AN ACT RELATING TO
HUNTING AND GATHERING

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0—TITLE AND CODIFICATION

This Act shall be known as the Snoqualmie Tribe Hunting and Gathering Code and shall be codified as Title 6, Chapter 3 of the Snoqualmie Tribal Code.

SECTION 2.0—STATUTORY AUTHORIZATION

The aboriginal and inherent sovereign power to govern the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council’s authority includes the ability to manage natural resources, including fish and wildlife, within the jurisdiction of the Snoqualmie Indian Tribe. Snoq. Tr. Const. Art. VIII §§ 1(u). This Act is enacted for the protection, enhancement and conservation of Tribal natural resources, and to provide for the exercise of Treaty-reserved rights by Tribal members.

Hunting and gathering are Treaty rights reserved by the Tribe under the Treaty of Point Elliott of 1855. The Treaty provides members of the Tribe with the privilege of “hunting, and gathering roots and berries” on “open and unclaimed lands.” There are many species of animals as well as plants, herbs and medicines available for the exercise of Treaty hunting and gathering rights by Tribal members. The Tribe permits its members the opportunity to hunt and to gather plants and herbs for subsistence, medicinal and cultural purposes in the Tribe’s traditional gathering areas. Hunting or gathering by any person for commercial purposes is strictly prohibited. Nothing in this Act addresses Tribal treaty fishing rights.

SECTION 3.0—DEFINITIONS

The following definitions apply throughout this Act unless otherwise specified or the context clearly indicates otherwise:

ADULT means any person who is 18 years or older.

BIG GAME means and shall include, but is not limited to, elk or wapiti, deer, mountain goat, cougar or mountain lion, and black bear.

CLOSED AREA means any place described or designated by regulation where it is unlawful to hunt.

CLOSED SEASON means all times during the entire year except those times an open season is designated by regulation.
GAME BIRDS means all wild birds that shall not be hunted except as authorized by regulation, and shall include, but is not limited to: blue, ruffed, and spruce grouse; ring-necked pheasant; turkey; chukar; gray partridge; California and bobwhite quail; rock and mourning dove; American crow; Canadian, snow and white-fronted goose; American wigeon; bufflehead; canvasback; northern pintail; northern shoveler; common goldeneye; mallard; gadwall; wood duck; scaup; redhead; and green- and blue-winged teal.

HARVEST LIMIT means the maximum number of animals which may be taken, caught, killed, or possessed by any person, specified by this Act or regulation, for any particular period of time, and may not include limits on size, sex, or species.

HARVEST TAG means a card, label, or other identification device issued for attachment to the carcass of any game animal.

HUNT (and its derivatives “hunting,” “hunted,” etc.) and “trap” (and its derivatives “trapping,” etc.) mean any effort to kill, injure, capture or disturb a wild animal or wild bird.

OPEN SEASON means those times, manners of taking and areas established by regulations for lawful hunting. “Open season” includes the first and last days of the established time, unless otherwise specified.

PERMIT means any writing that authorizes and sets limits and/or conditions on a particular hunting and hunting activity.

PUBLIC ROADS means those roads maintained by a county of the state of Washington.

REGULATION means any rule or regulation promulgated by the Tribe’s Hunting and Gathering Commission or the Tribal Council.

REVOCATION OF HUNTING PRIVILEGES means the recall of all rights and privileges granted by a Snoqualmie Tribal permit or harvest tag and the loss of eligibility to apply for a Tribal permit or harvest tag, for the duration specified by this Act.

SNOQUALMIE TRIBAL MEMBER or MEMBER means an enrolled member of the Snoqualmie Tribe.

SMALL GAME means wild animals other than big game animals that shall not be hunted except as authorized by regulation, and shall include, but are not limited to: bobcat; fox; coyote; raccoon; snowshoe hare; cottontail rabbit; black-and-white-tailed jackrabbit; eastern gray squirrel; and bullfrog.

TRIBAL COUNCIL means the Snoqualmie Tribal Council.

TRIBE means the Snoqualmie Indian Tribe.
**WILDLIFE** means all species of the animal kingdom, except fish, shellfish and domesticated animals.

**SECTION 4.0—JURISDICTION**

The provisions of this Act apply to all open and unclaimed lands under the provisions of Treaty of Point Elliott within the current boundaries of the state of Washington, and to all persons purporting to exercise hunting or gathering rights reserved by the Tribe in the Treaty of Point Elliott.

