

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Support for the Arizona Indian Gaming Association's Efforts to Preserve Tribal-State Gaming Compacts)**

RESOLUTION NO. 09-449

1 **WHEREAS, the Legislative Council is vested with the power “to manage any funds within the**  
2 **exclusive control of the Tohono O’odham Nation, including proceeds derived from**  
3 **lands and resources of the Tohono O’odham Nation, and to appropriate these funds**  
4 **for the benefit of the Nation and its members. All expenditures of these funds shall be**  
5 **pursuant to appropriations or budgets authorized under resolutions or in accordance**  
6 **with ordinances of the Tohono O’odham Council . . .” (Constitution of the Tohono**  
7 **O’odham Nation, Article VI, Section 1(d)(2)); and**

8 **WHEREAS, the Nation and the State of Arizona have entered into a tribal-state gaming compact**  
9 **(the “Compact”); and**

10 **WHEREAS, consistent with the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 *et seq.*, the Compact**  
11 **recognizes “gaming by Indian tribes as a means of promoting tribal economic**  
12 **development, self-sufficiency, and strong tribal governments” (Compact, Declaration**  
13 **of Policy and Purpose); and**

14 **WHEREAS, tribal gaming revenue derived from gaming authorized under the Compact provides**  
15 **funding for tribal housing, health clinics, Head Start facilities, college scholarships,**  
16 **fire and police departments, youth recreation facilities and programs, mental health**  
17 **other programs and services that directly and significantly improve the health, safety,**  
18 **and welfare of the members of Arizona’s Indian tribes; and further provides funding**  
19 **for state and local government services and programs; and**

20 **WHEREAS, the horse and dog track industry has launched an extensive campaign to allow non-**  
21 **Indian commercial gaming at racetracks throughout Arizona, the authorization of**  
22 **which would threaten the Nation’s and other tribes’ interests in providing for the**  
23 **health, safety and welfare of tribal members, would virtually eliminate tribal gaming**  
24 **funding that betters the lives of all Arizona citizens, and would undermine the**  
25 **integrity of gaming conducted in Arizona and Indian Country; and**

26 **WHEREAS, the Arizona Indian Gaming Association (“AIGA”) represents 19 sovereign tribal**  
27 **governments in Arizona, including the Nation, and is organized in part to “preserve**  
28 **and protect the integrity of gaming conducted in Arizona and Indian country;” and to**  
29 **“maintain, protect, and advocate Indian tribal sovereignty” (AIGA Bylaws, Sections**  
30 **1.3(A), (B), (E), and (F)); and**

31 **WHEREAS, Arizona voters defeated a 2002 campaign by horse and dog tracks to allow non-Indian**

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1 commercial gaming at Arizona racetracks due in large part to a public education  
2 campaign led by AIGA with the support of its member tribes; and

3 WHEREAS, AIGA has developed a comprehensive strategy for countering the current horse and  
4 dog track campaign and for preserving existing tribal-state gaming compacts ("AIGA  
5 Compact Preservation Effort") and has requested financial support from AIGA  
6 member tribes; and

7 WHEREAS, the Nation's Chairman and Legislative Commerce Committee recommend that the  
8 Nation contribute financial support to the AIGA Compact Preservation Effort in an  
9 amount not to exceed \$54,000.

10 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby  
11 approves and appropriates \$54,000 from the Nation's Surplus Fund to support the  
12 AIGA Compact Preservation Effort; provided that

13 (1) The Chairperson of the Nation is authorized to disburse funds appropriated herein  
14 to AIGA in a lump sum or in multiple payments after consultation with the  
15 Legislative Commerce Committee.

16 (2) The funds appropriated by this resolution shall remain available for disbursement  
17 to the AIGA for the AIGA Compact Preservation Effort until September 30, 2010.

18 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05<sup>TH</sup>. Day  
19 of AUGUST, 2009 at a meeting at which a quorum was present with a vote of 1,816.45 FOR; 548.95  
20 AGAINST; 230.1 [03] NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council  
21 by Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the  
22 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
23 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
24 18, 1934 (48 Stat. 984).

25  
26 TOHONO O'ODHAM LEGISLATIVE COUNCIL

27  
28   
29 Verlon M. Jose, Legislative Chairman

30  
31 10<sup>th</sup> day of August, 2009

32  
33  
34 ATTEST:

35   
36 \_\_\_\_\_  
37 Evonne Wilson, Legislative Secretary

38  
39 5 day of August, 2009.  
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10<sup>th</sup> day of August, 2009 at 9:17 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

Felicia Zuniga for  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 12<sup>th</sup> day of August, 2009

DISAPPROVED

at 8:52 o'clock, A.M.

Ned Norris, Jr.  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12 day of

August, 2009, at 9:04 o'clock, a.M.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION: SUPPORT FOR THE ARIZONA INDIAN GAMING ASSOCIATION'S EFFORTS TO PRESERVE TRIBAL-STATE GAMING COMPACTS**

**Moved: COUNCILMAN CHESTER ANTONE**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: AUGUST 05, 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		
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS</b> <b>449.6</b>	1. KIMBERLY LISTO ( )	224.80		X	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			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			X
<b>BABOQUIVARI</b> <b>324.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE ( )	162.0	X			
<b>TOTAL</b>		<b>2,595.50</b>	<b>1,816.45</b>	<b>548.95</b>	<b>230.1</b> <b>[03]</b>	<b>[02]</b>