

ORDINANCE 13
TRIBAL CLERK

Saginaw Chippewa Indian Tribe
of Michigan

ORDINANCE NO. 13

TRIBAL CLERK

Current Through December 19, 2000 (Resolution No. 01-027)

BE IT ENACTED, by the Tribal Council of the Saginaw Chippewa Indian Tribe of Michigan as follows:

SECTION 1. Statement of Purpose. The purpose of this Ordinance is to: Establish a Tribal Clerk Office and to set out duties, procedures and responsibilities within this office.

SECTION 2. Ordinance Title. This Ordinance shall be designated as the Tribal Clerk Ordinance of the Saginaw Chippewa Indian Tribe of Michigan.

SECTION 3. Authority. The authority for this Ordinance may be found in Article III and Article VI Section 1(h) of the Amended Tribal Constitution of November 4, 1986. Furthermore this Ordinance number (#13) may be utilized pursuant to the action taken by the Tribal Council on April 11, 1989, in which Ordinance No. 13 was repealed by Ordinance No. 7.

SECTION 4. Tribal Clerk. The Tribal Clerk shall be employed pursuant to a personal services contract with the Tribal Council. The term of office for the Tribal Clerk shall be at the discretion of the Tribal Council and the Clerk's tenure shall not be subject to the Tribal Personnel Policies and Procedures.

SECTION 5. Duties and Responsibilities of the Tribal Clerk. The duties and responsibilities of the Tribal Clerk are:

- a. To be the official custodian of the approved minutes of the meetings of the Tribal Council, the Executive Council, and the governing bodies of all subordinate organizations or committees established by the Tribal Council. All such approved minutes shall be posted in a public place for one month and made available for review by Tribal members.
- b. To be the custodian of all Tribal Codes, Ordinances and Resolutions adopted by the Tribal Council.
- c. To be custodian of the Tribal Seal and affix it to documents or copies of documents in the custody of the Tribal Clerk to confirm their authenticity or identity as official records or copies of records of the Tribe .
- d. To be a notary public, to be funded by the Tribe.
- e. To publish and post documents and other materials upon the request of the Tribal Council.
- f. Maintain the voter registration list and register any new voter in accordance with the standards and procedures established by Tribal law .

- g. To conduct tribal elections in accordance with Ordinance No.4.
- h. To coordinate annual reporting pursuant to Section 8 of this Ordinance .
- i. To perform such other duties as may be required by the Tribal Constitution, Tribal Codes, Ordinances or Resolutions adopted by the Tribal Council.

SECTION 6. Deputy Clerk. The Deputy Clerk shall be hired pursuant to Tribal Personnel Policies and Procedures and shall be under the direct supervision of the Clerk.

SECTION 7. Assistant Clerks. When necessary, Assistant Clerks will be hired under the Tribal Personnel Policies and procedures, to perform such duties as may be determined by the Tribal Clerk.

SECTION 8. Annual Reporting Requirement; Deadline.

- a. Each year, on or before May 4, every member of the Saginaw Chippewa Indian Tribe of Michigan shall submit the information specified in subsection b of this Section to the Tribal Secretary through the Tribal Clerk. This information shall be referred to as the “Tribal Member Annual Report.” Any member who fails to report this information on time in the manner and form required herein shall be disqualified from receiving any monetary benefits that would otherwise accrue to the member on a quarterly basis during the reporting period as a result of their membership in the Tribe. Any member who fails to submit the Tribal Member Annual Report on time may eliminate their disqualification for monetary benefits by submitting the Tribal Member Annual Report prior to next quarter. The Tribal Member Annual Report may be submitted in person at the Tribal Clerk’s Office or by certified mail addressed to that Office .
- b. Each Tribal Member Annual Report shall contain the following information about the reporting tribal member:
 - 1. Legal name;
 - 2. Membership number; and
 - 3. Current residential address.
- c. Annual Report of the Tribal Clerk. No later than August 1 of each year the Tribal Clerk shall submit a report to the Tribal Council, which shall contain:
 - 1. The total number of reporting members;
 - 2. A complete updated list of the names of the reporting members ;
 - 3. The date each annual report was filed; and

4. A list of delinquent members who have failed to submit a Tribal Member Annual Report for the reporting period.

SECTION 9. Severability. If any Section, subsection paragraph sentence, phrase or portion of this Ordinance 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 10. Effective Date. This Ordinance shall take effect on the date certified.

Legislative History

Ord. No. 13, Card Games, enacted April 14, 1986, Res No. L&O-05-86 (approved by BIA 5/19/86 and approval rescinded by BIA 7/2/86); amended February 2, 1987, Res. No. L&O-05-87; amended February 10, 1987, Res. No. L&O-06-87; amended March 6, 1987, Res No. L&O-08-87; amended May 11, 1987, Res. No. 87-___; superseded by Ord. No. 7 (Fund Raising Project - II) enacted on April 11, 1988, Res. No. 88-___; and repealed April 24, 1989, Res. No. 89-___.

Ord. No. 13, Tribal Clerk, enacted May 8, 1989, by oral motion; and amended December 19, 2000, res. No. 01-027.