

Chapter 11. Financial Disclosure of Tribal Officials

14.1101 PURPOSE

The purpose of this statute is to establish a standard requirement for financial disclosure statements by elected and appointed officials, as well as candidates for such positions, as required by Article XV.B of the Constitution of the Little Traverse Bay Bands of Odawa Indians. This statute repeals and replaces Waganakising Odawak Statute 2016-003 and 2006-023.

(Source: WOS 2023-007, October 6, 2023, Section I)

14.1102 DEFINITIONS

- A.** “Branch Office” means the primary office of the Legislative, Executive, or Judicial branch of the Tribe.
- B.** “Candidate” means any person who runs for a position as an Elected Official, is nominated for an appointment as a Judiciary Official or is nominated for an appointment to a governmental commission, board or committee.
- C.** “Elected Official” means the Tribal Chair, Vice Chair and Tribal Councilors.
- D.** “Immediate Family” means husband, wife, son, daughter, step-son, step-daughter, father, step-father, father-in-law, mother, step-mother, mother-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, child, step-child, son-in-law, daughter-in-law or a person whose relationship with the Tribal Citizen is similar to that of persons who are related by blood or marriage.
- E.** “Judiciary Official” means a Judge or Justice of the Tribal Court.
- F.** “Personal Financial Interest” means a financial interest benefiting an elected or appointed governmental official, a candidate, or an immediate family member of a candidate or governmental official.
- G.** “Tribal Citizen” means an enrolled member of the Little Traverse Bay Bands of Odawa Indians.

H. “Tribe” means the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2023-007, October 6, 2023, Section II)

14.1103 REQUIRED FINANCIAL DISCLOSURES

A. Candidates

Concurrent with the submission of an application for an elected position or a nomination for an appointed position, a candidate shall submit the following information to the Branch Office under which they would serve:

- 1.** A description of any financial interest in a business, company, corporation, stock or bond, but not retirement funds, mutual funds or any type of financial instrument in which the owner does not have control over the purchase and sale of the instrument’s holdings.
- 2.** Address of all real-estate holdings.
- 3.** A description of any immediate family member’s financial interest that has the potential to create a conflict of interest with the duties of the candidate if elected or appointed.

B. Elected or Appointed Officials

Any person who is elected or appointed to a governmental office shall provide updated financial disclosures to their Branch Office within 30 days of any material change to the financial disclosures submitted as a candidate.

(Source: WOS 2023-007, October 6, 2023, Section III)

14.1104 PUBLIC RECORD

Financial disclosures required by this statute shall be available to Tribal Citizens in accordance with the Public Documents Statute.

(Source: WOS 2023-007, October 6, 2023, Section IV)

14.1105 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.

(Source: WOS 2023-007, October 6, 2023, Section V)

14.1106 EFFECTIVE DATE

This statute shall be effective upon the signature of the Executive, or 30 days from Tribal Council approval, or if the Executive vetoes the legislation, then upon the date on which Tribal Council overrides the veto.

(Source: WOS 2023-007, October 6, 2023, Section VI)