**SECTION 5.0—HUNTING AND GATHERING COMMISSION**

5.1 **Hunting and Gathering Commission**

The Hunting and Gathering Commission ("Commission") shall be made up of at least five Tribal members who are familiar with hunting and gathering, and the resources within the Tribe’s jurisdiction. Commission members shall be appointed by the Snoqualmie Tribal Council to serve a three-year term.

5.2 **Election of officers**

The Commission shall elect officers which shall consist of a chair, vice-chair and secretary.

5.3 **Quorum requirements**

A quorum of the Commission shall be three members, which shall include at least one officer. No official business may be conducted unless there is a quorum.

**SECTION 6.0—HUNTING REGULATIONS**

6.1 **Annual hunting regulations**

(a) Prior to each hunting season, the Commission shall formulate and recommend to the Tribal Council any annual and seasonable regulations which are necessary to carry out the purposes of this Act. The regulations may establish open season, areas closed or open to hunting or trapping, harvest limits, limitation on methods of taking game, and other measures for the protection and wise harvest of game resources.

(b) Before proposing regulations as provided in this section, the Commission shall make an effort to get available information on the abundance and territories of various animal species.

(c) Until other limits may be set by the Commission on an annual basis, the following limits are hereby established:

   (i) Seasonal Bag Limits - Big Game
<table>
<thead>
<tr>
<th>SPECIES</th>
<th>SEX</th>
<th>SEASON</th>
<th>BAG LIMIT</th>
<th>RESTRICTIONS &amp; EXCEPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deer</td>
<td>Either Sex Buck with visible Antlers*</td>
<td>Aug. 1 – Jan. 31</td>
<td>2 per hunting season</td>
<td></td>
</tr>
<tr>
<td>Elk</td>
<td>Either Sex Bull with visible Antlers*</td>
<td>Aug. 1 – Jan. 31</td>
<td>2 per hunting season Bull – one per household per hunting season</td>
<td>Do not shoot elk with collars</td>
</tr>
<tr>
<td>Black Bear</td>
<td>Either sex</td>
<td>Aug. 1 – Dec. 15</td>
<td>2 per hunting season</td>
<td>Avoid shooting sow with cubs</td>
</tr>
<tr>
<td>Mountain Goat**</td>
<td>Billy Only</td>
<td></td>
<td>1 per hunting season</td>
<td>One mountain goat tag will be issued at the discretion of the ENR Director.</td>
</tr>
<tr>
<td>Cougar</td>
<td>Either sex</td>
<td>Aug. 1 – March 15</td>
<td>1 per hunting season</td>
<td>Avoid shooting spotted kittens or females with spotted kittens.</td>
</tr>
</tbody>
</table>

*Male deer or elk visible antler point must be at least an inch long.
** Mountain Goat by special permit only

(ii) Seasonal Bag Limits - Small Game

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>SEASON</th>
<th>DAILY LIMIT</th>
<th>POSSESSION LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bobcat</td>
<td>Jan. 1 - Dec. 31</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td>Coyote</td>
<td>Jan. 1 - Dec. 31</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td>Eastern Gray Squirrel</td>
<td>Jan. 1 - Dec. 31</td>
<td>10 per day</td>
<td>20</td>
</tr>
<tr>
<td>Fox</td>
<td>Sept. 1 - Apr. 30</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td>Porcupine</td>
<td>Sept. 1 - Apr. 30</td>
<td>1 per day</td>
<td>2</td>
</tr>
<tr>
<td>Rabbit/Hare</td>
<td>Aug. 1 - Apr. 30</td>
<td>10 per day</td>
<td>20</td>
</tr>
</tbody>
</table>

(iii) Seasonal Bag Limits - Game Birds

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>SEASON</th>
<th>DAILY LIMIT</th>
<th>POSSESSION LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geese</td>
<td>Aug. 1 – Jan. 31</td>
<td>6 per day</td>
<td>12</td>
</tr>
<tr>
<td>Upland Game Birds</td>
<td>Aug. 1 – Jan. 31</td>
<td>10 per day</td>
<td>20</td>
</tr>
<tr>
<td>Waterfowl</td>
<td>Aug. 1 – Jan. 31</td>
<td>10 per day</td>
<td>20</td>
</tr>
<tr>
<td>Turkey*</td>
<td>*</td>
<td>3</td>
<td>3 per year</td>
</tr>
</tbody>
</table>

*Turkey by permit only - restrictive dates and areas may apply to Turkey hunts
6.2 Emergency hunting regulations

(a) The Tribal Council may, upon the recommendation of the Commission, make emergency changes in the annual regulations when deemed necessary to ensure proper management of the wildlife resource, including opening or closing a specific area for harvest of certain species.

