

**TRIBAL COUNCIL ACT 2.2**

**AN ACT RELATING TO  
SNOQUALMIE TRIBAL ELECTIONS**

**BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL**

**SECTION 1.0—TITLE AND CODIFICATION**

This Chapter will be known as the Snoqualmie Tribal Elections Act and will be codified as Title 2, Chapter 2 of the Snoqualmie Tribal Code.

**SECTION 2.0—STATUTORY AUTHORIZATION**

The aboriginal and inherent sovereign power of the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, moral, and general welfare of the members of the Tribe by regulating the behavior of all persons within the jurisdiction of the Tribe, and to provide for the enactment and enforcement of the laws of the Tribe. The Snoqualmie Tribal Council has the authority to develop election procedures in accordance with the Snoqualmie Tribal Constitution, Article VI, Section 3.

**SECTION 3.0—PURPOSE AND FINDINGS OF FACT**

The purpose of this Chapter is to establish fair and uniform policies and procedures for the conduct and management of Tribal elections.

The Snoqualmie Tribal Council finds as a matter of tribal public policy that the objectives of this act are to ensure that all Snoqualmie Tribal elections are:

- (a) Fair;
- (b) Impartially conducted;
- (c) Carried out in conformity with the Tribal Constitution and the Snoqualmie Tribal Code.

**SECTION 4.0—DEFINITIONS**

**AFFILIATED** means closely associated with, connected to, or related to another.

**GENERAL COUNCIL** means the General Council of the Snoqualmie Indian Tribe, as described in Article III of the Snoqualmie Tribal Constitution.

**TRIBAL COUNCIL** means the Snoqualmie Tribal Council, the governing body of the Snoqualmie Indian Tribe.

**TRIBAL MEMBER** means an enrolled member of the Snoqualmie Indian Tribe.

**INDEPENDENT THIRD PARTY ELECTIONS ADMINISTRATOR** means a third-party independent business/organization contracted by the Snoqualmie Tribal Council to conduct elections in accordance with this Act under the supervision of the Secretary of Tribal Affairs or, in the Secretary's absence, the Deputy Secretary.

**SECTION 5.0—DUTIES OF THE SECRETARY OF TRIBAL AFFAIRS;  
ELECTION BOARD**

- (a) As provided in Article IX, Section 1(a) of the Snoqualmie Tribal Constitution, the Secretary of Tribal Affairs is responsible for the administration of Tribal elections pursuant to the Snoqualmie Tribal Constitution and this Chapter.
- (b) At least 30 days prior to the annual Election, the Secretary of Tribal Affairs shall recommend four (4) persons to the Tribal Council to form an Election Board to assist the Secretary of Tribal Affairs with the conduct and management of the annual election. The Secretary of Tribal Affairs shall serve as the Chairperson of the Election Board. At least two (2) of the Election Board members recommended shall be non-Tribal members who are not the immediate relatives (*i.e.*, spouse/domestic partner, parent, grandparent, sibling, child, grandchild, or comparable step-family member) of any Tribal members. The remaining members of the Election Board may be Tribal members.
- (c) The Secretary of Tribal Affairs may substitute the Election Board as outlined in Section 5.0 (b) with an Independent Third Party Elections Administrator.

**SECTION 6.0—ELIGIBILITY TO VOTE**

- (a) All persons voting in any Snoqualmie Tribal Election must: (1) be an enrolled Snoqualmie Tribal member; (2) be 18 years of age or older at the time of the election; and (3) be present at the time and place of the Election.
- (b) Every voter must present photo identification that establishes their identity before being permitted to vote. It is the responsibility of the Snoqualmie Tribal member to obtain photo identification in advance of the Elections in order to vote.

