

TITLE 19 - LAND

CHAPTER 3 - DISTRIBUTION OF LEASE PROCEEDS

ARTICLE 1 - GENERAL LEASE PROCEEDS

Legislative History: Ordinance No. 02-83, "For Distribution of Lease Proceeds," was enacted by the Papago Council on June 6, 1983 and approved by the Papago Agency Superintendent on June 13, 1983.

Note: The distribution of certain lease proceeds is addressed in Article XVI, Section 5 of the Constitution of the Tohono O'odham Nation, which became effective March 6, 1986.

ORDINANCE OF THE PAPAGO TRIBAL COUNCIL
For Distribution of Lease Proceeds

ORD. NO. 02-83

1 WHEREAS, Section 4 of Article VIII of the Constitution of the Papago Tribe
2 delegates to the Council of the various Districts of the Papago
3 Reservation the authority to lease tribal lands which are not
4 assigned or used for public purposes, and provides that one-half
5 of the lease proceeds shall accrue to the Papago Council and
6 one-half to the District Council; and

7 WHEREAS, the Papago Council has determined that it is to the best interest
8 of the Papago Tribe as a whole that the first \$9,000.00 of fixed
9 proceeds accruing annually from leases of tribal lands shall be
10 allocated to the Districts in which such lands are located.

11 NOW, THEREFORE, BE IT ENACTED by the Council of the Papago Tribe that
12 henceforth and until otherwise directed by this Council all
13 proceeds accruing from leases of tribal lands (other than leases
14 of tribal lands for mining purposes, which are governed by the
15 provisions of the Ordinance for the Distribution of Mining
16 Proceeds, Ord. No. 13-82) which are executed either by the Papago
17 Tribe or by the various Districts of the Papago Reservation shall
18 be paid to the Treasurer of the Papago Tribe and shall be divided
19 as follows:

20 (A) All of the proceeds accruing from such leases, which
21 are fixed and not computed on a portion or percentage
22 of revenue, income and receipts derived thereunder
23 and which aggregate the sum of \$9,000.00 per year
24 shall be deposited to the IIM Account of the District
25 in which the lands are located, to be expended under
26 budgets or resolutions of the District's Council duly
27 approved by the Papago Council.

28 (B) All other proceeds accruing from such leases, including
29 proceeds which are fixed and not computed on a portion
30 or percentage of revenue, income and receipts derived
31 thereunder in excess of the aggregate annual sum of
32 \$9,000.00, and all proceeds which are computed on a
portion or percentage of revenue, income, or receipts
derived thereunder, shall be divided as follows:

(1) Fifty percent thereof shall be deposited to
the general account of the Papago Tribe, to
be expended under budgets or resolutions of
the Papago Council, along with other tribal
revenue, for the benefit of the Papago Tribe.

(2) Fifty percent thereof shall be deposited to
the IIM Account of the District in which the
lands are located, to be expended under
budgets or resolutions of the District's
Council duly approved by the Papago Council.

The foregoing Ordinance was passed by the Papago Council on the 6th day
of June, 1983, at a meeting at which a quorum was present with a vote of
1440.0 for; 0 against; 0 not voting; and 0 absent,
pursuant to the authority vested in it by Section 4 of Article VIII and by
Section 3 (1) of Article V of the Constitution of the Papago Tribe of Arizona
ratified by the Tribe on December 12, 1936, and approved by the Secretary of

1 the Interior on January 6, 1937, pursuant to Section 16 of the Act of June
2 18, 1934, (48 Stat. 984), and amended by the Papago Tribe to add Article 3
3 (1) on April 9, 1960, and approved by the Secretary of the Interior on May
4 9, 1960. Said Ordinance is effective as of the date of its approval by the
5 Superintendent of the Papago Agency, and is subject to rescision by the
6 Secretary of the Interior, pursuant to Section 6, Article V of the Constitution
7 and By-laws of the Papago Tribe.

8 THE PAPAGO COUNCIL

9
10
11 Josiah Moore
12 Josiah Moore, Chairman

13 ATTEST:

14
15 Rose Johnson
16 Rose Johnson, Secretary

17 ORDINANCE APPROVED this 13 day of June, 1983.

18
19 Curtis C. Nordwall
20 Curtis C. Nordwall,
21 Superintendent, Papago Agency

