



Multistate Tax Commission

Resolution No. 03-01

State-Tribal Tax Issues

WHEREAS, Native American tribal governments under federal law are dependent sovereign nations, and

WHEREAS, tribal enterprises all over the United States have grown significantly over the last twenty years, and

WHEREAS, tribal enterprises serve Native American and non-Native Americans alike, and

WHEREAS, the growth of tribal economies has sometimes resulted in jurisdictional clashes with respect to the proper taxing authority of States and tribal governments, and

WHEREAS, the courts of the United States have attempted to resolve the jurisdictional friction with mixed results, and

WHEREAS, many States and Tribes have successfully resolved tax issues through State-Tribal agreements and other arrangements, and

WHEREAS, States and Tribes have a vital interest in retaining the validity and vitality of the tax agreement negotiation process;

NOW THEREFORE BE IT RESOLVED that the Commission encourages States and Tribes to resolve state-tribal tax issues through negotiated agreements, and that if requested, the Commission work with state tax officials and tribal leaders to initiate and foster expanded dialogues between States and Tribes with the aim of resolving state-tribal tax issues; and be it further

RESOLVED that the Commission encourages that any federal legislation in this area be supportive of state and tribal efforts to resolve longstanding tax issues.

This Resolution expires on August 1, 2008.

Adopted this 1st day of August, 2003, by the Multistate Tax Commission.

Elizabeth Harchenko
Chair

Dan R. Bucks
Executive Director