**SECTION 7.0—TRIBAL MEMBERS ELIGIBLE TO HOLD OFFICE**

- (a) All Snoqualmie Tribal members desiring to be a candidate for elected office must: (1) be an enrolled Snoqualmie Tribal member for at least five (5) full calendar years as of the date of the Election; (2) be at least twenty-one (21) years of age as of the date of the Election.
- (b) No more than two related persons residing in the same household may be elected to serve on the Tribal Council during the same year. In order to run for Chairperson, in addition to meeting the eligibility requirement of Section 7.0 (a), an individual must have served at least one (1) full term on the Tribal Council in his/her lifetime.
- (c) No honorary or adopted members may ever hold elected office.

- (d) A Tribal member candidate must pass a background check and drug screening to be paid for by the Tribe, in order to run for office.
- (e) A Tribal member may not run for or hold elected office, even if he/she meets all other eligibility requirements, if the person has been convicted of a felony under any state or federal law within ten (10) years of the date of the Election.

### **SECTION 8.0—ANNUAL MEETING OF THE GENERAL COUNCIL; ELECTION**

The annual meeting of the General Council shall be held in May. The purpose of the annual meeting of the General Council shall be to elect members of the Tribal Council. Elected officials may not be recalled from the floor in accordance with the Snoqualmie Tribal Constitution, Article VII Section 3.

### **SECTION 9.0—INITIATIVE AND REFERENDUM ELECTIONS**

- (a) Initiative. Tribal members may propose a resolution, ordinance, or other action permitted under the Tribal Constitution, by an initiative petition signed by at least thirty-five (35) eligible voters enrolled in the Snoqualmie Indian Tribe. Within thirty (30) days from the receipt of said petition, the Chairperson of the Tribal Council shall call a special meeting of eligible voters to vote on the initiative. A majority vote of the eligible voters attending the meeting shall determine whether the initiative shall go into effect, provided that thirty-five (35) or more of the eligible voters shall vote on the initiative.
- (b) General Referendum. Within thirty (30) days of the receipt of a petition of thirty-five (35) or more of the eligible voters enrolled in the Snoqualmie Indian Tribe (or at the written request of the majority of the members of the Tribal Council), the Chairperson shall call a special meeting of the eligible voters, to consider whether any proposed resolution, ordinance, or other action shall thereafter remain in effect. A majority vote of the eligible voters attending the meeting shall determine whether the proposed resolution, ordinance, or other action shall thereafter remain in effect, provided that thirty-five (35) or more eligible voters shall vote on such referendum.
- (c) Referendum on Disposition of Non-Trust Land and Assets. Within thirty (30) days of the receipt of a petition of fifty (50) or more of the eligible voters of the Snoqualmie Indian Tribe (or at the written request of the majority of the member of the Tribal Council), the Chairperson shall call a special meeting of the eligible voters, to consider issues concerning non-trust land and assets in excess of 2 million dollars. Any proposed resolution or ordinance or other action shall thereafter remain in effect, provided that fifty (50) or more eligible voters shall vote and two-thirds (2/3) of Tribal members present at the special meeting approve the referendum, and further provided that no sale, encumbrance, pledge, or disposal of non-trust land or assets when the transaction is in excess of two million dollars or the pledge of debt would increase by more than 20% will be effective unless at least seventy-five percent (75%) of all members of the General Council have voted in favor of such action.

### **SECTION 10.0—AMENDMENT OR REVISION OF THE SNOQUALMIE TRIBAL CONSTITUTION**

The Snoqualmie Tribal Constitution may be amended or revised by a two-thirds (2/3) vote of the eligible voters of the Tribe present and voting at an election called specifically for that purpose, provided that at least thirty-five (35) eligible voters shall vote in the election. The Tribal Constitution as amended shall always be displayed officially as a whole document.

