

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Waiving Imposition of Transaction Privilege Taxes
on Telecommunications)

RES. NO. 52-88

1 WHEREAS, the Papago Tribal Utility Authority ("PTUA") was created
2 by the Council on May 8, 1970, by enactment of
3 Resolution No. 8-70 and was charged to furnish electric,
4 gas, water and sewer utility services to all parts of
5 the Nation; and

6 WHEREAS, the Council did on July 13, 1984, by Resolution No. 157-
7 84, amend PTUA's Plan of Operation and added telephone
8 services as one of the utility services to be furnished
9 by PTUA; and

10 WHEREAS, in enacting the Transaction Privilege Taxes Ordinance,
11 Ordinance No. 3-81, on September 3, 1981, the Council
12 did exempt from the imposition of taxes thereunder the
13 "sale of electricity, current power or gas, natural or
14 artificial, and of water," subsection 5 (B) (5), but
15 failed to exempt from such taxes the sale of
16 telecommunications because such sales were made by
17 Mountain Bell outside the boundaries of the Nation; and

18 WHEREAS, PTUA did subsequently acquire the telephone facilities
19 of Mountain Bell and is providing telephone services
20 pursuant to the Council's mandate; and

21 WHEREAS, the Commerce Committee of the Legislative Council is
22 currently reviewing a possible increase in the tax base
23 of the Nation which could result if all or a portion of
24 the utility services (including or excluding residential
25 sales) provided by PTUA were taxed, including a tax on
26 the sale of telecommunications services, and has
27 recommended that the tax imposed under the ordinance on
28 the sale of telecommunications be temporarily waived
29 pending a final determination of the Committee and the
30 Council; and

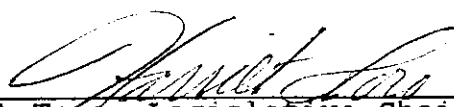
31 WHEREAS, the Council concurs in the recommendation of the
32 Commerce Committee.

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1 NOW, THEREFORE, BE IT RESOLVED by the Legislative Council that it
2 does hereby temporarily waive the imposition and
3 collection of the taxes imposed under Transaction
4 Privilege Taxes Ordinance upon the sale of
5 telecommunications pending a further order of this
6 Council.

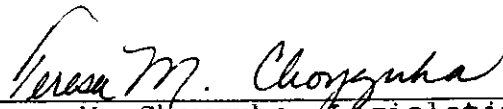
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8 The foregoing resolution was passed by the Tohono O'odham Council
9 on the 7th day of March, 1988, at a meeting at which a quorum
10 was present with a vote of 1,154.0 for; 206.5 against; 279.5 not
11 voting; and 03 absent, pursuant to the powers vested in the
12 Council by Section 1 (d) of Article IV of the Constitution of the
13 Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
14 January 18, 1986, and approved by the Acting Deputy Assistant
15 Secretary - Indian Affairs (Operations) on March 6, 1986,
16 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.
17 984).

18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

19
20 
21 Harriet Toro, Legislative Chairperson

22 14th day of March, 1988.

23 ATTEST:

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25 
26 Teresa M. Choyguha, Legislative Secretary

27 14th day of March, 1988.

28 Said Resolution was submitted for approval to the office of the
29 Chairman of the Tohono O'odham Nation on the 16th day of
30 March, 1988, at 3:34 o'clock, P.M.,
31 pursuant to the provisions of Section 5 of Article VII of the
32 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

33
34 
35 Harriet Toro, Legislative Chairperson

36 [] APPROVED) on the _____ day of _____, 19____,

37 [] DISAPPROVED) at _____ o'clock, _____.M.

38
39
40 ENOS J. FRANCISCO, JR., Chairman
41 TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 21st day of
2 March, 19 88, at 11:07 o'clock, A, M.

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4 Teresa M. Choyguha
5 Teresa M. Choyguha
6 Legislative Secretary

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MOVED: TONY FELIX

SUBJECT: WAIVING IMPOSITION OF TRANSACTION

SECOND: HENRY RAMON

PRIVILEGE TAXES ON TELECOMMUNICATIONS

DATE: MARCH 7, 1988

RESOLUTION ~~XXXXXXXXXX~~ # 52-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			X
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ()	128.5 128.5	X X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5			X X	
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0		X X		
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. () 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			X
GU ACHI 158.0	1. Percy Lopez () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose () 2. Edward Manuel (Alex Antone)	58.0 58.0			X X	
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ()	42.5 42.5		X X		X
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5		X		X
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro ()	84.5 84.5	X X			
TOTALS		1640.0	1,154.0	206.5	279.5	03