

TRIBAL COUNCIL ACT 1.3

AN ACT RELATING TO INITIATIVE AND REFERENDUM PETITIONS AND AGENDA REQUESTS OF THE SNOQUALMIE TRIBE OF INDIANS BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 TITLE AND CODIFICATION

This Chapter shall be known as the Initiative and Referendum Petitions, and Agenda Requests Act and shall be codified as Title 1, Chapter 3 of the Snoqualmie Tribal Code.

SECTION 2.0 STATUTORY AUTHORITY

This aboriginal and inherent sovereign power to govern 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 Snoqualmie Indian Tribe by regulating the behavior of all persons within the jurisdiction of the Snoqualmie Indian Tribe, and by providing for the enactment and enforcement of the laws of the Snoqualmie Indian Tribe. Constitution of the Snoqualmie Tribe of Indians Article VIII, Section 1(e), (j), and (o).

SECTION 3.0 PURPOSE AND SCOPE

The purpose of this Chapter is to enact provisions of law that establish and define the procedures by which Tribal Members may submit an Initiative Petition, General Referendum, or Referendum on Disposition of Non-Trust Land and Assets to Tribal Council for General Council consideration, consistent with the rights granted under the Constitution of the Snoqualmie Tribe of Indians.

Additionally, this Chapter is intended to establish a process for agenda requests to be placed on both General Council meeting agendas and Tribal Council meeting agendas.

SECTION 4.0 DEFINITIONS

In this Chapter, the following words and terms will have the following meanings, unless the context specifically requires otherwise:

ANNUAL MEETING means the meeting identified in Article III, Section 3(a) of the Constitution.

CONSTITUTION means the Constitution of the Snoqualmie Tribe of Indians, republished on the 28th day of September 2023, or the most current version of the Constitution as approved by the General Council. In the event of a conflict between this Code and the Constitution, the Constitution shall control.

ELIGIBLE VOTER means an enrolled member of the Snoqualmie Indian Tribe who is over the age of 18 and otherwise eligible to vote in a Snoqualmie Tribal election.

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

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INITIATIVE is a proposed resolution, ordinance, or other action relating to new legislation, for General Council consideration, through the established process outlined in this Chapter.

PRESENTER means any adult enrolled Tribal Member who is authorized through the procedures outlined in this Chapter to present material during a meeting, for consideration of the General Council and/or Tribal Council.

REFERENDUM or **GENERAL REFERENDUM** is a proposed resolution, ordinance, or other action relating to existing legislation, for consideration of the General Council, through the established process outlined in this Chapter.

SECRETARY shall mean the Secretary of Tribal Affairs, as described in Article IX of the Constitution.

SPECIAL MEETING means the meeting identified in Article III, Section 3(c) of the Constitution.

TRIBAL COUNCIL shall mean the duly authorized governing body of the Snoqualmie Indian Tribe.

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

TRIBE means the Snoqualmie Indian Tribe.

SECTION 5.0 CONSTITUTIONAL RIGHT TO PROPOSE LAW BY REFERENDUM AND INITIATIVE

5.1 – GENERAL REFERENDUM

- (a) Article XII of the Constitution reserves the right to Tribal Members to propose a General Referendum for Eligible Voters to consider whether any proposed resolution or ordinance or other action shall thereafter remain in effect.
- (b) The Referendum power is subject to the prohibition in Article XI, Section 1(i) on impairment of contracts; thus, Tribal Council may not pass any bill of attainder or ex post facto law, or adopt any law, code or resolution which would impair the obligation of any legitimately written, authorized, and executed contract of the Tribe or of any valid agent, corporation, or member of the Tribe.

5.2 – REFERENDUM ON DISPOSITION OF NON-TRUST LAND AND ASSETS

- (a) Article XII of the Constitution reserves the right to Tribal Members to propose a Referendum to consider issues concerning non-Trust land and assets in excess of two million dollars.
- (b) Any proposed resolution or ordinance or other action shall thereafter remain in effect, provided that the quorum requirement is met, fifty (50) or more eligible voters shall vote, and two-thirds (2/3) approve the Referendum.

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5.3 – INITIATIVE

Article XIII of the Constitution reserves the right to Tribal Members to propose a resolution, ordinance, or other action permitted under the Constitution by an initiative petition signed by at least ten percent (10%) of Eligible Voters.