### **SECTION 11.0—OTHER MEETINGS AND VOTING**

Other meetings of the General Council may be called, at which voting may take place in accordance with this Chapter, including without limitation:

- (a) Special meetings called by the Tribal Council or by ten percent (10%) of the voting membership by giving notice to the Tribal Council, pursuant to Article III, Section 3 (c) of the Tribal Constitution;
- (b) Special or Emergency sessions called by a majority of the Snoqualmie Tribal Council pursuant to Article III, Section 3 (g) of the Tribal Constitution;
- (c) Quarterly meetings, pursuant to Article III, Section 3 (h) of the Tribal Constitution;
- (d) Special meetings to consider an appeal by a Tribal Council member who has been removed by Tribal Council, pursuant to Article VII, Section 2 (c) of the Tribal Constitution; and
- (e) Upon the petition of at least one-third (1/3) of the eligible voters of the Snoqualmie Indian Tribe, a special meeting to consider the recall of one or more members of Tribal Council who were elected at least six (6) months before, pursuant to Article VII, Section 3 of the Tribal Constitution.

In addition to the specific matters subject to being put to a vote under Sections 8.0 through 11.0, votes may be held in accordance with this Chapter on motions duly brought before the membership at duly called General Council meetings with a quorum present.

### **SECTION 12.0—CANDIDATE DECLARATION TO RUN FOR OFFICE**

- (a) Before the annual meeting of the General Council, the Secretary of Tribal Affairs must send a Declaration of Intent to Run for Office form and background check authorization form shall be made available to Tribal Members. These forms must be made available no later than seventy-five (75) days before the election
- (b) Tribal members who intend to declare their candidacy for Tribal office must complete and submit the Declaration of Intent to Run for Office form and background check authorization form by submitting it to the Secretary of Tribal Affairs. The Declaration of Intent to Run for Office form and background check authorization form must be submitted to the Secretary at least forty-five (45) days before the election.
- (c) The Secretary of Tribal Affairs shall transmit the list of eligible candidates to the eligible voters of the Snoqualmie membership.

- (d) In order to be an eligible candidate, a prospective candidate must meet the eligibility requirements of the Tribal Constitution and this Chapter, and must be physically present at the election for the office for which the candidate is running to accept the nomination.

### **SECTION 13.0—NOMINATIONS**

- (a) The presiding officer may announce the list of candidates as published by the Secretary of Tribal Affairs and, with no objections, the list may be accepted and nominations closed.
- (b) In the event of an objection, nominations for each office may be made from the floor by eligible Tribal voters, provided that only candidates that have properly filed a Declaration of Intent to Run for Office form and background check authorization form with the Secretary of Tribal Affairs pursuant to Section 12.0 may be nominated. All nominations require a second to be valid.
- (c) Nominations may not be closed unless or until the presiding officer at the annual meeting of the General Council specifically asks if there are any additional nominations from the list of eligible candidates. If all the eligible candidates have been nominated, then nominations are automatically closed.

### **SECTION 14.0—QUORUM REQUIREMENT FOR A MEETING OF THE GENERAL COUNCIL**

A meeting of the General Council may proceed as an official meeting only if a quorum of forty (40) tribal members who are eligible to vote is present. The person presiding over the meeting shall first determine on the record that a quorum is present before making a declaration that the called meeting is official for the purpose called.

### **SECTION 15.0—SECRET BALLOT VOTING**

Voting must be conducted by secret ballot, which may be implemented:

- (a) By secret paper ballots distributed and collected by the Secretary of Tribal Affairs and the Election Board;
- (b) By the means and in the manner announced by an Independent Third Party Administrator selected by the Secretary of Tribal Affairs to substitute for the Election Board and conduct the election, which may include, without limitation, electronic voting stations;
- (c) By an electronic voting system selected by the Tribal Council and administered by the Secretary of Tribal Affairs and the Election Board; or
- (d) By vote-by-mail during times of a State of Emergency as declared by the Tribal Council as provided for in Section 16.