(b) The Commission may be authorized to approve emergency or in-season regulations as to the openings and closures of specific areas, allowable gear type and specific species. Emergency or in-season regulations shall be effective upon their issuance or according to their terms and shall remain in effect until modified, expired or repealed by the Tribal Council.

6.3 General opening and closure

(a) The possession of a hunting tag and a tribal enrollment card authorizes individuals to hunt big game within all open areas described within regulations. No tag is required for hunting waterfowl or upland game birds; however, hunters must possess a Tribal identification card consistent with this Act.

(b) All areas within the Tribe’s jurisdiction are closed to hunting by persons eligible to exercise rights under this Act unless those areas have been specifically opened by annual or emergency regulations adopted pursuant to this Act.

6.4 Persons eligible to hunt

The following persons are eligible to exercise hunting rights under the authority of this Act:

(a) Enrolled members of the Tribe 18 years and older; or

(b) Enrolled members of the Tribe 12 through 17 years who have successfully completed a recognized course in firearms and hunter safety as long as they are accompanied on the hunt by a parent or guardian, or other adult Tribal member authorized in writing by their parent or guardian and the Commission; or

(c) An authorized hunting assistant of an enrolled member of the Tribe who meets all of the requirements to be a hunting assistant and signs a consent form.

6.5 Hunting Assistant

(a) To assist a Snoqualmie member with the member’s treaty-reserved hunting activities, any assistant must obtain an assistant card from the Commission. A person will be eligible for an assistant card only if he or she is 18 years of age or older, is a member of a federally recognized Indian tribe, presents written proof of that membership and is:
(i) The spouse of an enrolled member of the Snoqualmie Tribe, and is domiciled with and providing family support and subsistence for that Snoqualmie member. The spouse must submit written proof of their marriage and both the proposed assistant and his or her Snoqualmie spouse must verify in writing under oath that they are legally married; or

(ii) A parent or grandparent of the Snoqualmie member; or

(iii) A child or grandchild of the Snoqualmie member; or

(iv) A sibling of the Snoqualmie member.

(b) Any spouse wishing to hunt under this Act must appear in person before the Commission to verify eligibility under subsection (a) of this section. If the spouse meets the requirements of subsection (a) of this section, the Commission shall authorize the spouse to receive tags in his or her own name.

(c) To obtain an assistant card, a person must sign a consent form prepared by the Tribe.

(d) A Snoqualmie member may revoke consent at any time with or without cause, in which case the assistant card and hunting privileges shall be deemed automatically revoked.

(e) In each of the following circumstances, the assistant card and hunting privileges shall be deemed automatically suspended pending a hearing as prescribed in this Act:

(i) If a citation, complaint or other criminal action is brought against the assistant for violation of any Snoqualmie Tribal law; or

(ii) If any non-Indian law enforcement official issues a citation for violation of any hunting law or regulation.

6.6 Designated Hunters

(a) The Commission may issue harvest tags to allow a “designated hunter” to hunt for another member of the Tribe. Requests for harvest tags under this section must be submitted in writing to the Commission. Requests must state why the person or family making the request is unable to hunt. All the provisions of this Act and Regulations shall apply under this section.

(b) Any member of the Tribe possessing a valid Tribal identification card may submit his or her name to the Commission to be considered for placement on a list of “designated hunters.” The Commission shall screen applicants to determine whether they meet eligibility requirements.

(c) Eligibility requirements for “designated hunters” are:
(i) Demonstrated hunting ability;

(ii) Be an enrolled member of the Tribe;

(iii) Be at least 18 years of age;

(iv) Have no Tribal hunting conviction in the previous two years; and

(v) Have no prohibition from carrying a firearm under Tribal, state, or federal law.

(d) Any person who meets the eligibility requirements may be named by the Commission as a “designated hunter.” When the Commission grants a request under this section, it shall notify a designated hunter and issue the appropriate permit. The designated hunter shall comply with the terms of the permit and all other applicable laws and regulations.

6.7 Disabled hunter

(a) A disabled “eligible hunter” may apply for a disabled hunter permit. To be eligible for a disabled hunter permit, an eligible hunter must:

(i) Suffer from physical disability or impairment and would face a significant health risk by participating in normal hunting activities;

(ii) Find it unduly burdensome to participate in normal hunting activities; or

(iii) Otherwise be unable to participate in normal hunting activities.

