



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 Kalispel Business Committee adopted the Sex Offender Registration Code as Chapter 9A of the Tribe's Law and Order Code by Resolution 2011-50; and

WHEREAS, Chapter 9A, as adopted, contains many minor mistakes which require correction. These corrections are summarized below and in the attached red-line document.

- 1) Throughout the chapter, the following shall be corrected: Inappropriate capitalization of nouns; incorrect use of term "Code" when referring to a "chapter"; inappropriate quotation marks around descriptors; incorrect references to non-existent Code provisions; and incorrect grammar and spelling.
- 2) Sections 9A-1.04 and 9A-8.01: Remove reference to "any tribal specific national website provided or approved by the SMART office . . ." *Reason: There is no tribal specific national website.*
- 3) Sections 9A-2.01 (7): Include in definition of "minor" the following ". . . as defined in Chapter 7 of the Law and Order Code of the Kalispel Tribe of Indians." *Reason: Provide readers with location of pertinent chapter of Code.*
- 4) Section 9A-2.01(10): Repetitive language deleted.
- 5) Section 9A-2.01 (13)(D): Change definition of "sexual act" to include "...a person who is a minor as defined in this chapter." *Reason: New language will incorporate other definitions in the chapter.*
- 6) Section 9A-2.01 (20)(21)(22): Include additional references to definitions. *Reason: Definitions are incomplete without additional references.*


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- 7) Sections 9A-3.02 (4), 9A-3.03 (4) and 9A-3.04 (4): Update numbering scheme from letters to numbers, and remove references to part "D". *Reason: Including Part D (or if corrected, Part "4") would mean the section is referring to itself.*
- 8) Sections 9A-3.03(2) and 9A-3.04(2): Include additional language "... by any jurisdiction, local government, or qualifying foreign country (pursuant to section 9A-2.02 (3))..." *Reason: These code sections describe Tier 2 and 3 Offenses. Currently there are no crimes specified as Tier 2 or 3 in the Kalispel criminal code, but there may be in the future. By including this language future Kalispel crimes specified under Tier 2 and 3 would be included.*
- 9) Section 9A-6.07: Remove requirement for "digitized format" of finger and palm prints. *Reason: Washington tribes are not currently able to transmit finger and palm prints in a digitized format.*
- 10) Section 9A-6.18: Remove "SORNA" from description of database. *Reason: Code should not limit the type of database into which this information is stored.*
- 11) Section 9A-7.04 (2) and (3): Replace "within the exterior boundaries of the Reservation" with "on the Reservation." *Reason: New language better reflects definition of Reservation, which includes all Tribally owned enterprises and entities.*


NOW THEREFORE, BE IT RESOLVED that the Chapter 9A shall be amended as described above and in the attached document.

CERTIFICATION

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 18 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.



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



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