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2 **WAGANAKISING ODAWAK STATUTE 2022-__**
3 **ODAWA ECONOMIC AFFAIRS HOLDING CORPORATION**
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5 **SECTION I. PURPOSE AND TITLE**
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7 **A. Purpose.** The Little Traverse Bay Bands of Odawa Indians (the “Tribe”) exercises
8 powers of self-government over its Citizens and territory. In accordance with Article VII (D) (4),
9 the purpose of this Statute is to govern the issuance of the Little Traverse Bay Bands of Odawa
10 Indians charter of incorporation for economic purpose, to provide for the management of the
11 non-gaming, economic affairs and to delegate such management to a Tribally chartered
12 corporation in accordance with Article VII (D) (24) and regulate such tribally chartered
13 corporation activities in accordance with Article VII (D) (4).
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15 **B. Short Title.** This Statute shall be known and cited as the “Odawa Economic Affairs
16 Holding Corporation Statute.”
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19 **SECTION II. DEFINITIONS**
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21 **A.** “*Gaming Commercial Enterprises*” means the Odawa Casino Resort and ancillary
22 enterprises and activities, including the Odawa Casino Resort, related hotel and restaurant
23 services, of the Tribe located in Petoskey, Michigan, wherein the Tribe operates Class II and
24 Class III gaming to generate governmental revenue for the Tribe pursuant to the Indian Gaming
25 Regulatory Act.
26

27 **B.** “*Non-gaming Economic Affairs*” means economic development enterprises and activities
28 not related to the gaming commercial enterprises.
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30 **C.** “*Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians*” means
31 “*areas referenced in Public Law 103-324, 25 USC Section 1300k-2(b)(2)(A) as the boundaries*
32 *of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs ‘third*
33

1 **D.** *and fourth' of the Treaty of 1855, 11 Stat.621.*” Little Traverse Bay Bands Constitution,
2 Article V(A)(1)(a).

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

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

6
7 **G.** *“Tribal Council”* means the elected body of nine (9) Tribal members of Little Traverse
8 Bay Bands of Odawa Indians with duties found in the Tribal Constitution Article VII. “Tribal
9 Council”.

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12 **SECTION III. CREATION OF THE ODAWA ECONOMIC AFFAIRS HOLDING,**
13 **INC. CORPORATE CHARTER**

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15 A tribally chartered corporation is authorized by this Statute and shall be named the “Odawa
16 Economic Affairs Holding, Inc.” The organization is recognized by the approval of the tribal
17 corporation charter; “Odawa Economic Affairs Holding, Inc.” by Tribal Council.

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20 **SECTION IV. SCOPE OF ACTIVITIES**

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22 The Odawa Economic Affairs Holding, Inc. is created to act as a general-purpose holding
23 corporation that provides services to the designated Tribally Chartered Corporations and Limited
24 Liability Corporations (LLCs) that were either created by the Corporation or were designated by
25 Tribal Council by approving an organizational chart and amending Corporation Charters and
26 statutes as applicable; and assesses economic development opportunities and expansion of
27 economic development in collaboration with the Tribally Chartered Corporations and Limited
28 Liability Corporations (LLCs).

29

30 **A.** The Odawa Economic Affairs Holding, Inc. is authorized to create operating subsidiaries
31 in accordance with tribal law, provided that they have prior approval by Tribal Council.

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1 **B.** The Corporation will provide Tribal Council an annual report and audited financial
2 statements for the Corporation and the designated Tribally Chartered Corporations and Limited
3 Liability Corporations (LLCs)
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5 **C.** The Corporation will submit an annual operational plan to the Tribal Council for
6 approval for the Corporation and the designated Tribally Chartered Corporations and Limited
7 Liability Corporations (LLCs).
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10 **SECTION V. MANAGEMENT; STRUCTURE AND FUNCTION**
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12 **A.** The Odawa Economic Affairs Holding, Inc. shall have sole authority and responsibility
13 for managing the Odawa Economic Affairs Holding, Inc. and shall have oversight of the
14 designated Tribally Chartered Corporations and Limited Liability Corporations (LLCs), in
15 accordance with the policies, Statutes, Resolutions, regulations as approved by Tribal Council.
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17 **B.** The Odawa Economic Affairs Holding, Inc. shall abide by all tribal and federal laws and
18 regulations as may be applicable.
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20 **C.** It is the duty of the Odawa Economic Affairs Holding, Inc. to protect assets of the Tribe
21 and generate revenues.
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24 **SECTION VI. REPORTING TO TRIBAL COUNCIL**
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26 In order to regulate, the Odawa Economic Affairs Holding, Inc. shall provide to Tribal Council
27 such reports for the Corporation and all the designated Tribally Chartered Corporations and
28 Limited Liability Corporations (LLCs) as set forth in the approved Corporate Charter.
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30 Tribal Council may request reports regarding all aspects of the Odawa Economic Affairs
31 Holding, Inc. and the designated Tribally Chartered Corporations and Limited Liability
32 Corporations (LLCs);
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SECTION VII. FINANCING OF THE ODAWA ECONOMIC AFFAIRS HOLDING, INC. AND ACTIVITIES

A. The annual budget for the Odawa Economic Affairs Holding, Inc. shall be approved by Tribal Council in accordance with an approval process as designated by the Tribal Council.

B. Tribal Council approval is required for borrowing of funds. The Odawa Economic Affairs Holding, Inc. is not authorized to enter into financing approval without prior ratification by the Tribal Council.

C. Any real property acquisition shall be in accordance with Tribal Council/Committee policy or applicable law.

SECTION VIII. SAVING CLAUSE

In the event that any phrase, provision, part, paragraph, subsection or section of this statute is found by a court of competent jurisdiction to violate the Constitution, laws, ordinances or statutes of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this statute, the entirety of the balance of the statute to remain in full and binding force and effect.

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.

CERTIFICATION