



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 12- 48

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, the Squaxin Island Tribal Council finds that, in order to avoid inappropriate non-Indian participation in Treaty fishing activities, tribal members who exercise Treaty fishing and shellfishing rights should wholly own the vessel, gear and equipment that they use in these activities, unless they share ownership with another Squaxin Tribal member or a federally recognized lending institution holds a partial ownership interest.

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby adopts the following amendments to Title 7, the Natural Resources Management Act:

SITC § 7.04.050 is revised to read, " Equipment" means any and all tools used to facilitate the harvesting and/or processing of natural resources.

SITC § 7.12.110 is revised to read:

7.12.110 Fishing vessel, gear and equipment; catch agreement.

...

C. Ownership. It is unlawful for any Tribal member to hold less than a 100% ownership interest in the vessel, gear and equipment that he or she uses for Treaty fishing, unless (1) he or she shares ownership with another Squaxin Tribal member, or (2) a federally registered lending institution holds a security interest.

SITC § 7.12.120 is revised to read:

7.12.120 Chapter prohibitions and penalties.

...

Y. Use of Boat, Gear or Equipment Without 100% Ownership Interest. It is unlawful for a Tribal fisher to utilize any boat, gear or equipment in the Tribal fishery in which he or she does not hold a 100% ownership interest, unless (1) he or she shares ownership with another Squaxin Tribal member, or (2) a federally recognized lending institution holds a security interest.

Violation of this provision is a Class C penalty.

SITC § 7.20.110 is revised to read:

7.20.110 Fishing vessel, gear and equipment; catch agreement.

...

C. Ownership. It is unlawful for any Tribal member to hold less than a 100% ownership interest in the vessel, gear and equipment that he or she uses for Treaty shellfishing, unless (1) he or she shares ownership with another Squaxin Tribal member, or (2) a federally registered lending institution holds a security interest.

SITC § 7.20.120 is revised to read:

7.20.120 Chapter prohibitions and penalties.

...

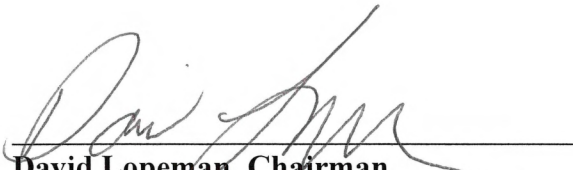
Y. Use of Boat, Gear or Equipment Without 100% Ownership Interest. It is unlawful for a Tribal fisher to utilize any boat, gear or equipment in the Tribal fishery in which he or she does not hold a 100% ownership interest, unless (1) he or she shares

ownership with another Squaxin Tribal member, or (2) a federally registered lending institution holds a security interest.

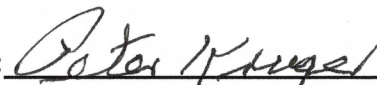
Violation of this provision is a Class B penalty.

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 23 day of August, 2012, at which time a quorum was present and was passed by a vote of 6 for and 0 against, with 0 abstentions.



David Lopeman, Chairman

Attested by: 

Peter Kruger, Secretary



Arnold Cooper, Vice Chairman