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## Court ruling may have longer-lasting effects

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Observer-Dispatch

The U.S. Supreme Court defined the Oneida Nation of New York's property-tax status Tuesday with a ruling that could influence other relationships between the tribe and local governments.

Town of Verona Deputy Supervisor Darrell Curtis said he'd like to see the ruling bring both sides back to the bargaining table to end the two-decade old Oneida land claim.

"I'm cautiously optimistic this will be a catalyst for settlement of the land claim," he said.

Three Oneida tribes want reparations for 250,000 acres of land in Oneida and Madison counties they claim was illegally seized from them by New York state two centuries ago.

"I don't think this has any implication for the land claim," said Sherrill attorney Ira Sacks, but he suggested it might force the Oneida Nation to start complying with local zoning and planning regulations on its nonreservation property.

The Oneidas disregard many local zoning and planning controls when they set up businesses, Sacks said, claiming they are exempt because of their sovereign status. But Sacks said that status now has been called into serious question by the nation's highest court.

The ruling is sure to have an impact on another pending federal court case. Madison County Attorney John Campanie said the county foreclosed on "a boatload" of Oneida Nation properties and has a case paralleling Sherrill's in federal court.

Utica lawyer Leon Koziol, who has represented landowners against the Oneida Nation in several state court cases since 1997, said Tuesday's ruling "could open the door to another lawsuit."

He has unsuccessfully sued the Oneida Nation to pay sales taxes on goods sold to non-Indians, and he said he is ready to try again, armed with the Supreme Court decision. Oneida and Madison counties each claim they lose more than \$5 million a year from those untaxed sales.

Robert Odawi Porter, director of the Center for Indigenous Law, Governance and Citizenship at Syracuse University, said the court ruling gives "the illusion of some clarity, but ... doesn't solve any problems."

"Most significantly, the case acknowledges the Oneida victory from 1985," in which the Supreme Court gave the Oneidas the right to seek compensation for the 250,000 acres taken from them by the state.

Arlinda Locklear, an Indian law scholar and attorney for the Oneidas of Wisconsin, one of the parties in the land claim, agreed no one decision will solve a problem dating back to the 18th century.

"It will take a day or two for the lawyers to read all this and see where we are," she said.

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