

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Request for exemption to Arizona's Native Plant Law)

RES. NO. 346-88

1 WHEREAS, Bear Grass, Yucca, Devil's Claw and other plants native
2 to Arizona are necessary for traditional Tohono O'Odham
3 arts such as basket weaving and for certain ceremonial
4 or religious uses; and

5 WHEREAS, the O'Odham people have used and harvested these plants
6 in the area which is now southern Arizona for these
7 purposes for centuries; and

8 WHEREAS, Arizona's Native Plant Law, Arizona Revised Statutes
9 §§3-901 through 3-908 (1981) requires that a state
10 permit be obtained before O'Odham people may harvest
11 protected native plants from lands within the state,
12 outside the Tohono O'Odham Nation; and

13 WHEREAS, the use of native plants for traditional or religious
14 purposes by Native Americans will not constitute a
15 threat to the survival of these native plants.

16 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Nation on
17 behalf of its members requests that the State of Arizona
18 exempt the Tohono O'Odham people from the permit
19 requirements of Arizona's Native Plant Law when native
20 plants are being removed and harvested by members of the
21 Nation to be used for traditional Tohono O'Odham arts,
22 ceremonial or religious purposes.

23 The foregoing Resolution was passed by the Tohono O'odham Council
24 on the 7th. day of December, 1988 at a meeting at which a quorum
25 was present with a vote of 1,502.0 for; -0- against; -0- not
26 voting; and 138.0 absent, pursuant to the powers vested in the
27 Council by Section 1 (c)(2) and (8) of Article VI of the
28 Constitution of the Tohono O'odham Nation, adopted by the Tohono
29 O'odham Nation on January 18, 1986, and approved by the Acting
30 Deputy Assistant Secretary - Indian Affairs (Operations) on March
31 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
32 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Harriet Toro, Legislative Chairperson

dth day of December, 1988.

ATTEST:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

9th day of December, 1988.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9th day of December, 1988, at 5:03 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

Harriet Toro
Harriet Toro, Legislative Chairperson

[] APPROVED) on the 14th day of December, 1988,

[] DISAPPROVED) at 8:22 o'clock, A.M.

Enos J. Francisco, Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14th day of December, 1988, at 9:00 o'clock, A.M.

Arcinda Allen for
Teresa M. Choyguha
Legislative Secretary

MOVED: Tony Felix

SUBJECT: Request for exemption

SECOND: Edward Manuel

to Arizona's Native Plant Law

DATE: December 07, 1988

RESOLUTION #346-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138.0	1. Nicholas Jose (Letitia Garcia)	69.0				X
	2. Willard Juan, Sr. (Melissa Gregorio)	69.0				X
SELLS 257.0	1. Andrew Patricio (Daniel Lopez)	128.5	X			
	2. Fred Stevens ()	128.5	X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco)	52.5	X			
	2. Joseph Juan (Frances Francisco)	52.5	X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios)	63.0	X			
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. ()	120.5	X			
	2. Joann Garcia (Frances Miguel)	120.5	X			
GU ACHI 158.0	1. Percy Lopez ()	79.0	X			
	2. Fernando Joaquin ()	79.0	X			
PISINEMO 116.0	1. Johnson Jose ()	58.0	X			
	2. Edward Manuel ()	58.0	X			
SAN LUCY 85.0	1. Max Jose (Dewey Ortega)	42.5	X			
	2. John Reno ()	42.5	X			
GU VO 117.0	1. Virgil Lewis (Roy Montana)	58.5	X			
	2. Cross Antone (Juan Joe Cipriano)	58.5	X			
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel)	64.0	X			
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5	X			X
	2. Harriet Toro ()	84.5	X			
TOTAL		1,640.0	1,502.0	-0-	-0-	(3) 138.0