

KALISPEL RESOLUTION NO. 2014-19

Kalispel Tribe of Indians  
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RESOLUTION

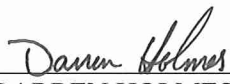
- WHEREAS, the Kalispel Business Committee is the duly Constituted governing body of the Kalispel Tribe by the authority of the Constitution and By-Laws for the Kalispel Tribe; and
- WHEREAS, under the Constitution and By-Laws of the Tribe, the Kalispel Business Committee is charged with the duty of protecting the health, security and general welfare of the Kalispel Tribe and all reservation residents; and
- WHEREAS, the Tribe has determined that a healthy and drug-free community is of utmost importance; and
- WHEREAS, the Tribe has prohibited the use, delivery, introduction, or possession of controlled substances and paraphernalia in Section 9-6.04 of the Kalispel Law and Order Code ("KLOC") by referencing the Revised Code of Washington Uniform Controlled Substance Act (RCW 69.50) "as it presently exists or is later amended . . ."; and
- WHEREAS, in 2012, the voters of the State of Washington passed Initiative 502, which legalized the recreational use of small quantities of marijuana. This change in the law may result in further changes to RCW 69.50; and
- WHEREAS, to prevent unintentional changes to the meaning of KLOC 9-6.04, references to RCW 69.50 should be removed and replaced with the federal Controlled Substances Act, 21 U.S.C § 800 *et. seq.*

NOW THEREFORE, BE IT RESOLVED that KLOC § 9-6.04 is hereby amended to replace "RCW 69.50 of the Laws of the State of Washington" with "the Controlled Substances Act, 21 U.S.C. § 800 *et. seq.*" See revised section attached.

CERTIFICATION

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 25 day of March, 2014, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 4 FOR and 0 AGAINST.

  
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GLEN NENEMA, CHAIRMAN  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2014)

  
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DARREN HOLMES, SECRETARY  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2016)

9-6.04 USE, SALE OR POSSESSION OF DRUGS OR CONTROLLED SUBSTANCES,  
INCLUDING PARAPHERNALIA

Any person who shall use, sell, deliver, introduce or possess any narcotic drug or other controlled substance as defined in ~~RCW 69.50 of the Laws of the State of Washington~~ the Controlled Substances Act, 21 U.S.C. § 800 et. seq., as it presently exists or is later amended, (Uniform Controlled Substance Act), or any drug paraphernalia within the exterior boundaries of the Kalispel Reservation shall be deemed guilty of use, sale, or possession of drugs or controlled substances. The Court may order any person convicted of the use of drugs or other controlled substance as defined in this section to participate in any available drug abuse program.