

CONSTITUTION OF THE SNOQUALMIE TRIBE OF INDIANS

PREAMBLE

We, the Indians of the Snoqualmie Tribe, being the direct descendants of the signatories of the Governor Steven's Point Elliot Treaty of 1855, for the purpose of securing the rights and powers inherent in our sovereign status and guaranteed to us by the Point Elliott Treaty of 1855, structuring our Tribal government, governing our Tribal community, promoting the social and economic well-being of our Tribal people, securing our aboriginal rights and privileges, preserving our culture and traditions, fostering justice and freedom, and advancing our mutual welfare, do hereby approve and adopt this Constitution

ARTICLE I – NAME AND SOVEREIGNTY

Section 1. *Name.* The legal name of the tribal organization created by this Constitution shall be the Snoqualmie Indian Tribe.

Section 2. *Sovereignty.* The aboriginal and inherent sovereign power of the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council and limited only as expressly and unambiguously provided by federal law

Section 3. *Sovereign immunity.* The Snoqualmie Indian Tribe is immune from suit except to the extent that the Tribal Council expressly and unambiguously waives its sovereign immunity.

Section 4. *Jurisdiction.*

- (a) The jurisdiction and governmental power of the Snoqualmie Indian Tribe extends to all persons, property, lands, both running waters, and lakes, airspace, all natural resources, both living and dead; all activities occurring within the exterior boundaries of the Snoqualmie Indian Reservation or lands now or hereafter held in trust by the federal government for the Tribe or any member of the Tribe, so long as those lands are not within the boundaries of the reservation of another tribe; and;
- (b) The Snoqualmie Indian Tribe shall also have jurisdiction over all other persons, property, resources, territory and subject matter to protect or exercise any rights and powers reserved and granted the Tribe by treaty or by the Constitution and laws of the United States.

ARTICLE II – MEMBERSHIP

Section 1. The Snoqualmie Indian Tribe has the right to determine Tribal membership in accordance with the Tribe's Constitution.

Section 2. A person shall be eligible for membership in the Snoqualmie Indian Tribe if that person is living, applies for membership and meets the following criteria:

- (a) All persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919. These persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919, shall be the Base Roll of the Snoqualmie Indian Tribe.

- (b) All descendants of persons who qualify for Tribal membership under Article II, Section 2 (a) provided that such descendants possess at least one-eighth (1\8th) degree of Snoqualmie Indian blood.

- (c) All persons who do not qualify for membership under Article II, Section 2 (a) or (b), must be a biological child of an enrolled Snoqualmie Tribal member, provided that such persons possess Snoqualmie Indian blood.

- (d) Any Indian person who is adopted in accordance with the acts and resolutions of the Tribal Council, provided however that an Indian adoptee shall not be eligible to hold an elected office and shall not share in any judgement fund or per capita payments otherwise available to enrolled Snoqualmie tribal members pursuant to sub-sections (a) and (b) of this section. Indian adoptees shall have only those rights and privileges actually bestowed by the Tribal Council at the time of adoption.

- (e) All non-Indian persons adopted as honorary members of the Snoqualmie Indian Tribe. Non-Indians are restricted to the status of honorary membership and in no case shall an honorary member be entitled to hold an elected office, to vote or participate in any tribal affairs or share in any distribution of tribal funding reserved for enrolled Snoqualmie Indians pursuant to subsections (a) and (b) of this section.

Section 3. Dual Enrollment is prohibited. Any adult who has ever been a member of any other organized Tribe, band, or Indian community, officially

recognized by the Secretary of the Interior, or not so recognized, shall not qualify for membership in the Snoqualmie Indian Tribe.

Section 4. Any Snoqualmie Indian Tribal member may voluntarily relinquish their enrollment from the Snoqualmie Indian Tribe at any time pursuant to the enrollment laws of the Tribe. A Tribal member, 18 years or older, who voluntarily relinquishes their enrollment, in their own name, with the Snoqualmie Indian Tribe shall be prohibited from seeking re-enrollment as a member of the Snoqualmie Indian Tribe.

Section 5. Snoqualmie Tribal membership is a privilege that may be revoked by the General Council for cause as determined by the acts and resolutions of the tribe. The General Council may impose a penalty of full or partial banishment against any enrolled tribal member for good cause in accord with Snoqualmie Tribal tradition or the acts and resolutions of the tribe.

Section 6. The Tribal Council shall approve or deny all enrollment applications, based on criteria provided in the Constitution and laws of the Snoqualmie Indian Tribe. The Snoqualmie General Council shall be the final determinate, and have the power to make all final appeal decisions regarding membership, of who is or who is not a member of the Snoqualmie Indian Tribe. Questions regarding membership are matters within the exclusive internal sovereignty of the Snoqualmie Indian Tribe and not justiciable in any court of law.

ARTICLE III – GENERAL COUNCIL

Section 1. *Membership in the General Council.* All members of The Snoqualmie Indian Tribe shall be members of the General Council.

