



# SQUAXIN ISLAND TRIBE

RESOLUTION NO. 19- 14

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;

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

**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;

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted to 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;

**WHEREAS**, the Squaxin Island Law and Order Code was adopted by Resolution 91-51;

**WHEREAS**, the Squaxin Island Law and Order Code has been previously amended by the following Resolutions: 02-129, 15-23, 15-57, 16-41, and 16-42;

**WHEREAS**, the Tribal Council desires to extend the scope of criminal and civil offenses committed within its lands and in the exercise of its treaty rights;

**NOW THEREFORE BE IT RESOLVED**, the Squaxin Island Tribal Council hereby adopts the attached amendment (see attached redline version) to Title 9 (Law and Order), Chapter 9.12 (Law and Order Code), Section 9.12.020 (Jurisdiction) of the Squaxin Island Tribal Code and the addition of section 9.12.xxx (Civil Violations) effective January 1, 2019.

**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 14 day of March, 2019, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.

  
Arnold Cooper, Chairman

Attested by:   
Jeremie Walls, Secretary

  
Charlene Krise, Vice Chairman

**9.12.020 Jurisdiction.**

The provisions of this code, in conformance with applicable federal laws, shall extend to:

- A. All ~~enrolled members of federally recognized Indian Tribes~~ persons within Indian country; and
- B. All members of and those eligible for membership in ~~of~~ the Squaxin Island Tribe ~~and those eligible for tribal membership~~ within the following areas:
  - ~~1. Within areas as defined in subsection A of this section;~~
  - 1. 2. Within all usual and accustomed treaty fishing grounds and stations of the Tribe all fee lands owned by the Tribe; and
  - 2. in exercise or purported exercise of a treaty right whenever located.
  - ~~3. Within the exterior boundary of the lands ceded by the Treaty of Medicine Creek; and/or~~
  - ~~4. Within all open and unclaimed treaty hunting lands.~~
- C. ~~All other persons within Indian country; provided, that such persons shall be subject only to civil penalty for violation of any provisions of this chapter.~~

(Res. 07-31 § 35: Res. 02-129 (part); Res. 19-  )

**9.12.xxx Civil Violations.**

- A. The provisions of this Code, in conformance with applicable federal laws, shall extend to all persons within Indian country not included in 9.12.020, provided that such persons shall be subject only to civil penalty for violation of any provisions of this chapter.
- B. The burden of proof for a civil violation of this code shall be by clear and convincing evidence.
- C. The civil penalty for a violation of this code shall not exceed five thousand dollars (\$5,000.00).
- D. Nothing in this section shall prohibit an injured party from bringing a civil action against a person who has gained money or property, or caused a victim to lose money or property through a violation of this Code.

(Res. 19-  )