



# SQUAXIN ISLAND TRIBE

RESOLUTION NO. 94 - 115

OF THE

SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Indian Reservation by authority of the Constitution and By-Laws 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 and By-laws 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

**WHEREAS**, the Squaxin Island Tribe is a plaintiff in United States v. Washington, Subproceeding 88-1, in which it is challenging state taxation and regulation of boats of the tribes and their members used in connection with treaty fishing; and

**WHEREAS**, state and tribal negotiators have reached agreement on a settlement to recommend for approval to the governmental parties and the Court; and

**WHEREAS**, under the proposed 10/19/94 "Final Draft" Consent Degree in Subproceeding 88-1, the States's watercraft excise and ad valorem property taxes would not be imposed on treaty fishing boats so long as the Tribe imposed its own treaty fishing-related tax, and refunds of taxes would be made as provided in the Agreement; and

**WHEREAS**, the Agreement provides for a intergovernmental/cooperative treaty fishing boat numbering and registration system administered by the tribes, and with numbers unique to each tribe; and

**WHEREAS**, enforcement of the tribal numbering and registration requirements would be referred to the tribes when evidence of a treaty fishing right is presented in a reasonable time, and cooperative enforcement measures are to be utilized; and

WHEREAS, tribes remain free to seek changes in federal Coast Guard regulations or federal statutes to specifically provide for independent tribal registration; and

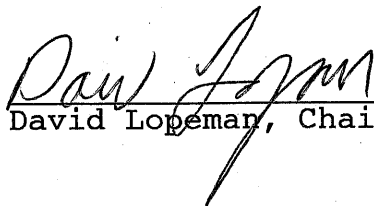
WHEREAS, it is desirable to finalize a settlement prior to commencement of the trial in this subproceeding but certain, minor revisions and editorial changes may yet be required; and

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council does hereby approve the settlement terms contained in the Final Draft dated 10/19/94; and


BE IT FINALLY RESOLVED, that the Tribe's attorney, Kevin Lyon, is directed to review the settlement document after all further revisions have been made and is authorized to sign it on the Tribe's behalf so long as no significant change has been made in the terms of the 10/19/94 Final Draft, which has not been approved by the Council.

C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at a meeting of the Squaxin Island Tribal Council, held on this 27th day of October 1994, at which a quorum was present and was passed by a vote of 4 for, and 0 against with 1 abstentions.

  
David Lopeman, Chairman

Attested by:

  
Dave Whitener, Secretary

  
Cal Peters, Vice Chairman