

**WAKANAKISING ODAWAK STATUTE 2011-001**  
**POLITICAL SOLICITATION PROHIBITION STATUTE**

**SECTION I.           PURPOSE**

This Statute is intended to protect the Tribe including governmental operations, enterprises, employees and Tribal Citizens from individuals attempting to solicit for political purposes.

**SECTION II.          DEFINITIONS**

- A.     “Solicitation” means to endeavor to obtain an object, or bring about an event; to woo; to court; to persuade or incite one to commit some act; to make a petition; to disturb or trouble; to harass; for political purposes.
  
- B.     “Tribal property” means property either owned or leased by the Tribe or property that is held in trust for the benefit of the Tribe.
  
- C.     “LTBB or Tribe” means the Little Traverse Bay Bands of Odawa Indians.
  
- D.     “Political Purposes” means campaigns, initiatives, referendums, recall, petitions or other election related activities.

**SECTION III.         SOLICITATION PROHIBITION**

- A.     Soliciting by means of the display or distribution of written or symbolic messages, audio or other communication is prohibited where official Tribal business is transacted or conducted.
  
- B.     No person shall solicit any LTBB employee while the employee is performing their official duties.

C. Soliciting is prohibited in all Tribal buildings, excluding Tribal housing property that is either leased or owned by an individual.

D. No person may solicit, including distribute literature of written or printed matter of any kind; wear campaign buttons, signs, pins, stickers, T-shirts, etc.; circulate petitions; or perform similar activities, within 150 feet of the building during which a poll or election is taking place.

E. This Statute shall not prohibit the activity of the candidates' forum sponsored by the election board.

#### **SECTION IV. ENFORCEMENT**

A law officer has the authority to issue a notice of violation of trespass citation when:

1. The violation is committed in the officer's presence;
2. An officer investigating the violation has reasonable cause to believe that the alleged perpetrator involved has committed a violation.

#### **SECTION V. REGULATIONS**

Any regulations promulgated or required in accordance with this Statute shall follow the Administrative Procedures Act and be submitted to Tribal Council for approval.

#### **SECTION VI. SEVERABILITY**

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION VII. EFFECTIVE DATE**

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

**CERTIFICATION**

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly passed by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on January 9, 2011 at which a quorum was present, by a vote of 7 in favor, 1 opposed, 0 abstentions, and 1 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: 1-9-11

Julie A. Shananaquet, Legislative Leader

Date: 1-9-11

Regina Gasco Bentley, Secretary

Received by the Executive Office on 1-10-11 by \_\_\_\_\_

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 in this action of the Tribal Council.

Date: 2-8-11

Ken Harrington, Tribal Chairperson