(b) Disabled hunter permits are issued by the Commission.

(c) A disabled eligible hunter who obtains a disabled hunter permit may hunt from a stationary vehicle subject to the following conditions:

(i) The roadway cannot be a street or a state or federal highway; and

(ii) Cannot fill the permit or tag of another; and

(iii) The vehicle must have handicapped or disabled license plates; or

(iv) The disabled eligible hunter must display a sign provided by the Commission that says “disabled”; and

(v) The disabled eligible hunter must shoot away from and not across or parallel to the roadway; and

(vi) The transportation or possession of a loaded or uncased weapon in a moving motor vehicle is prohibited at all times, but a disabled eligible hunter can
discharge a firearm or other legal hunting device from a nonmoving motor vehicle that has the engine turned off; and

(vii) No hunting shall be permitted from a motor vehicle that is parked on or beside the maintained portion of a public road; and

(viii) A disabled eligible hunter may be accompanied by an eligible Snoqualmie Tribal hunter who may assist the person with a disabled hunter permit by killing game wounded by the disabled hunter, and by tagging and retrieving game killed by the disabled hunter.

(d) A Snoqualmie Tribal hunter shall not possess a loaded gun in, or shoot from, a motor vehicle.

6.8 Hunting by Commission Members

The Tribal Council may by resolution adopt a program for Commission members to hunt for the subsistence and ceremonial needs of Tribal members and for Tribal ceremonial and subsistence purposes. Commission members shall not hunt for themselves, or as designated hunters under this Act, during working hours in the course of their employment.

6.9 Tribal Identification, Permits and Tags

(a) No person, except as expressly exempted by this Act, may engage in the exercise of Snoqualmie Treaty-reserved hunting activity unless the person is in possession of a Snoqualmie Tribal identification card at all times while engaged in Treaty hunting activities, including the transportation of game animals or parts thereof after the hunt.

(b) No person, except as expressly exempted by this Act, may engage in the exercise of Snoqualmie Treaty-reserved hunting activity unless the person is in possession of harvest tags for the species being hunted at all times while engaged in Treaty hunting activities, including the transportation of game animals or parts thereof after the hunt.

(c) All persons shall be in possession of the current annual Snoqualmie Tribal hunting regulations while engaged in hunting.

(d) In addition to the requirements of subsections (a) through (c) of this section, persons who are age 12 through 17 years of age must also carry on their person a certification of completion from a firearm and hunter safety course.

6.10 Issuance of harvest tags

(a) Tribal harvest tags shall be issued by the Commission or its designee department at the Tribe only between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.
(b) No person shall be issued Tribal harvest tags unless and until full payment of all fines incurred during prior seasons or the person has otherwise satisfied any Tribal Court judgment resulting from a hunting violation.

(c) Permits, tags and identification cards issued under this Act are nontransferable.

(d) An identification card, tag or permit which has been altered in any manner after issuance shall be subject to immediate seizure by the Commission or any Snoqualmie Tribal Police Department Officer.

6.11 Display of identification card, regulations, harvest tags, and permits

All persons shall produce and display their Snoqualmie Tribal identification card, Snoqualmie Tribal annual hunting regulations, Tribal harvest tags and/or permits upon the demand of a duly authorized Law Enforcement Officer.

6.12 Hunting harvest tags

(a) All big game must have a completely filled-in and dated harvest tag securely attached to the animal immediately after the kill and the animal must remain tagged until processing is completed. Untagged big game is subject to confiscation.

(b) All harvest tags must be completely filled in and returned, regardless of whether a kill occurred, within 30 days after the end of the respective season.

(c) No new harvest tags will be issued to a hunter unless all harvest tags issued to such from previous seasons have been properly returned and noncompliance penalties have been paid.

6.13 Hunting on Privately Owned Lands

(a) Any person intending to or actually engaged in a hunting activity on privately owned lands must first obtain written permission from the land owner or person controlling the land prior to entering privately owned land for the purpose of hunting. The written consent by the owner or person controlling the land must contain:

(i) The specific date on which the hunting activity is to occur;

(ii) A specific description of the area in which the hunt is being authorized;

(iii) The name, address, phone number and signature of the land owner;

(iv) The name, address and phone number of the Tribal hunter(s) being authorized to conduct the hunt; and

(v) The date the written consent was signed.
(b) The Tribal hunter must personally make contact with the owner or other person controlling the private property and obtain the express and written permission before engaging in the hunting activity.

