

## **TITLE 2 - AGRICULTURE AND LIVESTOCK**

### **CHAPTER 2 - RODEO AND FAIR**

*Legislative History: Ordinance No. 4, establishing the Rodeo and Fair Association, was enacted by the Papago Council on January 7, 1937 and approved by the Sells Indian Agency Superintendent on January 7, 1937; amended by Resolution No. 37-79, which was enacted by the Papago Council on May 11, 1979.*

*Related Legislation: Resolution No. 98-026, "Authorization for Use of Proceeds and Revenues Derived from the Nation's Annual Rodeo and Fair," was approved January 26, 1998.*

ORDINANCE OF THE PAPAGO COUNCIL

No. 4

An ordinance to authorize an association for the purpose of holding an annual fair, livestock show, and rodeo at Sells Agency; to provide for the government of said association, and for other purposes.

Be it enacted by the Papago council in regular meeting on January 7, 1937:

Section No. 1 NAME OF ASSOCIATION: There is hereby authorized an organization composed of the Papago Tribe to be known as "The Papago Fair and Rodeo Association", hereafter referred to as the association.

Section No. 2 MANAGEMENT: The affairs of the association shall be managed by a Board of Directors, composed of five members of the tribe, who shall be appointed by the Papago Council to serve during good behavior. Immediately after appointment, the Board of Directors shall proceed to elect from within its membership, a chairman, a secretary, and treasurer.

Section No. 3 POWER AND DUTIES OF THE BOARD OF DIRECTORS

The Board of Directors of the Association shall:

- (A) Fix the opening and closing dates for each annual "Papago Fair, Livestock Show, and Rodeo"
- (B) Establish suitable departments in the fair, livestock show and rodeo as needed, to insure orderly growth and progress and appoint personnel to supervise the work of the several departments, provided; that in the event it is desired to utilize the services of regular personnel, the approval of the superintendent shall first be obtained.
- (C) Prepare an annual budget of funds required to carry on the work of the Association not less than 90 days prior to the opening date of the Fair.
- (D) Fix admission charges, control the sale of concessions, and determine the general policy of the Association.
- (E) Select permanent grounds suitable for housing and holding all departments of the Association contiguously, and plan and make recommendations for construction of

- (E) adequate facilities for carrying on the work of the association and to have custody of all such facilities.
- (F) To approve all expenditures from the treasury of the Association prior to disbursement by the treasurer.
- (G) To make such other rules and regulations, consistent with existing applicable law and regulations, as maybe necessary for the proper functioning of the Association
- (H) To contract for and operate legal amusement devices to assist in making the Association self-supporting.

Section No. 4 DUTIES OF ASSOCIATION OFFICERS

- (A) The Chairman, when present, shall preside at meetings of the Board and shall vote only in case of a tie.
- (B) The secretary shall keep the minutes of all meetings of the Board of Directors, conduct all Association coresspondence and keep an accurate record of all business trasacted..
- (C) The treasurer of the Papago Fair and Rodeo Association shall accept, receipt, for, keep, and safeguard all funds of the Association. He shall deposit all such funds in the name of the Association, subject to his checking account, in a bank insured by the Federal Deposit Insuarance Corporation, and located in Tucson, Arizona, to be selected by the Board of Directors and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession or custody, to the Board of Directors of the Association, at meetings of the Board, or at such other times as request by the Board, his reports to be in writing an matters of record. He shall give a satisfactory surety bond ot the Association in the sum of \$2,000.00 and shall not pay or other wise disburse any funds in the possession or custody of the Papago Fair and Rodeo Association except when

(C) properly authorized to do so by resolution duly passed by the Board of Directors of the Association.

(D) The books and records of the treasurer of the Association shall be audited at least once a year by a competent auditor employed by the Papago Council, and at such other times as the Papago Council, the Board of Directors of the Association, or the Commissioner of Indian Affairs may direct.

#### Section No. 5 MEETINGS

Meetings of the Board of Directors of the Association shall be held on call of the Chairman, or by mutual agreement of 4 quorum.

No business shall be transacted by the Board of Directors unless a quorum is present.

A quorum shall consist of a majority of the Board of Directors

#### Section No. 6 AMENDMENT OF ORDINANCE NO. 3

Ordinance No. 3, approved April 3, 1938, is hereby amended to permit the Board of Directors of the Papago Fair and Rodeo Association to issue licenses and collect fees on all concession and business enterprises operated during, and on the grounds of the Annual Papago Fair, Livestock Show and Rodeo, at Sells Agency.