SECTION 6.0 INITIATIVE/REFERENDUM PETITION PROCESS

- (a) Petitions for Initiatives and Referendums must be signed by at least ten percent (10%) of the Eligible Voters who support such measure. The minimum required number of signatures at any given time may be obtained by contacting the Enrollment Director of the Snoqualmie Tribe.
- (b) Alternatively, at the written request of a majority of the members of Tribal Council a Special Meeting of the General Council shall be called to consider a proposed Referendum.

6.1 – PETITION CONTENTS

- (a) The signature gatherer(s) of an Initiative or Referendum is responsible for printing signature petition sheets at their own expense.
- (b) All petitions proposing an Initiative or Referendum must (see attached, an example of an Initiative/Referendum Petition):
 - 1. Include a title for the official ballot;
 - 2. Include the entire proposed measure and a summary;
 - 3. Proposed measure(s) must be written in the form of motions;
 - 4. All documents and content must be legible;
 - 5. Have space for a voter's printed name, signature, and enrollment number (failure to include an enrollment number will invalidate the respective signature);
 - 6. Include the following declaration affirmed by the signature gatherer(s): "I swear or affirm under penalty of law that I circulated the proposed measure(s) in whole and this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct.";

6.2 – SUBMISSION OF PETITION TO TRIBAL COUNCIL

- (a) Once a sufficient number of signatures have been collected on a petition for an Initiative or Referendum, the petition pages shall be submitted to the Secretary. The pages shall be submitted by mail or submitted in person to the Secretary at Tribal Council Chambers.

The submission shall include:

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1. The entire collection of the petition signature pages containing all signatures in support of the proposed measurer(s);
2. The full text of the proposed resolution, ordinance, or other action (typewritten);
3. A letter containing the submitting party's name, address, and phone number, enrollment number and an estimate of the number of signatures collected;
4. All materials prepared for presentation during the Special General Council Meeting, and the name(s) and enrollment number(s) for the individual(s) that intend to present.

(b) Petitions submitted by mail should be sent to:

Snoqualmie Indian Tribe
Attn: Secretary of Tribal Affairs
P.O. Box 969
Snoqualmie, WA 98065

(c) If the petition submitted fulfills the requirements in Section 6.1, upon receipt the Secretary will forward the petition to the Tribal Council. The Tribal Council will then identify by a majority vote the individual(s) tasked to assist the Secretary in the signature verification process outlined in Section 6.3.

(d) Upon receipt by the Secretary, the petition will be considered in the form it is received, does not belong to an individual or group of individuals, and will not be amendable post submission.

6.3 – PETITION SIGNATURE VERIFICATION

(a) The Secretary and authorized individual(s) shall verify the number of signatures submitted on the Petition as well as verifying the authenticity of those signatures.

(b) To verify the authenticity of handwritten signatures, the Secretary shall compare the signatures included to the signatures contained within the Tribe's voter registry. If a signature included on the Petition appears to be significantly different from the signature contained within the voter registry, the Secretary shall attempt to contact the signer by phone and/or email to confirm that the Petition signature is legitimate. If such signatory cannot be reached after three (3) documented attempts, his or her signature will not be counted toward the total number of required signatures.

(c) To verify the authenticity of e-signatures, the Secretary shall accept an authentication page from the program the signature originated from. If such page is not provided the Secretary shall attempt to contact the signer by phone and/or e-mail to confirm that the Petition signature is legitimate. If such signatory cannot be reached after three (3) attempts, his or her signature will not be counted toward the total number of required signatures.

(d) If the Secretary determines that: 1) the Petition does not include the requisite number of signatures; 2) that one or more of the signatures is not legitimate, or 3) that the Petition otherwise does not comply with this Act or the Constitution, a recommendation shall be

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sent to the Tribal Council to deem the Petition “rejected” and be returned to the submitting party.

- (e) If the Secretary determines that the Petition contains the requisite number of signatures, that those signatures are legitimate, and that the Petition is otherwise compliant with this Act and the Constitution, the Tribal Chairperson shall, within thirty (30) days, call a Special Meeting of the General Council to consider the proposed Initiative or Referendum and to vote on the measure, in accordance with Article XIII Section 1 of the Constitution. The official meeting notice shall be mailed to Tribal Members no less than a thirty (30) days prior to the meeting date.

