



WAGANAKISING ODAWAK
LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
LEGISLATIVE BRANCH
7500 ODAWA CIRCLE
HARBOR SPRINGS, MI 49740



EFFECTIVE DATE

According to LTBB Constitution – Article VII, (D) 1. They (Statutes and Resolutions) shall be deemed enacted if not expressly vetoed by the Executive within thirty (30) days of submission.

WAGANAKISING ODAWAK STATUTE ETHICS FOR ALL LEVELS OF TRIBAL GOVERNMENT was submitted to the Executive on August 24, 2018. The Executive did not sign and failed to expressly veto within 30-days from submission to the Executive Branch. Therefore, *Waganakising Odawak Statute #2018-018 Ethics For All Levels of Tribal Government* is deemed enacted on September 24, 2018 per LTBB Constitution.

October 1, 2018
Linda Gokee

Linda Gokee

Legislative Administrative Assistant
Legislative Branch/Tribal Council

WAGANAKISING ODAWAK STATUTE 2018- 018
ETHICS FOR ALL LEVELS OF TRIBAL GOVERNMENT

SECTION I. PURPOSE

The purpose of this statute is to set forth the adoption of the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*, the process for adjudicating ethical complaints by the various branches of government.

SECTION II. DEFINITIONS

- A. “Branch of Government” means the Executive, Judicial and Legislative Branches of government, including the Prosecutor and Election Board.

- B. “Employee” means any person employed or performs work for an employer, works under contract of service, express or implied, whether temporary, full-time, Human Resources approved volunteer or apprenticeship.

- C. “Official” means Tribal Councilor, Tribal Chair, Vice Chair, Judge or Justice, Prosecutor, or Election Board member, within the Little Traverse Bay Bands of Odawa Indians Tribal government for the purposes of this statute.

- D. “Rules of Conduct” means the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*.

- E. “Tribe”, “Tribal” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.

SECTION III. CONSTITUTIONALLY MANDATED RULES OF CONDUCT

- A. Tribal Council shall adopt *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*, in accordance with the Little Traverse Bay Bands of Odawa Indians Tribal

Constitution, Section Article VII, (D)(6), the Tribal Council shall have the power to: *“Adopt rules of conduct to govern all levels of Tribal government”*. The purpose of Rules of Conduct is to establish clear standards for the principles and expectations that are binding on Tribal Officials and employees.

B. Any branch of government or agency may establish their own Rules of Conduct provided that they are as stringent as the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*.

SECTION IV. COMPLAINTS

A. Each Branch of Government shall develop its own policy and procedures to address complaints by Tribal Citizens regarding Officials, Employees and any other sub-entity of that Branch of Government (Executive Committees, Commissions and Boards; Tribally Chartered Corporations). Such policies and procedures shall include, at a minimum, the following:

1. Timeframes
2. Complaint requirements
3. Remedies
4. Burden of proof
5. Hearings

B. All Policies and Procedures shall be submitted to Tribal Council for approval within one-hundred and twenty (120) calendar days from the enactment of this Statute.

SECTION V. 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 VI. EFFECTIVE DATE

This Statute takes effect immediately upon its enactment. Enactment of this Statute shall have no effect on the membership status of any tribal members enrolled by the Tribe under previous legislation.

CERTIFICATION

As the Tribal Council Legislative Leader 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 August 23, 2018 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	_____	_____	_____
Dexter McNamara	X	_____	_____	_____
Emily Proctor	X	_____	_____	_____
Julie Shananaquet	X	_____	_____	_____
Shanna Wemigwase	X	_____	_____	_____
Marcella Reyes	X	_____	_____	_____
Tamara Kiogima	X	_____	_____	_____
Fred Harrington, Jr.	_____	_____	_____	X

Date: 08.24.18




 Fred Harrington, Jr., Legislative Leader

Date: 8-23-18



 Tamara Kiogima, Tribal Council Secretary

Received by the Executive Office on 8-24-18 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: _____

 Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on _____ by _____

