

Chapter 2. Political Solicitation Prohibition Statute

3.201 PURPOSE

This Statute is intended to protect the Tribe including governmental operations, enterprises, employees and Tribal Citizens from individuals attempting to solicit for political purposes.

(Source: WOS 2011-001, February 8, 2011, Section I)

3.202 DEFINITIONS

A. “Solicitation” means to endeavor to obtain an object, or bring about an event; to woo; to court; to persuade or incite one to commit some act; to make a petition; to disturb or trouble; to harass; for political purposes.

B. “Tribal property” means property either owned or leased by the Tribe or property that is held in trust for the benefit of the Tribe.

C. “LTBB or Tribe” means the Little Traverse Bay Bands of Odawa Indians.

D. “Political Purposes” means campaigns, initiatives, referendums, recall, petitions or other election related activities.

(Source: WOS 2011-001, February 8, 2011, Section II)

3.203 SOLICITATION PROHIBITION

A. Soliciting by means of the display or distribution of written or symbolic messages, audio or other communication is prohibited where official Tribal business is transacted or conducted.

B. No person shall solicit any LTBB employee while the employee is performing their official duties.

C. Soliciting is prohibited in all Tribal buildings, excluding Tribal housing property that is either leased or owned by an individual.

D. No person may solicit, including distribute literature of written or printed matter of any kind; wear campaign buttons, signs, pins, stickers, T-shirts, etc.; circulate petitions; or perform similar activities, within 150 feet of the building during which a poll or election is taking place.

E. This Statute shall not prohibit the activity of the candidates' forum sponsored by the election board.

(Source: WOS 2011-001, February 8, 2011, Section III)

F. This Statute shall not prohibit the activities of an Annual Meeting of the Tribal Membership or Special Meetings of the Tribal Membership, as referred to within the Constitution Article I, in accordance to the rule of conduct for membership meetings.

(Source: WOS 2011-010, May 3, 2011, Amendment)

3.204 ENFORCEMENT

A law officer has the authority to issue a notice of violation of trespass citation when:

- 1.** The violation is committed in the officer's presence;
- 2.** An officer investigating the violation has reasonable cause to believe that the alleged perpetrator involved has committed a violation.

(Source: WOS 2011-001, February 8, 2011, Section IV)

3.205 REGULATIONS

Any regulations promulgated or required in accordance with this Statute shall follow the Administrative Procedures Act and be submitted to Tribal Council for approval.

(Source: WOS 2011-001, February 8, 2011, Section V)

3.206 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 2011-001, February 8, 2011, Section VI)

3.207 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.

(Source: WOS 2011-001, February 8, 2011, Section VIII)