WAGANAKISING ODAWAK STATUTE 2011-011

CITIZENSHIP COMMISSION

SECTION I. SHORT TITLE AND PURPOSE

A. Short Title

This Statute shall be cited as the "Citizenship Commission Statute"

B. Purpose

The purpose of the Citizenship Commission is to uphold the Little Traverse Bay Bands Constitution and Enrollment Statute and to ensure an accurate, objective, expedient, and fair enrollment process by reviewing applications and assisting the Enrollment Office with difficult enrollment issues.

SECTION II. DEFINITIONS

A. "Commission" shall mean the Citizenship Commission.

B. "Department" shall mean the Enrollment Department

C. "LTBB" shall mean the Little Traverse Bay Bands of Odawa Indians

SECTION III. CREATION OF THE CITIZENSHIP COMMISSION

The Tribal Council hereby creates the Citizenship Commission and it shall be composed of not more than five (5) Commissioners, within the Executive Branch.

SECTION IV. APPOINTMENT OF COMMISSIONERS

A. Appointments of Commissioners. Members of the Commission shall be Tribal Citizens at least eighteen years of age as nominated by the Executive and appointed by the Tribal Council

B. Term and compensation. Members of the Commission shall be appointed to serve for three (3) year terms. Members may be reappointed for additional terms without limitation.

C. Officers.

1. The Members shall appoint from among themselves one of the Members to serve as Chairperson and another as Secretary and/or Treasurer for a two (2) year term. There shall be no limit on the number of terms a Chairperson or Secretary and/or Treasurer may serve.

2. A Commission, Board or Committee Member shall not be the Chairperson or chair a meeting if the department director, assistant director, co-director, Tribal Chairperson, Tribal Vice-Chairperson, Legislative Leader or Tribal Chief Judge is an immediate family member.

D. Compensation. The Tribal Council may determine and authorize compensation to be paid to members of the Commission based upon the Tribal Council's determination of the time to be expended upon Commission duties and the qualifications of the appointed Commissioners.

E. Oath of Office. Upon appointment, the Tribal Court shall administer the oath of office to the members of the Commission which oath of office shall include a commitment to uphold the Constitution and laws of the Little Traverse Bay Bands of Odawa Indians and to perform faithfully and diligently the duties and responsibilities set forth in this Statute.

F. Vacancies. In the event a vacancy occurs in the Commission, by virtue of death, resignation or removal, the Tribal Council shall appoint a qualified Tribal Citizen to fill the remaining term of office as nominated by the Executive.

G. Removal. Members may be removed in accordance with applicable laws.

H. Ethics. Commissioners shall follow Constitutionally Mandated Rules of Conduct for Officials of Tribal Government or any other approved ethical standards.

SECTION V. DUTIES AND AUTHORITY OF THE CITIZENSHIP COMMISSION

A. The Commission shall have the following duties and authority:

1. To review enrollment applications.

2. To assist the Enrollment Officer upon request with files that require a blood quantum change provided that additional documents have been received from one of the following: Bureau of Indian Affairs, LTBB Department or affected Tribal Citizen.

3. To consider other documentation that may prove descendent eligibility.

4. To approve and sign applications provided that file has been reviewed and that the information contained in the file is correct.

5. To submit approved files with at least two Commissioner's signatures to Tribal Council.

6. Formal action by the Commission shall be required for blood quantum changes.

7. Make recommendation to the Tribal Council for any disenrollment.

SECTION VI. MEETINGS AND EMERGENCY MEETINGS

A. Regular scheduled meetings shall be held to conduct business and to review applications.

B. An emergency meeting shall be held only for matters involving applications that require immediate review due to health issues or child welfare issues.

C. Commissions shall adopt policies for the conduct of their business subject to the approval of the Tribal Council.

SECTION VII. PHONE POLLS

The Commission Secretary or designee may authorize in writing the Enrollment Officer to conduct a phone poll as allowed by applicable law.

SECTION VIII. 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 IX. EFFECTIVE DATE

Effective upon signature of the Executive or 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

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 April 3, 2011 at which a quorum was present, by a vote of 4 in favor, 2 opposed, 0 abstentions, and 3 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: 4-11-11 Julie Shananaquet
Julie A. Shananaquet, Legislative Leader

Date: 4-11-11 Regina Gasco Bentley
Regina Gasco Bentley, Secretary

Received by the Executive Office on 4-13-11 by Lori 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: 5-13-11 Ken Harrington
Ken Harrington, Tribal Chairperson

Tribal Citizenship Commission