

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Chairman of the Cultural Preservation Committee to sign
Burial Discovery Agreements)

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

RESOLUTION NO. 96-567

WHEREAS, in Resolution No. 277-89 the Tohono O'odham Legislative Council adopted a Policy Statement regarding working jointly with the Ak-Chin Indian Community, the Gila River Indian Community, and the Salt River Pima-Maricopa Indian Community in matters relating to repatriation of Hohokam remains and cultural artifacts, and designated the Cultural Preservation Committee of the Legislative Council as the official representative of the Nation on the advisory task force of the four Indian communities seeking implementation of the Policy Statement; and

WHEREAS, in carrying out these duties, the Cultural Preservation Committee is frequently called upon to review and approve Burial Discovery Agreements which protect the Tohono O'odham Nation's (the "Nation's") right to be notified and consulted regarding discovery, treatment and disposition of human remains at archaeological sites, road construction sites, housing construction sites and other land

RESOLUTION NO. 96-567

**(Authorizing the Chairman of the Cultural Preservation Committee
to sign Burial Discovery Agreements)**

Page 2 of 4

1
2
3
4 disturbances on private or state lands within the state of Arizona
5
6 pursuant to Arizona Revised Statutes § 41-844 and § 41-865, which
7 Burial Discovery Agreements are intergovernmental agreements
8
9 involving parties such as the Arizona State Museum, other state
10 agencies, private parties and other Indian Nations; and
11

12 **WHEREAS, Resolution No. 277-89 does not authorize any official of the Nation to**
13 **sign these Burial Discovery Agreements on behalf of the Nation, and**
14

15 **WHEREAS, the Legislative Council has approved a budget for the establishment**
16 **of a Cultural Affairs Office in the Executive Branch, but until such**
17 **an office is established and provided with staff there is a need for**
18 **an official of the Nation to be designated to sign Burial Discovery**
19 **Agreements.**
20
21

22
23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative**
24 **Council hereby authorizes the Chairman of the Cultural Preservation**
25 **Committee to sign Burial Discovery Agreements on behalf of the**
26 **Nation until such time as a Cultural Affairs Office is established and**
27
28

RESOLUTION NO. 96-567

**(Authorizing the Chairman of the Cultural Preservation Committee
to sign Burial Discovery Agreements)**

Page 3 of 4

provided with staff, and the Legislative Council hereby ratifies the
signature of the Chairman of the Cultural Preservation Committee on
any previous Burial Discovery Agreements.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 5TH
day of DECEMBER, 1996 at a meeting at which a quorum was present with a vote
1,361.0 FOR; 250.0 AGAINST; -0- NOT VOTING; and 265.0 [08] ABSENT, pursuant
to the powers vested in the Council by Article VI, Section 1 (f) of the Constitution
of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on
January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian
Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Dennis Ramon, Legislative Chairman

9th day of December, 1996

ATTEST:


Frances Antone, Legislative Secretary

9th day of December, 1996

RESOLUTION NO. 96-567


(Authorizing the Chairman of the Cultural Preservation Committee to sign Burial Discovery Agreements)

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

Page 4 of 4

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10th day of December, 1996 at 3:58 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


for Dennis Ramon, Legislative Chairman

APPROVED

on the 10th day of December, 1996

DISAPPROVED

at 5:42 o'clock, P.M.




EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 11th day of

December, 1996, at 3:00 o'clock, P.M.



Frances Antone, Legislative Secretary

ACTION: AUTHORIZING THE CHAIRMAN OF THE CULTURAL PRESERVATION COMMITTEE TO SIGN BURIAL DISCOVERY AGREEMENTS

MOVED: COUNCILMAN JOHNSON JOSE

SECOND: COUNCILMAN WILLARD ANITA

DATE: DECEMBER 05, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0				X
	2. RITA MARTINEZ (Maxine Norris)	80.0				X
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ()	58.5	X			
	2. JOSEPH JUAN ()	58.5	X			X
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			X
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			
	2. ALEX J. RAMON** (Marian Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ()	67.5	X			X
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5				X
	2. JOHN RENO (Mary Hoffman)	52.5				X
GU VO 134.0	1. GLORIA MONTANA ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0		X		
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0	X			
	2. ALEX JOSE ()	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5		X		X
	2. DAVID GARCIA (Marvin Thomas)	91.5		X		
TOTAL		1,876.0	1,361.0	250.0	-0-	265.0 [08]

****PASSED VOTES**