(c) The authorized Tribal hunter must carry this written consent during the specified hunt.

6.14 Access to DNR Lands

Registered Tribal members who have checked out DNR gate keys are responsible for lost or damaged keys or other damages with a minimum fine of $100 USD and may be subject to prosecution by the Tribe.

6.15 Ceremonial Hunts

(a) The Commission may, upon written request, issue a permit and harvest tags to allow wildlife to be harvested for funerals, Tribal ceremonies, and in cases of extreme personal hardship. The permit shall not exceed four days and shall specify the type, sex, and number of animals to be hunted; the purpose of the hunt; and any other conditions the Commission attaches.

(b) A harvest tag under this section may be issued for use during a closed season.

(c) A ceremonial hunt permit may be issued to a group of two to four Tribal members and shall specify the names of each Tribal hunter and the number of animals authorized to be taken. The number of animals authorized to be taken shall not exceed one animal per Tribal member in the hunting group.

(d) As necessary, the Commission shall designate one hunter from a hunting group to be the "lead hunter" to receive the permit.

(e) The lead hunter must notify the Snoqualmie Tribal Police Department not less than 24 hours prior to the start of a ceremonial hunt of the approximate date, time and location in which the ceremonial hunt is to take place.

(f) The lead hunter must fill out and return to the Snoqualmie Tribal Police Department a harvest report card and all harvest tags issued, used or not, within five days following the hunt.

(g) Only Snoqualmie Tribal members, 18 years of age or older, shall be authorized to participate in a ceremonial hunt.

6.16 Special Permit Drawing

The Commission may set a special permit drawing. Only Snoqualmie Tribal members who are otherwise eligible to hunt under this Act are eligible to participate. The application period for
special permit sign-ups will be from May 1 to June 1. Drawings will be held the first week in June. Only one special permit per hunter will be issued. Applicants can only sign-up once for each category of special permits.

SECTION 7.0—GATHERING PROCEDURES

7.1 Permits

(a) In order to gather plants, herbs and medicines, a gathering permit is required.

(b) Permits can be obtained through the Commission by application.

(c) No fee will be charged for permits. Permits are authorized annually and must be renewed one year from the date of issuance. The Tribal member must have the gathering permit along with Tribal Identification at all times when gathering foods, plants and herbs.

(d) Within 48 hours of the last day of each gathering event under a permit, an inventory list must be returned to the Commission.

7.2 Gathering Times/Limits

(a) Gathering can be done on a daily basis from dawn to dusk.

(b) Gatherers may gather no more than they can reasonably use.

7.3 Minors

(a) Minors under the age of 18 may obtain permits only if authorized by a parent or guardian.

(b) Minors must be supervised by an adult when they are gathering plants and herbs.

7.4 Nonmembers Prohibited

All nonmembers, including non-Indians and members of tribes other than the Snoqualmie Tribe, are strictly prohibited from gathering unless doing so with an enrolled Snoqualmie Tribal member or otherwise permitted as employees of the Tribe’s Culture Department. Household members of an enrolled Snoqualmie Tribal member may accompany that member while gathering provided that they are in compliance with the permit.

7.5 Conservation

(a) All gatherers must harvest herbs and plants to be used for foods, medicines and cultural crafts, with the intent of preserving the resource for future generations in perpetuity. This means not harvesting herbs and plants to the point of extinction in any area of the property.
(b) Gatherers will be mindful of all Tribal customs and traditions when gathering any plants or herbs for subsistence, medicinal or cultural purposes.

(c) Plants that are usable without the benefit of the root should be carefully harvested to preserve the root in the soil for continued plant production.

(d) No felling of trees for firewood. Bark harvesting must be done in a manner that will conserve the life of the tree. Firewood may be gathered from dead trees or branches.

(e) No dredging for gravel, and no mining or drilling or minerals.

(f) Drilling for water is strictly prohibited.

(g) When gathering fruit from plants, only the fruit may be harvested. The plant cannot be removed.

(h) If it is necessary to dig up an entire plant for food or for medicinal purposes, some plants in that particular area must be preserved for sustainability of the resource for other Tribal members.

(i) Commercial harvesting is strictly prohibited.

(j) Failure to comply with this section could result in a suspension of the gathering permit.

