

TRIBAL COUNCIL ACT 1-1

AN ACT RELATING TO

CODIFICATION

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 - TITLE AND CODIFICATION

This Chapter shall be known as the Codification Statute and codified as Title 1, Chapter 1 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. This authority includes the Council's authority to adopt laws or resolutions regulating the procedure of the Council itself and of other Tribal agencies and Tribal officials. Snoq. Tr. Const. Art. IV, Section 1; Art. VIII, Section 1(j), (o).

SECTION 3.0 - PURPOSE AND SCOPE

The purpose of this Chapter is to provide for the compilation and organization of statutes adopted by the Snoqualmie Tribal Council into a single Tribal code, known as the Snoqualmie Tribal Code, that contains the laws of the Snoqualmie Indian Tribe that are valid and in effect as of the date of the codification.

SECTION 4.0 - DEFINITIONS

BUSINESS DAY means any day in which the business of the Snoqualmie Tribe is normally conducted and excluding weekends and holidays.

CODE shall mean the Snoqualmie Tribal Code.

PARTY means any person having a legal interest in or anything which is the subject of a legal action. A party shall not include any person who may be affected indirectly or consequently by the proceedings but has no legal interest in such proceedings.

PERSON includes but is not limited to, natural persons, corporations, partnerships, trusts, unincorporated business associations, governmental entities, Indian tribes and any other organization or entity involved in private, commercial, or non-profit activity.

RESERVATION shall include all lands within the exterior boundaries of the Snoqualmie Indian Reservation.

SNOQUALMIE TRIBAL COUNCIL means the duly constituted governing body of the Snoqualmie Indian Tribe, as set forth in the Snoqualmie Constitution.

TRIBAL POLICE means Snoqualmie Tribal Police Services officers, or any other peace officer authorized by the Snoqualmie Tribe to enforce the laws of the tribe.

TRIBE shall mean the Snoqualmie Indian Tribe unless another or no specific Indian tribe is clearly intended.

COURT OR TRIBAL COURT means the Snoqualmie Tribal Court unless another court is clearly intended.

TRIBAL MEMBER means any person enrolled as a member of the Snoqualmie Indian Tribe unless another tribe is clearly intended.

SECTION 5.0 – ADMINISTRATION

5.1 SECRETARY OF TRIBAL AFFAIRS

5.1.1 AUTHORITY

The Secretary of Tribal Affairs is authorized to codify all of the statutes enacted by the Snoqualmie Tribal Council.

5.1-2 SCOPE OF AUTHORITY

The Secretary of Tribal Affairs may edit, rearrange and/or group statutes under appropriate titles, parts, chapters and sections, and in doing so, may:

- (a) Edit statutes to the extent deemed necessary or desirable, for the purpose of modernizing and clarifying the language of such statutes, but without changing the meaning of any such statute upon the adoption by Tribal Council;
- (b) Substitute for the term “this statute,” where necessary the term “section,” “part,” “code,” “chapter,” “title,” or reference to specific section or chapter numbers, as the case may require;
- (c) Correct manifest errors in reference to other statutes and laws, and manifest spelling, clerical or typographical errors, additions, or omissions;
- (d) Divide long sections into two or more sections and rearrange the order of sections to insure a logical arrangement of subject matter;
- (e) Change the wording of section captions, if any, and provide captions to new chapters and sections;
- (f) Delete provisions that have been repealed or superseded;
- (g) Substitute gender specific terms for gender neutral terms, e.g., “he and she” for “he;” “fishers” for “fisherman;” “foreperson” for “foreman;”

- (h) Add new chapters or sections to the Snoqualmie Tribal Code in harmony with the general numbering system set forth in this Chapter; and
- (i) Compile and include the legislative history, if any, of all pertinent statutes.

5.2 PUBLICATION

The Secretary of Tribal Affairs shall cause to be published, from time to time, the Snoqualmie Tribal Code and supplements thereto. Such supplements shall include all statutes enacted by the Snoqualmie Tribal Council and codified by the Secretary of Tribal Affairs since the date of the last publication of the Code.

5.3 FILING

The Secretary of Tribal Affairs shall cause to be filed a typewritten, printed or electronic copy of the current Code and any supplements thereto, in the following locations:

- (a) Office of the Snoqualmie Tribal court clerk; and
- (b) Office of In-House Legal Counsel; and
- (c) Office of the Secretary of Tribal Affairs.

SECTION 6.0 – RULES OF CONSTRUCTION

6.1 PRIMA FACIE LAW

The codification of Chapters of the Snoqualmie Tribal Code, as compiled by the Secretary of Tribal Affairs, shall establish prima facie the laws of the Snoqualmie Indian Tribe of a general and permanent nature. However, nothing herein shall be construed as changing the meaning of any statutes enacted by the Snoqualmie Tribal Council and, as a rule of construction, in case of any omissions or any inconsistency between any of the provisions of the Snoqualmie Tribal Code and statutes enacted by the Tribal Council, the previously existing statutes shall control.

6.2 CODE MAY BE CITED AS “STC”

This Code may be cited by the abbreviation “STC.”

6.3 REPEALER

Reserved.

6.4 SEVERABILITY

If any portion of this Chapter is held invalid by any court of competent jurisdiction, the remainder of the Chapter shall not be affected.

6.5 EFFECTIVE DATE

This Chapter shall be effective immediately upon adoption by the Snoqualmie Tribal Council.

SECTION 7.0 – SNOQUALMIE TRIBAL CODE NUMBERING SYSTEM

7.1 GENERAL NUMBERING SYSTEM

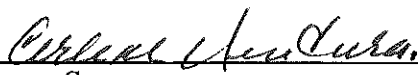
The following numbering system shall apply to all statutes adopted as part of the Snoqualmie Tribal Code:

- Title 1: General Provisions
- Title 2: Snoqualmie Tribal Council and Governance
- Title 3: Snoqualmie Judicial Code
- Title 4: Snoqualmie Tax Code
- Title 5: Government Organization and Administration
- Title 6: Environment & Natural Resources
- Title 7: Snoqualmie Criminal Code
- Title 8: Economic Development
- Title 9: Housing and Community Development
- Title 10: Emergency Management
- Title 11: Cultural Resources
- Title 12: Health Code
- Title 13: Social Services
- Title 14: Finance

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 8TH DAY OF NOVEMBER, 2001 IN SESSION DULY MET, WITH 9 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 07-01.

AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10TH DAY OF MAY, 2007 IN SESSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 02-2007; RESOLUTION NO. 50-2007.

CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October 2008.



TRIBAL SECRETARY
10-21-08