

**WAGANAKISING ODAWAK STATUTE 20~~2418-XXX~~007**  
**LEGISLATIVE PROCEDURES**

**SECTION I.        PURPOSE**

This Statute ~~establishes the procedures to make laws in accordance with the Little Traverse Bay Bands of Odawa Indians Constitution. This Statute repeals and replaces Waganakising Odawak Statute 2018-007, establishes uniform terminology and procedures for the consideration, enactment, certification, naming, numbering and filing of legislation, and authorizes the Executive power of veto. This Statute repeals and replaces Waganakising Odawak Statute 2005-10 and WOS 2013-011, or as amended.~~

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**SECTION II. -     DEFINITIONS**

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~~B.A. "Business Day" means generally Monday through Friday, except for holidays, or when the office is closed due to an emergency for Emergency Closing.~~

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~~C. "Codification" means the arrangement of statutes into a systematic code. "Emergency Closing" mean when the office is closed for events related to severe weather, fires, or power failures, or other safety or welfare conditions.~~

~~B. \_\_\_\_\_~~

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~~D.C. "Executive" means the eExecutive bBranch of government under Article VIII of the Little Traverse Bay Bands of Odawa Indians Constitution the power of which is vested in the Tribal Chairperson and the Vice Chairperson.~~

~~E.D. "LTBB" or "Tribe" means the Little Traverse Bay Bands of Odawa Indians.~~

~~F. "Proposed Statute" means a new Statute or an amendment to an existing Statute.~~

**E.** ~~“Sponsor” or “Sponsoring” means the Tribal Council member who is proposing the draft Statute~~ a statute for consideration of Tribal Council.

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~~G.F.~~ “Statute” means a law enacted by Tribal Council.

**G.** “Tribal Citizen” means an enrolled member of the Little Traverse Bay Bands of Odawa Indians.

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**H.** ~~“Tribal Council” means the legislative branch of government under Article VII of the Little Traverse Bay Bands of Odawa Indians Constitution.~~

~~H.~~

~~I.~~ “Tribal Council” or “Council” means the elected body of the Little Traverse Bay Bands of Odawa Indians to carry out legislative powers under Article VII of the Constitution.

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~~J.~~ “Tribal Council Agenda” means agenda that is approved by Tribal Council motion at a Tribal Council meeting where a quorum is present.

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~~K.~~ “Tribal Website” means the LTBB governmental website, <http://www.ltbbodawa.nsn.gov>.

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**SECTION III. TERMINOLOGY and NUMBERING**

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**A.** ~~Statutes that are enacted by Little Traverse Bay Bands of Odawa Indians shall be titled “Waganakising Odawak Statute”.~~

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**B.** ~~Each enacted Statute will receive a unique number. The unique number shall be a seven (7) digit number. The first four (4) digits will be the year of the enactment. The last three (3) digits will specify the chronological order in which Statutes are enacted in a given year, separated by a hyphen. For example, the first Statute passed in 1996 will be Waganakising Odawak Statute 1996-001.~~

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**SECTION IIIV. GENERAL LAWMAKING PROCESS PROPOSED STATUTES and SPONSORS**

~~A. A Tribal Council member membersponsoring, at a Regularly Scheduled Tribal Council meeting, may request a proposed Statute a proposed statute may, on their own initiative or on behalf of a Tribal Citizen, request that it to be placed onf a Tribal Council Meetingthe Agenda for.~~

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~~B. During the Tribal Council Meeting at which a proposed statute is considered, a motion may be made to post it posting on the LTBB website for public comment. The proposed statute, along with the name of the sponsoring Tribal Councilor(s), shall be posted if a majority of the Tribal Councilors present at the meeting vote to approve the motion.~~

~~A. Such proposed Statutes may be in the form of an amendment to an existing Statute or a new Statute. All proposed Statutes shall include the name of the sponsoring Tribal Council member(s).~~

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~~B. A Tribal Citizen may propose a Statute or an amendment to an existing Statute. Tribal Council will have sixty (60) days to consider whether or not to post the proposed Statute to the LTBB website.~~

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~~C. After sixty (60) days, any Tribal Council member may choose to sponsor the proposed Statute. The sponsoring Tribal Council member(s) and Tribal Citizen(s) names shall be included with the posting on the LTBB website.~~

**SECTION V. POSTING OF PROPOSED STATUTES for PUBLIC COMMENT**

~~C. All proposed StatutesFollowing a successful motion, the proposed statute shall be posted to the LTBB website for a minimum of twenty-five (25) business days for public comment. Written comments will be submitted to Tribal Council for consideration prior to passage of a proposed Statute. Verbal comments will be heard at any Regularly Scheduled Tribal Council meeting, during a Public Comment period.~~

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~~D. After considering any written or verbal statements submitted by Tribal Citizens during the 25-day public comment period, Tribal Council may entertain a motion to enact the proposed statute. If any substantive changes are made to the proposed statute following the public comment period, the revised version must be posted on the Tribal website for at~~

least ten (10) additional business days and additional public comments considered by Tribal Council before a motion to enact the revised version is entertained.

E. Enactment of a proposed statute shall require a majority vote of the Tribal Councilors present at the meeting in which a vote is taken.

