

*Part III. Tribal Licensing and Regulation***Section 3.1. Power to License and Tax**

The power to establish tribal licenses and levy taxes under the provision of this Ordinance is vested exclusively with the Tribal Council. If the Tribal Council enters into any agreements with the State regarding the sale of liquor, the agreement shall be deemed to constitute Tribal Law.

**Section 3.2. Tribally-Owned Establishments**

The Tribal Council can issue, by resolution, an appropriate license to a Tribally-owned establishment upon determining the site for the establishment and obtaining the necessary licensing or agreement from the State of Washington.

**Section 3.3. License of Retail Sales**

3.3.1 The Tribal Council shall have the power to issue licenses to any tribal or state chartered corporation, individual or partnership or other entity to undertake any sales or transactions which the Tribe itself has the power to undertake under this ordinance for the sale of alcoholic beverages at a retail store.

3.3.2 Applications for a License shall be submitted in the form prescribed by the Tribal Council or its authorized employees. The Tribal Council may, within its sole discretion and subject to the conditions in this Ordinance, issue or refuse to issue the License applied for upon payment of such fee as the Tribal Council may prescribe.

3.3.3 Every license shall be issued in the name of the applicant and no license shall be transferable or assignable without the written approval of the Tribal Council, nor shall the licensee allow any other person or entity to use the license.

3.3.4 The Tribal Council may, for violations of this Ordinance, suspend or cancel any license. Prior to cancellation or suspension of a license, the Tribal Council shall send notice of its intent to cancel or suspend the license to the licensee. A licensee whose Liquor License is cancelled or suspended by the Tribal Council shall be entitled to appeal the cancellation or suspension within 10 days of the receipt from the Tribal Council of such notice by filing a Notice of Appeal with the Clerk of the Tribal Court. The appeal of any such Notice shall be determined by the Tribal Court in accordance with the Ordinances of the Tribe governing Tribal Court actions and the decision of the Tribal Court, including any appeal within the Tribal Court system, shall be final and binding on the parties.

3.3.5 No license issued under this Ordinance shall be valid for a period longer than one year.

**Section 3.3.4. Regulations**

The Tribal Council may, consistent with this Ordinance, adopt regulations it deems necessary to implement this Ordinance.

*Part IV. Construction***Section 4.1. Severability**

If any part of this Ordinance, or the application thereof to any party, person, or entity or to any circumstances, shall be held invalid for any reason whatsoever, the remainder of the section or Ordinance shall not be affected thereby, and shall remain in full force and effect as though no part thereof had been declared to be invalid.

**Section 4.2. Amendment or Repeal of Ordinance**

This Ordinance may be amended or repealed by a majority vote of the Tribal Council. Any amendment to this Liquor Ordinance shall be published as required pursuant to Federal Law.

**Section 4.3. Sovereign Immunity**

Nothing in this Ordinance is intended, nor shall anything contained in it be construed, as a waiver of the sovereign immunity of the Upper Skagit Indian Tribe.

**Section 4.4. Effective Date**

This Ordinance shall be effective upon the date that the Secretary of the Interior certifies this Ordinance and publishes it in the Federal Register.

**Section 4.5. Jurisdiction**

Notwithstanding anything in this Ordinance to the contrary, nothing herein is intended, nor shall it be construed, as a grant of jurisdiction from the Upper Skagit Indian Tribe to the State of Washington beyond that provided by applicable law. The Tribe shall operate in conformity with State law and Tribal Law to the extent provided pursuant to 18 U.S.C. § 1161.

Dated: December 5, 1995.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

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**National Park Service****National Register of Historic Places; Notification of Pending Nominations**

Nominations for the following properties being considered for listing in the National Register were received

by the National Park Service before December 2, 1995. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013-7127. Written comments should be submitted by December 27, 1995.

Paul R. Lusignan,

*Acting Keeper of the National Register.*

**COLORADO****Denver County**

Austin Building, 2400-2418 E. Colfax and 1742 Josephine St., Denver, 95001512

**Jefferson County**

Thiede Ranch, 22258 Shingle Creek Rd., Golden, 95001509

**Larimer County**

Baldpate Inn, 4900 S. CO 7, Estes Park vicinity, 95001510

**Moffat County**

Vanatta Apartments, 660 Yampa Ave., Craig, 95001511

**Ouray County**

Jackson, George, House, 129 Citadel Dr., Ridgway vicinity, 95001508

**HAWAII****Honolulu County**

Aiea Sugar Mill, 99—197 Aiea Heights Dr., Aiea, 95001501

**INDIANA****Carroll County**

Adams Mill Covered Bridge, Co. Rd. 50 E over Wildcat Cr., Cutler vicinity, 95001537

**Cass County**

Pleasant Hill Church, Jct. of Co. Rd. 400 S and Co. Rd. 675 W, Logansport vicinity, 95001539

**Dubois County**

Dubois County Courthouse, One Courthouse Sq., Jasper, 95001538

**Marion County**

Homecroft Historic District, Roughly bounded by Madison Ave., Southview Dr., Orinoco Ave., and Banta Rd., Homecroft, 95001536

**Marshall County**

Culver Commercial Historic District, Roughly bounded by Washington St., the N-S alley E of Main St., Madison St. and Ohio St., Culver, 95001530

**Montgomery County**

Normal Hall, Jct. of W. Main and Harrison Sts., NW corner, Ladoga, 95001533

**Morgan County**

Hite—Finney House, 183 N. Jefferson St., Martinsville, 95001532