

WAGANAKISING ODAWAK STATUTE 2006-023

FINANCIAL DISCLOSURE BY TRIBAL OFFICIALS

SECTION I. PURPOSE

This Statute is hereby enacted to establish a standard requirement for financial disclosure from elected and appointed officials.

SECTION II. DEFINITIONS

- A. The "Tribe" shall mean the Little Traverse Bay Bands of Odawa Indians.
- B. "Official" shall mean any elected position, any position appointed by Tribal Council or the Executive.
- C. "Immediate Family" for the purpose of this statute only, means any relative of the official living in the same household as the official.
- D. "Personal Financial Interest" shall mean a financial interest for the official or any immediate family members.

SECTION III. CONFLICT OF INTEREST

- A. The Tribal Chairperson and Vice-chairperson shall not be employed in any Tribal enterprises over which they have been delegated oversight authority.
- B. In carrying out the duties of Tribal office, no Tribal Official, elected or appointed, shall make or participate in making decisions which provides to the official or the official's immediate family a personal financial interest other than an interest held in common by all Tribal members.
- C. In carrying out the duties of Tribal office, no members of Tribal Commissions, Boards or Committees shall make or participate in making decisions changing the level of any monetary Tribal benefits they are receiving.

SECTION IV. DISCLOSURE REQUIRED

- A. All candidates for election in any Tribal election shall disclose the information listed in Section V with their petition for election and,
- B. All candidates for appointment to any commission, board, committee, or positions required by Tribal Council shall disclose the information listed in Section V, E, prior to taking office and,
- C. All elected and appointed officials shall disclose the information listed in Section V on an annual basis or in the event any changes occurring that effect the information listed in Section V,
- D. Any disclosure required by this statute that cannot be met due to time of enactment shall

be due within 120 days after enactment of this statute.

SECTION V. DISCLOSURES LISTED

- A. A statement identifying all employers, all positions currently held (board seats etc.), all financial interest in companies, corporations, stocks and, bonds 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;
- B. A list of all consulting activities;
- C. A list of all revenue derived from any Tribal sources;
- D. All real-estate holdings.
- E. Commissioners are exempt for supplying the above list however they must sign a statement verifying that any of their holdings in the above list are not a conflict with the position they hold.

SECTION VII. PROCEDURES REQUIRED

- A. The Election Board shall develop a procedure to collect, hold and release information required by this statute for all elected and appointed officials.

SECTION VIII. AUTHORITY DELEGATED

- A. The Tribal Election Board is hereby mandated to implement this Act and the Tribal Executive is hereby mandated to enforce this Act and all required Administrative Procedures.

SECTION IX. 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 X. EFFECTIVE DATE

Effective upon signature of the Executive or 30 days from Tribal Council approval or Tribal Council override of Executive veto which ever comes first.

]

CERTIFICATION

As the 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 October 22, 2006 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	X			
Fred Harrington, Jr.	X			
Dexter McNamara	X			
Mary Roberts	X			
Rita Shananaquet	X			
Alice Yellowbank	X			
Shirley Oldman				X
Melvin L. Kiogima	X			
Beatrice A. Law	X			

Date: _____
Beatrice A. Law, Legislative Leader

Date: _____
Melvin L. Kiogima, Secretary

Received by the Executive Office on _____ 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: _____
Frank Ettawageshik, Tribal Chairperson