



Poarch Creek Indians
Tribal Council Ordinance
TCO 2014-02

**ORDINANCE TO AMEND TITLE 44
(TRIBAL SUPPORT AND BENEFITS)**

- WHEREAS,** the Poarch Band of Creek Indians is a federally recognized Tribe organized pursuant to 25 C.F.R. 83;
- WHEREAS,** the Constitution of the Poarch Band of Creek Indians authorizes its Tribal Council to enact, amend or repeal an ordinance;
- WHEREAS,** on October 26, 2003, TCO 03:005 added the Burial Assistance Program to the other benefits received by Tribal Members, which was later amended by TCR 2010:052, August 5, 2010, to include newborns eligible for Tribal membership;
- WHEREAS,** during the 2012 codification of the Tribal Code, the Burial Assistance Program was incorporated into Title 44 (Tribal Support and Benefits);
- WHEREAS,** on November 7, 2013, the FY 2014 Tribal Government Annual Operating Budget was approved with a burial assistance benefit increase from \$7,000 to \$10,000, effective January 1, 2014;
- WHEREAS,** the Tribal Council wishes to revise Section 44-3-1(e) to allow access to Burial Assistance benefits, at the approved budgetary rate, upon the submission, completion, and approval of a Burial Assistance Claim Form with all required verification;
- WHEREAS,** the Tribal Council also wishes to revise Section 44-3-1(e) to include amended legislation by Resolution, TCR 2010-052 dated August 5, 2010, which set forth entitlement "to extend burial benefit to newborns who would have been eligible for tribal membership if he or she had survived in an amount not to exceed \$2,000"; and
- WHEREAS,** in accordance with § 2-3-1(b) of Title 2 (Legislative), this Ordinance was introduced by Tribal Council motion at the regularly scheduled official meeting February 13, 2014.

NOW THEREFORE BE IT ORDAINED that the Tribal Council amends Section 44-3-1(e) of the Tribal Code to allow access to Burial Assistance benefits upon the submission and approval of a Death Claim Form with the necessity documentation as follows:

**TITLE 44
TRIBAL SUPPORT AND BENEFITS**

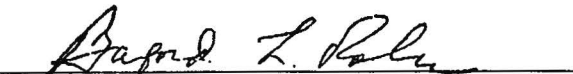
**CHAPTER III
BURIAL ASSISTANCE PROGRAM**

§ 44-3-1 An Ordinance to Distribute Discretionary Funds – Burial Assistance

- (e) WHEREAS, there is a need to develop financial and investment strategies to create proceeds to provide burial assistance to tribal members to lessen the burden associated with such expenses. Burial assistance disbursements shall occur only upon the submission, completion, and approval of a Burial Assistance Claim Form from a beneficiary or claimant, following the death of a Tribal Member or newborns who would have been eligible for membership if he or she had survived. Funds shall be distributed according to existing Burial Assistance Beneficiary Form and program policies of the authorizing Department. Funds shall be disbursed to beneficiaries or claimants regardless of existing burial policies, and reassignments may be authorized for direct payments to funeral homes.

APPROVAL


I, the Chairman of the Poarch Band of Creek Indians, hereby affix my signature to the ordinance authorizing it to become official this 6th day of March, 2014.



Buford L. Rolin, Chairman
Poarch Band of Creek Indians

CERTIFICATION

I, the Secretary of the Poarch Band of Creek Indians, certify that the foregoing is a true extract from the minutes of the Tribal Council meeting of the Poarch Band of Creek Indians, comprised of nine members with 8 in attendance on the 6th day of March, 2014, and that the above is in conformity with the provisions therein adopted by a vote of 8 in favor, and 0 against, 0 abstentions.


David W. Gehman, Secretary
Poarch Band of Creek Indians