Section 2. *Voting.* Members of the General Council age 18 years or older, who present at the appointed time and place of elections, shall be permitted to vote in General Council meetings.

Section 3. *Meetings.*

- (a) The annual meeting of the General Council shall be held in May of each year.
- (b) All meetings of the General Council shall be announced by the Tribal Council by mailing notices to each member at least thirty (30) days in advance of the meeting and by publishing notice in a local newspaper and

in the Tribe's newsletter and official website .

- (c) Special meetings may be called by the Tribal Council or by ten percent (10%) of the voting membership by giving notice to the Tribal Council. Special meetings require a 30 day notice, in accordance with Article III, Section 3 (b), to the General Council.
- (d) The purpose of the Annual General Council meeting shall be to elect or recall the members of the Tribal Council and to declare the will of the General Council on issues placed before the General Council as reflected in the agenda and by persons raising issues from the floor at any Annual Meeting.
- (e) 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.
- (f) The agenda for the Annual Meeting shall be published by the Secretary of the Tribe. All items to be placed on the agenda shall be submitted to the Secretary thirty (30) days in advance of the annual meeting. Items on the agenda shall be considered before issues or questions raised from the floor.
- (g) A majority of the Snoqualmie Tribal Council may call the General Council into Emergency session. Emergency General Council meetings may only be called when a timely decision of the General Council is necessary. Emergency General Council meetings may be called with a ten (10) day notice of all the General Council.
- (h) In addition to the bi-annual meetings, quarterly General Council meetings may be held.

ARTICLE IV – GOVERNING BODY

Section 1. The governing body of the Snoqualmie Indian Tribe shall be known as the Snoqualmie Tribal Council. The Tribal Council shall

complete Roberts Rules of Order, Ethics, Confidentiality, and Budgets trainings annually.

Section 2. *Membership.* The Tribal Council shall consist of nine (9) members duly elected to serve four year staggered terms and a separately elected Tribal Chairperson who shall also serve a four year term. There shall also be a permanent lifetime position on the Tribal Council known as the Tribal Elder. The Tribal Elder serves as an advisory member of the Tribal Council with full rights to participate in deliberations of the Tribal Council but the Tribal Elder shall not vote as a member of the Tribal Council.

Section 3. *Alternate Council Members.* In addition to the regularly elected members of the Tribal Council specified in Section 3 of this Article, there shall be two alternate council members. Alternate council members shall run separately for office and serve two year terms. The alternate council candidates shall stand for election in the year 2003. Thereafter, alternate council members shall be elected every two years. Alternate council members shall attend all scheduled council meetings, may participate in the deliberations of the council proceedings but may not vote unless their service is needed to establish a quorum.

Section 4. *Council Chiefs.* Members of the Chiefs Council may participate in the deliberations of the Tribal Council but may not vote unless their services are needed to establish a quorum and the Alternate Council members are seated or absent.

Section 5. *Organizing Elections.* At the first election of the Tribal Council, five members shall be elected for a four (4) year term in the year 2003; and four members shall be elected for terms of four years in 2004. Thereafter, the terms of office for all Tribal Council members shall be for four (4) years.

Section 6. *The Tribal Chairperson.* The Tribal Chairperson shall be elected for a term of four (4) years and must have served at least one full term on Tribal Council in his/her lifetime. No person shall be a candidate for Tribal Chairperson unless he or she has been a member of the Snoqualmie Indian Tribe for not less than five years and shall be at least twenty-one years of age at the time of the election. No person may be a candidate for Tribal Chairperson if he or she shall have been found guilty of any felony, or a misdemeanor involving controlled substances or dishonesty, in any Indian, State, or Federal Court within seven (7) years prior to the election.

ARTICLE V – TRIBAL OFFICERS

Section 1. *Council.* The Tribal Council chairperson shall be elected as designated in Article IV. The Tribal Council shall elect from its members: 1) a vice-chairperson, 2) a secretary, and 3) a treasurer, and may appoint such other officials and committees as are considered necessary. The Tribal Council shall elect officers annually not later than the first Tribal Council meeting following the annual General Council meeting.

Section 2. *Tribal Chairperson.* The chairperson presides over the meetings of the tribal council and the General Council; represents the tribe at official functions and presents the annual tribal budget to the Tribal Council for formal approval. The Chairperson shall sign the official contracts and other instruments of the tribe but only after their approval by the Tribal Council.

Section 3. *Vice-Chairperson.* The Vice-Chairperson shall assume the duties of the Chairperson during the absence or disability of the Chairperson. The Vice-Chairperson shall become the Chairperson of the tribe upon the death, resignation or removal of the Chairperson and serve until a successor is duly qualified and elected.

Section 4. *Secretary.* The Secretary shall be the custodian of the official records of the tribe and exercise those powers contained in Article IX of the Tribal Constitution.

