

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" means 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 shall be those Alaska Natives who are listed on any U.S. Census prior to 1936 as residents of the town of Seward, Alaska with $\frac{1}{4}$ or greater Alaska Native blood quantum. Identification on a U.S. Census prior to 1936 shall be deemed sufficient documentation for the award of tribal membership and no additional documentation for membership shall be required. Also, those Alaska Natives who are listed as attending at least one of the three meetings of the Mt. Marathon Native Association, the predecessor organization to the Qutekcak Native Tribe, between 1972 and 1974 and who have submitted proof of $\frac{1}{4}$ or greater Alaska Native blood quantum to the Tribe as of August 9, 2012; and who applied for and were granted membership as of August 9, 2012 and those Alaska Native adults over the age of 18 who resided within tribal boundaries for the three years prior to tribal application; and who applied for and were granted membership as of August 9, 2012. Such Base Roll was adopted by the QNT on August 9, 2012.
- D. "Lineal descendant" members are the lineal descendants of base enrollees and new members, provided that the applicant has provided the required documentation that he or she is a lineal descendant and all other required information with a signed enrollment application as stated in the tribal enrollment ordinance. If the Lineal Descendant is not 18 years old the application will be signed by their parent or legal guardian. As used herein, "lineal" descendant includes children by adoption, provided that such children are of Alaska Native or Native American descent.
- E. "New members" are those Alaska Natives, age 18 years or older, who have resided in the Seward area three years immediately prior to their application for membership. All tribal members must complete a signed enrollment application and provide all the required documentation as stated in the tribal enrollment ordinance.

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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 VII-MEMBERSHIP, SECTIONS A, B, and C of the QNT Constitution and By-Laws, dated September 6, 2012.

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 of 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. if claiming to be a lineal descendant; the name of the tribal member who they are a lineal descendants from needs to be stated on the application.
- 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.;

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4. proof of residency documentation must be provided (i.e. Lease/rental agreement, utility bill, pay stub, or other documentation acceptable to the tribe to prove residency).

SECTION 6. ENROLLMENT PROCEDURES:

- A. All applicants for membership shall complete a current QNT Enrollment Application and shall file the application and all required supporting documents with the Tribal Enrollment Clerk during the last month of the calendar year (December) and the first two months of the calendar year (January and February). The Tribal Enrollment Clerk will mark it with the date received.
- B. No tribal enrollment applications will be accepted other than during the open enrollment stated in A. above.
- 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 at a regular or special meeting of the Qutekcak Native Tribe Council within 90 days of receipt date of the complete 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 to their last known address.
- B. Within 30 days of sending the notice, the person subject to disenrollment or denial may request a hearing before the Tribal Council.

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- C. If the member requests a hearing, one shall be held within 90 days of the request.
- D. If no hearing is requested within the 30 days, for whatever reason, the disenrollment or denial is final.
- E. If there is a hearing, the decision of the Tribal Council shall be final.

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 16th day of September, 2013.

With 4 FOR, 0 AGAINST, and 0 ABSTAINING.



Arne Hatch, QNT President

9-18-13

Date



John Osenga, QNT Secretary/Treasurer

9/18/13

Date