1	WAGANAKISING ODAWAK STATUTE
2	ODAWA AVIATION CORPORATION
3	
4	
5	SECTION I. PURPOSE AND TITLE
6	
7	A. Purpose. The Little Traverse Bay Bands of Odawa Indians (the "Tribe") exercises
8	powers of self-government over its Citizens and territory. In accordance with Article VII (D) (4)
9	the purpose of this Statute is to govern the issuance of the Little Traverse Bay Bands of Odawa
10	Indians charter of incorporation for economic purpose, to provide for the management of the
11	non-gaming, economic affairs and to delegate such management to a Tribally chartered
12	corporation in accordance with Article VII (D) (24) and regulate such tribally chartered
13	corporation activities in accordance with Article VII (D) (4).
14	
15	<b>B.</b> Short Title. This Statute shall be known and cited as the "Odawa Aviation Corporation
16	Statute."
17	
18	
19	SECTION II. DEFINITIONS
20	
21	A. "Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians" means
22	"areas referenced in Public Law 103-324, 25 USC Section 1300k-2(b)(2)(A) as the boundaries
23	of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs 'third
24	and fourth' of the Treaty of 1855, 11 Stat.621." Little Traverse Bay Bands Constitution, Article
25	V(A)(1)(a).
26	D
27	<b>B.</b> "Tribe" or "LTBB" means the Little Traverse Bay Bands of Odawa Indians.
28 29	C. "Tribal Constitution" means the Little Traverse Bay Bands of Odawa Indians
30	Constitution as adopted by its membership on February 1, 2005.
31	Constitution as adopted by its inclinership on rebutary 1, 2003.
<i>J</i> 1	
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1	<b>D.</b> "Tribal Council" means the elected body of nine (9) Tribal members of Little Traverse
2	Bay Bands of Odawa Indians with duties found in the Tribal Constitution Article VII. "Tribal
3	Council".
4	
5	
6	SECTION III. CREATION OF THE ODAWA AVIATION CORPORATE
7	CHARTER
8	
9	A. A tribally charted corporation is authorized by this Statute and shall be named the
10	"Odawa Aviation, Inc." The organization is recognized by the approval of the tribal corporation
11 12	charter; "Odawa Aviation, Inc." by Tribal Council.
13	<b>B.</b> The tribally charted corporation, Aviation Inc., shall be managed by a board of three (3)
14	to five (5) members selected and appointed by majority vote of Tribal Council.
15	
16	
17	SECTION IV. SCOPE OF ACTIVITIES
18	
19	A. The Odawa Aviation, Inc. is created as a tribally chartered corporation that creates jobs in
20	the area of economic development and general business.
21	
22	<b>B.</b> The Odawa Aviation, Inc. is authorized to create operating subsidiaries in accordance
23	with tribal law, provided that they have prior approval by Tribal Council.
24	
25	C. The Corporation will provide Tribal Council an annual report and audited financial
26	statements.
27	
28	<b>D.</b> The Corporation will submit an annual development plan to the Tribal Council for
29	approval.
30	
31	
32	SECTION V. MANAGEMENT; STRUCTURE AND FUNCTION
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1		
2	A.	The Odawa Aviation, Inc. shall have sole authority and responsibility for managing the
3	Odawa	a Aviation, Inc. and related Aviation projects, in accordance with the policies, Statutes,
4	Resolu	ations, regulations as approved by Tribal Council.
5		
6	В.	The Odawa Aviation, Inc. shall abide by all tribal and federal laws and regulations as
7	may b	e applicable.
8		
9	<b>C.</b>	It is the duty of the Odawa Aviation, Inc. to protect assets of the Tribe and generate
10 11	revenu	nes and jobs.
12		
13	SECT	TION VI. REPORTING TO TRIBAL COUNCIL
14	SECI	IOI VI. REFORTING TO TRIBAL COUNCIL
15	In ord	er to regulate, the Odawa Aviation, Inc. shall provide to Tribal Council a monthly report
16		e Corporation and all subsidiaries; and shall report quarterly at the regularly scheduled
17		
18		eted the following:
19	1	
20	A.	Annual operating plan;
21		
22	B.	Financial performance measures;
23		
24	C.	Audits, whether internal or external;
25		
26	D.	Financial records or statements;
27		
28 29	E.	Tribal Council may request reports regarding all aspects of the Odawa Aviation, Inc.;

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31

F.

investments.

Monthly profit and loss statement of all non-gaming enterprises, joint ventures and

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2	
3	SECTION VII. FINANCING OF THE ODAWA AVIATION, INC. AND
4	ACTIVITIES
5	
6	<b>A.</b> The annual budget for the Odawa Aviation, Inc. shall be approved by Tribal Council in
7	accordance with an approval process as designated by the Tribal Council.
8	decordance with an approval process as designated by the 111our council.
9	<b>B.</b> Tribal Council approval is required for borrowing of funds. The Odawa Aviation, Inc. is
10	not authorized to enter into financing approval without prior ratification by the Tribal Council.
11	not authorized to enter into infancing approvar without prior fathreation by the Tribar Council.
12	
13	SECTION VIII. SAVING CLAUSE
14	SECTION VIII. SAVING CLAUSE
15	In the event that any phrase, provision, part, paragraph, subsection or section of this statute is
16	found by a court of competent jurisdiction to violate the Constitution, laws, ordinances or
17	
18	statutes 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
19	statute, the entirety of the balance of the statute to remain in full and binding force and effect.
20	
21	CECTION IN EFFECTIVE DATE
22	SECTION IX. EFFECTIVE DATE
23	
24	Effective upon signature of the Executive or thirty (30) days from Tribal Council approval
25	whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council
26	override of the veto.
27 28	
29	
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31 32 33	
52 33	
34	
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1 2 3	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 at which a			
	quorum was present, by a vote of in favor, opposed, abstentions, and			
	absent as recorded by this roll call:			
4	In Favor Opposed Abstained Absent			
5	Frank Bernard David Harrington Dexter McNamara Emily Proctor Julie Shananaquet Shanna Wemigwase Marcella R. Reyes Tamara Kiogima Fred Harrington, Jr.  Date:			
	Legislative Leader, Fred Harrington, Jr.			
	Date:			
	Tribal Council Secretary, Tamara Kiogima			
	Received by the Executive Office on			
6 7 8 9 10	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.			
10	Date:			
	Odawa Aviation, Inc. Statute-re-posted 08/01/18 sponsored by Legislative Leader Fred Harrington, Jr. Secretary Kiogima			

Regina Gasco Bentley, Tribal Chairperson
1 08/01/18 sponsored by Legislative Leader Fred Harrington,