009, at 11:37 o'clock, a. .M.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING A COMPACT BETWEEN THE TOHONO O'ODHAM, THE TOHONO O'ODHAM NATION, COMMUNITY COLLEGE AND THE STATE OF ARIZONA FOR TOCC TO RECEIVE TRANSACTION PRIVILEGE TAX REVENUE FUNDING PURSUANT TO A.R.S. § 42-5031.01**

**MOVED: COUNCILMAN TIMOTHY JOAQUIN**

**SECOND: COUNCILWOMAN SANDRA ORTEGA**

**DATE: JUNE 09, 2009**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> <b>198.7</b>	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS</b> <b>449.6</b>	1. KIMBERLY LISTO ( )	224.80	X			
	2. EVELYN B. JUAN MANUEL ( )	224.80	X			
<b>SCHUK TOAK</b> <b>159.0</b>	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
<b>SAN XAVIER</b> <b>204.7</b>	1. FELICIA NUÑEZ ( )	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY</b> <b>187.1</b>	1. LORRAINE EILER (Charlotte Cadavas)	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			
<b>PISINEMO</b> <b>184.5</b>	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN</b> <b>174.5</b>	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			
<b>GU VO</b> <b>206.3</b>	1. GRACE MANUEL ( )	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI</b> <b>230.1</b>	1. TIMOTHY L. JOAQUIN ( )	115.05	X			
	2. CYNTHIA E. MANUEL ( )	115.05	X			
<b>CHUKUT KUK</b> <b>277.0</b>	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ( )	138.50	X			
<b>BABOQUIVARI</b> <b>324.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE ( )	162.0	X			