



The Grand Traverse Band of Ottawa and Chippewa Indians

Legal Department

2605 N. West Bay Shore Drive • Peshawbestown, MI 49682 • 231-534-7610 • FAX 231-534-7600

MANDATORY 30-DAY POSTING

MEMORANDUM

TO: Tribal Membership
FROM: GTB Legal Department
RE: Amendments to the Burial Fund Code, Title 17, Chapter 1
DATE: May 24, 2011

Please post the attached proposed amended ordinance in an area where GTB tribal members can review. Please note with the attached information, there are three (3) versions: 1) The original Burial Code; 2) the revised Burial Code; and 3) the revised Burial Code with track changes, which identifies the proposed amendments.

Any comments regarding the above referenced should be directed to the GTB Legal Department either by writing to the GTB Legal Department, 2605 N.W. Bayshore Dr., Peshawbestown, MI 49682, or by telephone (231) 534-7610, or by e-mail, to Mary.Shomin@gtbindians.com.

Posting Sites:

Administration Building
Accounting Department Annex
Annex II – Human Resources Building
Benodjehn Child Care Center
Clinic
Elder’s Complex
Housing
SBR Plant
Natural Resources/Conservation
Maintenance Department
Medicine Lodge – Front Desk
Benzie Satellite Office – via e-mail
Charlevoix Satellite Office – via e-mail
Traverse City Satellite Office - via e-mail
Strongheart Center
Youth Center

EDC Building

Double Eagle Restaurant –
Employees/Supervisors’ Break-room

Leelanau Sands Casino –
Employees/Supervisors’ Break-room

Leelanau Sands “The Lodge” –
Employees/Supervisors’ Break-room

Turtle Creek Casino –
Employees/Supervisors’ Break-room

Attachments

"Original"

**TITLE 17
TRIBAL SERVICES**

Contents of Title 17

Chapter 1 – Burial Fund Code

Chapter 1 – Burial Fund Code

§ 101 – Short Title, Purposes and Definitions

- (a) Short title. This code shall be entitled “The Grand Traverse Band Burial Fund Code.”
- (b) Purpose. The Grand Traverse Band Burial Code shall provide assistance with funeral expenses at the time of death for all Tribal members.
- (c) Definitions. As used in this code:
 - (1) “Anniversary date.” Date marking enrollment period for payment of benefits, which is August 1 of each calendar year.
 - (2) “Child.” Person between the ages of 1-5.
 - (3) “Enroll.” To comply with all requirements for membership in the Grand Traverse Band and to be placed on the membership rolls.
 - (4) “Infant.” Person between the age of 0-1 year.
 - (5) “Person.” A human being.
 - (6) “Tribal Member.” A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians and who has completed his/her requirements and has been officially enrolled with the Tribe’s membership office and who has been placed on the Tribal rolls. Tribal member includes membership by adoption and infants under ninety (90) days old who are eligible to enroll but who have not yet done so.

History: Tribal Act # 92-1075, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act # 96-14.348, enacted by Tribal Council on April 16, 1996.

§ 102 – Creation of Burial Fund

There is hereby created a burial fund insurance program to provide assistance with funeral expenses at the time of death for Tribal members.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 103 – Enrollment Period

The enrollment period is from August 1 to July 31.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 104 – Persons Covered

- (a) All persons covered must be Tribal members.
- (b) In the case of infants, parents shall have ninety (90) days after birth to enroll said infants.
- (c) Members over one (1) year of age will be covered by this fund as of August 1 following the date of their enrollment in the Tribe.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 105 – Fetus, Miscarriage, Stillborn

This policy will cover up to \$1,000.00 of costs incurred with the disposal, cremation, or a funeral of a stillborn child, fetus, or miscarriage.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 106 – Payment of Benefits

The benefit check shall be payable jointly to the person responsible for the funeral expenses and the funeral home or crematorium.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 107 – Schedule of Benefits

- (a) Birth to one (1) year: payments shall be one thousand dollars (\$1,000.00)
- (b) One (1) year to five (5) years: payments shall be one thousand five hundred dollars (\$1,500.00)

- (c) Five (5) years and above: payments shall be two thousand five hundred dollars (\$2,500.00)
- (d) The schedule of benefits may be raised or lowered from time to time by Tribal Council resolution without the need of a formal amendment to this Burial Fund Code.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 108 – Benefits Subject to Availability of Funds

Benefits to be paid under this policy of insurance shall be subject to availability of funds.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 109 – Applications for Benefits

Applications for benefits shall be made through the GTB's Membership Benefit's Office.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

"Proposed Revised"

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§ 101 – Short Title, Purposes and Definitions

