


RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

TAXING

CIGARETTE LAW

- WHEREAS, the Tribal Council has been advised by the Inter-Tribal Council of Arizona through the Tribal Attorney, that the state Senate has introduced SB 1306 on February 8, 1983, which would levy a luxury use tax on cigarettes sold by individual Indians on Indian Reservations to any retail consumer who is not an enrolled member of the Tribe for whose benefit the reservation was established; and
- WHEREAS, this proposed luxury tax will have a devastating economical effect and will cause irreparable harm and injury to individual Indian retailers as well as Tribal organizations which operate smoke shops on federally recognized reservations and who sell tobacco products to non-members of the affected tribes; and
- WHEREAS, Senate Bill 1306 appears to be the first step in an attempt by the State of Arizona Tax Division to impose discriminatory and economically injurious taxes on Indian tribes who attempt to sell retail products to non-members of affected tribes; and
- WHEREAS, Senate Bill 1306 is contrary to President Reagan's policy of Encouraging Individual Indian Initiative and that it will make it impossible for individual Indians to maintain their smoke shops or for tribal organizations to also operate smoke shops at a profit thereby causing the closure of said smoke shops; and
- WHEREAS, the revenues generated by the sale of cigarettes will be small when compared to the economic injury and loss of livelihood that it will force upon many Indian tribes who employ tribal members to market the cigarettes and other tobacco products; and
- WHEREAS, the average unemployment rate on Indian Reservations in the State of Arizona is between 27 and 40% and said luxury tax on cigarettes will further contribute to the poverty and unemployment rates on Indian Reservations within the State of Arizona.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby registers its opposition to Senate Bill 1306 for the foregoing enumerated reasons.
- BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that a copy of this resolution be sent to the Inter Tribal Council of Arizona, the Congressional Delegation for the State of Arizona, and appropriate Senate Committees of the State Of Arizona.

The foregoing resolution was on March 03, 1983, duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe; pursuant to authority vested in it by Article V, Section 1 (a & u) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


ACTING Chairman of the Tribal Council


Secretary of the Tribal Council

1216 6 13 0 7 10
MAR 09 1983
FORT APACHE INDIAN
AGENCY
INTERIOR DEPT