

Executive Secretary, Advisory Committee for Women's Services, Office for Women's Services, SAMHSA, Parklawn Building, Room 13-99, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443-5184.

Substantive information may be obtained from the contact whose name and telephone number is listed below.

Committee Name: Advisory Committee for Women's Services.

Meeting Date(s): January 8-9, 1996.

Place: Conference Room H, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Open: January 8: 8:30 a.m. to 5:00 p.m.; January 9: 8:30 a.m. to adjournment

Contact: Pamela J. McDonnell, Room 13-99, Parklawn Building, Telephone (301) 443-5184.

Dated: December 6, 1995.

Jeri Lipov,

Committee Management Officer, Substance Abuse and Mental Health Services Administration.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Upper Skagit Indian Tribe Liquor Control Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This Notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161. I certify that by Resolution No. 95-18, the Upper Skagit Indian Tribe Liquor Control Ordinance was duly adopted by the Upper Skagit Indian Tribe on May 4, 1995. This Ordinance provides for the possession, sale, introduction for sale, purchase, or other dealing in alcoholic beverages within Upper Skagit Indian Tribe country, as defined by 18 U.S.C. 1151.

DATES: This Ordinance is effective as of December 12, 1995.

FOR FURTHER INFORMATION CONTACT: Chief, Branch of Judicial Services, Division of Tribal Government Services, 1849 C Street, N.W., MS-2611-MIB, Washington, D.C. 20240; telephone (202) 208-4400.

SUPPLEMENTARY INFORMATION: The Upper Skagit Indian Tribe Liquor Control Ordinance is to read as follows:

Upper Skagit Indian Tribe Liquor Control Ordinance

Part I. Policy and Definitions

Section 1.1. Public Policy Declared

This Tribal Liquor Control Ordinance shall be cited as the "Upper Skagit Tribal Liquor Control Ordinance" (the "Ordinance"). Under the inherent sovereignty of the Upper Skagit Indian Tribe (the "Tribe"), this Ordinance shall be deemed an exercise of the Tribe's power for the protection of the welfare, health, peace, morals and safety of the members of the Tribe. It is further the Tribe's policy to assure that any transaction, importation, sale or consumption involving an alcoholic beverage, while within the Tribe's jurisdiction, shall occur in strict compliance with this Ordinance, the laws of the United States and where applicable, the State of Washington.

Section 1.2. Definitions

The stated terms are defined as follows:

a. "Alcoholic Beverage" shall mean any intoxicating liquor, beer or any wine, as defined under the provisions of this Ordinance or other applicable law;

b. "Tribal Council" shall mean the Tribal Council of the Upper Skagit Indian Tribe, which is its governing body.

c. "Legal Age" shall mean the age requirements, as defined in Part II, Section 2.2.

d. "Sale" shall mean the serving of any contents of any bagged, bottled, boxed, canned or kegged alcoholic beverage by any means whatsoever for a consideration of currency exchange.

Section 1.3. General Prohibition

It shall be a violation of Tribal law to manufacture for sale, to sell, offer or keep for sale, possess, transport or conduct any transaction involving any alcoholic beverage except in compliance with the terms, conditions, limitations, and restrictions specified in this Ordinance.

Section 1.4. Tribal Control of Alcoholic Beverages

The Tribal Council shall have the sole and exclusive right to authorize the importation of alcoholic beverages into the Upper Skagit Reservation and Indian Country over which the Upper Skagit Tribe has jurisdiction for sale or for the purpose of conducting transactions therewith, and no person or organization shall so import any such alcoholic beverages into the Upper Skagit Reservation or Indian Country over which the Upper Skagit Tribe has

jurisdiction unless authorized by the Tribal Council to do so.

Section 1.5. Community On-Site Sales

The Tribal Council shall establish and maintain within the Upper Skagit Reservation a Casino, including full-service restaurants and bar, all of which are located within the Casino Facility, which shall be authorized to store and sell alcoholic beverages in conjunction with the operation of the restaurants and bar and in accordance with the provisions of this Ordinance. The Tribal Council shall set the prices of alcoholic beverages sold.

Section 1.6. State of Washington Licenses and Agreements

The Tribe/casino/licensee/operator may negotiate an agreement or obtain a State of Washington liquor license for any Tribally-operated establishment that sells alcoholic beverages or conducts transactions involving alcoholic beverages to the extent required by applicable law in order to allow the Tribe to sell liquor on the Upper Skagit Reservation or in Indian Country under the Tribe's control.

Part II. Compliance With the Laws of the State of Washington

Section 2.1. Applicability of State Law

The Tribe and its agents shall act in conformity with State laws regarding the sale of liquor to the extent required by applicable federal law, including 18 U.S.C. § 1161.

Section 2.2. Persons Under 21 Years of Age: Restrictions

The Tribe shall comply with the State of Washington laws regarding restrictions on the sale of alcoholic beverages to persons under the age of 21 years in any Tribal establishment operating pursuant to the provisions of this Ordinance.

Section 2.3. Restrictions on Intoxicated Persons

No Tribally-operated or licensed establishment shall sell, give, or furnish any alcoholic beverage or in any way allow any alcoholic beverage to be sold, given or furnished to a person who is obviously intoxicated.

Section 2.4. Hours and Days of Sale

Any Tribally-operated or licensed establishment shall sell or furnish alcoholic beverages for on-site consumption only during hours or on days which are in compliance with applicable Washington law.