

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Affirming the Tohono O'odham Nation's State Gaming Legislation Positions)

RESOLUTION NO. 23-030

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "promote, protect and provide for public health, peace, morals,
3 education and general welfare of the Tohono O'odham Nation and its members"
4 and to "consult, negotiate and conclude agreements and contracts on behalf of
5 the Tohono O'odham Nation with Federal, State and local governments"
6 (Constitution, Article VI, Section 1(c)(2) and Section 1(f)); and

7 **WHEREAS,** the Tohono O'odham Nation has established positions in support of and in
8 opposition to proposed state gaming legislation in previous sessions of the
9 Arizona State Legislature; and

10 **WHEREAS,** in order to effectively advocate for state gaming legislation that benefits the
11 Nation and its members and to oppose state legislation that may undermine
12 Arizona tribes' current exclusivity or that would conflict with the 2021 Compact,
13 as amended, the Appropriations and Commerce Committees recommend
14 affirming the Nation's state gaming legislation positions.

15 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council affirms the
16 Tohono O'odham Nation's prior positions on the substance of state gaming
17 legislation and continues to oppose any legislation that:

- 18 (1) undermines tribes' current exclusivity, role as the primary regulators of
19 gaming on Indian lands, rights to self-determination and self-governance,
20 or rights under federal law; and
21 (2) conflicts with the 2021 Compact, as amended, or would trigger "poison
22 pill" remedies under Compact Section 3(h).

23 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH
24 day of **JANUARY, 2023** at a meeting at which a quorum was present with a vote of 2,975.4 FOR; -0-
25 AGAINST; -0- NOT VOTING; and 242.6 [05] ABSENT, pursuant to the powers vested in the Council
26 by, Article VI, Section 1(c)(2) and Section 1(f) of the Constitution of the Tohono O'odham Nation,
27 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
28 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
29 Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

26 day of January, 2023

RESOLUTION NO. 23-030

(Affirming the Tohono O'odham Nation's State Gaming Legislation Positions)

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ATTEST:

Council
Evonne Wilson, Legislative Secretary

20 day of January, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20 day of January, 2023 at 8:08 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

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 20 day of January, 2023

DISAPPROVED

at 8:18 o'clock, P.m.

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

Returned to the Legislative Secretary on the 20 day of

January, 2023, at 8:26 o'clock, P.m.

Council
Evonne Wilson, Legislative Secretary

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ACTION: AFFIRMING THE TOHONO O'ODHAM NATION'S STATE GAMING LEGISLATION POSITIONS

MOVED: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILWOMAN MARIETTA MARTIN

DATE: JANUARY 13, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			X
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX ()	121.3 121.3				X X
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN () 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ () 2. DELMA M. GARCIA ()	108.3 108.3	X X			X
GU VO 270.7	1. GRACE MANUEL () 2. CYNTHIA SAAVEDRA (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN () 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (<i>Absent</i>) (Frances G. Antone) (<i>Present</i>) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			X
	TOTAL	3,218.0	2,975.4	-0-	-0-	242.6 [05]