7.6 Gathering on Privately-Owned Lands and DNR-Managed Lands

Gatherers shall comply with all provisions for hunting concerning access to privately-owned and DNR-managed lands under this Act.

SECTION 8.0—OFFENSES AND SENTENCING

8.1 Hunting – Permits and harvest tags

Any person who fails to obtain and possess a permit and/or harvest tags, including a disabled hunter permit, required by regulation is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.2 Hunting during closed season

Any person who hunts during a closed season is guilty of an offense, and upon conviction shall be sentenced to:
(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.3 Animals wrongfully taken

Any person who kills, injures, takes, captures, or possesses wildlife in any manner or by any means contrary to this Act or regulation is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.4 Hunting in closed areas

Any person who hunts within the boundaries of a closed area designated by this Act or regulation is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.5 Exceeding the harvest limits

Any person who exceeds the harvest limit set by regulation is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.6 Reporting harvested game

Any person who fails to report the species, sex and location and other required information on the harvest tag of all game, to the Snoqualmie Tribal Police Department, killed by that person, is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.7 Trap inspection

Any person who fails to inspect any trap or trapline he or she has set and such results in spoilage of game is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $250 USD.
8.8 Interference with traps

Any person who takes wildlife from another person’s trap without permission, or springs, damages, possesses or removes another person’s trap, is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.9 Wasting big game

Any person who kills big game and causes it to go to waste is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail.

8.10 Wasting game birds or game animals

Any person who kills game birds or game animals and causes them to go to waste is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $500 USD.

8.11 Selling wildlife

Any person who sells meat from wildlife is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) A maximum of 30 days in jail; and/or

(c) Revocation of hunting privileges for one year.

8.12 Failure to tag big game

Any person who moves, transports or otherwise is in possession of big game, without first firmly attaching a harvest tag to the animal, is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $500 USD.

8.13 Transporting loaded firearms

Any person except authorized Law Enforcement Officers who carries, transports, conveys or possesses a shotgun or rifle containing shells or cartridges in the magazine or chamber, or a muzzle-loading firearm loaded and capped or primed, in or on a motor vehicle is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $250 USD.
8.14 Shooting firearms across roads

Any person, except authorized Law Enforcement Officers, who discharges a firearm from, across or along the maintained portion of a public or private road is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.15 Hunting from a vehicle

Any person who hunts from within or upon a motor vehicle or pursues game off a road with a motor vehicle is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.16 Hunting with artificial light

Any person who hunts with an artificial light is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.17 Use of dogs

Any person accompanied by a dog while deer or elk hunting is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $150 USD.

8.18 Hunting while under the influence or in possession of alcohol or drugs

Any person who hunts while under the influence or in possession of alcohol or illegal drugs is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $1,000 USD; and/or

(b) Jail time not to exceed six months.

8.19 Hunting by Minors

Any person under the age of 18 years old who hunts unaccompanied by a parent or guardian or other adult Tribal member authorized in writing by a parent or guardian and the Commission is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; or

(b) The Court, in its discretion, may allow the person to perform community service for the benefit of the Tribe in lieu of all or part of the fine.
8.20  Hunting eagles

Any person who kills, takes, injures or captures any eagle or eagle part, nest, or egg in violation of any federal statute passed for the protection of eagles is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $1,000 USD; and

(b) Jail time not to exceed six months.

8.21  Laying out bait

Any person who lays out or sets out any bait to lure wildlife for hunting, including but not limited to salt licks, is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.22  Laying out poison

Any person who lays out poison or sets out a drug, explosive or poison that may endanger, injure or kill wildlife is guilty of an offense, and upon conviction shall be sentenced to a maximum fine of $500 USD.

8.23  Mutilation of wildlife

Any person who mutilates wildlife so that the species and sex cannot be determined visually in the field or while being transported is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) Jail not to exceed 90 days.

8.24  Shooting of livestock

Any person who shoots any domestic livestock while hunting is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $1,000 USD; and

(b) Restitution to the owner of the livestock.

8.25  Big game hunting – Firearms restrictions

Big game shall not be hunted with any of the following:

(a) A fully automatic firearm.
(b) A rifle with bore diameter less than 0.24 of an inch (six millimeters), or barrel length less than 16 inches, except that deer may be hunted with a rifle of not less than .22 magnum caliber.

(c) Any big game other than deer with a rifle cartridge with a bullet weighing less than 85 grains, or that develops less than 900 foot pounds of energy at 100 yards.

