

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving FY 2012 District Allocation and Apportionment of Gaming Revenues  
to Districts by Equal Distribution)**

**RESOLUTION NO. 11-307**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**  
2 **Council with legislative and fiscal powers, including the power "to manage any funds**  
3 **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 has adopted a formula for distributing the Nation's gaming**  
7 **revenues ("Formula"), which includes an allocation to the Nation's 11 districts**  
8 **("District Allocation") (26 Tohono O'odham Code Chapter 1, §1301); and**

9 **WHEREAS, Title 26, §1304 provides that on August 1 each year the District Allocation for each**  
10 **district shall be apportioned in accordance with the allocation formula established**  
11 **by the Legislative Council; and**

12 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has determined the FY 2012**  
13 **District Allocation to be \$15,023,610.27; and**

14 **WHEREAS, effective August 1, 2010, Section 1301(B)(ii)(a) of the Formula provides that "Fifteen**  
15 **percent (15%) of the District Allocation shall be allocated to the District where the**  
16 **Gaming Facility which generated such revenue is located" (the "Host District Share");**  
17 **and**

18 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has calculated the FY 2012**  
19 **Hickiwan Host District Share as \$39,962.04 and the San Xavier Host District Share as**  
20 **\$2,213,579.50; and**

21 **WHEREAS, Section 1301(B)(ii)(b) of the Formula provides that the remainder of the District**  
22 **Allocation (after allocating the Host District Share) shall be divided among all 11**  
23 **Districts of the Nation in accordance with the allocation formula established by the**  
24 **Legislative Council (26 T.O.C. §1304); and**

25 **WHEREAS, the Office of the Treasurer has calculated the FY 2012 remainder of the District**  
26 **Allocation to be divided among all 11 districts as \$12,770,068.73; and**

27 **WHEREAS, the Legislative Budget and Finance Committee has discussed three options for**  
28 **dividing the remainder of the FY 2012 District Allocation as follows: 1) equal**  
29 **distribution; 2) population distribution; and 3) 50/50 distribution (½ equal and ½**  
30 **population); and**

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1 **WHEREAS, the Office of the Treasurer has prepared an FY 2012 District Allocation Table, which**  
2 **is incorporated by this reference, reflecting the District Allocation amounts for each**  
3 **allocation method.**

4 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the Formula**  
5 **in effect on August 1 each year shall be applied to allocate gaming revenues that have**  
6 **accrued in the previous twelve-month period.**

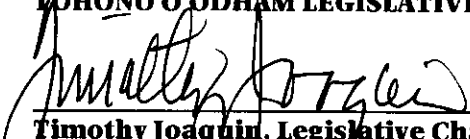
7 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it hereby approves and**  
8 **authorizes the allocation of the FY 2012 Hickywan Host District Share of \$39,962.04 and**  
9 **the FY 2012 San Xavier Host District Share of \$2,213,579.50.**

10 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the remainder of the**  
11 **FY 2012 District Allocation (after allocating the Host District Share) shall be divided**  
12 **among all 11 Districts of the Nation by equal distribution in accordance with the FY**  
13 **2012 District Allocation Table for a distribution of \$1,160,915.34 to each district.**

14 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2012 District**  
15 **Allocation funds, including the Host District Shares, shall be made available for**  
16 **expenditure subject to budgets approved in accordance with Article VI, Section 1(d)(2)**  
17 **and Article IX, Section 7 of the Nation's Constitution and the additional requirements**  
18 **of Tohono O'odham Code Title 26, Chapter 1, Article 3.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 19<sup>th</sup> Day**  
20 **of JULY, 2011 at a meeting at which a quorum was present with a vote of 1,660.70 FOR; 1,119.90**  
21 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
22 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the**  
23 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
25 **18, 1934 (48 Stat. 984).**

26  
27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31 **Timothy Joaquin, Legislative Chairman**  
32  
33 20 day of July, 2011

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36 **ATTEST:**

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39 **Evonne Wilson, Legislative Secretary**

40  
41 20 day of July, 2011

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20 day of July, 2011 at 3:47 o'clock, P.M., pursuant to the provisions of Section 4 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

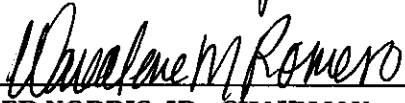
  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 20 day of July, 2011

DISAPPROVED

at 3:58 o'clock, P.M.

  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION  
Vice Chairwomen

Returned to the Legislative Secretary on the 20 day of

July, 2011, at 4:20 o'clock, P.M.

  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING FY 2012 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY EQUAL DISTRIBUTION**

**Moved: COUNCILWOMAN FRANCES CONDE**

**SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**DATE: JULY 19, 2011**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	171.0		X		
	2. FRANCES G. ANTONE (Vernon Smith)	171.0		X		
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA (Sara Mae Williams)	151.10		X		
	2. BILLMAN LOPEZ ( )	151.10		X		
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE ( )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			X
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS ( )	107.90	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. CONDE ( )	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON (Kimberly Mull)	237.85		X		
	2. EVELYN B. JUAN MANUEL ( )	237.85		X		
<b>SIF OIDAK</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>1,660.70</b>	<b>1,119.90</b>	<b>-0-</b>	<b>[02]</b>