

**TRIBAL COUNCIL ACT 10-1**

**AN ACT RELATING TO**

**THE SNOQUALMIE TRIBE EMERGENCY MANAGEMENT DEPARTMENT**

**BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL**

**SECTION 1.0 – TITLE AND CODIFICATION**

This Chapter shall be known as the Snoqualmie Tribe Emergency Management Department Act, and shall be codified as Title 10, Chapter 1 of the Snoqualmie Tribal Code.

**SECTION 2.0 – STATUTORY AUTHORIZATION**

The aboriginal and inherent sovereign power to govern the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, moral, and general welfare of the members of the Tribe by regulating the behavior of all persons within the jurisdiction of the Tribe and by providing for the enactment and enforcement of laws of the Tribe. This authority includes the ability to adopt laws or resolutions regulating the procedure of Tribal agencies and the conduct of Tribal officials. Snoq. Tr. Const. art. VIII, § (o).

**SECTION 3.0 – PURPOSE AND SCOPE**

The purpose of this Chapter is to create the Snoqualmie Tribe Emergency Management Department to carry out emergency management and homeland security functions, and to provide for the preparation and implementation of a Comprehensive Tribal Emergency Management Plan to mitigate, prepare for, respond to, and recover from injury and damage to persons or property resulting from emergencies or disasters, whether natural or man-made. Tribal Council Resolution No. 34-07.

**SECTION 4.0 – DEFINITIONS**

**CHAIRMAN** means the Chairman of the Snoqualmie Indian Tribe.

**COMPREHENSIVE TRIBAL EMERGENCY MANAGEMENT PLAN** means a written basic plan with elements that address all natural and man-made emergencies and disasters to which the Tribe is vulnerable. The Plan specifies the purpose, organization, responsibilities, capabilities and facilities of agencies, departments, and officials of the Tribe in the mitigation of, preparation for, response to, and recovery from emergencies and disasters.

**DEPARTMENT** means the Snoqualmie Tribe Emergency Management Department.

**DIRECTOR** means the Director of the Snoqualmie Tribe Emergency Management Department.

**DISASTER** means an event or set of circumstances which demand immediate action to preserve public health, protect life or property, or to provide relief to any stricken community affected by such events or set of circumstances. The term shall also mean an event or set of circumstances which reaches such dimension or degree of destructiveness as to warrant the governor of the state of Washington to declare a state of emergency pursuant to state law.

**EMERGENCY** means a disaster and shall also include an incident that requires a normal police, coroner, fire, rescue, emergency medical services, or utility repair response.

**SNOQUALMIE TRIBAL FACILITIES** mean all buildings, structures or other areas utilized for the operation of the Snoqualmie Tribal government or Tribally-managed businesses, enterprises, or services, whether or not the facility is owned by the Tribe, or held in trust by the Federal government for the Tribe, or any member of the Tribe, providing the facility is not within the boundaries of the reservation of another Indian Tribe.

**SNOQUALMIE TRIBAL LANDS** mean all property and lands, including running waters, lakes, airspace and natural resources within the exterior boundaries of the Snoqualmie Indian Reservation, and lands now or hereafter held in trust by the Federal government for the Tribe, or any member of the Tribe, so long as those lands are not within the boundaries of the reservation of another Indian Tribe. This term also means all property and territory reserved or granted to the Tribe by treaty or by the Constitution and laws of the United States.

**TRIBE** means the Snoqualmie Indian Tribe.

#### **SECTION 5.0 – SNOQUALMIE TRIBE EMERGENCY MANAGEMENT DEPARTMENT**

- (a) There is hereby created a Tribal agency designed to perform local emergency management and homeland security functions, to be known as the Snoqualmie Tribe Emergency Management Department (“STEMD”).
- (b) The STEMD shall be a new department of the Tribe and shall consist of such officers and employees as specified in the Tribal Emergency Management Plan required in Section 6.0 of this Chapter.
- (c) The STEMD shall be headed by a Director. The Director shall be directly responsible for the organization, administration and operation of the STEMD.

#### **SECTION 6.0 – TRIBAL EMERGENCY MANAGEMENT PLAN**

- (a) The Director shall prepare, or cause to be prepared, a Tribal Comprehensive Emergency Management Plan. The Plan shall be prepared in conformity with the

Washington state law requirements set forth in WAC 118-30, as well as any other Washington administrative rules and regulations promulgated pursuant to RCW 38-52 governing the development of emergency management plans.

