

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Incorporation of Lands into Trust Provisions in SAWRSA Amendments)**

RESOLUTION NO. 02-160

- 1 **WHEREAS, the Southern Arizona Water Rights Settlement Act of 1982 ("SAWRSA") has not been**
2 **fully implemented; and**
- 3 **WHEREAS, the Tohono O'odham Legislative Council established the SAWRSA Task Force (the**
4 **"Task Force"), consisting of representatives of the Tohono O'odham Nation, San**
5 **Xavier District, Schuk Toak District and San Xavier allottees, for the purpose of**
6 **negotiating Amendments which would fully implement SAWRSA ("SAWRSA**
7 **Amendments"); and**
- 8 **WHEREAS, the SAWRSA Task Force and other parties involved in the negotiations have reached**
9 **substantial agreement on the terms of the SAWRSA Amendments; and**
- 10 **WHEREAS, in December 2000, the Nation was informed that lands the Nation seeks to have**
11 **placed into trust, which are located outside the exterior boundaries of the Nation's**
12 **Reservation ("After Acquired Trust Lands"), must be subject to an extensive list of**
13 **conditions expressly incorporated in the SAWRSA Amendments; and**
- 14 **WHEREAS, the Nation was further informed that if the Nation refused to include the After**
15 **Acquired Trust Lands ("AATL") conditions in the SAWRSA Amendments, the**
16 **Amendments would not be introduced in Congress; and**
- 17 **WHEREAS, pursuant to Resolution 01-031, the Legislative Council rejected the AATL conditions**
18 **as a fundamental intrusion on the Nation's sovereign rights of self-government; and**
- 19 **WHEREAS, in consultation with other parties involved in negotiation of the SAWRSA**
20 **Amendments, the Task Force prepared an alternative draft of AATL conditions (the**
21 **"Task Force Proposal"), a copy of which is attached hereto; and**
- 22 **WHEREAS, the Task Force Proposal substantially reduces the list of conditions rejected by the**
23 **Legislative Council and significantly narrows the related impacts on the Nation's**
24 **sovereignty; and**
- 25 **WHEREAS, the Nation has been assured that adoption of the Task Force Proposal will eliminate**
26 **the barrier to introduction in Congress of the SAWRSA Amendments; and**
- 27 **WHEREAS, the Water Resources Committee and the Natural Resources Committee recommend**
28 **approval of the Task Force Proposal by the Legislative Council.**
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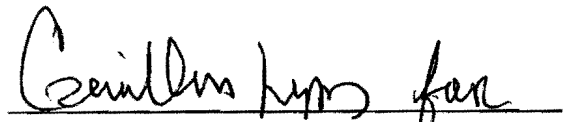
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1 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 2 **1. The Tohono O'odham Legislative Council approves the SAWRSA Task Force**
3 **Proposal, in the form attached hereto, and authorizes the Task Force to**
4 **incorporate the provisions in the current draft of the SAWRSA Amendments.**
5 **2. The SAWRSA Task Force shall submit for approval of the Legislative Council the**
6 **final draft of the SAWRSA Amendments prior to introduction in Congress of the**
7 **Amendments.**


8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03rd. Day**
9 **of APRIL, 2002 at a meeting at which a quorum was present with a vote of 1,507.9 FOR; 144.5**
10 **AGAINST; 765.1 NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by**
11 **Section 1 (i) of Article VI; Section 1 of Article XVI; and Section 2 of Article XVII of the Constitution**
12 **of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and**
13 **approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,**
14 **pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21 **Rita A. Martinez, Legislative Chairwoman**

22
23 11th day of April, 20 02

25 **ATTEST:**

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29 **Julianna Saraficio, Acting Legislative Secretary**

30
31 11th day of April, 20 02.

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36 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
37 **Nation on the 11th day of April, 20 02 at 1:40 o'clock, P.M.,**
38 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
39 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
40 **submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Rita A. Martinez for

Rita A. Martinez, Legislative Chairwoman

EXCEEDED 48 HOURS

APPROVED

on the 15th day of April, 20 02

DISAPPROVED

at 4:54 o'clock, P.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10th day of

April, 20 02, at 8:06 o'clock, A.M.

Julianna Saraffio for

Julianna Saraffio, Acting Legislative Secretary

ACTION: APPROVING INCORPORATION OF LANDS INTO TRUST PROVISIONS IN SAWRSA AMENDMENTS

MOVED: COUNCILMAN DENNIS RAMON

SECOND: COUNCILWOMAN FRANCES ANTONE

DATE: APRIL 03, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			X
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15			X	X
	2. EMILIO LEWIS (Michael Flores)	94.15			X	
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA** ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	X
	2. GLORIA RAMIREZ ()	80.35			X	
SAN XAVIER 184.7	1. VACANT ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25		X		X
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
SELLS 416.1	1. DENNIS E. JOSE ()	208.05			X	
	2. EVELYN JUAN ()	208.05			X	
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,507.9	144.5	765.1	[06]

**PASSED VOTES