

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending the Transaction Privilege Taxes Ordinance)**

RESOLUTION NO. 11-589

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "exercise the**
2 **inherent powers of the Tohono O'odham Nation by providing laws, ordinances or**
3 **resolutions: to govern the conduct of members of the Tohono O'odham Nation and**
4 **other persons within its jurisdiction and to exercise the following fiscal powers: (4) to**
5 **levy duties, fees, taxes and assessments on any person, corporation or association**
6 **residing or doing business within the Tohono O'odham Nation...."** (Constitution of the
7 **Tohono O'odham Nation, Article VI, Section 1(c)(1); (d)(4)); and**

8 **WHEREAS, certain businesses within the boundaries of the Nation are subject to taxation by the**
9 **state, county, and Nation; and**

10 **WHEREAS, this double-taxation situation could serve to discourage business development on the**
11 **Nation; and**

12 **WHEREAS, it is in the Nation's best interest to levy transaction privilege taxes on those businesses**
13 **subject to taxation by both the state and Nation at a rate similar to those levied by**
14 **surrounding, off-reservation jurisdictions; and**

15 **WHEREAS, the Office of Attorney General, in coordination with the Treasurer's Office, has**
16 **developed the attached amendment to 22 Tohono O'odham Code, Chapter 2,**
17 **Transaction Privilege Taxes, which amendment is dated December 2011, which is**
18 **incorporated by this reference, which would reduce the Nation's Transaction Privilege**
19 **Tax to two percent when a business is subject to Arizona State Transaction Privilege**
20 **Tax; and**

21 **WHEREAS, the Domestic Affairs and Budget and Finance Committees have reviewed the**
22 **amendment to the Transaction Privilege Taxes Ordinance and recommend that it be**
23 **approved.**

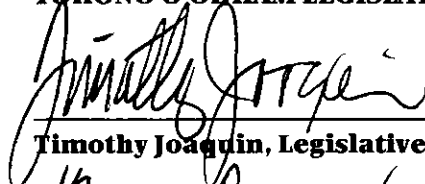
24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby adopts**
25 **the attached amendment to 22 Tohono O'odham Code Chapter 2, Transaction**
26 **Privilege Taxes, which amendment is dated December 2011, provided that this**
27 **amendment shall become effective January 1, 2012.**

28 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day**
29 **of DECEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,079.30 FOR; 187.20**
30 **AGAINST; 514.10[04] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council**
31 **by Section 1 (c)(1) and (d)(4) of Article VI of the Constitution of the Tohono O'odham Nation, adopted**
32 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
33 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
34 **18, 1934 (48 Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
13 day of December, 2011

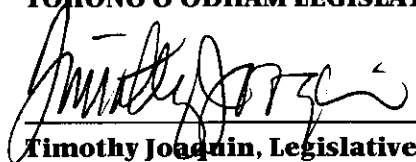
ATTEST:



Evonne Wilson, Legislative Secretary
9 day of December, 2011

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of December, 2011 at 9:41 o'clock, A.M., pursuant to the provisions of Section 4 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



Timothy Joaquin, Legislative Chairman

APPROVED

on the 13 day of December, 2011

DISAPPROVED

at 5:22 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

December, 2011, at 9:43 o'clock, A.M.



Evonne Wilson, Legislative Secretary

ACTION: AMENDING THE TRANSACTION PRIVILEGE TAXES ORDINANCE

MOVED: VICE-CHAIRMAN EDWARD MANUEL

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: DECEMBER 07, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10			X	
	2. BILLMAN LOPEZ ()	151.10			X	
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X		X	
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE ()	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30		X		
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90		X		
SELLS 475.7	1. ARTHUR WILSON (<i>Absent</i>) (Kimberly Mull) (<i>Present</i>)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95			X	
	2. MARY LOPEZ ()	105.95			X	X
TOTAL		2,780.60	2,079.30	187.20	514.10 [04]	[01]