

WAGANAKISING ODAWAK STATUTE # 2019-\_\_\_\_  
ZIIBIMIJWANG INCORPORATED STATUTE

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SECTION I. PURPOSE AND TITLE

A. Purpose. The Little Traverse Bay Bands of Odawa Indians (the “Tribe”) exercises powers of self-government over its Citizens and territory. In accordance with Article VII (D) (4) of the Tribal Constitution, the purpose of this Statute is to govern the issuance of the Little Traverse Bay Bands of Odawa Indians charter of incorporation for non-profit purposes, and regulate such tribally chartered corporation activities in accordance with Article VII (D) (4).

B. Short Title. This Statute shall be known and cited as the “Ziibimijwang, Inc. Statute.”

SECTION II. DEFINITIONS

A. “Non-profit” means any generated surplus revenues must be retained by the corporation for self-preservation, expansion, plans or services, and not submitted to the Tribe except for repayment of funds.

B. “Organic” means food, feed or fiber produced in a way that complies with at a minimum the USDA National Organic Program (NOP) Standards.

C. “Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians” means areas referenced in Public Law 103-324, 25 USC Section 1300k-2(b)(2)(A) “as the boundaries of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs ‘third and fourth’ of the Treaty of 1855, 11 Stat.621” Little Traverse Bay Bands Constitution, Article V(A)(1)(a).

1 **D.** “*Tribal Corporation*” means any for-profit businesses and non-profit organizations  
2 formed by the Tribal Council and wholly owned by the Tribe, in accordance with WOS 2003-07,  
3 or as amended.

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5 **E.** “*Tribe*” or “*LTBB*” means the Little Traverse Bay Bands of Odawa Indians.

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7 **F.** “*Tribal Constitution*” means the Little Traverse Bay Bands of Odawa Indians  
8 Constitution as adopted by its membership on February 1, 2005.

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10 **G.** “*Tribal Council*” means the elected body of nine (9) Tribal Citizens of Little Traverse  
11 Bay Bands of Odawa Indians with duties found in the Tribal Constitution Article VII. “Tribal  
12 Council”.

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14 **H.** “*Ziibimijwang*” means “*Place of the Flowing River*”.

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17 **SECTION III. CREATION OF ZIIBIMIJWANG, INC. CORPORATE CHARTER**

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19 A tribally chartered corporation is authorized by this Statute and shall be named “*Ziibimijwang*”,  
20 Inc.” and shall be a self-sustaining non-profit entity and shall provide for the health and welfare  
21 of the Tribal Community through the use of sustainable farming with emphasis toward organic  
22 foods, providing for exercising treaty rights of hunting, fishing and gathering, agricultural  
23 activities, caring for livestock, and other activities that promote nutrition, fitness and wellbeing.  
24 The organization is recognized by the approval of the tribal corporation charter; Ziibimijwang,  
25 Inc., by Tribal Council.

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28 **SECTION IV. SCOPE OF ACTIVITIES**

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30 **A.** Ziibimijwang, Inc. is authorized to conduct activities on lands designated and approved  
31 by Tribal Council, including providing for the health and welfare of the Tribal Community  
32 through the use of sustainable farming with emphasis toward organic foods, providing for  
Ziibimijwang Incorporated Statute, Inc. – sponsored by Legislative Leader Fred Harrington, Jr. Secretary Kiogima\_\_\_\_\_

1 exercising treaty rights of hunting, fishing and gathering, agricultural activities, caring for  
2 livestock, and other activities that promote nutrition, fitness and wellbeing.

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4 **B.** The Ziibimijwang, Inc. shall be assigned those assets as existed and are currently within  
5 any designated and approved lands, tangible and intangible properties, unless otherwise excluded  
6 by Tribal Council. Such assets shall be held by Ziibimijwang, Inc. on behalf of the Tribe. The  
7 assets assigned Tribal Council shall be independently managed by Ziibimijwang, Inc.

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9 **C.** Ziibimijwang, Inc. is authorized to create operating subsidiaries in accordance with tribal  
10 law.

