

**Title 6 – Citizenship
Chapter 2 – Base Roll**

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Legislative History

Enacted:

Enrollment Code, Ord. 183 (9/30/03), BIA (10/7/03).

Repealed or Superseded:

Approving the June 1, 1935 Base Roll and Establishing a Procedure for adding names of Individuals, Ord. 35 (3/9/77).

6-02.010 Title.

This Chapter shall be referred to as the base roll code.

[History] Ord. 183 (9/30/03).

6-02.020 Authority.

This Chapter is enacted pursuant to Article II of the Swinomish Constitution.

[History] Ord. 183 (9/30/03).

6-02.030 Definitions.

[Reserved]

6-02.040 Approval of the Base Roll.

The Senate hereby:

- (A) Approves the “Per Capita Membership, Alphabetical Listing” and “Per Capita, Numeric Listing-Historical File,” containing Identification Nos. 1-233, both run 12-4-76 as the June 1, 1935 base roll; and
- (B) Requests that the Superintendent of the Western Washington Agency approve this roll as the base roll of the residents of the Swinomish Indian Community as of June 1, 1935.

[History] Ord. 183 (9/30/03); Ord. 35 (3/9/77).

6-02.050 The Addition of Names.

- (A) The Senate reserves the right to add and remove names to the June 1, 1935 base roll. Therefore, an applicant for membership born prior to June 1, 1935, may petition the Senate to have his or her name added to the June 1, 1935, base roll.
- (B) An applicant for membership born after June 1, 1935, may petition the Senate to have his or her ancestor’s name added to the June 1, 1935, base roll.
- (C) If the Senate determines that the applicant or the applicant’s ancestor was a resident of the Reservation as of June 1, 1935, it shall pass a Resolution directing the Superintendent of the Western Washington Agency to add the name to the base roll.

[History] Ord. 183 (9/30/03); Ord. 35 (3/9/77).

6-02.060 Ancestor Not a Resident.

If the Senate determines that the applicant or the applicant’s ancestor was not a resident of the Reservation as of June 1, 1935, the Chairman shall so notify the applicant by certified letter, return receipt requested. The applicant shall have the right to appeal to the Swinomish Tribal Court within thirty (30) days.. The thirty (30) day appeal period shall begin to run on the date of receipt by the applicant of a certified letter signed by the Chairman notifying the applicant of the Senate’s determination.

[History] Ord. 183 (9/30/03); Ord. 35 (3/9/77).

6-02.070 Ancestor Not a Resident; on Base Roll.

If the Senate determines that a person or a person’s ancestor included on the base roll was not a resident of the Reservation as of June 1, 1935, the Chairman shall so notify that person by certified letter, return receipt requested, that his or her name has been deleted from the base roll. Such person shall have the right to appeal to the Swinomish Tribal Court within thirty (30) days. The thirty (30) day appeal period shall begin to run on the date of receipt by the applicant of a certified letter signed by the Chairman notifying the person of the Senate’s

determination.

[History] Ord. 183 (9/30/03); Ord. 35 (3/9/77).

6-02.080 Repealer.

This Chapter repeals and supersedes Ordinance 35 and any other inconsistent enrollment codes, ordinances and resolutions.

[History] Ord. 183 (9/30/03).

6-02.090 Severability.

If any provision of this Chapter or its application to any person or circumstances is held invalid, the remainder of the Chapter, or the application of the provision to other persons or circumstances is not affected and to this end the provisions of this Title are declared to be severable.

[History] Ord. 183 (9/30/03).