

TITLE 8 - PROPERTY

CHAPTER 8-2 DONATED PROPERTY

8-2-1 Title

This Code shall be known as the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (Tribes) Donated Personal Property Chapter.

8-2-2 Purpose

The Tribes' Reservation, because of its status as a federally recognized Indian tribal government, is, through all of its arms, agencies, corporations and instrumentalities of any kind or type, entitled to receive surplus or donated personal property from other governments, governmental and non-governmental agencies and individuals. This Chapter is intended to govern the acceptance, control and use of such personal property.

8-2-3 Definition and Scope

Donated personal property shall mean and this Chapter shall be applicable to all personal property, including cash or securities of any type, provided as surplus, excess or donated, or donated in part, to any agency or instrumentality of the Tribes, including tribal corporations, by any government, governmental or non-governmental entity, or person. This Chapter shall apply to all employees of all arms, instrumentalities or agencies of the Tribes.

8-2-4 Donations, Who May Accept

Any arm, instrumentality or agency of the Tribes may, through its Administrator or other department head, accept donations of personal property on behalf of the Tribes; provided, that any conditions which may be attached to the donation are found to be acceptable to the Tribes by the Chief Executive Officer of the Tribes.

8-2-5 Recording and Registration

All donated tangible personal property shall be registered and recorded with the Tribes through the Tribal property system administered by the Tribal Purchasing program. All donated intangible personal property, including but not limited to cash and securities, shall be recorded in the Tribal accounting system administered and approved by the Financial Officer of the Tribes. Bulk donations of food shall be used as provided by the regulations governing the Tribes' Food Distribution program.

8-2-6 Use of Donated Personal Property

Personal property donated to the Tribes may be used for any tribal governmental purpose which does not conflict with the federal or state statutory conditions, or other conditions, under which the donation was made.

8-2-7 Disposal of Donated Personal Property

Donated personal property which becomes surplus to the needs of the Tribes may be disposed of under the rules established by the Tribal Purchasing program for disposal of tangible property surplus to the needs of the Tribes. Revenues obtained from disposal of such surplus donated property shall be distributed to the Tribal department which had the majority of use of the donated property while it was included in the Tribal inventory of property after any costs of disposal are reimbursed to the Tribal Purchasing program.

8-2-8 Violations

Any employee or contract employee of any Tribal agency, arm or instrumentality, having responsibility for the obtaining, acceptance or supervision of use of donated personal property, who shall be found to have failed to follow the provisions of this Chapter governing the registration, recording, use or disposal of donated personal property may be terminated from employment.

APPENDIX A
LEGISLATIVE HISTORY AND EDITORIAL CHANGES

DONATED PROPERTY

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The Tribal Court Clerk at the direction of the Chief Executive Officer and with the consent of the Tribes' General Counsel is authorized to administratively correct any reference to Tribal Administrator to Chief Executive Officer on October 11, 2020. These changes are technical in nature and do not effect a substantive change to the Code.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the "Donated Property" Ordinance, Resolution No. 02-037, Ordinance No. 44, in a regular Tribal Council meeting on April 14, 2002. Vote was 7 (for), 0 (against) and 0 (abstained).