- (a) Short title. This code shall be entitled “The Grand Traverse Band Burial Fund Code.”
- (b) Purpose. The Grand Traverse Band Burial Code shall provide assistance with funeral expenses at the time of death for all Tribal members.
- (c) Definitions. As used in this code:
 - (1) **(Reserved)**
 - (2) “Child.” Person between the ages of 1- 12.
 - (3) “Enroll.” To comply with all requirements for membership in the Grand Traverse Band and to be placed on the membership rolls.
 - (4) “Infant.” Person between the age of birth-1 year.
 - (5) “Person.” A human being.
 - (6) “Tribal Member.” A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians and who has been officially enrolled with the GTB’s Membership Office and who has been placed on the Tribal rolls. Tribal member includes future members, membership by adoption and eligible infants as determined by the GTB Membership Office.
 - (7) “Eligible Person.” A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians who has completed all the requirements for enrollment or in the case of infants those who are eligible for membership as determined by the GTB Membership Office.
 - (8) “Expenses.” Expenses are the actual expenses of the funeral, for example, the cost to the funeral home or the expenses in the manner of internment. It does not include any incidental expenses, for example, transportation costs, hotel costs, etc.

History: Tribal Act # 92-1075, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act # 96-14.348, enacted by Tribal Council on April 16, 1996.

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There is hereby created a burial fund program to provide assistance with funeral expenses at the time of death for Tribal members.

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§ 103 (Reserved)

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 104 – Persons Covered

- (a) All persons covered must be Tribal members as defined in 101 (c)(6).
- (b) (Reserved)
- (c) (Reserved)
- (d) In the case of infants, parents shall have sixty (60) days after birth to obtain an Eligibility Statement. Parents shall obtain an Eligibility Statement from the GTB Membership Office.
- (e) The Tribal member may make a designation regarding responsibility for all arrangements of the funeral/burial by filling out a Burial Benefit Form. If no designation is made then the family shall designate a family member payee. Monetary assistance will not be issued until the designated responsible family member is identified.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 105 – Stillborn

This burial fund program will cover the expenses incurred for the funeral up to Three Thousand Five Hundred Dollars (\$3,500). Expenses include the cost to the funeral home or the expense incurred in the manner of interment as defined in 101 (c)(8).

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 106 – Payment of Benefits

- (a) The benefit check shall be payable jointly to the person responsible for the funeral expenses and the funeral home or crematorium.
- (b) The designated family member payee may request an advance up to Five Hundred Dollars (\$500) to assist the family with expenses for food, travel, lodging or miscellaneous expenses. This amount shall be deducted from the total burial fund amount.
- (c) No more than Seven Thousand Five Hundred Dollars (\$7,500) shall be paid for any Tribal member's burial/funeral expense.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 107 – Schedule of Benefits

- (a) Birth to twelve (12) years: payments shall be Three Thousand Five Hundred Dollars (\$3,500).
- (b) **(Reserved)**
- (c) **(Reserved)**
- (d) The schedule of benefits may be raised or lowered from time to time by Tribal Council resolution without the need of a formal amendment to this Burial Fund Code.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 108 (Reserved)

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 109 – Applications for Benefits

Applications for benefits shall be made through the GTB's Office of Management and Budget.

History: Tribal Act #92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996.

§ 110 – Benefits Liability

- (a) The GTB assumes no liability for any costs related to a Tribal member's funeral or burial in excess of the benefits provided by this burial fund program.
- (b) The GTB may, at its discretion, amend or terminate the burial fund program.

§ 111 – Inconsistent Provisions

- (a) Any prior legislation or other GTB laws and policies that are inconsistent with the purpose and procedures established by this Code are hereby repealed to the extent of any such inconsistency.

Tracked Changes of Amendments

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(7) “Eligible Person.” A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians who has completed all the requirements for enrollment or in the case of infants those who are eligible for membership as determined by the GTB Membership Office.

- (8) "Expenses." Expenses are the actual expenses of the funeral, for example, the cost to the funeral home or the expenses in the manner of interment. It does not include any incidental expenses, for example, transportation costs, hotel costs, etc.

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§ 104 – Persons Covered

- (a) All persons covered must be Tribal members as defined in 101 (c)(6).
- (b) ~~In the case of infants, parents shall have ninety (90) days after birth to enroll said infants.~~ **(Reserved)**
- (c) ~~Members over one (1) year of age will be covered by this fund as of August 1 following the date of their enrollment in the Tribe.~~ **(Reserved)**
- (d) In the case of infants, parents shall have sixty (60) days after birth to obtain an Eligibility Statement. Parents shall obtain an Eligibility Statement from the GTB Membership Office.

(e) The Tribal member may make a designation regarding responsibility for all arrangements of the funeral/burial by filling out a Burial Benefit Form. If no designation is made then the family shall designate a family member payee. No monetary assistance will be issued until the designated responsible family member is identified.

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- (a) Birth to ~~twelve (12)~~one (1) years: payments shall be Three Thousand Five Hundred Dollars (\$3,500). ~~one thousand dollars (\$1,000.00)~~
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§ 108 – Benefits Subject to Availability of Funds (Reserved)

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