

**WAGANAKISING ODAWAK STATUTE # 2010-013**  
**CONSTITUTIONALLY MANDATED COMPENSATION**  
**FOR ELECTION BOARD MEMBERS**

**SECTION I.           PURPOSE**

This Compensation Statute is hereby enacted to establish the compensation levels for the Election Board members based on Constitutional duties. This Statute replaces and repeals Waganakising Odawak Statute 2008-014 Constitutionally Mandated Compensation Statute Waganakising Odawak Statute 2003-05 *Tribal Council Compensation* and WOS 2005-04 *Constitutionally Mandated Compensation* and any previous Statute, Resolution or Policy language with regard to compensation levels for such positions as stated in this purpose.

**SECTION II.          DEFINITIONS**

- A.     “*Stipend*” means the additional amount of compensation for attendance at an event, meeting, training, work session or other approved activity, and limited to one stipend per day.
  
- B.     “*Tribal Constitution*” means the LTBB Constitution adopted by the Tribal Membership February 2, 2005.
  
- C.     “*Tribe*” shall mean the Little Traverse Bay Bands of Odawa Indians.

**SECTION III.         COMPENSATION CHANGE RESTRICTIONS**

Any statutory amendment changing the level of compensation for Election Board Members must be enacted before the Election Board distributes candidate petitions for the next election.

#### **SECTION IV. COMPENSATION ESTABLISHED**

**A.** Election Board Members shall be paid a stipend for events, meetings, trainings, work sessions and approved activities and shall be paid a special stipend for election days as follows:

1. Election day stipend, \$250 per day
2. Meeting stipend, \$150.00 per day
3. Travel day(s) stipend, \$100.00 per day

**B.** Travel day(s) stipends shall be paid one day prior and one day after attendance to an event, training or other approved activity that would require the person to drive prior to 7:00 am in order to attend the start of the event or drive and return home after 8:00 pm. If flying is required to attend the event, meeting, training, work session or other approved activity then the person shall be paid a travel stipend for one day prior to the approved activity and one day after the approved activity.

**C.** Travel expenses for approved travel shall be reimbursed at the same rate as allowed employees in the Tribal Governmental Employees Travel Reimbursement Policy, as approved by Tribal Council.

#### **SECTION V. COMPENSATION PROHIBITIONS**

Persons receiving compensation authorized by this Statute shall be prohibited from:

- A.** Receiving unemployment compensation for any reductions or termination of said compensation.
- B.** Receiving any other type of payment as compensation not explicitly listed in this Statute, including stipends.

C. Receiving overtime compensation.

## **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 October 24, 2010 at which a quorum was present, by a vote of 6 in favor, 1 opposed, 1 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: 10/24/10

*Julie Shananaquet*  
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 Julie A. Shananaquet, Legislative Leader

Date: 10-24-10

*Regina Gasco Bentley*  
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 Regina Gasco Bentley, Secretary

Received by the Executive Office on 10-25-10 by *Rosi Flynn*

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: 11-19-10

*Ken Harrington*  
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 Ken Harrington, Tribal Chairperson