



**Little River Band of Ottawa Indians  
Tribal Council  
2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288**

**Resolution #16-0817-238**

*Permanent Adoption of Amendments to the Bereavement Benefit Program Ordinance,  
Ordinance #02-700-03*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Ogema is authorized by Article V, Section 5(a)(1) to enforce and execute the ordinances, resolutions and motions adopted by the Tribal Council consistent with the Constitution; and

WHEREAS, the Tribal Council is authorized by the Administrative Procedures Ordinance, Ordinance #04-100-07, in the interests of protecting the health, safety, or welfare of the Tribe, its members or the community, to take emergency action to avoid the imminent injury to person, property, business, or finance; and

WHEREAS, the Tribal Council was informed by the Unified Legal Department and the Member's Assistance Attorney that a tribal member's federal benefits had been canceled due to a misinterpretation that the bereavement benefit could be paid prior to death.

WHEREAS, the Tribal Council passed emergency amendments to the Bereavement Benefit Program Ordinance on February 10, 2016, as follows, adding the underlined language with no deletions to the current Ordinance:

**Section 4. Amount of Benefit**

4.01. *Amount.* The bereavement benefit is established at \$7500 to be paid only after the death of the member.

**Section 5. Eligibility**


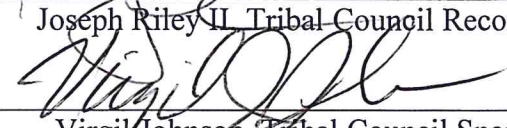
5.01. General. All Tribal members are eligible for the bereavement benefit to be paid to a beneficiary upon the death of the tribal member and notification to the Enrollment Department.

WHEREAS, the Tribal Council held a work session on August 8, 2016 to review any comments or issues submitted during the emergency period prior to adopting the amendment permanently.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council permanently adopts the amendments to the Bereavement Benefit Program Ordinance, Ordinance #02-700-03.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 17, 2016, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
Joseph Riley II, Tribal Council Recorder  
  
Virgil Johnson, Tribal Council Speaker

Attest:

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