(d) A rifle cartridge containing a bullet other than a mushrooming or expanding type, designed for big game hunting.

(e) A handgun; except that deer, bear or cougar may be hunted with a .41 magnum, .44 magnum, or .45 magnum.

(f) A bow that possesses less than 40 pounds of pull, measured at 28 inches or less draw length.

(g) Any arrows, except those having sharp broad head blade or blades at least seven-eighths inches wide, or mechanical broad heads. The broad head must be unbarred and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line shall not angle toward the point.

Violation of this section is an offense and upon conviction a person shall be sentenced to a mandatory fine of $100 USD.

8.26 Crossbow hunting restrictions

Crossbow hunting is permitted for all Tribal members during big game hunting season, which includes deer, elk, bear, cougar and goat. Violation of this section is an offense and upon conviction a person shall be sentenced to a mandatory fine of $100 USD.

8.27 Hunting of game animals – Firearms restrictions

No person shall hunt game animals with a shotgun larger than 10 gauge. Violation of this section is an offense and upon conviction a person shall be sentenced to a mandatory fine of $100 USD.

8.28 Game birds – Special restrictions

No person shall hunt game birds with: lead shot (except upland game birds); or a shotgun larger than 10 gauge; or a shotgun containing more than 23 shells; or a rifle or pistol, with the exception of blue grouse, spruce grouse, and ruffed grouse. Violation of this section is an offense and upon conviction shall be sentenced to a mandatory fine of $100 USD. 

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8.29 Muzzle-loading rifles restrictions

No person shall carry or possess any muzzle-loading rifle which does not meet the requirements of this section. "Muzzle-loader" means a single- or double-barrel wheel lock, match lock, flint lock or percussion rifle with exposed ignition in which the black powder and ball or bullet must be loaded from the muzzle. If the rifle has a removable breech plug, such removal must require the use of tools. Minimum barrel length is 20 inches and minimum caliber is .45, such measurements to be taken from end to end and in the barrel. Ignition is to be wheel lock, match lock, flint lock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements. Sights must be metal. Telescopic sights or sights containing glass are prohibited. This section shall not apply to carrying a muzzle-loading pistol. Violation of this section is an offense, and upon conviction a person shall be sentenced to a mandatory fine of $100 USD.

8.30 Defacing

Any person who destroys, tears down, shoots at, defaces or erases any printed matter or signs placed or posted to assist in the enforcement of hunting or fishing regulations is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $250 USD; and

(b) Restitution as ordered by the Court.

8.31 Resisting Enforcement

Any person who resists or obstructs any duly authorized Law Enforcement in the discharge of his duties under this Act of regulations is guilty of an offense, and upon conviction shall be sentenced to:

(a) A maximum fine of $500 USD; and/or

(b) Jail not to exceed 30 days.

8.32 Aiding and abetting

Any person who knowingly aids and abets another person to engage in conduct which is unlawful under this Act of regulations is guilty of an offense, and upon conviction shall be sentenced to the same degree as if he or she had committed the primary offense.

8.33 Hunting while privilege is revoked

Any person who hunts while his or her hunting privilege is revoked is guilty of an offense and upon conviction shall be sentenced to:

(a) A maximum fine of $1,000 USD; and/or
(b) A maximum jail sentence of 30 days; and/or

(c) Revocation of hunting privileges for one year.

8.34 Hunting on privately-owned or DNR-managed lands without permission

Any person who hunts on privately-owned or DNR-managed lands without approval may have their permit revoked and, if convicted, may be sentenced to a fine not to exceed $500 USD.

8.35 Littering

Any person who intentionally discards or deposits any rubbish, trash, garbage, debris, or other refuse upon the land of another without permission is guilty of an offense and upon conviction shall be sentenced to a maximum fine of $250 USD.

8.36 Additional Sentencing Provisions

(a) Sentences listed for each offense apply to convictions for the first violation of the Act.

(b) Any person who is convicted of a second or subsequent violation of this Act (whether the same or a different offense) within five years of the first conviction shall be sentenced as follows:

(i) A minimum, mandatory fine in the amount which is twice the minimum, mandatory fine for the first violation for that offense. The maximum fine which may be imposed is $2,500 USD; and/or

(ii) A minimum, mandatory jail sentence of two days in jail with a maximum of one year in jail and/or

(iii) Revocation of all hunting privileges for no less than one year and not to exceed three years.

