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Governor Pataki Acts to Bring Fairness to Indian Nations

Legislation Respects Sovereignty of Indian Nations, Resolves Tax Dispute

Governor George E. Pataki today took a series of steps designed to bring fairness to Indian Nations by resolving the historic tax disputes that have divided New Yorkers and Native Americans for generations.

"For more than two and half years, I have worked to balance my oath of office to uphold the laws of our state with my profound respect for the rights of all people and for the sovereignty of the Indian Nations," the Governor said.

"We have demonstrated that commitment through our good-faith negotiations with the Indian Nations. We sat down with the Indian leaders, listened to their concerns, worked on our differences, attempted to come together," the Governor said.

"And we did have some significant success. We reached agreements with six of the Nations -- sending a message to all New Yorkers and Native Americans alike that we have entered a new era of peaceful cooperation.

"The federal Department of Tribal Justice praised these agreements, calling them fair and creative pacts that respected the sovereignty of the nations and my obligation to uphold the law," Governor Pataki said.

"But as we have seen in recent weeks, this issue remains extremely complex and continues to divide us. Various Supreme Court and other court rulings have only added to the confusion and polarized entire communities.

"That is not the resolution we have sought, nor is it one that I will accept," the Governor said. "And it is not the solution that our Indian Nation partners have sought.

In an effort to resolve this issue, Governor Pataki today directed the State Department of Taxation and Finance to repeal its regulations governing the collection of taxes from gasoline and cigarette sales at reservations stores.

In addition, the Governor today sent to the State Legislature a bill that would amend the State Tax Law to allow reservation stores to sell tax-free gasoline and cigarettes. "These steps will allow the Indian Nations to manage these enterprises on their own, as they have for decades," the Governor said. "Let me make my message to all Indian Nations clear: It is your land, we respect your sovereignty and, if the Legislature acts as I am requesting, you will have the right to sell tax-free gasoline and cigarettes free from interference from New York State.

"For centuries, the people of New York have lived side by side with their Native American neighbors; working together, raising families together, going to school together," Governor Pataki said. "It should be a relationship of mutual respect, but history teaches us that this has not always been true.

"No New Yorker wants to see their neighbor suffer the indignity that comes with the loss of hope and opportunity," the Governor said. "No New Yorker wants to see their neighbor struggling to find work, struggling to provide for their family, struggling to build a better life for their children. All of us want to build a better future for our State -- and, I believe, that includes the Indian Nations, who, though sovereign nations, are our neighbors."

Governor Pataki urged the State Legislature to act quickly on his bill in order to restore fairness to the Indian Nations and bring peace to the entire region.

"For the sake of unity, for the sake of sovereignty, for the sake of fairness, I strongly urge the Legislature to pass this historic bill now," the Governor said. "Make no mistake about it: The Indians' needs are real and all New Yorkers must be sensitive to them."

Governor Pataki said he will continue to work with Indian Nations to resolve outstanding issues and improve the relationship on a government-to-government basis.

"When I took office, I inherited a series of problems that, on their face, seemed so intractable that they were beyond resolution," Governor Pataki said. "No issue was more complex than our relationship with the sovereign Indian Nations, who have had to overcome discrimination, economic inequities, and perhaps worst of all, that their calls for help and fairness fell on deaf ears.

"I have sought to improve our relationship with the Indian Nations. I resolved that we would not ignore their needs, that we would look for ways to find common ground," the Governor said. "We have made real progress in resolving this issue, but as we have seen in recent weeks, this issue remains extremely complex and continues to divide us.

"We have pledged in our conversations today with Indian Nation leaders that this is a continuation of our partnership, a continuation of our effort to come together and build a better life for New Yorkers and Native Americans alike," the Governor said. "Our strength comes from mutual respect, from finding common ground, from listening to one another, from walking arm in arm. The result will be a better future for all of us."

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