### **SECTION 16.0—VOTE-BY-MAIL**

- (a) Vote-by-mail (or absentee voting) shall only occur when a vote of the General Council is required but should not be held in person due to a State of Emergency as declared by the Tribal Council.
- (b) An Independent Third Party Administrator may be retained by the Secretary of Tribal Affairs to substitute for the Election Board and conduct the election in accordance with an agreement executed between the Third Party Administrator and the Secretary of Tribal Affairs; or
- (c) The Secretary of Tribal Affairs shall automatically mail to each eligible voter a ballot. Documents to be included with the ballot are as follows: (1) the ballot; (2) a statement for the voter to sign under penalty of perjury and date that they are eligible to vote and have voted only once; and (3) an inner envelope bearing on the outside the words "Absentee Ballot" and a specially assigned tracking number which is pre-addressed and self-stamped with pre-paid postage.
- (i) Eligible voters who are unable to sign the statement may have a person aged 18 years or older sign and date the statement on the person's behalf.
- (d) The Secretary of Tribal Affairs shall mail the ballot to eligible voters no later than twenty-one (21) days before the scheduled vote date. Eligible voters who do not receive their ballots by fourteen (14) days before the scheduled vote date must contact the Secretary of Tribal Affairs to indicate that the ballot was lost to request a new ballot.
- (e) All ballots must be post-marked by 5 p.m. Pacific time on the scheduled vote date.
- (f) Ballots will not be counted if any of the following occurs: (1) the ballot is not post-marked by the deadline; (2) the ballot statement is not signed; (3) the ballot statement is not dated; (4) the ballot envelope is open or appears to have been tampered with when it arrives; or (5) the ballot arrives after the date set for tabulation of votes. All such ballots shall be declared invalid.
- (g) The ballot envelopes will be collected and maintained by the Secretary of Tribal Affairs' office in a secure place and manner, and not opened until the date and time set for the tabulation of votes.
- (h) The Secretary of Tribal Affairs shall open the ballots and begin the tabulation of votes no sooner than five (5) business days after vote date to allow time for ballots to be delivered by U.S. Mail. When opening the ballots, the Secretary of Tribal Affairs shall use the tracking number on each ballot envelope to maintain a log that shows which ballots were returned in order to establish a quorum. The Secretary of Tribal Affairs shall not record the name of the voter or the vote in the log in order to ensure secret ballot voting. If a ballot is not counted in accordance with Section 16(e), the Secretary of Tribal Affairs shall indicate that the ballot was not counted in the log.
- (i) The Secretary of Tribal Affairs shall count votes by having one person read the vote, one person verify the vote, one person tabulate the votes, and one person to collect the

ballot after it has been counted and to place it in an envelope to be sealed with the final vote tally at the conclusion of the tabulation process.

(j) The Secretary of Tribal Affairs will generate for the record a report displaying the individual, anonymized votes, as well as the aggregate vote count and will announce the vote count on the Tribe's website, letter, and via social media as warranted by no later than 5 p.m. on the date set for tabulation of votes. The vote will then be certified in accordance with Section 18.

(k) The Secretary shall maintain all ballots and envelopes through at least the conclusion of the election challenge period in Section 19.

#### **SECTION 17.0—TABULATION OF VOTES**

(a) Ballots will be collected by the Secretary of Tribal Affairs and the Election Board. The presiding officer in the meeting will make an announcement prior to closing the voting giving one final opportunity for eligible voting members to submit ballots.

(b) In the event the Election Board and paper ballots are used for the election, the Election Board as directed by the Secretary of Tribal Affairs distributes and collects the secret ballots. One member reads the names on the secret ballots out loud, one member verifies the name read, one member tabulates the votes and one member collects the secret ballot after it has been counted and places it in an envelope to be sealed with the final vote tally at the conclusion of the tabulation process.

(c) In the event an Independent Third Party Administrator is used for the Election, the Independent Third Party Administrator shall announce the means and manner of tabulating votes.

(d) In the event an electronic voting system administered by the Election Board is used for the election, the Election Board; as directed by the Secretary of Tribal Affairs, will administer the voting software and distribute and collect any components of the electronic voting system necessary for eligible voters to cast votes, which may include keypads or other items or information. When voting is closed, the Election Board will display the aggregate vote counts. The Secretary of Tribal Affairs will then generate for the record a report displaying the individual, anonymized votes, as well as the aggregate vote counts.