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14 **SECTION V. MANAGEMENT, STRUCTURE AND FUNCTION**

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16 **A.** The Ziibimijwang, Inc. shall have sole authority and responsibility for managing the  
17 Ziibimijwang, Inc. and related construction projects, in accordance with the policies, Statutes,  
18 Resolutions, regulations as approved by Tribal Council.

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20 **B.** Ziibimijwang, Inc. shall abide by all tribal and federal laws and regulations as may be  
21 applicable.

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23 **C.** It is the duty of Ziibimijwang, Inc. to protect assets of the Tribe and generate revenues  
24 and jobs.

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26 **D.** Ziibimijwang, Inc. reports to and passes revenue to the Odawa Economic Affairs Holding  
27 Corporation.

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29 **E.** The management of the corporation shall be conducted by 3 to 7 at will employees titled  
30 Business Policy Managers.

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32 a. The majority of the Business Policy Managers must be Tribal Citizens.

- 1           b. Business Policy Managers shall be selected by the Odawa Economic Affairs  
2           Holding Corporation.  
3           c. These Business Policy Managers may when deemed necessary recruit up to two  
4           of the seven persons with special skills needed and they will serve as long as  
5           needed by their selectors.  
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9           **SECTION VI.           MANAGEMENT; STRUCTURE AND FUNCTION**  
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11           **A.**    Ziibimijwang, Inc. shall have sole authority and responsibility for managing  
12           Ziibimijwang, Inc., in accordance with the policies, Statutes, Resolutions, regulations as  
13           approved by Tribal Council.  
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15           **B.**    Ziibimijwang, Inc. shall abide by all tribal and federal laws and regulations as may be  
16           applicable.  
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18           **C.**    It is the duty of Ziibimijwang, Inc. to monitor activities and provide guidance to the  
19           management use of sustainable farming with emphasis toward organic foods, providing for  
20           exercising treaty rights of hunting, fishing and gathering, agricultural activities, caring for  
21           livestock, and other activities that promote nutrition, fitness and wellbeing operations.  
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23           **D.**    It is the duty of Ziibimijwang, Inc. to protect assets of the Tribe and to support Tribal  
24           Governmental Services and Programs and Tribal Citizens.  
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27           **SECTION VII.           REPORTING TO TRIBAL COUNCIL**  
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29           In order to regulate, Ziibimijwang, Inc. shall report to the Tribal Council on the following  
30           information regarding Ziibimijwang, Inc. and at the regularly scheduled Tribal Council Meetings  
31           or such special meetings as requested by the Tribal Council, at least quarterly or as requested:  
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- 1       A.     Annual operating plan;
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- 3       B.     Financial status, including grants, records and statements;
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- 5       C.     Audits, whether internal or external;
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- 7       D.     Tribal Council may request reports regarding all aspects of Ziibimijwang, Inc.
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10   **SECTION VIII.     FINANCING     OF     ZIIBIMIHWANG,     INC.     AND     OTHER**  
11                           **ACTIVITIES**

- 13   A.     If funds are requested from the Tribe, Ziibimijwang, Inc. shall follow any laws, process  
14   or procedures in effect.
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- 16   B.     Tribal Council approval is required for borrowing of funds. Ziibimijwang, Inc. is not  
17   authorized to enter into financing approval without prior ratification by the Tribal Council.
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- 19   C.     Any lease of property, tangible or intangible, shall have Tribal Council's approval.
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22   **SECTION IX.        DISSOLUTION CLAUSE**

24           In the event that the board is no longer fulfilling the purpose of this Statute, the  
25   corporation may be dissolved by repealing this Statute.

28   **SECTION X.        SAVING CLAUSE**

30           In the event that any phrase, provision, part, paragraph, subsection or section of this  
31   statute is found by a court of competent jurisdiction to violate the Constitution, laws, ordinances  
32   or statutes of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part,  
Ziibimijwang Incorporated Statute, Inc. – sponsored by Legislative Leader Fred Harrington, Jr.   Secretary Kiogima\_\_\_\_\_

1 paragraph, subsection or section shall be considered to stand alone and to be deleted from this  
2 statute, the entirety of the balance of the statute to remain in full and binding force and effect.

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**SECTION XI. EFFECTIVE DATE**

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

**CERTIFICATION**