Section 5. *Treasurer.* The Treasurer of the tribe counter-signs checks drawn by the tribe, periodically reviews the vouchers, books and other financial records of the tribe and serves as the chief fundraising officer for the tribe's non-profit entities.

ARTICLE VI – NOMINATIONS AND ELECTIONS

Section 1. *Eligibility to vote and hold office.* All members of the Snoqualmie Indian Tribe eighteen (18) years of age or older shall be eligible to vote. No person shall be a candidate for Tribal Council unless he or she shall be a member of the Snoqualmie Indian Tribe for not less than five years and shall be at least twenty-one years of age at the time of the election. No more than two related persons residing in the same household may be elected to serve on the Tribal Council during the same year. No person may be a candidate for Tribal Council if he or she shall have been found guilty of any felony, or a misdemeanor involving controlled substances or dishonesty, in any Indian, State, or Federal Court within seven (7) years prior to the election.

Section 2. *Election dates.* The first election under this constitution shall be held according to the organizing requirements of Article V, Section 5 and conducted pursuant the tribal election law and procedure.

Section 3. *Election procedures.* Election procedures shall be in accordance with the election laws and procedures adopted by the Tribal Council. The election laws and procedures shall require nomination procedures, voting by secret ballot, and shall prescribe the duties of the election board, outline procedures for settlement of election disputes, tie votes, and shall include any further provisions which are consistent with this Constitution.

ARTICLE VII – VACANCIES AND REMOVAL FROM OFFICE

Section 1. *Vacancies.* If a member of the Tribal Council or other officer dies, resigns, or is removed from office due to neglect of duty, gross malfeasance or gross misconduct or any other reason provided for in this Article, the Tribal Council shall declare the position vacant and shall appoint a new member to serve until the next regular election. In the event that the next regular election is more than one calendar year from the vacancy, the Tribal Council shall call for a special election, to allow the General Council to elect a person to serve the remainder of the vacant Council term.

Section 2. *Expulsion.*

- (a) The Tribal Council may expel any Council member for neglect of duty, gross malfeasance or gross misconduct. The Council member who is the target of an expulsion action must be furnished notice of the charges, together with advance notice of the hearing which must be at least thirty (30) days prior to the hearing date. At the hearing, an accused must be given an opportunity to answer the charges and confront witnesses against him or her at the hearing held for that purpose. The expulsion hearing date may be continued from time to time for good cause shown at the discretion of the Tribal Council.
- (b) At least seven-ninths (7/9) of the members of the Tribal Council must vote in favor of expulsion to validate the expulsion. The Chairperson shall be permitted to vote. The vote shall be held within thirty (30) days of the furnishing of written notice. The position shall be filled in the same manner as provided in Article V. Section 1.
- (c) A Council member who has been removed shall have the right within thirty (30) days of the vote for removal to file an appeal to the General Council. In the event

of such an appeal, the Tribal Council shall promptly call a special meeting of the General Council, at which special meeting, it shall be decided whether the removed officer shall be permanently removed. Failure to obtain a quorum of the General Council at such a special meeting shall be considered affirmation of removal of any officer.

- (d) In the event of a council member or officer misses three (3) or more consecutively scheduled meetings without good cause, the Tribal Council may replace such members for neglect of duty. Positions shall be filled by the Tribal Council until the next regular scheduled General Council meeting whereupon, the General Council shall affirm the selection of the Tribal Council or fill the position with another candidate.

Section 3. *Recall.* Upon a petition of at least one-third (1/3) of the eligible voters of the Snoqualmie Indian Tribe, it shall be the duty of the Tribal Council to call a special meeting of the General Council to consider the recall of a member or members of the Council named in such petition. If a majority of those voting at the meeting favor a recall from office, the office shall be declared vacant and an election shall be held to fill the vacancy in accordance with tribal election law and procedures. No recall petition shall be submitted with-in six (6) months after the election of the member named in the petition.

ARTICLE VIII – POWERS OF THE COUNCIL

Section 1. *Powers.* The Tribal Council of the Snoqualmie Indian Tribe may exercise the following powers subject to all express restrictions upon such powers contained in this Constitution:

- (a) To negotiate with and enter into agreements with the Federal, State, and Local Governments, foundations, corporations or private organizations or persons on behalf of the Tribe; and to advise and consult with the representatives of the Department of the Interior on all activities of the Department that may affect the Snoqualmie Indian Tribe.
- (b) To employ legal counsel.
- (c) To govern, approve, or veto any sale, disposition, lease, encumbrance or use of Tribal lands, interest in such land, or other Tribal assets, and to regulate the use of these lands and of any land within the jurisdiction of the Snoqualmie Indian

Tribe.

- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Snoqualmie Indian Tribe prior to the submission of such estimates to the Office of Management and Budget and to Congress.
- (e) To manage all economic affairs and enterprises of the Tribe in accordance with the terms of this Constitution and laws of the Tribe.
- (f) To set aside and to spend Tribal funds for Tribal purposes.
- (g) To borrow money from public or private sources, and to pledge, mortgage or assign Tribal assets and income for security only with the consent of the Tribe having been given.
- (h) To levy taxes, fees or special assessments upon persons or property within the jurisdiction of the Snoqualmie Indian Tribe.
- (i) To remove or exclude from the territory of the Tribe non-members whose presence may be injurious to the peace, health, and welfare of the Tribe.
- (j) To safeguard and promote the peace, safety, moral, and general welfare of the members of the Tribe by regulating the behavior of all person within the jurisdiction of the Tribe, and to provide for the enactment and enforcement of the laws of the Tribe.
- (k) To establish a Tribal Court and to provide for laws and procedures governing its operation, and the selection of judges.
- (l) To charter and regulate corporations, cooperatives, associations, special districts, educational, and charitable institutions political subdivisions and other entities.
- (m) To regulate the domestic relations of members of the Tribe.
- (n) To provide for the appointment of guardians for minors and mental incompetents and to protect the welfare of children, the elderly or other at-risk

- populations by ordinance or resolution.
- (o) To adopt laws or resolutions regulating the procedure of the Council itself and of other Tribal agencies and Tribal officials.
 - (p) To delegate to subordinate boards, committees or cooperative associations which are open to all members of the Tribe any of the powers enumerated herein, reserving the right to review any action taken by virtue of such delegated powers.
 - (q) To purchase, buy, or accept any land or other property for the Snoqualmie Indian Tribe, including acquisition of land through the Tribe's exercise of its power of eminent domain.
 - (r) To take and accept the ownership of land in trust when the United States Congress or other agencies may so provide.
 - (s) To allow the owners of restricted lands and fee patent lands to give, devise, or convey, with the approval of the Tribal Council, their property or interests therein to the Snoqualmie Indian Tribe.
 - (t) To regulate and to license the conduct of business activities within the Tribe's jurisdiction, and to regulate and license persons exercising special privileges or profiting on general resources from Tribal property.
 - (u) To manage, develop, protect, and regulate water, minerals, timber, fish, and wildlife, and other natural resources within the Tribe's jurisdiction and to regulate land use and development in areas within the Tribe's jurisdiction.
 - (v) To promote public health and education, to cultivate and preserve native arts, culture, and Indian ceremonials; encourage Indian handicrafts, and administration of charity, the conservation and utilization of natural resources, and such other services which may contribute to the social advancement of the Tribe.
 - (w) Non-tribal members may be removed or excluded from the territory of the Snoqualmie Indian Tribe whenever the Tribal Council determines that removal or exclusion is necessary to preserve the peace, security, or good order of the tribe.

Section 2. *Implied Powers.* The Tribal Council of the Snoqualmie Indian Tribe may exercise such further powers as may reasonably be implied as necessary to carry out any express power set forth in section 1 of this Article.

Section 3. *Reserved Powers.*

(a) The following powers are reserved to the General Council of all Snoqualmie Members:

1. To sell or relinquish land held by the United States in trust for the Tribe.
2. To sell, encumber, pledge, or dispose 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%.
3. To lease or relinquish any Tribal hunting or fishing rights, grounds, or stations.
4. To terminate the Snoqualmie Reservation.
5. To relinquish any Tribal jurisdiction to another government, agency, person, or organization, provided that cooperative law enforcement agreements shall not be considered relinquishment of Tribal jurisdiction.
6. To diminish or terminate a right reserved to the Snoqualmie Tribe by Treaty.

(b) No exercise of these powers by the Tribal Council or by any other agency or officer of the Snoqualmie Tribe shall be effective unless the General Council has consented to such action. The General Council shall not be deemed to have given its consent to any actions described in sub-sections one (1) through six (5) of this section unless at least seventy-five percent (75%) of all members of the General Council have voted in favor of such action.

(c) All powers not expressly delegated in this Constitution or otherwise delegated by the General Council to the Tribal Council or to any other officer or agency of the Snoqualmie Indian Tribe are powers reserved to the General Council.

ARTICLE IX – SECRETARY of TRIBAL AFFAIRS

Section 1. *Office of Secretary of Tribal Affairs.* There is hereby created a Constitutional office of Secretary of Tribal Affairs appointed annually from among

the membership of the Tribal Council. The Secretary of Tribal Affairs shall perform the following duties:

- (a) Administration of the tribal election laws as provided for in this Constitution and the tribal election laws.
- (b) Administration of the tribal membership laws as provided in this Constitution and the tribal membership laws.
- (c) Certification of the official acts of the Tribal Council as may be reflected in ordinances, resolutions, minutes or other official acts of the Tribal Council in accordance with ordinances and procedures adopted by the Tribal Council.
- (d) Certification of official records of the Tribe when requested by other tribal officials or the public.
- (e) Preparation of the Tribal Council agenda, agenda docket, and recording of the minutes or other official acts of the Tribal Council.
- (f) Administration of the Tribal Records and Public Access Act.
- (g) Record Wills, Leases and property conveyances in accord with Tribal Ordinances.
- (h) Maintenance of the Tribal Archives.