#### Section No. 7 REVOLVING FUND

All contributions, admission fees, concession fees, receipts from Association-operated amusement devices and concessions, entry fees and miscellaneous collections and receipts, shall be promptly deposited in the designated depository, to the credit of the Association, and shall be available for expenditure under proper authorization of the Board of Directors, for carrying out the purposes of this ordinance.

#### Section No. 8 AUTHORITY FOR USE OF TRIBAL FUNDS

There is hereby authorized to be appropriated, out of any money in the Tribal Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the purposes of this ordinance, including the construction of suitable fair, livestock show, and rodeo, facilities.

The foregoing Ordinance was on January 7, 1939, duly enacted by a vote of 16 for 1 against

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ORD. NO. 4  
THE PAPAGO COUNCIL

by the Papago Council pursuant to authority vested in it by Seciton 2 (e) and 3(a), Article V of the Constitution to the Tribe, ratified by the Tribe on December 12, 1938, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of Sells Agency, subject to reccission by the Secretary of the Interior pursuant to Section 6, Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL

/s/ Jose Igancio

ATTEST:

/s/ Ida N. Wilson  
Ida N. Wilson, Secretary

APPROVED:

/s/ P. B. Hall  
P.B. Hall, Superintendent

Ordinance No. 4 Jan. 7, 1939, approved by Secretary of the Interior on March 29, 1939  
Se Articel V. Cection 2(e) and 3(a) Constitution.

RESOLUTION OF THE PAPAGO TRIBE  
(Rodeo & Fair)

RES. NO. 37-79

1 WHEREAS, Ordinance Number 4 of the Papago Tribe, enacted by the  
2 Papago Council on January 7, 1939, authorized the Papago  
3 Fair and Rodeo Association, the affairs of which were to  
4 be managed by a Board of Directors, the members of which  
5 were appointed by the Papago Council.

6 WHEREAS, the Ordinance states among other provisions, the powers  
7 and duties of the Board of Directors to conduct annually  
8 an event called the Papago Fair, Livestock Show, and Rodeo.

9 WHEREAS, Section 4(e) of the said Ordinance states: "The Treasurer  
10 of the Papago Fair and Rodeo Association shall accept,  
11 receipt for, keep, and safeguard all funds of the As-  
12 sociation. He shall deposit all such funds in the name  
13 of the Association, subject to his checking account, in a  
14 bank insured by the Federal Deposit Insurance Corporation,  
15 and located in Tucson, Arizona, to be selected by the  
16 Board of Directors, and shall make and preserve a faithful  
17 record of such funds and shall report on all receipts and  
18 expenditures and the amount and nature of all funds in his  
19 possession or custody, to the Board of Directors of the  
20 Association, at meetings of the Board, or at such other  
21 times as requested by the Board, his reports to be in  
22 writing and matters of record. He shall give a satisfactory  
23 surety bond to the Association in the Sum of \$2,000.00,  
24 and shall not pay or otherwise disburse any funds in the  
25 possession or custody of the Papago Fair and Rodeo Associ-  
26 ation except when properly authorized to do so by resolution  
27 duly passed by the Board of Directors of the Association.."

28 WHEREAS, Section 7 of said Ordinance states: "All contributions,  
29 admission fees, concession fees, receipts from Association-  
30 operated amusement devices and concessions, entry fees,  
31 and miscellaneous collections and receipts, shall be promptly  
32 deposited in the designated depository, to the credit of the

1 Association and shall be available for expenditure under  
2 proper authorization of the Board of Directors, for  
3 carrying out the purposes of this ordinance....."

4 WHEREAS, the Papago Rodeo and Fair had been established by the  
5 Papago Council as an activity of the Papago Tribe, wholly-  
6 owned and operated explicitly for the welfare, morals, and  
7 benefits of the Papago people. That an activity duly  
8 authorized and established as an entity of the Papago  
9 Tribe of necessity must operate according to its Ordinances/  
10 Resolutions, to include accountability for funds, equipment  
11 and other assets.

12 THEREFORE, BE IT RESOLVED that any and all funds on hand, on deposits  
13 in separate checking accounts and/or savings accounts or  
14 invested in any securities, bearing the names of the Papago  
15 Fair and Rodeo Association, any member of its Board of  
16 Director and/or Rodeo and Fair, be immediately placed under  
17 the custody of the Treasurer of the Papago Tribe. Further,  
18 that any and all funds received incident to the annual  
19 Papago Fair, Livestock Show, and Rodeo be promptly turned  
20 into the Treasurer of the Papago Tribe for deposit to the  
21 Tribal General Fund Checking Account, and that all funds  
22 received by and administrative and operating expenses in-  
23 curred by or on behalf of the Papago Rodeo and Fair act-  
24 ivity be accounted for by the Tribal Treasurer in the same  
25 manner as for other Tribal-owned funds. That, the pro-  
26 visions of this Resolution are controlling where they  
27 contravene any Ordinances/Resolutions enacted by the Papago  
28 Council, those affecting fund management and accountability  
29 by Rodeo and Fair activity, Fair and Rodeo Association,  
30 and/or its Board of Directors.

