



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

Ordinance No. 06/05/11: Burial Fund Benefit Ordinance

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WHEREAS, the Tribal Council has determined that there is a need to update the Burial Fund Benefit Ordinance originally enacted in 2006.

THEREFORE BE IT ENACTED THAT, the Sauk-Suiattle Tribal Council hereby asserts it's 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;

ARTICLE 1 – GENERAL PROVISIONS

Section 1.010 – TITLE

This Ordinance shall be known as the Burial Fund Benefit Ordinance of the Sauk-Suiattle Indian Tribe.

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 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 Tribal Council from which burial benefits are paid.
- (3) "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 in accordance with the Final Budget Ordinance: Budget and Appropriations, or as subsequently amended, which shall be administered by the Cultural Resource Department 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 patters and trends and input from Enrollment.

Section 2.030 - Adjustments to Fund

A supplemental budget and modification shall be prepared in accordance with the Final Budget Ordinance: Budget and Appropriations, or as subsequently amended 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 written request or referral must be sent to the Cultural Resource Department after the date of death, requesting assistance.
- (2) The Tribe will pay burial benefits up to \$1,000.00 directly to the funeral service provider chosen by the applicant.
- (3) The Tribe will provide flowers for the funeral or services, in an amount not to exceed \$150.00. Under certain circumstances, these funds can be applied to the funeral expense directly.
- (4) The Tribe will provide a Pendleton blanket to the families of a deceased tribal member.
- (5) The Tribe will provide benefits not to exceed \$300.00, to assist families with providing a meal or other identified funeral expense costs (burning, cedar roses, etc).
- (6) Subject to the availability of funds, the Tribe may provide an additional benefit of up to \$2,000.00 to pay for the expenses associated with relocating a tribal member's remains from outside the state of Washington. The applicant shall provide satisfactory written documentation to the Tribe evidencing the costs associated with relocation of the tribal member's remains.
- (7) Transportation Service will be made available, if needed, from available resources to purchase necessary items and/or food;
- (8) The family will 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.


- (9) The Cultural 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 1 day of ~~April~~^{June} 2011 by way of phone poll, by a vote of 5 for 0 against 1 abstain, and 1 absent.



Janice Mabee, Chairman



Thomas DeCoteau, Secretary