- (b) The final Plan shall be subject to the approval of the Snoqualmie Tribal Council.

**SECTION 7.0 – DISASTER; EMERGENCY POWERS OF THE CHAIRMAN**

- (a) In the event of an emergency or disaster, the Chairman is authorized to undertake the following:
- (1) To make and issue emergency rules, regulations and orders on matters reasonably related to the protection of life and property affected by such emergency or disaster, including but not limited to orders relating to closure or restriction of access to and evacuation of Snoqualmie Tribal lands and Snoqualmie Tribal facilities affected by the emergency or disaster, provided the Chairman shall obtain the approval of such emergency rules, regulations and orders by Tribal Council as soon as practicable under the circumstances;
  - (2) To issue a Tribal emergency proclamation and to request that the King County Executive issue a proclamation of a state emergency when, in the Chairman's opinion, the resources of the Tribe or County are inadequate to cope with the emergency or disaster;
  - (3) To obtain supplies, equipment and services found lacking and needed for the protection of life or public property, and to bind the Tribe for the costs associated therewith, without regard to standard approval procedures (with the exception of mandatory constitutional requirements), including but not limited to the Snoqualmie Budget Act, and Tribal Finance Department Policies and Procedures;
  - (4) To control and direct the efforts of the STEMMD, in consultation with the Director;
  - (5) To requisition necessary personnel or material of any other Tribal department or agency;
  - (6) To require the emergency services of any Tribal officer, employee or member, and in the event of the proclamation of a state of emergency or disaster by the Governor of the state of Washington that affects the Tribe, to command the service and equipment of as many members or employees of the Tribe as may be deemed necessary in light of the emergency or disaster proclaimed;

- (7) To execute all of the special powers conferred upon the Chairman by any other county, state, federal or Tribal statute or rule, or by any agreement or other lawful authority; and
- (8) To establish and maintain continuity of the Tribal government, by ensuring proper provisions for succession of authority according to Tribal law, as specified in the Comprehensive Tribal Emergency Management Plan.

#### **SECTION 8.0 – DUTIES AND POWERS OF THE DIRECTOR**

- (a) The Director, or his/her designee, shall:
  - (1) Prepare and present to Tribal Council all plans, annexes, attachments, program papers, and all other documents required pursuant to WAC 118-30, and any other Washington administrative rules and regulations promulgated pursuant to RCW 38.52, concerning the development of emergency management plans. Upon receipt of Tribal Council approval, the Director shall file the above mentioned documents with the state of Washington;
  - (2) To review and update any and all such documents prepared pursuant to subsection (a)(i) of this Chapter within the timeframes prescribed by state law;
  - (3) To represent the Tribe in all inter-jurisdictional matters relating to emergency management;
  - (4) To conduct emergency operations exercises as may be required pursuant to state or federal law;
  - (5) To conduct periodic inspections of the Tribe's emergency facilities and systems, including but not limited to, an emergency operations center and communications system and to determine their state of readiness;
  - (6) To monitor the Tribe's compliance with the requirements of state and federal laws concerning emergency management; and
  - (7) To enroll volunteer emergency workers, before an emergency, following the guidelines of WAC 118-04, and to issue all emergency workers a Tribal emergency worker card per WAC 118-04.
  - (8) In the event of an emergency or disaster, the Director is hereby empowered as follows:

- (9) To recommend that the Chairman proclaim the existence of an emergency or disaster, and the termination thereof;
- (10) To direct coordination and cooperation between Tribal departments and employees, and to resolve questions of authority and responsibility in the absence of the Chairman; and
- (11) To exercise all other powers conferred by resolution of the Tribal Council.

**SECTION 9.0 – SEVERABILITY**

If any section of this Chapter, or the application of any section of this Chapter to any person under any circumstances, is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the continued effect of any other provision in this Chapter.

**SECTION 10.0 – SOVEREIGN IMMUNITY**

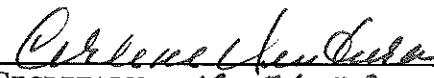
Nothing within this Chapter shall be deemed a waiver of the Tribe's sovereign immunity.

**SECTION 11.0 – AMENDMENT**

Any amendment to this Chapter will be effective upon enactment by the Snoqualmie Tribal Council.

**ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10<sup>TH</sup> DAY OF JANUARY, 2008  
IN SESSION DULY MET, WITH 5 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL  
ACT 01-08; RESOLUTION No. 02-08.**

**CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October  
2008.**

  
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TRIBAL SECRETARY 10-21-08