Section 2. *Deputy Secretaries.* The Tribal council may by ordinance further implement this Article and provide for the appointment of one or more Deputy Secretaries of Tribal Affairs to assist the Secretary of Tribal Affairs.

ARTICLE X – JUDICIAL AUTHORITY

Section 1. *The Judiciary.* The judicial power of the Snoqualmie Indian Tribe shall be vested in the judicial branch of tribal government which shall consist of a Tribal Court and such other appellate or lower courts as deemed necessary by the Tribal Council.

Section 2. *Jurisdiction.*

- (a) *Tribal Court.* The Tribal Court shall have original jurisdiction extending to all cases, matters or controversies arising under this Constitution and the laws, ordinances, regulations, customs and judicial decisions of the Tribe.
- (b) *Court of Appeals.* The Court of Appeals shall have both original and appellate jurisdiction. The Court of Appeals shall have jurisdiction to hear all appeals from the Tribal Court. Decisions of the Court of Appeals on all matters within its appellate jurisdiction shall be final.
- (c) *Peacemaker Court.* The Peacemaker Court shall have such original and subject matter jurisdiction as may be authorized by the Tribal Judiciary Act. Only validly enrolled members of the tribe may be appointed to the Peacemaker Court.

Section 3. *Power of the Courts.* The Courts of the Snoqualmie Tribe shall have the power to:

- (a) Interpret, construe and apply the Constitution, laws and regulations of the Tribe.
- (b) Declare the laws and regulations of the Tribe void if such laws or regulations conflict with the Tribal Constitution or traditions of the Snoqualmie Indian Tribe.
- (c) Issue injunctions, attachments, writs of mandamus, quo warranto, review, extradition, certiorari and prohibition, and to issue writs of habeas corpus upon petition by, or on behalf of any person held in actual custody.
- (d) Establish court rules, forms and procedures for the Tribal Courts except that the Tribal Council may enact a judiciary ordinance consistent with this Constitution.

Section 4. *Composition of the Judiciary.* The Tribal Court shall consist of a Chief Judge and two Associated Judges appointed by a majority of the Tribal Council upon recommendation of the Tribal Elders and Tribal Chairperson for a term of three (3) years. The Court of Appeals shall consist of a Chief Judge and two Associate Justices. Two of the three Tribal Court Judges may sit as members of the Court of Appeals. In lieu of a separate Court of Appeals, the Tribe may by ordinance provide for tribal participation in an established Judicial Conference or

Tribal regional Court of Appeals. The future composition of the Tribal Courts may be changed through amendments to the tribal Judiciary Code.

Section 5. *Appointment and Qualification of Judges.* Tribal judges shall be appointed for three (3) year terms. Judges shall be at least 30 years old, of good moral character and not have been convicted of a felony. Judges shall meet any one or more of the following professional qualifications to be eligible to serve as a tribal judge:

- (a) Graduation from an American law school accredited by the American Bar Association.
- (b) Admission to practice law before any Tribal, State or Federal Court.
- (c) Previous experience as a magistrate or lay judge in any local or tribal court.
- (d) Possession of an advanced degree with substantial law-related experience.

The Tribal Council in consultation with the Chief Judge of the Tribal Court shall implement the requirements of this section through a tribal ordinance.

ARTICLE XI – BILL OF RIGHTS

Section 1. The Snoqualmie Indian Tribe shall not in exercising powers of self-government:

- (a) Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, of the press, or the right of the people peaceable to assemble and to petition for a redress of grievances;
- (b) Violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;
- (c) Subject any person for the same offense to be twice put in jeopardy;
- (d) Compel any person in any criminal case to be a witness against him/herself;
- (e) Take any private property for a public use without just compensation;

- (f) Deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witness against him/her, to have compulsory process for obtaining witnesses in his/her favor, and at his/her own expense to have the assistance of counsel for his/her defense;
- (g) Require excessive bail, impose excessive fines, inflict cruel and unusual punishment, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of \$500.00 or both;
- (h) Deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty of property or property without due process of law;
- (i) Pass any bill of attainder or ex post facto law, or adopt any law, code or Resolution, through any act of the Tribal Council, General Council or other Tribal Entity, impairing the obligation of any legitimately written, authorized, and executed contract of the Tribe or of any valid agent, corporation, or member of the Tribe; or
- (j) Deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six (6) persons.

ARTICLE XII – REFERENDUM

Section 1. *General Referendum.* Within thirty (30) days of the receipt of a petition of ten percent (10%) or more of the eligible voters, 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 or ordinance or other action shall thereafter remain in effect, provided that ten percent (10%) or more eligible voters shall vote on such a referendum. This Article may be further implemented by legislation, but this referendum power is subject to the prohibition in Article XI, Section 1 (i) on impairment of Contracts.

Section 2. *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, 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 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 (2/3rds) approve the referendum.

