

SAH-KU-MEHU



"The Root-Digging
People"

SAUK-SUIATTLE INDIAN TRIBE
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ORDINANCE OF THE GOVERNING BODY
OF THE
SAUK-SUIATTLE INDIAN TRIBE

ORDINANCE NO.11/15/06: BURIAL FUND BENEFIT

THEREFORE BE IT ENACTED BY THE TRIBAL COUNCIL OF THE SAUK-SUIATTLE INDIAN TRIBE, AS FOLLOWS:

WHEREAS, The Sauk-Suiattle Tribal Council is the duly constituted governing body of the Sauk-Suiattle Indian Tribe, by authority of the Constitution and Bylaws, approved by the Secretary of the Interior on September 17, 1975 and in accordance with the Indian Reorganization Act of June 18, 1934 (48 Stat.984); and

WHEREAS, the Sauk-Suiattle Indian Tribal Council is the duly elected governing body of the Sauk-Suiattle Indian Tribe; and

WHEREAS, in accordance with the Tribal Constitution and Bylaws of the Sauk-Suiattle Indian Tribe, it shall be the duty of Tribal Council to protect and preserve the people of the Sauk-Suiattle Indian Tribe as provided in Article II, Section 1(a) including the promulgation of laws and ordinances pursuant to Article VII, Section 1(P); and

WHEREAS, in order to maintain and provide the peace, health and general welfare of the Sauk-Suiattle members, the Tribal Council is committed to the responsible and prudent use of any and all tribal funds; now

THEREFORE, BE IT ENACTED THAT, the Sauk-Suiattle Tribal Council hereby asserts its right as a sovereign power, determine how tribal, federal, state and other funds of the Tribe shall be expended in accordance with applicable grants and contracts; now

BE IT FURTHER ENACTED THAT, this Ordinance is to set forth uniform procedures to be followed by the Tribal Council and Administration in carrying out the provisions of the Tribal Constitution related to budgeting and appropriating funds for use by the Tribe; now

BE IT FINALLY ENACTED THAT, the Burial Fund Benefit Ordinance shall be approved in accordance with the following procedures:

**SSIT BURIAL FUND BENEFIT
ORDINANCE**

PAGE 1 of 3

ARTICLE I - GENERAL PROVISIONS

Section 1.010 -- TITLE AND EFFECTIVE DATE

This Ordinance shall be known as the Burial Fund Benefit Ordinance of the Sauk-Suiattle Indian Tribe and shall take effect on October 13, 2006.

Section 1.020 -- NONWAIVER OF SOVEREIGN IMMUNITY

Nothing in this Ordinance shall be deemed to constitute a waiver, express or implied, by the Sauk-Suiattle Tribe of its sovereignty, rights, powers or privileges.

Section 1.030 - PURPOSE AND AUTHORITY

The purpose of this Ordinance is to identify the extent of benefits provided to tribal members on the passing of a member of their immediate family and to set uniform procedures for tribal staff to implement the Sauk-Suiattle Indian Tribe Burial Fund Benefit.

Section 1.040 - BURIAL BENEFIT IS NOT A RIGHT

The Tribe recognizes the special financial burden families suffer at the time of a family member's death while at the same time recognizes the Tribe's own limited resources. The Burial Fund Benefit is a benefit subject to the available resources of the Tribe. These benefits are not an enforceable right.

Section 1.050 - DEFINITIONS

For the purposes of this Ordinance, the following definitions shall apply:

- (1) "Burial Fund Benefit" or "benefit" shall mean those benefits established by the Tribal Council to assist with the costs incurred for funeral services and burial of Tribal members and their non-member children, parent and spouses.
- (2) "Burial Fund" or "fund" shall mean the fund established by the Tribal Council from which burial benefits are paid.
- (3) "Parent" shall mean natural parent, adoptive parent or step-parent. This definition does not apply to a man whose paternity for any tribal member is not established. Stepparent is defined as the current, legal spouse of a natural or adoptive parent of a minor tribal member.
- (4) "Tribe" shall mean the Sauk-Suiattle Indian Tribe.

ARTICLE II - ESTABLISHMENT OF BURIAL FUND

Section 2.010 Tribal Council

Every year the Sauk-Suiattle Tribal Council shall allocate in its yearly budgets a sum of money to the Burial Fund which shall be administered by the Natural Resource Department and staff.

Section 2.020 Amount of Fund

The sum of money to be allocated shall be based on an estimate provided by Tribal Finance, taking into account prior years financial and demographic patterns and trends and input from Enrollment.

Section 2.030 Adjustments to Fund

A supplemental budget and modification shall be prepared and submitted to Council by the Enrollment Clerk when the Enrollment Clerk determines that the Fund is likely to be fully expended.

ARTICLE III - TRIBAL BURIAL BENEFIT

Section 3.010 -- Who May Apply


(1) Any Tribal member or spouse or parent of a tribal member may apply for payment of a burial benefit for any deceased family member who is a tribal member or their non-member child, parent, or spouse. Adopted children, whether by law or Tribal custom, are eligible for payment on the same basis as natural children. To establish family status of non-members, the applicant or other individual shall provide the same evidence as is required under the Enrollment Ordinance, provided, however, that in the case of a spouse, a marriage certificate must be provided.

Section 3.020 - Procedure for Application

- (1) To obtain payment of a burial benefit, a letter must be sent to the Enrollment Office after the date of death, requesting assistance.
- (2) The Tribe will pay burial benefits up to a maximum of \$1,000 directly to the funeral service provider chosen by the applicant. The amount of the benefit shall be paid out of the Tribal Burial Fund.
- (3) The Tribe shall provide flowers for the funeral or services, in an amount not to exceed \$100.00, with adjustments for future inflation.
- (4) The Tribe shall provide a Pendleton blanket to the families of a deceased tribal member.
- (5) Supplemental funds, not to exceed \$300 dollars, are available to assist families with providing a meal, or other necessary items.
- (6) Tribal Social Services shall assist families with transportation, if needed, to purchase necessary items and/or food;
- (7) The family shall have access and use of the Longhouse and/or the Social Service facility upon request provided that a family member sign and take responsibility for the key and cleaning up whichever facility they use.
- (8) The Natural Resource Department will prepare and maintain a list of local funeral providers in Snohomish and Skagit County.

CERTIFICATION

Pursuant to the authority contained in Article VII, Section 1(N) of the Constitution and Bylaws of the Sauk-Suiattle Indian Tribe, ratified by the Tribe on July 19, 1975 and certified by the Secretary of Interior on September 17, 1975, pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), the foregoing Ordinance was adopted this 3rd, day of November, 2006 at a Regular Council Meeting held at the Sauk-Suiattle Indian Reservation at which a quorum was present, by a vote of 5 for, 0 against, 1 abstain, and 1 absent.


Gloria Y. Green, Chairman

ATTEST: 
Cynthia M. Harris, Secretary