(c) Any parent or guardian of a minor who violates any provisions of this Act or regulations or permits issued or adopted under this Act shall be jointly liable for all fines, Court costs, or damages resulting from the minor's acts.

SECTION 9.0—ENFORCEMENT

9.1 Snoqualmie Tribal Police Department and Tribal Court

(a) Until such time as otherwise established, the Snoqualmie Tribal Police Department shall be responsible for enforcement under this Act and regulations or permits issued or adopted under this Act. The Tribal Council may designate specific Snoqualmie Tribal Police Department personnel as wildlife agents for this purpose. Nothing in this Act shall
be deemed or construed as preventing the Tribal Council from entering into an agreement with another tribe, treaty council, or state, federal, or county government providing for the cross-deputization of Snoqualmie Tribal Police Department Officers.

(b) The Snoqualmie Tribal Court shall have jurisdiction over cases under this Act and regulations or permits issued or adopted under this Act.

9.2 Seizure of wildlife

(a) Upon arrest or upon issuance of a citation, Snoqualmie Tribal Police Department Officers may seize all wildlife and parts of wildlife which the Snoqualmie Tribal Police Department Officer has reasonable grounds to believe have been taken or killed by the alleged violator contrary to the provisions of this Act, or any regulations or permits issued or adopted under this Act. Snoqualmie Tribal Police Department Officers may, in addition, seize any weapons or other paraphernalia (excluding the hunter’s vehicle) which the Snoqualmie Tribal Police Department Officer has reasonable grounds to believe has been used in the commission of a violation of this Act or any regulation or permits issued or adopted under this Act.

(b) A Snoqualmie Tribal Police Department Officer who has seized wildlife, weapons or other items pursuant to this section shall prepare a written inventory of all items seized which shall be signed by the agent and the alleged violator. When unattended gear and/or its contents are seized, the inventory shall be signed by the Snoqualmie Tribal Police Department Officer. In all cases, one copy of the inventory shall be given to the alleged violator, if known, one copy filed with the Tribal Court and one copy to the Commission.

(c) All seized items, other than perishable wildlife and wildlife parts, seized pursuant to this section shall, as soon as practicable, be brought to the Snoqualmie Tribal Police Department office or other place designated by the Tribe for the storage of seized property. Seized property shall be stored in such a manner as to minimize further damage to it and shall be held until disposed of pursuant to order of the Tribal Court.

9.3 Return of seized property – Perishable

Any person who has had perishable meat seized under the authority of this Act may elect to have the meat frozen and stored, if storage facilities are available, pending the outcome of Court proceedings, or to have the Commission dispose of the meat for Tribal purposes. If the person is acquitted or charges are dismissed, the frozen meat shall be returned or, if the meat was disposed of by the Commission, the person may be issued a permit and an appropriate harvest tag to obtain a replacement animal.

9.4 Return of seized property – Nonperishable

(a) Any person whose property has been seized under the authority of this Act may apply immediately to the Tribal Court for release of said property. The Tribal Court may order immediate return of said property if the Court determines that said release is in the best
interest of the wildlife resource. The Tribal Court may expedite all hearings requested under this section.

(b) If the person, whose property has been seized pursuant to this Act or regulations or permits issued or adopted under this Act, is acquitted or charges against the person are dismissed, the Court shall order immediate return of the property.

SECTION 10.0—CONSTRUCTION AND SEVERABILITY

If any provision of this Act, or its application to any person or legal entity or circumstances, is held invalid, the remainder of this Act or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

Nothing in this Act shall be interpreted to affect or limit in any way the exercise by tribal members of hunting and gathering rights or privileges afforded to all citizens and licensees of the state of Washington.

SECTION 11.0—EFFECTIVE DATE

This Act shall become effective and enter into force on May 9, 2019.

SECTION 12.0—AMENDMENTS

This Ordinance may be amended pursuant to written resolution of the Snoqualmie Tribal Council.

SECTION 13.0—SOVEREIGN IMMUNITY

Nothing in this Act shall be construed as a waiver or limitation of the inherent sovereignty and sovereign immunity of the Tribe, nor as a waiver or limitation on the Tribe’s reserved rights under the Treaty of Point Elliott, 12 Stat. 927.

Enacted by the Snoqualmie Tribal Council on the 9th day of May, 2019 in session duly met, with 8 for, 0 against, and 0 abstaining. Resolution No. 130-2019.

Codified by the Snoqualmie Tribal Secretary on the 17th day of May, 2019.

[Signature]
Tribal Secretary