ARTICLE XIII – INITIATIVE

The members of the Snoqualmie Indian Tribe may propose a resolution, ordinance, or other action permitted under the Tribal Constitution by an initiative petition signed by at least ten percent (10%) of the eligible voters. Within thirty (30) days from the receipt of said petition, the chairperson shall call a special meeting of eligible voters to vote on the initiative. A majority vote of the voters attending the meeting shall determine whether the initiative shall go into effect, provided that ten percent (10%) or more of the eligible voters shall vote on the initiative. This Article may be further implemented by legislation.

ARTICLE XIV – ENVIRONMENT AND HERITAGE

Nature and its biodiversity, the environment and the tribal heritage are the responsibility of every tribal member. The tribal government shall endeavor to guarantee for every tribal member the right to a healthy environment and the possibility to influence the decisions that concern their own living environment.

ARTICLE XV – PER CAPITA PAYMENTS

Section 1. The General Council may in its sovereign discretion authorize per capita payments to enrolled tribal members out of net retained earnings from gaming enterprise revenue and other tribally controlled economic development enterprises. Per capita payments to enrolled tribal members shall not exceed 20% of the net retained earnings at any time. Per capita payments shall not be distributed to any tribal member without conclusive on the record proof that the member is validly enrolled as a Snoqualmie tribal citizen with Snoqualmie blood. Non-enrolled spouses of enrolled tribal members may not receive per capita payments.

Section 2. *Per Capita Payments to Minors.* Distributions to minors shall be maintained in fiduciary trust in accordance with tribal law.

Section 3. Net retained earnings shall not include earnings from any tribally controlled enterprise unless the enterprise has been operating for two full calendar years.

Section 4. The Tribal Council shall implement this Article through tribal legislation.

ARTICLE XVI – AMENDMENTS

The Constitution and Bylaws may be amended or revised by a two-thirds (2/3) vote of eligible voters of the Tribe present and voting at an election called for that purpose, provided that at least ten percent (10%) of eligible voters shall vote in the election. The Tribal Constitution as amended shall always be displayed officially as a whole document.

ARTICLE XVII – ADOPTION

This Constitution shall be effective from the date of ratification when ratified by a two-thirds (2/3) vote of eligible voters of the Snoqualmie Indian Tribe present and voting at a called meeting of the General Council of all tribal members, provided that at least ten percent (10%) of eligible voters shall vote in the election.

May 9, 1981 Constitution of the Snoqualmie Tribe of Indians passed at a duly called Annual Meeting of the Snoqualmie Indian Tribe at Carnation, Washington.

June 24, 2006 Amendment I passed in a duly called meeting of the General Council with a quorum of 52 present and voting in Snoqualmie, Washington.

July 10, 2021 Amendments II-VII were voted on in a duly called Constitutional Election Meeting of the General Council with a quorum of 233 present and voting. Amendments II, III, IV, V, VI, and VII passed.

November 29, 2021 Amendment VIII was voted on in a duly called vote by mail Constitutional Election of the General Council with a quorum of 196 present and voting. Amendment VIII passed.

July 15, 2022 Constitution of the Snoqualmie Tribe of Indians was amended to correct typographical errors and to incorporate amendments duly approved by the General Council on November 29, 2021 in accordance with the Constitution as amended.

September 23, 2023 Amendments IX-XXVIII was voted on in a duly called Constitutional Election Meeting of the General Council with a quorum of 194 present and voting. Amendments

IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXVIII passed.

AMENDMENT I

Article III, Section 3(e) of the Snoqualmie Tribal Constitution is hereby amended to heretofore read that a quorum for conducting business at any meeting shall be forty (40) voting members.

For-52, Against-0 (*Amendment Passed*)

AMENDMENT II

Article II, Section 1. The Snoqualmie Indian Tribe has the right to determine Tribal membership in accordance with the Tribe's Constitution.

For-169, Against-55 (*Amendment Passed*)

AMENDMENT III

Article II, Section 2. A person shall be eligible for membership in the Snoqualmie Indian Tribe if that person is living, applies for membership and meets the following criteria:

For-173, Against-48 (*Amendment Passed*)

AMENDMENT IV

Article II, Section 2. (a) All persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919. These persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919, shall be the Base Roll of the Snoqualmie Indian Tribe.

For-149, Against-75 (*Amendment Passed*)

AMENDMENT V

Article II, Section 3. Dual Enrollment is prohibited. No person shall be eligible for membership in the Snoqualmie Indian Tribe who is currently a member of any other organized Tribe, band, or Indian community officially recognized by the Secretary of the Interior, or not so recognized.

For-170, Against-54 (*Amendment Passes*)

AMENDMENT VI

Article II, Section 4. Any Snoqualmie Indian Tribal member may voluntarily relinquish their enrollment from the Snoqualmie Indian Tribe at any time pursuant to the enrollment laws of the Tribe. A Tribal member, 18 years and older, who voluntarily relinquishes their enrollment, in their own name, with the Snoqualmie Indian Tribe shall be prohibited from seeking reenrollment as a member of the Snoqualmie Indian Tribe.

