

**WAGANAKISING ODAWAK STATUTE #
AMENDMENT TO WOS #2015-019
ADMINISTRATIVE PROCEDURES STATUTE**

SECTION I. REPEAL and REPLACE

A. REPEAL:

SECTION VII. DEPARTMENTAL PROCEDURES

A. The Tribal Governmental offices, departments, and programs should develop Departmental Procedures to implement statutes and regulations that do not have a statutory requirement for procedures and when necessary to promote efficiency in their office.

B. Departmental Procedures are required to promote a fair and standard method of implementing daily activities of Tribal Departments.

C. Departmental Procedures shall reflect the intent of the program, statute or regulation they are intended to implement. Departmental Procedures shall be written in a manner that protects the best interests of the Tribal Citizenship.

D. Departmental Procedures shall clearly identify to whom they are intended to apply in whole or in part.

E. Departmental Procedures shall be written in language that is clear and easily understood by the individuals or agencies under the jurisdiction of the regulation.

SECTION IX. EXECUTIVE DIRECTIVES AUTHORIZED

The Executive is hereby authorized to use Executive Directives necessary for operation of the Executive branch. Directives do not carry the force of law and must be published on the Tribe's website in order for such Directive to be executed and carry authority.

SECTION X. TRIBAL COUNCIL DIRECTIVES AUTHORIZED

The Tribal Council is hereby authorized to use Tribal Council Directives deemed necessary for operation of the Legislative Branch. Directive shall be approved by Tribal Council motion. Directives do not carry the force of law and must be published on the Tribe's website in order for such Directive to be executed and carry authority.

B. REPLACE:

SECTION VII. DEPARTMENTAL PROCEDURES and POLICIES

- A.** Departmental Procedures are the internal processes used to implement a program or policy.
- B.** The Tribal Governmental offices, departments, and programs should develop Departmental Procedures to implement statutes and regulations that do not have a statutory requirement for procedures and when necessary to promote efficiency in their office.
- C.** Departmental Procedures are required to promote a fair and standard method of implementing daily activities of Tribal Departments.
- D.** Departmental Procedures shall reflect the intent of the program, statute or regulation they are intended to implement. Departmental Procedures shall be written in a manner that protects the best interests of the Tribal Citizenship.
- E.** Departmental Procedures shall clearly identify to whom they are intended to apply in whole or in part.
- F.** Departmental Procedures shall be written in language that is clear and easily understood by the individuals or agencies under the jurisdiction of the regulation.
- G.** Departmental Policies set forth the criteria for programs, such as eligibility, terms,



amounts, and other specifics that determine the program criteria.

H. Departmental Policies require Tribal Council approval, including the following:

1. Policies that provide for general welfare assistance to Applicants that is intended to qualify for treatment under the General Welfare Doctrine.
2. Policies that set forth the specific eligibility rules, terms, funding amounts, and limitations to applied for a tribal program that is intended to directly benefit Tribal Citizens; non-citizens; or other identified persons or groups, for example, the programs that pay benefits related to housing, education, elder or disabled status, cultural and religious programs or for other qualifying assistance, such as transportation costs, etc.

SECTION IX. EXECUTIVE DIRECTIVES AUTHORIZED

A. The Executive is hereby authorized to use Executive Directives necessary for operation of the Executive branch. Directives do not carry the force of law and must be published on the Tribe's website in order for such Directive to be executed and carry authority.

B. Executive Directives can be used to approve policies that only impact or affect the Executive Branch and not Tribal Citizens, other branches of government or any other entity. In accordance with this Statute, Departmental Policies that establish or impact programs shall have Tribal Council approval.

SECTION X. TRIBAL COUNCIL DIRECTIVES AUTHORIZED

A. The Tribal Council is hereby authorized to use Tribal Council Directives deemed necessary for operation of the Legislative Branch. Directive shall be approved by Tribal Council motion. Directives do not carry the force of law and must be published on the Tribe's website in order for such Directive to be executed and carry authority.



B. Tribal Council Directives can be used to approve policies that only impact or affect the Legislative Branch and not Tribal Citizens, other branches of government or any other entity. In accordance with this Statute, Departmental Policies that establish or impact programs shall have Tribal Council approval.

SECTION II. EFFECTIVE DATE

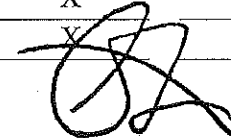
Effective upon signature of the Executive or thirty (30) days from Tribal Council approval whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

CERTIFICATION

As the Tribal Council Treasurer and Tribal Council Secretary, we certify that this Statute was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on April 6, 2017 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 2 absent as recorded by this roll call:


	In Favor	Opposed	Abstained	Absent
Frank Bernard				X
David Harrington	X			
Beatrice A. Law	X			
Dexter McNamara	X			
Michael Naganashe	X			
Emily Proctor				X
Marcella R. Reyes	X			
Julia Shananaquet	X			
Aaron Otto	X			

Date: 04-12-17



 Legislative Leader, Aaron Otto

Date: 04-12-17




 Secretary, Julie Shananaquet

Received by the Executive Office on 4-12-17 by [Signature]

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005, the Executive concurs with this action of the Tribal Council.

Date: 05-11-17



 Regina Gasco Bentley, Tribal Chairperson