

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Affirmation of Tribal Taxation Rights)

RES. NO. 324-87

1 WHEREAS, Senator John Melcher (D-Mont.) and Representative Ron Marlenee
2 (D-Mont.) have introduced bills (HB 2185 and SB 1139) limiting tribal
3 taxation authority by imposing a moratorium on approval of tribal tax
4 ordinances by the Secretary of the Interior and defining certain tax
5 regulations for tribes; and

6 WHEREAS, the Constitution of the Tohono O'Odham Nation, Article VI, Section 1
7 (d)(4) defines the power of the Nation to levy taxes on "...any
8 person, corporation, or association residing or doing business
9 within the Tohono O'Odham Nation...", and

10 WHEREAS, the San Xavier District is directly affected by having a non-Indian
11 community within the boundaries of the Tohono O'Odham Nation's San
12 Xavier District who are paying no taxes to the Nation or the District;
13 and
14

15 WHEREAS, the San Xavier District Council strongly opposes limitation of a
16 tribe's power to tax and concurs with the statement on these bills by
17 the Montana Indian Tribes that "... the right to tax is a necessary
18 attribute of self government, of sovereignty..."

19
20 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'Odham Legislative Council that
21 it hereby seeks the support and reinforcement on behalf of the San
22 Xavier District, the Tohono O'Odham Nation, and American Indians and
23 Alaska Natives to the 44th Annual Congress of American Indians in
24 Tampa, Florida to strongly affirm tribal taxation rights and lobby to
25 defeat the Melcher/Marlenee Bills.

26
27 BE IT FURTHER RESOLVED the the Official Delegate of the Tohono O'odham Nation
28 to the National Congress of American Indians is hereby authorized and
29 directed to do everything necessary to implement the purposes of this
30 resolution.

31
32

1 The foregoing resolution was passed by the Tohono O'odham Council on the 15th
2 day of September, 1987, at a meeting at which a quorum was present with a vote
3 of 1,640.0 for; -0- against; -0- not voting; and 01 absent, pursuant to the
4 powers vested in the Council by Section 1 (d)(4) of Article VI of the Consti-
5 tution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
6 January 18, 1986, and approved by the Acting Deputy Assistant Secretary -
7 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
8 of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

9 Harriet Toro
10 Harriet Toro, Legislative Chairperson
11 16th day of September, 1987.

11 ATTEST:

12 Teresa M. Choyguha
13 Teresa M. Choyguha, Legislative Secretary
14 16th day of September, 1987.

15
16 Said Resolution was submitted for approval to the office of the Chairman of the
17 Tohono O'odham Nation on the 17th day of September, 1987, at 2:15
18 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the
19 Constitution and will become effective upon his approval or upon his failure to
20 either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

21 Harriet Toro
22 Harriet Toro, Legislative Chairperson

23
24 APPROVED) on the 18th day of Sept., 1987, at
25 DISAPPROVED) 2:18 o'clock, PM.

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

29 Returned to Legislative Secretary on the 18th day of September, 1987,
30 at 4:24 o'clock, P.M.

31 Teresa M. Choyguha
32 Teresa M. Choyguha
Legislative Secretary

MOVED: TONY FELIX

SUBJECT: AFFIRMATION OF TRIBAL TAXATION

SECOND: EUGENE ENIS, SR.

RIGHTS

DATE: SEPTEMBER 15, 1987

RESOLUTION ~~OR ORDINANCE~~ # 324-87

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			
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			
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 (Marvin Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1640.0	-0-	-0-	01