

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Transaction Privilege Taxes Ordinance No. 3-81)

RES. NO. 357-87

1 WHEREAS, section 4 (a) of the Food Stamp Act, as amended by section 1505 of
2 Pub. L. 99-198, prohibits the participation in the Food Stamp Program
3 by states in which sales taxes are collected on Food Stamp purchases,
4 and 7 C.F.R. § 278.1 (I) (IV) requires the Food Nutrition Service to
5 withdraw authorization of any retail food store to participate in the
6 Food Stamp Program if the store is required under local law to charge
7 sales tax on Food Stamp purchases at any time after September 30,
8 1987; and
9

10 WHEREAS, the Legislative Council has determined that the Tohono O'Odham Nation
11 will be best served to exempt from the levy of taxes imposed under the
12 Transaction Privilege Taxes Ordinances, Ord. No. 3-81, the sale of
13 items purchased with United States department of agriculture food
14 coupons issued under the Food Stamp Act of 1977, as amended, 7 U.S.C.
15 2011 et. seq.

16 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'Odham Legislative Council that
17 the Transaction Privilege Taxes Ordinance, Ord. No. 3-81, as amended
18 by Resolution No. 224-84, is hereby amended, effective September 30,
19 1987, by the addition of the following underlined provision to item
20 (14) of subsection 5 (B) thereof, namely:
21

22 (14) The sale of items purchased with United States
23 department of agriculture food coupons issued under
24 the Food Stamp Act of 1977, as amended, 7 U.S.C.
25 2011 et seq., or with food instruments issued under
26 section 17 of the Child Nutrition Act of 1966, as
27 amended, 42 U.S.C. 1786 et seq.
28

29 The foregoing resolution was passed by the Tohono O'odham Council on the 30th
30 day of September, 1987, at a meeting at which a quorum was present with a vote
31 of 1289.0 for; 351.0 against; -0- not voting; and 03 absent, pursuant to the
32 powers vested in the Council by Section 1 (d) and 2 (c) of Article VI 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

Harriet Toro
Harriet Toro, Legislative Chairperson
30th day of September, 1987.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary
30th day of September, 1987.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 30th day of September, 1987, at 5:40 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 30th day of September, 1987, at
[] DISAPPROVED) 8:09 o'clock, P.M.

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

Returned to Legislative Secretary on the 30th day of September,
1987, at 8:10 o'clock, P.M.

Guacinda Allen for
Teresa M. Choyguha
Legislative Secretary

APPROVED UNDER THE AUTHORITY OF COMMISSIONER'S REDELEGATION

ORDER _____

APPROVED DATE: 02 OCT 1987

BY Anthony F. French
Acting Superintendent, Papago Agency

MOVED: ROSITA RUIZ

SUBJECT: AMENDING TRANSACTION PRIVILEGE

SECOND: EDWARD MANUEL

TAXES ORDINANCE

DATE: SEPTEMBER 30, 1987

RESOLUTION OR ORDINANCE # 357-87

| DISTRICTS | REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|--|----------------|--------|---------|------------|--------|
| SIF ODAK 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 | | | |
| GU ACHI 158.0 | 1. Percy Lopez () 2. Fernando Joaquin () | 79.0 79.0 | X 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 | | | X |
| CHUKUT KUK 169.0 | 1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro (Marvin Thomas) | 84.5 84.5 | X X | | | |
| TOTALS | | 1640.0 | 1289.0 | 351.0 | -0- | 03 |