WAGANAKISING ODAWAK STATUTE 2016-01
REMOVAL OF COMMISSIONERS

SECTION I. SHORT TITLE AND PURPOSE

A. Purpose. This Act sets out standard procedures for the removal of members of commissions of the Tribe, and rules regarding nepotism. This Act shall apply to all commissions of the Tribe unless otherwise specified in a specific commission statute. This Statute repeals and replaces the WOS 1997005 Removal of Commissioners and Nepotism Statute and WOS Removal of Commissioners and Nepotism 2001-10.

SECTION II. REMOVAL OF COMMISSIONERS

A. A Commissioner may only be removed for cause by a majority vote of Tribal Council.

B. Cause of removal shall be one of the following:

1. Unethical conduct, as defined by the Little Traverse Bay Bands of Odawa Constitutionally Mandated Rules of Conduct for Officials of Tribal Government or any other approved ethical standards.

2. Physical or mental disability which prevents the performance of Commissioner's duties;

3. Persistent failure to perform duties in a timely manner;

4. Gross misconduct;

5. Conviction of a felony.

SECTION III. ETHICS

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

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 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, but shall not be implemented until after the next election and until the next Tribal Council or individual councilors are sworn in.

CERTIFICATION

As the Tribal Council Treasurer 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 February 4, 2016 at which a quorum was present, by a vote of _8_ in favor, _0_ opposed, _0_ abstentions, and _0_ absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Bernard	X			
David Harrington	X			
Beatrice A. Law	X			
Dexter McNamara	X			
Michael Naganashe	X			
Julie A. Shananaquet	X			
Aaron Otto	X			
Marcella R. Reyes	X			

Date: 2.5.2016 Marcella R. Reyes

Marcella R. Reyes, Treasurer

Date: 2-9-2016

Aaron Otto, Secretary

Received by the Executive Office on 2-9-16 by

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: 2-26-16 Regina Gasco Bentley

Regina Gasco Bentley, Tribal Chairperson