

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving and Adopting the Tohono O'odham Agricultural and Range Resource
Management Trespass Ordinance)**

RESOLUTION NO. 03-111

1 **WHEREAS, in 1993, the Congress of the United States enacted the American Indian Agricultural**
2 **Resource Management Act, 25 U.S.C. § 3701 *et seq.*, ("AIARMA") to provide for the**
3 **management of Indian agricultural lands, including rangelands, and related**
4 **renewable resources in a manner consistent with identified tribal goals and**
5 **priorities for conservation, multiple use and sustained yield; and**

6 **WHEREAS, pursuant to AIARMA, Indian tribes which adopt the regulations promulgated by the**
7 **Secretary of the Interior shall have concurrent jurisdiction with the United States**
8 **to enforce the trespass provisions of AIARMA and the Secretary's regulations; and**

9 **WHEREAS, the Secretary of the Interior promulgated regulations pursuant to AIARMA in 2001**
10 **as 25 C.F.R. Part 166; and**

11 **WHEREAS, it is in the interests of the Nation to assert civil regulatory jurisdiction over trespass**
12 **actions involving Indian and non-Indian persons and property on the Nation's lands;**
13 **and**

14 **WHEREAS, adopting the regulations promulgated by the Secretary of the Interior pursuant to**
15 **AIARMA is consistent with and in furtherance of the directives of this Council in**
16 **Resolution No. 29-81 and Resolution No. 00-097; and**

17 **WHEREAS, the Domestic Affairs Committee of the Legislative Council recommends approval of**
18 **the Tohono O'odham Agricultural and Range Resource Management Trespass**
19 **Ordinance.**

20 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 21 **1. The Tohono O'odham Agricultural and Range Resource Management Trespass**
22 **Ordinance, in the form attached hereto, is hereby enacted as an ordinance of the**
23 **Tohono O'odham Nation and shall be designated Ordinance No. 03-01.**
- 24 **2. The Nation's Chairman is authorized and directed to take all reasonable and**
25 **necessary steps to implement this Resolution and the Tohono O'odham**
26 **Agricultural and Range Resource Management Trespass Ordinance.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH Day**
28 **of MARCH, 2003 at a meeting at which a quorum was present with a vote of 1,981.35 FOR; -0-**
29 **AGAINST; 436.15 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
30 **Section 1 (c) and 1 (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by**
31 **the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
32 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
33 **18, 1934 (48 Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Rita A. Martinez
Rita A. Martinez, Legislative Chairwoman

25 day of March, 20 03

ATTEST:

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

04th day of March, 20 03.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9th day of March, 20 03 at 9:10 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

Rita A. Martinez
Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 5th day of March, 20 03

DISAPPROVED

at 5:28 o'clock, P.M.

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

Returned to the Legislative Secretary on the 06 day of

March, 20 03, at 10:41 o'clock, A.M.

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AND ADOPTING THE TOHONO O'ODHAM AGRICULTURAL AND RANGE RESOURCE MANAGEMENT TRESPASS ORDINANCE

MOVED: COUNCILMAN AMBROSE ENCINAS

SECOND: COUNCILWOMAN MARY FLORES

DATE: MARCH 04, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. JEROME JOAQUIN ()	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15			X	
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65			X	
	2. SANDRA ORTEGA ()	83.65			X	X
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35			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. FELICIA NUÑEZ ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	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 ODAK 184.7	1. ISIDRO LOPEZ (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ()	92.35	X			
TOTAL		2,417.5	1,981.35	-0-	436.15	[02]

****PASSED VOTES**