

Chapter 44. Tribal Secretary Responsibilities

6.4401 PURPOSE

This Statute is hereby enacted to define the Tribal Council Secretary's responsibilities that are not explicitly enumerated in the Constitution.

(Source: WOS 2012-017, October 7, 2012, Section I)

6.4402 DEFINITIONS

- A.** "LTBB" or "Tribe" means the Little Traverse Bay Bands of Odawa Indians.
- B.** "Secretary" means the Tribal Council Secretary.

(Source: WOS 2012-017, October 7, 2012, Section II)

6.4403 CONSTITUTIONAL DUTIES OF THE SECRETARY

The Secretary shall:

- A.** At each Tribal Council meeting, submit the minutes of the previous meeting to the Tribal Council for approval;
- B.** Acquire a surety bond, in an amount and with a surety company satisfactory to the Tribal Council;
- C.** Post minutes approved by the Tribal Council in the Tribal administrative office within seven (7) days of approval;
- D.** Maintain and protect the Tribal Seal;
- E.** Preside over meetings of the Tribal Council in the absence of the Legislative Leader; and
- F.** Perform such other duties as required by Tribal Council

(Source: WOS 2012-017, October 7, 2012, Section III)

6.4404 OTHER DUTIES REQUIRED BY THE TRIBAL COUNCIL

- A.** Upon a vacancy of the Legislative Leader, the Secretary shall assume the responsibilities of the Legislative Leader until there is no longer a vacancy, not to exceed thirty (30) days.

- B.** Upon a vacancy of the Treasurer, the Secretary shall assume the responsibilities of the Treasurer until there is no longer a vacancy, not to exceed thirty (30) days.

- C.** A vacancy occurs under the following conditions:
 - 1.** An emergency vacancy occurs when the Legislative Leader is unavailable or unresponsive by phone, electronic communications, or other means for a period of not less than twenty-four (24) hours and the matter needs to be addressed within forty-eight (48) hours or the matter needs immediate attention within a twenty-four (24) hour period to prevent the Tribe from suffering detrimental harm.

 - 2.** A temporary vacancy occurs when the Legislative Leader is unavailable or unresponsive by phone, electronic communications, or other means for a period of less than thirty (30) days.

- D.** If a permanent vacancy occurs there shall be a motion by Tribal Council to declare an Officer position vacant and shall not be considered a temporary vacancy. “Permanent Vacancy” means a vacancy by reason of death, resignation, removal from office, or an inability or incapacity that is for more than thirty (30) days.

(Source: WOD 2012-017, October 7, 2012, Section IV)

6.4405 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.

(Source: WOS 2012-017, October 7, 2012, Section V)

6.4406 EFFECTIVE DATE

Effective upon the 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.

(Source: WOS 2012-017, October 7, 2012, Section VI)