

QUTEKCAK NATIVE TRIBE ENROLLMENT ORDINANCE

SECTION 1. FINDINGS AND PURPOSE:

The Council of the Qutekcak Native Tribe finds that:

- A. It is the recognized governing body of the Alaska Native people of Seward and the surrounding area.
 - 1. It has the authority to make rules governing membership in the Qutekcak Native Tribe.
 - 2. Establishing membership qualifications and an official tribal roll are essential to the efficient and fair administration of tribal government.
 - 3. This ordinance is intended to establish membership qualifications and procedures for establishing an official roll to be kept at the administrative offices of the Council and to establish procedures to keep the roll current through the addition of new members and removal of former members.

SECTION 2. DEFINITIONS:

- A. "Alaska Native: and "Native" mean a person who is a descendent from an Alaskan Indian, Eskimo, or Aleut.
- B. An "Enrolled Member" is a person whose name appears on the Tribal Roll of the Qutekcak Native Tribe.
- C. The Base Roll of Qutekcak Native Tribe consists of those ¼ blood degree Alaska Natives who are the first members of the tribal organization, Mt. Marathon Native Association, created in 1972-74 as the modern-day successor of the original tribe.
- D. A "Lineal Descendant" is the lineal descendant of a base roll member or new member and is automatically eligible for enrollment in the tribe, subject to submitting the required form and information. As used herein, "lineal" descendant includes children by adoption, provided that such children are of Alaska Native or Native American descent.
- E. A "New Member" is a person over the age of 18 who is ¼ Alaska Native who has resided within tribal boundaries for at least three years, meets the membership qualifications, has made an application for membership, and who has been approved for membership by the Qutekcak Native Tribe Council.

SECTION 3. MEMBERSHIP QUALIFICATIONS

Application for membership can be denied only upon a finding by the Council that an applicant does not meet the qualifications set under ARTICLE IV-MEMBERSHIP, SECTIONS 1, 2, and 3 of the QNT Constitution and By-Laws, dated 9-25-1998 and amended 11-10-2000.

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SECTION 4. TRIBAL CLERK:

The Tribal Administrator shall appoint a Tribal Clerk who will administer this ordinance by:

- A. Accepting membership applications and establishing a filing system that preserves, to the extent possible, the confidentiality of all applicants;
- B. Reviewing membership applications for completeness and compliance with the requirements set forth in this ordinance, and on the basis thereof, presenting the application for acceptance or denial to the tribal council;
- C. Preparing and maintaining tribal rolls; and
- D. Providing other services as may be required for the proper administration of this ordinance.

SECTION 5. MEMBERSHIP APPLICATIONS

- A. Immediately after adoption of this Ordinance, the Council shall approve an enrollment application form which shall include at least the following information:
 1. full name of applicant;
 2. date and place of birth;
 3. maiden name and other names used by applicant at any time in the past;
 4. number of years in residency in the Seward or surrounding area;
 5. current street and mailing addresses and telephone numbers;
 6. social security number;
 7. name of any other tribes which applicant is enrolled in as a member or receiving any form of benefits;
 8. specification of Native blood quantum.
- B. Along with a completed application form, an applicant must submit:
 1. a Bureau of Indian Affairs, Certificate of Degree of Indian Blood (CIB);
 2. a completed QNT Family Tree Form;
 3. a copy of their birth certificate, and all legal documentation to prove name changes throughout their life for any reason such as: marriage, divorce, adoption, or a name change, etc.;
 4. proof of residency documentation must be provided (i.e. Lease/rental agreement, utility bill, or other documentation to prove residency).

SECTION 6. ENROLLMENT PROCEDURES:

- A. All applicants for membership shall complete a QNT Enrollment Application and shall file the application with the Tribal Enrollment Clerk. The Tribal Enrollment Clerk will mark it with the date received.

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- B. Documents required and which must be submitted with the enrollment application are a Bureau of Indian Affairs, Certificate of Indian Blood, the QNT Family Tree Form, a copy of their Birth Certificate, and legal documentation to prove all name changes. For New Members, proof of residency must be submitted with the Enrollment Application.
- C. The Tribal Administrator or a person designated by the Tribal Administrator will review the QNT Enrollment Application for completeness. If the application is incomplete or needed documentation is missing, the applicant shall be contacted for additional information or documentation needed for determining eligibility. It is the applicant's responsibility to provide evidence of eligibility in the Qutekcak Native Tribe.
- D. Each applicant for membership shall be voted on separately at a regular or special meeting of the Qutekcak Native Tribe Council within 60 days of receipt date of the application. Applicants shall be considered accepted into membership upon approval by the Tribal Council at any regular or special meeting at which a quorum is present.

SECTION 7. DISENROLLMENT PROCEDURES

- A. Any member may willingly give up his/her membership in the Qutekcak Native Tribe. Minors whose membership is withdrawn by a parent or guardian will be given the opportunity to enroll once they reach 18 years of age.
- B. A member shall be disenrolled if the Tribal Council determines that the member was granted membership on the basis of false or erroneous information.
- C. A tribal member can also be removed if they fail to remain in contact with QNT at least every three years.

SECTION 8. APPEALS:

- A. Any person subject to disenrollment or denied enrollment must be given written notice of the reasons for disenrollment or denial by certified mail.
- B. Within 30 days of receipt of the notice, the person subject to disenrollment or denial may request a hearing before the Tribal Council.
- C. If the member requests a hearing, one shall be held within 60 days of the request.
- D. The decision of the Tribal Council after the hearing shall be final.

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SECTION 9. CONSTRUCTION, SEVERABILITY & AMENDMENT

This ordinance is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purpose for which it was enacted.

If any provisions of this Ordinance, or its' application to any person or legal entity or circumstance, is held invalid by a court of competent jurisdiction, the remainder of the entities or circumstance shall not be affected.

The Qutekcak Native Tribe reserves the right to amend this Ordinance as needed.

The above ordinance was approved by, a duly called meeting of the Qutekcak Native Tribe, Tribal Council on this 12th day of September, 2011.

With FOR, AGAINST, and NOT VOTING.

Nancy Tolson, QNT President

Date

Arne Hatch, QNT Vice President

Date