SECTION 7.0 SPECIAL MEETING VOTE AND RESOLUTION

7.1 – ESTABLISHMENT OF A QUORUM

- (a) A quorum for conducting business at any General Council meeting shall be ten percent (10%) of the Tribal Members eligible to vote on the first day of each calendar year. The Snoqualmie Tribe Enrollment Department shall, on the first working day of each calendar year, make all calculations necessary to establish the number representing the ten percent (10%) of Tribal Members eligible to vote on the first working day of each calendar year and immediately publish both the number and the method of calculation.
- (b) In addition to the above quorum requirement, at least ten percent (10%) of the Tribe’s Eligible Voters must participate in an Initiative or Referendum vote for the vote to be valid. If fewer than ten percent (10%) of the Tribe’s Eligible Voters participate in such vote, the votes will not effectuate any action with respect to the proposed Initiative or Referendum.

7.2 – RESULTS AND RESOLUTION OF THE VOTE

Initiative or Referendum Vote(s) that are consistent with all applicable law, and result in approval by the General Council, Tribal Council shall enact a resolution reflecting the approved measure.

SECTION 8.0 AGENDA REQUEST SUBMISSIONS

8.1 – ANNUAL GENERAL COUNCIL MEETING AGENDA

- (a) Any Tribal Member wishing to submit an item for the Annual Meeting agenda must submit such item to the Secretary, no fewer than thirty (30) days prior to the Annual General Council Meeting.
- (b) Only Tribal Members may submit items for the Annual General Council Meeting agenda.
- (c) The proposed agenda item submissions must include the agenda item title and a brief description of the item to include on the agenda. (Submitters are encouraged to provide as much detail as possible for other members to be informed prior to the Annual Meeting).

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- (d) If a proposed agenda item has additional materials which would accompany the presentation of the agenda item, (including but not limited to a PowerPoint presentation, photographs, or a video), all materials must be submitted to Tribal Council at least thirty (30) days prior to the Annual Meeting.
- (e) The Secretary shall publish the agenda prior to the Annual Meeting.

8.2 – TIME SENSITIVE WEEKLY TRIBAL COUNCIL MEETING AGENDA

- (a) Any Tribal Member wishing to submit an item for the weekly Tribal Council meeting agenda shall submit such item to the Secretary no later than 12:00 PM Pacific Standard Time on the Wednesday preceding the week of the next regularly scheduled Tribal Council meeting for which the agenda item is requested to be addressed.
- (b) The following provisions apply to time sensitive weekly Tribal Council meetings:
 - 1. Only enrolled Tribal Members may submit items for the weekly Tribal Council meeting agenda.
 - 2. Agenda requests must include the following information:
 - i. The date and time of the requested meeting;
 - ii. The proposed topic for discussion;
 - iii. A brief description of the topic;
 - iv. Notice if the item should be considered Executive Session;
 - v. A proposed time allocation for the discussion;
 - vi. A list of desired attendees and if attendees will appear in-person or via Zoom; and
 - vii. Any necessary supporting documents or information needed to prepare for discussion of the proposed topic.
 - 3. The Secretary shall work with any member that is requesting to be on an agenda, to ensure section 8.2 (d) i-vii are gathered to the best of their ability.
 - 4. Tribal Council shall review and approve or reject the proposed agenda item by 5:00 PM Pacific Standard Time on the Friday preceding the week of the meeting for which the agenda item is requested to be addressed.

SECTION 9.0 DISTRIBUTION OF THIS CHAPTER

To prevent confusion, the Snoqualmie Tribe Initiative and Referendum Petitions, and Agenda Requests Act shall always be distributed as a current and conformed document. Such distribution shall not prohibit member or other authorized persons from examining the legislative history of this Chapter.

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SECTION 10.0 AMENDMENTS

The Tribal Council may amend this Chapter by a majority vote, provided a quorum is present. This Chapter supersedes and replaces any and all prior ordinances of the Tribe relating to the subject matter of this Chapter.

SECTION 11.0 NO WAIVER OF SOVEREIGN IMMUNITY

Nothing in this Chapter waives or may be interpreted to waive the sovereign immunity of the Tribe or any of its officers, employees, or agents acting within the scope of their authority.

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 20TH DAY OF MARCH 2025 IN SESSION DULY MET, WITH 6 FOR, 1 AGAINST, AND 0 ABSTAINING, TRIBAL COUNCIL ACT 1.3. RESOLUTION NO. 69-2025.

CODIFIED AS ENACTED BY THE TRIBAL SECRETARY ON THE 20TH DAY OF MARCH 2025.



TRIBAL SECRETARY, AMBER HOLLOWAY