

WAGANAKISING ODAWAK STATUTE 2011-013
OFFICE OF THE TREASURY

SECTION I. SHORT TITLE AND PURPOSE

A. SHORT TITLE

This statute shall be entitled “The Office of the Treasury.”

B. PURPOSE

The purpose of this Statute is to establish the Office of the Treasury under the Little Traverse Bay Bands of Odawa Indians Legislative Branch.

SECTION II. DEFINITIONS

A. “Appropriation and Finance Committee” means the Tribal Council committee established by Statute.

B. “Legislative Branch” or “Tribal Council” means the elected body created under Article VII of the Little Traverse Bay Bands of Odawa Indians Tribal Constitution.

C. “LTBB” or “Tribe” means the Little Traverse Bay Bands of Odawa Indians or the Waganakising Odawa.

SECTION III. AUTHORITY AND DUTIES

A. The Office of the Treasury shall have the authority and duty to provide Tribal Council professional financial services of the Tribe regarding revenue, appropriate of funds, budget process, including but not limited to the following:

- 1.** Assist Tribal Council with the raising of revenue in accordance with the Constitution.

2. Assist Tribal Council in the development of policies for receiving grants, donations or any other funding in accordance with the Constitution.
3. Assist Tribal Council with enacting an annual budget for upcoming fiscal years.
4. Assist Tribal Council in identifying all funding sources, overseeing cash liquidity for current and future obligations, long range forecasting of economic revenues, investments, indirect cost and other cost allocation plans, budget formulation processes.
5. Assisting other offices or departments where appropriate in the investigation of possible fraud and/or misappropriation of assets of the LTBB.
6. Appraises the organization's financial position and issues periodical reports on organization's financial stability, liquidity and growth.
7. Directs and analyzes studies of general economic, business and financial conditions and their impact on LTBB's operations.
8. Prepares financial impact statements on pending legislation.
9. Evaluates and recommends business partnering opportunities.
10. Reviews and analyzes gaming financial records and reviews and analyzes financial report of Tribally Chartered Corporations.
11. Assist the Tribal Council with the development of spending priorities.
12. Assist Tribal Council in approving an Independent Auditor for the Tribe's annual audit of Tribal accounts and receive, review and analyze all audits and audit findings.
13. Assist Tribal Council in developing policies that meet acceptable auditing standards.

B. The Office of the Treasury shall have the authority to receive all financial records of the Tribe and related LTBB entities, enterprises, chartered corporations, departments, divisions,
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commissions, board, committees, programs, grants and contractors. The requested records shall be made available within a reasonable period of time.

C. The Office of the Treasury shall have the authority to request information related to finances from LTBB entities, enterprises, chartered corporations, departments, divisions, commissions, board, committees, programs, grants and contractors. The requested information shall be made available within a reasonable period of time.

D. The Office of Treasury may, from time to time, perform professional services for organizations and entities not accounted for by the Tribe and obtain revenue therefore, payable to the LTBB Government.

E. Establish and maintain all necessary liaison and communication with the officials of the Tribe and related LTBB entities, enterprises, chartered corporations, departments, divisions, commissions, board, committees, programs, grants and contractors, and state and federal agencies for the furtherance and accomplishment of the purpose of the office.

F. Coordinate with the Executive, Judicial Branches, Prosecutor and Election Board in the development of accounting, budget formulation, and financial-related policies.

G. Be responsive to the requests of Tribal Council for specific information, providing management advisory services to the LTBB regarding finances, cash liquidity for current and future obligations, economic development, budgets and budget formulation processes, and compliance with financial documents and obligations.

H. Serve as one of the principal advisors to the Tribal Council regarding accounting, systems and policies.

I. Exercise supervisory control and direction of all personnel within the office and maintain the highest standards of quality, ethics, independency and confidentiality. Review, modify and approve programs, reports and recommendations. Schedule and prioritize audits.

J. Represent the Office of the Treasury in legislative planning on behalf of the Tribal Council.

K. Represent the LTBB government within the areas of the responsibility and authority of the office and as authorized by the LTBB Tribal Council, in relations with all persons and

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organizations outside the LTBB, and in matters relating to cooperative activities with state or federal agencies

L. Provide, to the extent necessary, training programs and library resources for the development of a well-qualified professional staff. Maintain a continuing education program designed to qualify staff personnel to meet the government standards.

M. Enter into agreements, as deemed necessary with LTBB, state or federal departments or offices for the sole purpose of accomplishing the objectives of the office, subject to review by and approval of the Tribal Council.

N. Delegate authority to members of the staff as, and when, necessary.

O. Report directly to Tribal Council or its designee on all operational issues and be responsible thereto for the accomplishment of the purposes of the office.

SECTION IV. OPERATIONAL PLAN - STAFFING, ORGANIZATION AND SCHEDULING OF WORK

A. There are hereby established the positions of the Treasury Director, support staff and such other positions as may be necessary to carry out the purpose of the Office of the Treasury.

B. The Treasury Director shall be appointed by the LTBB Tribal Council, at a negotiated salary and shall serve at the pleasure of the LTBB Tribal Council. The Treasury Director shall be a licensed Certified Public Accountant or hold other comparable degree and/or certification to fulfill the purpose of the office that holds an emphasis on public sector finances. The Treasury Director shall be bound by a professional code of ethics and standards of the accounting and auditing profession such as regulated by the Board of Accountancy of the licensing state or other applicable licensing agency. The Treasury Director shall be knowledgeable in performance, compliance and financing, auditing, public administration, and governmental financial and fiscal policies. The Treasury Director may be removed at any time by a two thirds majority vote of the LTBB Tribal Council.

C. All other personnel shall be hired and compensated pursuant to LTBB policies and procedures relating to qualifications, experience, Odawa preference, salaries, etc., and subject to workload requirements and appropriate constraints while answering to the Treasury Director.

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D. The LTBB Tribal Council may appoint an Acting Treasury Director to serve during the vacancies of the Treasury Director. Such Acting Treasury Director shall be subject to the same professional requirements required of the Treasury Director in §3 (B), above.

SECTION V. SAVINGS CLAUSE

In the event that any phrase, provision, part, paragraph, subsection or section of this statute is found by a court of competent jurisdiction to violate the Constitution, laws or ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this statute, the entirety of the balance of the statute to remain in full and binding force and effect.

SECTION VI. EFFECTIVE DATE

Effective upon signature of the Executive or shall be deemed enacted if not expressly vetoed by the Executive within thirty (30) days of submission. The Tribal Council may, by an affirmative vote of seven (7) members of the Tribal Council, override a veto by the Executive.

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly enacted by Tribal Council Override of Executive Veto at a regular meeting of the Tribal Council of the Little Traverse Bay Bands of Odawa Indians held on May 22, 2011 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Marvin Mulholland	X			
Belinda Bardwell	X			
Melvin L. Kiogima	X			
Gerald V. Chingwa	X			
Rita Shananaquet	X			
Aaron Otto		X		
John Bott	X			
Regina Gasco Bentley	X			
Julie Shananaquet				X

Date: 5-23-11

Julie A. Shananaquet, Legislative Leader

Date: 5-22-11

Regina Gasco Bentley, Secretary

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005. The Tribal Council hereby overrides the Executive veto.