

RESOLUTION OF THE PAPAGO COUNCIL
(Amending Escheat Ordinance)

RES. NO. 182-84

1 WHEREAS, the Papago Council has enacted the Archaeological
2 Resources Protection Ordinance for the protection
3 and preservation of archaeological resources on the
Papago Reservation; and

4 WHEREAS, Section 11 of the Archaeological Resources Protection
5 Ordinance provides for the ownership, custody and
6 ultimate disposition of archaeological resources
7 excavated or removed from the Papago Reservation,
8 and it is no further necessary or appropriate that
the ownership, custody and disposition of archaeo-
logical resources be determined under the provisions
of the Escheat Ordinance of the Papago Tribe, Ord.
No. 04-83.

9 NOW, THEREFORE, BE IT RESOLVED by the Papago Council that the
Escheat Ordinance is hereby amended as follows:

10 Section 5 Abandoned property

11 Any ~~Indian-artifact,-archaeological-resource-or~~
12 other tangible personal property which is embedded
13 in the soil, other than an archaeological resource
14 as defined in the Archaeological Resource Protection
15 Ordinance of the Papago Tribe, and which is at least
16 fifty years old and is found within the exterior
boundaries of the Papago Reservation, whose owner is
unknown, shall be presumed abandoned and, unless
claimed by and awarded to the owner as provided in
this ordinance, shall escheat to the vest in the
Papago Tribe.

17 Section 13

18 (B) All abandoned property described in section 5
19 which is ~~except-Indian-artifacts-and-archaeo-~~
20 ~~logical-resources-described-in-the-Archaeological~~
21 ~~Resources-Protection-Act-of-1979,-P.L.-96-95,~~
22 ~~14-U.S.C.-§§-470-aa-et-seq.-and-the-regulations~~
23 ~~promulgated-pursuant-thereto,~~ delivered to the
24 treasurer shall be sold by him on the open market
for the best available price within one hundred
and eighty days after the time set in the pub-
lished notice required by section 9(B) (3) or, if
a claim therefor has been filed, after a final
determination of the claim in favor of the Papago
Tribe.

25 (D) ~~All-abandoned-Indian-artifacts-and-archaeological~~
26 ~~resources-described-in-the-Archaeological-Res-~~
27 ~~ources-Protection-Act-of-1979-and-the-regulations~~
28 ~~promulgated-pursuant-thereto,-delivered-to-the~~
29 ~~treasurer-shall-escheat-to-and-vest-in-the-Papago~~
30 ~~Tribe-immediately-upon-expiration-of-the-time-set~~
31 ~~in-the-published-notice-required-by-section-9(B)~~
32 ~~(3)-or,-if-a-claim-has-been-filed,-after-a-final~~
determination of the claim in favor of the Papago
Tribe. --The treasurer shall arrange for the
safekeeping of such artifacts and resources and
may promulgate regulations and enter into agree-
ments providing for their safekeeping, display
and study by suitable tribal, educational or