For-160, Against-59 (*Amendment Passes*)

AMENDMENT VII

Article II, Section 6. The Tribal Council shall approve or deny all enrollment applications, based on criteria provided in the Constitution and laws of the Snoqualmie Indian Tribe. The Snoqualmie General Council shall be the final determinate, and have the power to make all final appeal decisions regarding membership, of who is or who is not a member of the Snoqualmie Indian Tribe. Questions regarding membership are matters within the exclusive internal sovereignty of the Snoqualmie Indian Tribe and not justiciable in any court of law.

For-151, Against-75 (*Amendment Passes*)

AMENDMENT VIII

Article II, Section 2 (c). All persons who do not qualify for membership under Article II, Section 2 (a) or (b), must be a biological child of an enrolled Snoqualmie Tribal member, provided that such persons possess Snoqualmie Indian blood.

For-140, Against-53 (*Amendment Passes*)

AMENDMENT IX

Article III, Section 3 (b). All meetings of the General Council shall be announced by the Tribal Council by mailing notices to each member at least thirty (30) days in advance of the meeting and by publishing notice in a local newspaper and in the Tribe's newsletter and official website.

For-164, Against-20 (*Amendment Passes*)

AMENDMENT X

Article III, Section 3 (c). Special meetings may be called by the Tribal Council or by ten percent (10%) of the voting membership by giving notice to the Tribal Council. Special meetings require a 30 day notice, in accordance with Article III, Section 3 (b), to the General Council.

For-167, Against-20 (*Amendment Passes*)

AMENDMENT XI

Article III, Section 3 (d). The purpose of the Annual General Council meeting shall be to elect or recall the members of the Tribal Council and to declare the will of the General Council on issues placed before the General Council as reflected in the agenda and by persons raising issues from the floor at any Annual Meeting.

For-144, Against-40 (*Amendment Passes*)

AMENDMENT XII

Article III, Section 3 (e). 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.

For-155, Against-33 (*Amendment Passes*)

AMENDMENT XIII

Article III, Section 3 (g). A majority of the Snoqualmie Tribal Council may call the General Council into Emergency session. Emergency General Council meetings may only be called when a timely decision of the General Council is necessary. Emergency General Council meetings may be called with a ten (10) day notice of all the General Council.

For-155, Against-29 (*Amendment Passes*)

AMENDMENT XIV

Article III, Section 3 (h). In addition to bi-annual meetings, quarterly General Council meetings may be held.

For-140, Against-44 (*Amendment Passes*)

AMENDMENT XV

Article IV, Section 1. The governing body of the Snoqualmie Indian Tribe shall be known as the Snoqualmie Tribal Council. The Tribal Council shall complete Roberts Rules of Order, ethics, confidentiality, and budgets trainings annually.

For-131, Against-54 (*Amendment Passes*)

AMENDMENT XVI

Article IV, Section 6. The Tribal Chairperson shall be elected for a term of four (4) years and must have served at least one full term on Tribal Council in his/her lifetime. No person shall be a candidate for Tribal Chairperson unless he or she has been a member of the Snoqualmie Indian Tribe for not less than five years and shall be at least twenty-one years of age at the time of the election. No person may be a candidate for Tribal Chairperson if he or she shall have been found guilty of any felony, or a misdemeanor involving controlled substances or dishonesty, in any Indian, State, or Federal Court within seven (7) years prior to the election.

For-145, Against-42 (*Amendment Passes*)

AMENDMENT XVII

Article VI, Section 1. All members of the Snoqualmie Indian Tribe eighteen (18) years of age or older shall be eligible to vote. No person shall be a candidate for Tribal Council unless he or she shall be a member of the Snoqualmie Indian Tribe for not less than five years and shall be at least twenty-one years of age at the time of the election. No more than two related persons residing in the same household may be elected to serve on the Tribal Council during the same year. No person may be a candidate for Tribal Council if he or she shall have been found guilty of any felony, or a misdemeanor involving controlled substances or dishonesty, in any Indian, State, or Federal Court within seven (7) years prior to the election.

For-149, Against-29 (*Amendment Passes*)

AMENDMENT XVIII

Article VII, Section 1. If a member of the Tribal Council or other officer dies, resigns, or is removed from office due to neglect of duty, gross malfeasance or gross misconduct or any other reason provided for in this Article, the Tribal Council shall declare the position vacant and shall appoint a new member to serve until the next regular election. In the event that the next regular election is more than one calendar year from the vacancy, the Tribal Council shall call for a special election, to allow the General Council to elect a person to serve the remainder of the vacant Council term.

For-146, Against-40 (*Amendment Passes*)

AMENDMENT XIX

Article VII, Section 1. If a member of the Tribal Council or other officer dies, resigns, or is removed from office due to neglect of duty, gross malfeasance or gross misconduct or any other reason provided for in this Article, the Tribal Council shall declare the position vacant and shall appoint a new member to serve until the next regular election. In the event that the next regular election is more than one calendar year from the vacancy, the Tribal Council shall call for a special election, to allow the General Council to elect a person to serve the remainder of the vacant Council term.