(e) In the event of a tie vote, a run-off election between the two tied candidates will be held immediately.

#### **SECTION 18.0—CERTIFICATION OF ELECTION**

a) After the tabulation of votes, the Secretary of Tribal Affairs must certify the election by formally informing the presiding officer of the results. The Secretary of Tribal Affairs then seals the tabulation and associated work papers with the actual ballots cast, or with appropriate reports indicating the ballots cast if using an Independent

Third Party Elections Administrator, for record keeping with the Office of the Secretary of Tribal Affairs.

- b) The presiding officer announces the results to the Membership.

#### **SECTION 19.0—ELECTION CHALLENGES/DISPUTES**

- (a) Any eligible voting member who participates by vote in the Election has seventy-two (72) hours from the time of the announcement of the results by the presiding officer to challenge the results or the manner in which the Elections were conducted. The challenges must be submitted in writing to the Secretary of Tribal Affairs.
- (b) The Secretary of Tribal Affairs shall present any election challenges to the Tribal Council at the next regularly scheduled Tribal Council meeting. The Tribal Council shall be the sole decision making authority on the validity of the election challenges and whether or not to conduct a new election or to validate the election and proceed with the seating of the individuals elected.
- (c) Nothing in this Section shall apply to a Constitutional Amendment Election.

#### **SECTION 20.0—OATH OF OFFICE**

- (a) Upon certification of the Election, the elected persons must take the Oath of Office..
- (b) The Oath of Office for elected Snoqualmie Tribal Officials shall be as follows:

*I do solemnly swear to uphold the traditions and customs and laws of the Snoqualmie Indian Tribe; to honor our ancestors and Elders and to work for the betterment of the health, safety and general welfare of the Snoqualmie Tribal Community.*

- (c) Upon taking the Oath of Office, the elected person(s) officially and immediately assumes their position and any non-re-elected person(s) shall receive their Chairperson Stipend, Council Stipend or Alternate Stipend until the end of the month in which elections were held.



**ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10<sup>TH</sup> DAY OF JANUARY, 2008 IN SESSSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING, TRIBAL COUNCIL ACT 01-2008A.**

**AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 29<sup>TH</sup> DAY OF MAY, 2008 IN SESSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 57-08.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 2<sup>ND</sup> DAY OF APRIL, 2009 IN SESSION DULY MET. NO. 69-09.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 15<sup>TH</sup> DAY OF JUNE, 2012 IN SESSION DULY MET WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 75-2012.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10<sup>TH</sup> DAY OF MAY, 2013 IN SESSION DULY MET WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 90-2013.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 12<sup>TH</sup> DAY OF FEBRUARY, 2015 IN SESSION DULY MET WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 29-2015.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 21<sup>ST</sup> DAY OF FEBRUARY, 2019 IN SESSION DULY MET WITH 5 FOR, 0 AGAINST, 1 ABSTAINING. RESOLUTION NO. 39-2019.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 6<sup>TH</sup> DAY OF FEBRUARY, 2020 IN SESSION DULY MET WITH 5 FOR, 0 AGAINST, 2 ABSTAINING. RESOLUTION NO. 22-2020.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 25<sup>TH</sup> DAY OF JUNE, 2020 IN SESSION DULY MET WITH 5 FOR, 2 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 122-2020.**

**FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 5<sup>TH</sup> DAY OF AUGUST, 2021 IN A SESSION DULY MET WITH 7 FOR, 0 AGAINST, AND 2 ABSTAINING. RESOLUTION NO. 181-2021.**

**CODIFIED AS AMENDED BY THE TRIBAL SECRETARY ON THE 5TH DAY OF AUGUST, 2021.**

  
**TRIBAL SECRETARY**