

**QUTEKCAK NATIVE TRIBE  
RECALL PETITION ORDINANCE**

**SECTION 1.0 TITLE AND PURPOSE**

The purpose of this ordinance is to provide uniformity in the initiation and process of recall petitions filed with the Council pursuant to Article IX, Section 1 of the Constitution of Qutekcak Native Tribe.

**SECTION 2.0 RECALL PETITION FORM**

- A. A recall petition shall include, on each page of the petition, the name of the Council member whose recall is sought and a complete statement of the reasons for the recall.
- B. A separate recall petition must be completed for each Council member whose recall is sought.
- C. All recall petitions shall be submitted on a Recall Petition Form approved by the Council. Copies of the Recall Petition Form shall be made available to eligible voters upon request.
- D. Petitions which do not comply with the requirements of this section shall be considered invalid.

**SECTION 3.0 SIGNATURES**

- A. No more than one person shall circulate or collect signatures on a page of the petition.
- B. Only persons who are eligible voters of the Qutekcak Native Tribe may sign the petition or collect signatures for the petition. The current eligible voters list is available by contacting the tribal office.
- C. Every person signing the petition shall include their full name, physical and mailing address, identifying information (such as driver's license number, social security number, date of birth or enrollment number), and the date on which they signed the petition.
- D. The individual who personally collected the signatures for a page must certify that all signatures appearing on the page were affixed in his or her presence by the person purporting to sign it.
- E. Signatures which do not comply with the requirements of this section shall not be counted toward the required number of signatures.
- F. Any person who has signed a petition may voluntarily withdraw his or her name by filing a written request with the Council.
- G. The governing body of the Qutekcak Native Tribe is known as the Qutekcak Tribal Council and shall be elected by the majority vote of the eligible voters of the tribe.

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**SECTION 4.0 RECEIPT OF PETITION**

- A. Petitions will be received by the Tribal Administrator at the tribal office during normal business hours.
- B. Once a petition is received it will be added to the agenda for the next scheduled regular council meeting. However, a petition must be received by the Tribal Administrator at least ten (10) days prior to the scheduled meeting to be placed on the agenda for that meeting. If the petition is not received at least ten (10) days prior to the scheduled meeting, it will be placed on the agenda for the next scheduled regular council meeting the following month.
- C. If a petition has been placed on the agenda for a council meeting and a quorum is not present for the meeting, then the petition will be placed on the agenda for the next scheduled regular council meeting.
- D. Petitions will be considered to be received by the council at duly convene regular meetings that contain the petition on the agenda, at which a quorum is present.

**SECTION 5.0 COUNCIL ACTIONS**

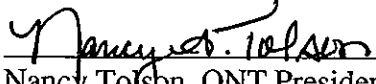
- A. The Council shall review a petition within ten days after receiving it and determine whether the petition is valid and contains the required number of signatures.
- B. If the Council determines the petition to be invalid or to contain an insufficient number of signatures, it shall notify the individual who filed the petition of the specific deficiencies. The individual shall then have ten days to correct any such deficiencies. If the deficiencies are not corrected within ten days, the petition will be considered null and void.
- C. If the Council determines the petition to be valid, the Council shall call a special recall election pursuant to Article VIII of the Constitution. The special recall election shall be held within sixty days after the Council has received a valid petition containing the required number of signatures.

**SECTION 6.0 CONSTRUCTION, SEVERABILITY & AMENDMENT**

- A. 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.
- B. 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.
- C. The QutekcaK Native Tribe reserves the right to amend this Ordinance as needed.

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The above ordinance was approved by, a duly called meeting of the Qutekcak Native Tribe, Tribal Council on this 16th day of March, 2011. With 5 FOR, 0 AGAINST, and 0 ABSTAINING.

  
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Nancy Tolson, QNT President

March 16<sup>th</sup>, 2011  
\_\_\_\_\_  
Date

  
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Arne Hatch, QNT Vice President

3-16-11  
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Date