

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Supporting an Amendment to Arizona House of Representatives**  
**House Bill, HB 2692, Reference Title: Historic Preservation;**  
**Computerized Spatial Database)**

**RESOLUTION NO. 99-110**

- 1   **WHEREAS, the Arizona State House of Representatives, has introduced a bill entitled**  
2                   **HB2692 (Reference Title: Historic Preservation; Computerized Spatial**  
3                   **Database) into the 1999 legislative session of the Arizona Legislature**  
4                   **which Amends Section 41-511.04, Arizona Revised Statutes Directing the**  
5                   **State Historic Preservation Officer to Establish a Computerized Spatial**  
6                   **Database Containing the Location of Properties That May Be Eligible for**  
7                   **Inclusion on the Arizona Register of Historic Places, Areas in This State**  
8                   **That Have Been Surveyed for Location of Those Properties and Other**  
9                   **Information Necessary for the State Historic Preservation Program; and**
- 10   **WHEREAS, the Cultural Preservation Committee of the Tohono O'odham Legislative**  
11                   **Council and the Cultural Affairs Office of the Tohono O'odham Nation**  
12                   **have studied the bill and are concerned about the establishment of the**  
13                   **computerized spatial database that may contain information concerning**  
14                   **archaeological and historic sites located on Indian lands in Arizona; and**
- 15   **WHEREAS, the Tohono O'odham Nation regard as their ancestors, the prehistoric**  
16                   **Paleo Indian, Archaic and Hohokam peoples who inhabited the lands of**  
17                   **Papagueria and left evidence of their lifeways at many archaeological**  
18                   **sites, which are regarded as sacred spiritual locations; and**
- 19   **WHEREAS, the Tohono O'odham Nation is concerned about the protection and**  
20                   **preservation of archaeological and historic sites on Indian lands in**  
21                   **Arizona; and**
- 22   **WHEREAS, the Tohono O'odham Nation is concerned about the "cultural**

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1                   appropriation" or taking from their culture of intellectual property,  
2                   cultural expressions or artifacts, history and ways of knowledge; and

3   WHEREAS, the Tohono O'odham Nation is concerned about release of information  
4                   from the computerized spatial database and who will have access to it.

5   NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council  
6                   proposes the following amendment to HB2692:

7                   "No archaeological and historic properties on lands under the jurisdiction  
8                   of any Federally Recognized Indian Tribal Government shall be included  
9                   in any database or released unless the State Historic Preservation Office  
10                  has the legal permission of the tribal government controlling the site.  
11                  This shall include the AZSITE computerized statewide archaeological  
12                  database developed by the AZSITE Consortium that already contains  
13                  thousands of records from sites on lands under the jurisdiction of  
14                  Federally Recognized Indian Tribes entered without their permission"

15   BE IT FURTHER RESOLVED that the Chairman of the Nation is hereby  
16                  authorized and directed to bring this request to the Arizona State  
17                  Legislative Representatives to be introduced on behalf of the Tohono  
18                  O'odham Nation.

19   The foregoing Resolution was passed by the Tohono O'odham Council on the 03RD  
20   day of MARCH, 1999 at a meeting at which a quorum was present with a vote of 1,927.0  
21   FOR; ~~-0-~~ AGAINST; ~~-0-~~ NOT VOTING; and [05] ABSENT, pursuant to the powers  
22   vested in the Council by Section 1 (c)(8) of Article VI of the Constitution of the Tohono  
23   O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and  
24   approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on  
25   March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

26   . . . . .

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Dennis Ramon, Legislative Chairman

5<sup>th</sup> day of March, 19 99

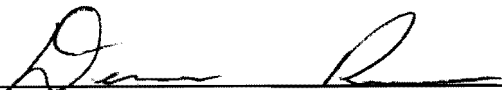
ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

3<sup>rd</sup> day of March, 19 99.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5<sup>th</sup> day of March, 19 99 at 5:11 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

  
Dennis Ramon, Legislative Chairman

APPROVED

on the 8 day of March, 19 99

DISAPPROVED

at 12:35 o'clock, P.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 8 day of

March, 19 99, at 4:00 o'clock, P.M.

*Juliana Saraficio*  
Juliana Saraficio, Acting Legislative Secretary

**ACTION: SUPPORTING AN AMENDMENT TO ARIZONA HOUSE OF REPRESENTATIVES HOUSE BILL, HB2692,  
REFERENCE TITLE: HISTORIC PRESERVATION; COMPUTERIZED SPATIAL DATABASE**

**MOVED: COUNCILMAN JOSEPH JUAN**

**SECOND: COUNCILWOMAN GLORIA MONTANA**

**DATE: MARCH 03, 1999**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>189.0</b>	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
<b>HICKIWAN</b> <b>146.0</b>	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> <b>142.0</b>	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
<b>SAN LUCY</b> <b>114.0</b>	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> <b>139.0</b>	1. BARBARA SALVICIO ( )	69.5	X			
	2. JOHNSON JOSE ( )	69.5	X			
<b>GU ACHI</b> <b>190.0</b>	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			X
<b>BABOQIVARI</b> <b>258.0</b>	1. FRANCES MIGUEL ( )	129.0	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
<b>SAN XAVIER</b> <b>146.0</b>	1. TONY BURRELL ( )	73.0	X			X
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> <b>120.0</b>	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			
<b>SELLS</b> <b>322.0</b>	1. DENNIS E. JOSE ( )	161.0	X			
	2. EVELYN JUAN ( )	161.0	X			
<b>SIF OIDAK</b> <b>161.0</b>	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,927.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>

**\*\*PASSED VOTES**