

**WAGANAKISING ODAWAK STATUTE 2008-003
BURIAL PROGRAM**

SECTION I PURPOSE

That the Little Traverse Bay Bands of Odawa Indians (LTBB) shall have a Burial Program for Tribal Citizens to provide financial assistance toward funeral, cremation, and burial expenses following the death of a Tribal Citizen and repeals and replaces WOS 2006-017 and any and all previous amendments.

SECTION II ELIGIBILITY

A family member, legal guardian, or other person who has taken on the responsibility of paying for the funeral and burial cost of a deceased Tribal Citizen, may request Burial Program financial assistance. To be eligible, the deceased must be a Citizen with LTBB at time of death, or less than one year of age and eligible for citizenship with Little Traverse Bay Bands of Odawa Indians.

SECTION III IMPLEMENTATION

A. LTBB shall maintain a separate Burial Program Account administered by the Executive Branch. Funds for the Burial Program will be appropriated annually in the budget process.

B. Burial funds are only provided through direct payment, or reimbursement with receipts, as a result of funeral and burial costs. Evidence of pre-paid burial expenses made by someone other than the deceased Tribal Citizens may be included for reimbursement. This assistance is only available if receipts are provided to LTBB no later than six months after the death. The receipts will be paid in the order received or according to the preferences indicated by the person handling the affairs of the deceased.

C. No direct payment or reimbursement shall be made prior to the death of a Tribal Citizen.

SECTION IV IMPLEMENTING REGULATIONS

The Executive Branch of Government shall adopt regulations to implement this Statute. Any previous regulations in place at the time of the enactment of this Statute shall remain in effect to the extent that they are consistent with this Statute, and until such further Regulations are approved by Tribal Council

SECTION V SAVINGS CLAUSE

In the event that any section, subsection, or phrase of this Statute is found by a court of competent jurisdiction to violate the Constitution or laws of the LTBB, such part shall be considered to stand alone and to be deleted from this Statute, the entirety of the balance of the Statute to remain in full and binding force and effect so long as the overall intent of the Statute remains intact.

SECTION VI

EFFECTIVE DATE

Effective upon the signature of the Executive, or 30 days from submission to the Executive branch, or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

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 February 3, 2008 at which a quorum was present, by a vote of 8 in favor, 1 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington, Jr.	X			
Melvin L. Kiogima	X			
Dexter McNamara	X			
Marvin Mulholland		X		
Shirley Oldman	X			
Alice Yellowbank	X			
Gerald V. Chingwa	X			
Regina Gasco Bentley	X			
Beatrice A. Law	X			

Date: 2/3/08

Beatrice A. Law
Beatrice Law, Legislative Leader

Date: 2-3-08

Regina Gasco Bentley
Regina Gasco Bentley, Secretary

Received by the Executive Office on 2-4-08 by [Signature]

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: 2-28-08

Frank Ettawageshik
Frank Ettawageshik, Tribal Chairperson