For-145, Against-29 (*Amendment Passes*)

AMENDMENT XX

Article XIII, The members of the Snoqualmie Indian Tribe may propose a resolution, ordinance, or other action permitted under the Tribal Constitution by an initiative petition signed by at least ten percent (10%) of the eligible voters. Within thirty (30) days from the receipt of said petition, the chairperson shall call a special meeting of eligible voters to vote on the initiative. A majority vote of the voters attending the meeting shall determine whether the initiative shall go into effect, provided that ten percent (10%) or more of the eligible voters shall vote on the initiative. This Article may be further implemented by legislation.

For-162, Against-21 (*Amendment Passes*)

AMENDMENT XXI

Article XV, Section 1. The General Council may in its sovereign discretion authorize per capita payments to enrolled tribal members out of net retained earnings from gaming enterprise revenue and other tribally controlled economic development enterprises. Per capita payments to enrolled tribal members shall not exceed 20% of the net retained earnings at any time. Per capita payments shall not be distributed to any tribal member without conclusive on the record proof that the member is validly enrolled as a Snoqualmie tribal citizen with Snoqualmie blood. Non-enrolled spouses of enrolled tribal members may not receive per capita payments.

For-129, Against-54 (*Amendment Passes*)

AMENDMENT XXII

Article XVI, The Constitution and Bylaws may be amended or revised by a two-thirds (2/3) vote of eligible voters of the Tribe present and voting at an election called for that purpose, provided that at least ten percent (10%) of eligible voters shall vote in the election. The Tribal Constitution as amended shall always be displayed officially as a whole document.

For-158, Against-21 (*Amendment Passes*)

AMENDMENT XXIII

Article XVII, This Constitution shall be effective from the date of ratification when ratified by a two thirds (2/3) vote of eligible voters of the Snoqualmie Indian Tribe present and voting at a called meeting of the General Council of all tribal members, provided that at least ten percent (10%) of eligible voters shall vote in the election.

For-158, Against-19 (*Amendment Passes*)

AMENDMENT XXIV

Article II, Section 3. Dual Enrollment is prohibited. Any adult who has ever been a member of any other organized Tribe, band, or Indian community, officially recognized by the Secretary of the Interior, or not so recognized, shall not qualify for membership in the Snoqualmie Indian Tribe.

For-145, Against-33 (*Amendment Passes*)

AMENDMENT XXV

Article X, Section 4. Composition of the Judiciary. The Tribal Court shall consist of a Chief Judge and two Associated Judges appointed by a majority of the Tribal Council upon recommendation of the Tribal Elders and Tribal Chairperson for a term of three (3) years. The Court of Appeals shall consist of a Chief Judge and two Associate Justices. Two of the three Tribal Court Judges may sit as members of the Court of Appeals. In lieu of a separate Court of Appeals, the Tribe may by ordinance provide for tribal participation in an established Judicial Conference or Tribal regional Court of Appeals. The future composition of the Tribal Courts may be changed through amendments to the tribal Judiciary Code.

For-155, Against-24 (*Amendment Passes*)

AMENDMENT XXVI

Article XII , Section 2. 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, 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 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 (2/3rds) approve the referendum.

For-142, Against-22 (*Amendment Passes*)

AMENDMENT XXVII

Article VII, 2. (c) A Council member who has been removed shall have the right within thirty (30) days of the vote for removal to file an appeal to the General Council. In the event of such an appeal, the Tribal Council shall promptly call a special meeting of the General Council, at which special meeting, it shall be decided whether the removed officer shall be permanently removed. Failure to obtain a quorum of the General Council at such a special meeting shall be considered affirmation of removal of any officer.

For-158, Against-17 (*Amendment Passes*)

AMENDMENT XXVIII

Article VII, Section 2. (d) In the event of a council member or officer misses three (3) or more consecutively scheduled meetings without good cause, the Tribal Council may replace such members for neglect of duty. Positions shall be filled by the Tribal Council until the next regular scheduled General Council meeting whereupon, the General Council shall affirm the selection of the Tribal Council or fill the position with another candidate.

For-152, Against 17 (*Amendment Passes*)

**CERTIFICATION OF REPUBLICATION OF CONSTITUTION OF THE
SNOQUALMIE TRIBE OF INDIANS**

The undersigned do hereby certify the republication of the CONSTITUTION OF THE SNOQUALMIE TRIBE OF INDIANS to incorporate amendments duly approved by the General Council on September 23, 2023 in accordance with the Constitution as amended.

Done on this 28th day of September, 2023 at a duly called Snoqualmie Tribal Council Zoom meeting.



Robert M. de los Angeles, Tribal Chairman



Shauna Shipp-Martinez, Tribal Secretary