



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 12- 104

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, from time to time members of the Squaxin community are incarcerated whose immediate family includes Tribal members residing on or near the Squaxin Island Reservation; and

WHEREAS, these offenders may greatly benefit from reconnecting with the Tribal community, albeit for difficult events such as funerals and deathbed visits; and

WHEREAS, it is important to the Tribe that these offenders fully attend funeral ceremonies and/or deathbed visits; and

WHEREAS, this Intergovernmental Agreement will allow offenders who suffer the loss of an immediate family member to attend the funeral and/or other ceremonies for that person, or to make a deathbed visit to an immediate family member who is terminally ill, when such visits or ceremonies are on or near Tribal lands; and

WHEREAS, the Tribe believes that entering into the attached Intergovernmental Agreement will enhance its government-to-government relationship with the State of Washington, through the Washington Department of Corrections, and is in the spirit of the Centennial Accord; and

WHEREAS, it is necessary for the Tribe to waive its inherent sovereign immunity to the extent necessary to make the Intergovernmental Agreement mutually enforceable by the parties;

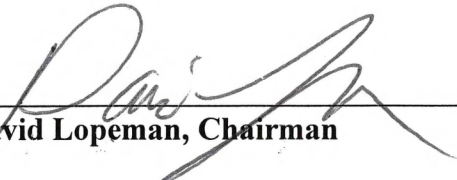
NOW THEREFORE BE IT RESOLVED, that the Chairman is authorized to sign the attached Intergovernmental Agreement on behalf of the Tribe; and

BE IT FURTHER RESOLVED, that the Tribe waives its inherent sovereign immunity to the following extent for the Intergovernmental Agreement:

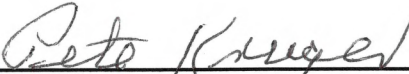
The Tribe waives its sovereign immunity to suit only for claims asserted by the state only for damages up to and not exceeding the limit of its insurance policy as described in Section 16, Insurance, above and only for events that occur while this Agreement is in effect, or for nonmonetary binding determinations under Section 11, Disputes. Concurrent with signing this Agreement, the Tribe will provide DOC with a Squaxin Island Council Resolution confirming such partial and limited waiver of sovereignty.

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 8th day of November, 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: 

Pete Kruger, Secretary



Andy Whitener, Vice Chairman
ARNOLD
COOPER