A. Proposed s

B. If at any time there is substantial changes to the proposed Statute, Tribal Council may repost the proposed Statute to the Tribal website. For Statutes that are reposted, Tribal Council may take action sooner than a minimal of twenty five (25) days of posting.

C.F. Proposed Statutes shall automatically be removed from posting on the LTBB website, if any of the following occur:

1. Not approved by Tribal Council after three-hundred and sixty-five (365) days of posting on the website.

2. Not approved by Tribal Council after being placed on a Tribal Council agenda and the motion for enactment passages either fails or the motion fails for lack of support.

2.

**SECTION IVVI. EMERGENCY LAWMAKING STATUTES**

-In the event that immediate legislative action is absolutely necessary to preserve or promote the rights or resources of the Tribe or its Citizens, a sStatute may be passed at the same meeting that it is introduced, or at a special meeting called for that purpose. An However, such emergency sStatutes shall require a unanimous vote of all Tribal Council members present at such meeting where no more than one two sitting Tribal Council members are-is absent.

**SECTION VH. CERTIFICATION AND NUMBERING**

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**A.** Proof of passage of a Tribal ~~s~~Statute shall be by written certification signed by both the Tribal Legislative Leader and the Tribal Secretary. The certification shall state at a minimum the date of passage, that a quorum of the Council was present, and a roll call record of the vote.

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**B.** All enacted statutes shall be titled “Waganakising Odawak Statute” followed by a seven (7) digit number. The first four (4) digits will be the year of the enactment. The last three (3) digits will specify the chronological order in which statutes are enacted in a given year, separated by a hyphen. For example, the first statute passed in 2024 will be Waganakising Odawak Statute 2024-001.

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#### **SECTION VIII. SUBMISSION TO EXECUTIVE**

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**A.** Upon passage and certification of ~~any~~ ~~s~~Statute by the Tribal Council, the Tribal Council Secretary or designee shall send the certified original to the Executive for signature. Statutes shall be enacted into law upon approval by signature of the Executive, or if not expressly vetoed by the Executive within thirty (30) days of submission to the Executive.

**B.** If the Executive approves the ~~s~~Statute, then the Executive shall indicate such by either a dated signature or a dated stamp mark on the certified original document. If the Executive vetoes the ~~s~~Statute, then ~~the~~ Executive shall indicate such by either a dated signature or a dated stamp mark on the certified original document.

**C.** The Executive shall submit the certified original document with either the dated approval or dated veto to the Legislative Office by the next business day that the Tribal Offices are open.

**D.** If the Executive vetoes a proposed Statute, the Statute shall not become enacted law unless the Tribal Council, by an affirmative vote of seven (7) members of the Tribal Council, votes to override the veto.

**E.** The vote of Tribal Council to override a veto shall occur within ninety (90) days of receipt of the veto from the Executive. If Tribal Council fails to act on the veto override within this set time period, the veto shall stand.

**F.** The vote by Tribal Council to override the veto shall only occur if there are seven (7) Tribal Councilors present at the time of the vote.

G. Tribal Council shall only vote one time to override the veto. If the vote for the veto override fails, then the veto stands.

**SECTION ~~VIII~~. INITIATIVE AND REFERENDUM**

The process for initiative and referendum is set out in Article XIV of the LTBB Constitution.

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**SECTION ~~VIII~~. COMPILATION**

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A. All enacted ~~s~~Statutes of the Little Traverse Bay Bands of Odawa Indians shall be listed in chronological order on the LTBB website and shall also be available in chronological order at the Legislative office.

B. One original signed copy of the enacted ~~s~~Statute shall be kept in the Legislative office and one original signed copy shall be kept in the Executive office.

C. ~~The Legislative Services Attorney shall oversee the codification and maintenance of the Tribe's codified version of the current laws will also be available on the LTBB Tribal website. The Code shall be organized in a user friendly manner.~~

**SECTION ~~XIX~~. 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.

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**SECTION ~~XII~~. EFFECTIVE DATE**

Effective upon signature of the Executive or 30 days from Tribal Council approval, whichever comes first, or if the Executive vetoes the ~~Statute~~ legislation, then upon Tribal Council override of the veto.

~~SECTION XIII. ——— OTHER RELATED STATUTES~~

~~See WOS 2015-019 Administrative Procedures Act, and WOS 2010-009 Public Documents Statute, or as may be amended.~~

**CERTIFICATION**

~~As the Tribal Council 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 April 7, 2018 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:~~

	<u>In Favor</u>	<u>Opposed</u>	<u>Abstained</u>	<u>Absent</u>
<del>Frank Bernard</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>David Harrington</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Dexter McNamara</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Emily Proctor</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Julie Shananaquet</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Shanna Wemigwase</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Marcella Reyes</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Tamara Kiogima</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Fred Harrington, Jr.</del>	<del>X</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>

~~Date: \_\_\_\_\_~~

~~Legislative Leader Fred Harrington, Jr.~~

Date: \_\_\_\_\_  
Secretary Tamara Kiogima

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: \_\_\_\_\_  
Regina Gasco Bentley, Tribal Chairperson