

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 Law and Order Code of the Kalispel Tribe of Indians (hereafter "Code") is the embodiment of Resolutions passed by the Kalispel Business Committee, for the purpose of protecting the lives, property, culture and natural resources of the Kalispel Tribe of Indians; and

WHEREAS, the Tribe recognizes that errors in the Code should be addressed and corrected when found, in order to prevent confusion and misinterpretation.

NOW THEREFORE, BE IT RESOLVED, that the following errors in Chapters 1, 2, 3, 9, 14, and 21 in the Code shall be corrected, as indicated below (corrections are highlighted in yellow and new language is underlined for easier identification):

- 1) Section 1-3: Conform section to Code conventions
 Add subsection heading "1-3.01 DEFINITIONS".
- 2) Subsection 1-10.03 JURY LIST: Amend for clarification
 "... The criminal jury list shall be comprised of any member of the Kalispel Tribe of Indians who is at least 18 years of age and is residing within the radius of a 20 miles radius of the exterior boundaries of the Reservation. ~~shall be eligible to be a juror.~~ ..."
- 3) Subsections 1-10.05 thru 1-10.10: Correct subsection numbers
 Revise and correct the subsection numbers (from 1-10.05 JURY SELECTION thru 1-10.10 COMPENSATION), so that "1-10.05" is not repeated twice.
- 4) Subsection 1-10.08 DISCHARGE OF JURY: Amend for clarification
 "The jury may be discharged by the Court on account of sickness or any cause sufficient in the Court's opinion, including the consent of both

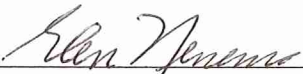
parties or the unlikelihood of its agreeing upon ~~on a~~ verdict. . .”

- 5) Subsection 1-13.02 LIMITATIONS: Correct typo
“There may be established by Rules of Court the limitations, if any, to be placed upon the right of appeal, as to the type of cases which may be appealed, as to the grounds of appeal, and as to the manner in which appeals may be granted, according to the needs of the Tribes.”
- 6) Subsection 1-15.02 PUNISHMENT: Amend for clarification
“Punishment for Contempt may be by fine, not exceeding \$300.00, or by imprisonment in the Tribal Jail not exceeding 90 days, ~~or~~ by both such fine and imprisonment.”
- 7) Subsection 2-17.01 PAROLE: Correct reference to another subsection
“Parole may be granted by the Court after making independent review of the facts and circumstances of the case, as outlined in KLOC 2- 15.0405.”
- 8) Subsection 3-12.01 TRIAL SETTING: Correct misspelling
“When the defendant has been properly served with a summons and complaint and he has appeared in the case, upon the request of a party to the action, the Court shall set a date for trial convenient to the parties and the Court . . .”
- 9) Subsection 9-8.01 ASSIMILATIVE CRIMES ACT: Correct misspelling
“Assimilative Crimes Act - Whoever within or upon any of the places now existing or hereafter reserved or acquired which are subject to the Kalispel Tribal Code, is guilty of any act or omission which, although not made punishable by any enactment of the Kalispel Business Committee, would be punishable if committed or omitted within the jurisdiction of the State of Washington by the laws thereof in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment or such punishment which the Tribal Court finds is appropriate subject to the limitations that the punishment is not more than a fine of \$5,000.00 and/or jail time for a period greater than one year.”
- 10) Subsection 14-1.01(1) PURPOSE: Eliminate repeated words and reference to wrong tribe
“To promote the health, welfare and peace of the people of the Kalispel Indian Reservation by providing an orderly, efficient and peaceful method of determining the rights of people to be on the lands of the Kalispel Reservation ~~by providing an orderly, efficient and peaceful method of determining the rights of people to be on the lands of the Spokane Indian Reservation~~ and evicting them when necessary and just to do so.”
- 11) Subsection 21-10.01 APPLICABILITY: Correct misspelling

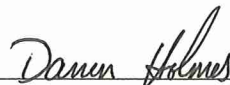
“This Administrative Code shall apply to the following Chapters of the Kalispel Law and Order Code upon adoption: Chapter 4, Traffic Infractions; Chapter 10, Kalispel Tobacco and Liquor Regulations; Chapter 11, Kalispel Tribe Gaming Ordinance; Chapter 12, Hunting and Fishing Codes; Chapter 18, Fireworks. Additional chapters of the Kalispel Law and Order Code may be brought under the purview of the Administrative Code upon resolution of the Business Committee.”

CERTIFICATION

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 2 day of Feb., 2016, 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.



GLEN NENEMA, CHAIRMAN
KALISPEL BUSINESS COMMITTEE
(TERM EXPIRES JUNE 2017)



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