

SQUAXIN ISLAND TRIBE

RESOLUTION NO 94- 44
OF THE
SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the governing body of the Squaxin Island tribe of Indians by the 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, the Squaxin Island Tribal Council is a plaintiff in United States v. Washington, Subproceeding No. 89-3, in which it is challenging state interference with the exercise of its treaty right to take shellfish;

WHEREAS, one aspect of this litigation involves the State of Washington's contention that its shellfish sanitation laws apply to the shellfishing activities of the Tribe and its permittees;

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

WHEREAS, the proposed "Health Settlement," as set forth in the "Final Draft: 4/6/94," provides for an acceptable, beneficial regulatory arrangement, which includes tribal regulation consistent with national shellfish sanitation standards and mechanisms for intergovernmental, cooperative shellfish sanitation programs;

WHEREAS, state authority would be restricted to licensing, inspection, and enforcement action in certain limited circumstances, and state shellfish sanitation laws would generally be inapplicable to treaty shellfishing;

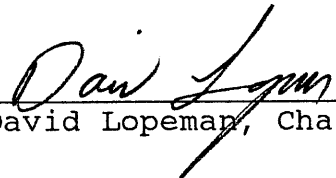
WHEREAS, it is desirable to finalize a settlement prior to commencement of the trial in this subproceeding but certain, minor revisions and editorial changes may yet be required;

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council does hereby approve this resolution effective the 14th day of April, 1994, the settlement terms contained in the Final Draft: 4/6/94;

BE IT FURTHER RESOLVED, that the Tribe's attorney, 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 4/6/94 Final Draft, which has not been subsequently 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 regular meeting of the Squaxin Island tribal Council held on the 14th day of April, 1994, at which time a quorum was present and passed by a vote of 4 for, and 0 against and 1 abstentions..

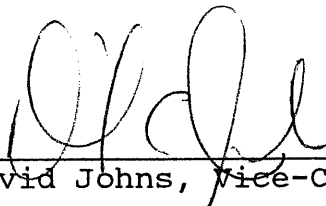


David Lopeman, Chairman

ATTESTED BY:



David Whitener Sr., Secretary



David Johns, Vice-Chairman