



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 11-46

of the

### SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

**WHEREAS**, the Squaxin Island Tribal Council adopted chapter 10.04.020, the Squaxin Island Youth Code by Resolution 07-31 § 66, 86-26 and chapter 10.04.040 by Resolution 07-31 §§ 67, 68 and Res. 86-26.

**WHEREAS**, the Tribe seeks to clarify Tribal Court Jurisdiction over the Youth Code provisions to include youth who are descendants of tribal members who are domiciled on the reservation and the custodial parents, guardian or custodian consents to Squaxin Island Tribe Tribal Court Jurisdiction..

**NOW THEREFORE BE IT BE FURTHER RESOLVED**, that the Squaxin Island Tribal Council hereby adopts the following amendments to the Squaxin Island Youth Code:

**10.01.020 Jurisdiction (changes in italics)**

C. Concurrent Jurisdiction. When state, federal or other tribal courts have jurisdiction over any of the matters provided for in this code, the Court has concurrent jurisdiction over the same matters, to an extent consistent with federal law, *concurrent jurisdiction also exists when the custodial parent, guardian or custodian of a youth is an enrolled tribal member, the youth is a descendent of a tribal member, the custodial parent guardian, custodian or the youth resides or is domiciled on the reservation, and the custodial parent, guardian or custodian consents to Squaxin Island Tribal Court jurisdiction.*

**10.04.040 Definitions. (Current definition no changes)**

“Indian country,” consistent with the meaning given in 18 U.S.C. 1151 means:

1. All land within the limits of the Squaxin Island Indian Reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; and
2. All Indian allotments or other lands held in trust for a Squaxin Island Tribal member or the Tribe, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

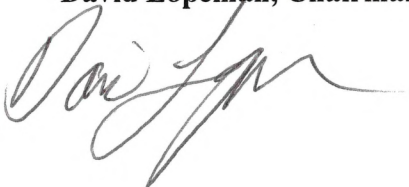
**New clarifying definition (added to 10.04.040)**

*“Reservation” means Indian country as defined in this section and any land that is reserved for the use, benefit and control of the Squaxin Island Tribe or a member of the Squaxin Island Tribe, or fee land, the title to which is held by the Squaxin Island Tribe.*

**CERTIFICATION**

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 23 day of June, 2011, at which time a quorum was present and was passed by a vote of 6 for and 0 against, with 0 abstentions.

**David Lopeman, Chairman**



Attested by:



**Peter Kruger, Sr., Secretary**

**Arnold Cooper, Vice Chairman**

