

THIRD AMENDMENT TO THE TRIBAL/STATE COMPACT
FOR CLASS III GAMING
BETWEEN
THE NOOKSACK INDIAN TRIBE
AND THE STATE OF WASHINGTON

WHEREAS, on October 28, 1991, the State of Washington and the Nooksack Indian Tribe executed a Class III Gaming Compact pursuant to the Indian Gaming Regulatory Act of 1988, P.L. 100-497, codified at 25 USC Section 2701 et seq. and 18 USC Section 1166-1168, and

WHEREAS, the Class III Gaming Compact executed by the State and the Tribe and amendments thereto were approved by the Secretary of the Interior and are in full force and effect (hereinafter referred to as the "Compact"), and

WHEREAS, pursuant to negotiations conducted in accordance with the Order dated September 26, 1997 in State of Washington v. The Confederated Tribes of the Chehalis Reservations, et al., No. C-95-1805-FVS (W.D. Wa.), the State and Tribe have agreed to amend Section 3. and to add Appendix X to the Compact to authorize the Tribal Lottery Systems as described in Appendix X.

NOW, THEREFORE, the Compact shall be and hereby is amended to read and state as follows:

1. Section 3(a) is hereby amended by the addition of the following:

"SECTION 3. NATURE, SIZE AND SCOPE OF CLASS III GAMING

"(a) Scope of Class III Gaming Activities. The Tribal gaming operation may utilize in its gaming facility, subject to the provisions of this Compact, any or all of the following Class III activities:

"(i) Blackjack;

" ...

"(xxiii) Any other table game authorized for play in Nevada . . .

"(xxiv) Tribal Lottery Systems. Notwithstanding anything in this Compact

which could be construed to be to the contrary. Tribal Lottery Systems operated in conformity with Appendix X are hereby authorized."

2. Appendix X is added in the form attached hereto and is hereby incorporated by reference.

IN WITNESS WHEREOF, the Nooksack Indian Tribe and the State of Washington have executed this amendment to the Compact.

NOOKSACK INDIAN TRIBE

BY: Art George
Art George, Chairman

Dated: 12/2/98, 1998.

STATE OF WASHINGTON

BY: Gary Locke
Gary Locke, Governor

Dated: 11-23, 1998.



NOOKSACK INDIAN TRIBE

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RESOLUTION NO. 37

SUBJECT: Approval of Class III Gaming Compact Amendment

WHEREAS, the Nooksack Indian Tribal Council is the duly constituted governing body of the Nooksack Indian Tribe by the authority of the Constitution and Bylaws of the Nooksack Indian Tribe of the Nooksack Reservation, Washington, as approved by the Assistant Commissioner of Indian Affairs; and,

WHEREAS, the State of Washington and the Nooksack Indian Tribe have negotiated an Amendment of the Tribe's Class III Gaming compact; and,

WHEREAS, the Washington State Gambling Commission has approved the Amendment as supported by Appendix X which provides regulatory details in respect to the Amendment; and,

WHEREAS, the Governor of the State of Washington has executed the Amendment on behalf of the State of Washington in accordance with State and Federal law; and,

WHEREAS, the Nooksack Indian Tribal Council approves of the Amendment as negotiated and agreed to by the State of Washington;

NOW THEREFORE BE IT RESOLVED, that the Tribal Chairman is authorized and empowered, in accordance with Article VI of the Constitution and Bylaws of the Nooksack Indian Tribe, to execute the Amendment, as supported by Appendix X, to the Tribe's Class III Gaming Compact with the State of Washington.

CERTIFICATION

I certify that the above resolution was presented before a Regular meeting of the Nooksack Indian Tribe Council held on the 1 day of December, 1998, at which time a quorum was present with a vote of 6 FOR 0 AGAINST, and 0 ABSTENTIONS.

Art George
Art George, Chairman

Elouise Z. Tom
Elouise Z. Tom, Secretary