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1 The foregoing Resolution was duly enacted by the Papago Council on  
2 the 11th. day of May, 1979, at a meeting at which a quorum was  
3 present with a vote of 878.5 for; 0 against; 186.5 not  
4 voting; and 2 absent, pursuant to the authority vested in the  
5 Council by Section 4 (a) of Article I of the Constitution and By-  
6 Laws of the Papago Tribe as amended, ratified by the Papago Tribe  
7 on December 12, 1936, and approved by the Secretary of the Interior  
8 on January 6, 1937, pursuant to Section 16 of the Act of June 18,  
9 1934 (48 Stat. 984). Said Resolution is not subject to review by  
10 the Secretary of Interior and is effective as of the date of its  
11 enactment by the Papago Council.

12 THE PAPAGO COUNCIL

13 *Max H. Norris*  
14 Max H. Norris, Vice Chairman

15 ATTEST:

16 *Mary Jane Narcho*  
17 Mary Jane Narcho, Secretary

18 DATE: May 11, 1979

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**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorization for use of Proceeds and Revenues derived from the Nation's  
Annual Rodeo & Fair)**

**RESOLUTION NO. 98-026**

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4 **WHEREAS, the Tohono O'odham Nation Rodeo & Fair Committee (Committee)**  
5 **has conducted the Nation's annual rodeo & fair and related events**  
6 **held under the supervision of the Committee, with funds**  
7 **authorized and appropriated by the Nation; and**

8 **WHEREAS, funding appropriated by the Nation provides a funding base, for**  
9 **which the Committee operates the annual event; and**

10 **WHEREAS, the Committee has solicited sponsorships and donations to**  
11 **supplement funds budgeted for the Committee; and**

12 **WHEREAS, such sponsorships and donations provide not only funding support**  
13 **for the Committee in its efforts to plan and conduct the annual**  
14 **rodeo & fair but also are of benefit to the businesses and**  
15 **organizations providing sponsorship and donations, as it provides**  
16 **advertising and public relations value; and**

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18 **WHEREAS, the Committee and the Nation wish to continue providing**  
19 **advertising and public relations opportunities for the Nation and**  
20 **businesses and organizations by continuing to solicit and welcome**  
21 **sponsorships and donations; and**

22 **WHEREAS, the Committee will utilize funds received by sponsorships and**  
23 **donations to subsidize costs and expenses for the rodeo & fair and**  
24 **related activities; and**

25 **WHEREAS, other events and activities held before and during the rodeo & fair**  
26 **also generate income for the Nation, including but not limited to**  
27 **parking fees, carnival proceeds, vendor fees and other sales; and**  
28

**RESOLUTION NO. 98-026**

**(Authorization for use of Proceeds and Revenues derived from the Nation's Annual Rodeo & Fair)**

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**WHEREAS, the Committee is seeking authorization from the Legislative Council to allow the Committee to utilize any and all funds received from sponsors, donors and sales.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does authorize the Chairman of the Nation and the Rodeo & Fair Committee to utilize and expend any and all funds received from sponsors, donors and sales to supplement funds allocated by the Nation. The accounting of all funds received be maintained by the Nation's Accounting Department.**

**The foregoing Resolution was passed by the Tohono O'odham Council on the 23RD day of JANUARY, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Albert Manuel P.*  
FOR **Dennis Ramon, Legislative Chairman**

*26<sup>th</sup>* day of *January*, 19 *98*

**ATTEST:**

*Julianna Saraffio*  
**Julianna Saraffio, Acting Legislative Secretary**

*25* day of *January*, 19 *98*

**RESOLUTION NO. 98-026**

**(Authorization for use of Proceeds and Revenues derived from the Nation's Annual Rodeo & Fair)**

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 26<sup>th</sup> day of January, 1998 at 11:51 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**

*Albert Manuel R.*  
For Dennis Ramon, Legislative Chairman

APPROVED on the 26<sup>th</sup> day of January, 1998  
 DISAPPROVED at 12:36 o'clock, P..M.

*Edward D. Manuel*  
**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 27<sup>th</sup> day of January, 1998, at 8:55 o'clock, A..M.  
*Julianna Saraficio*  
**Julianna Saraficio, Acting Legislative Secretary**