

**STANDING RULES OF ORDER**

**OF THE**

**CENTRAL COUNCIL**

**TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA**

## TABLE OF CONTENTS

	<u>PAGE</u>
I. PURPOSE .....	2
II. RULES OF ORDER .....	2
III. WELCOME CEREMONY.....	2
IV. REGISTRATION.....	2
V. QUORUM.....	2
VI. VOTING.....	2
VII. ELECTION OF OFFICERS.....	3
VIII. PARLIAMENTARIAN.....	4
IX. CALL TO ORDER.....	4
X. ADOPTION OF THE AGENDA .....	4
XI. ASSEMBLY CHAIRMAN .....	4
XII. MOTIONS .....	5
XIII. RESOLUTIONS .....	5
XIV. STATUTES .....	6
XV. COMMITTEES .....	7
XVI. RECORDING OF MINUTES .....	7
XVII. SUSPENSION OF THE RULES.....	7
XVIII. BUDGET ADOPTION.....	8
XIX. ACTION BETWEEN ASSEMBLIES.....	8
XX. RULES AMENDMENTS .....	8

## **I. PURPOSE**

These rules are intended to serve as a guide to delegates in conducting their business of setting policy of the tribe while in Tribal Assembly (Convention) or related functions in between the annual Tribal Assembly sessions. They are intended to clarify integration between accepted rules of order and special rules adopted by the delegates in convention.

## **II. RULES OF ORDER**

Robert's Rules of Order shall be the official rules of order for the convention and committees. The Tribe reserves the rights to adopt replacement rules or special rules as it sees fit from time to time.

## **III. WELCOME CEREMONY**

Most activities arranged to welcome delegates normally take place the evening before the Tribal Assembly is officially in session as prescribed by the Constitution. This policy makes it clear that, notwithstanding the above reality, all activities relative to welcoming the delegates shall be considered part of the Tribal Assembly.

## **IV. REGISTRATION**

Delegates may not be officially seated until they register. Delegates have the opportunity to register between the hours of 3:00 and 5:00 p.m. the day before the convention, or between 8:00 a.m. and 1:00 p.m. on the first day of the convention. At least one member of the Credentials Committee must be present at any time registration is taking place.

## **V. QUORUM**

The Credentials Committee will make their first report to the convention at 2:00 p.m. on Thursday or the next available time after 2:00 p.m. If at least 50% + 1 of duly elected delegates have registered by the time of the report and these delegates accept the report in a voice vote, the chairman will declare that a quorum is present.

- A.** A Credentials Committee report may be provided earlier if necessary to allow voting on an emergency basis.
- B.** The Credentials Committee will also report periodically on changes to delegation.
- C.** The quorum of 50% + 1 of the duly elected and seated delegates does not change throughout the duration of the convention.

## **VI. VOTING**

All duly seated delegates are eligible to vote on any matter brought before the convention or in elections of tribal officials. Voting is not official unless a quorum is present, except to:

- A.** Accept initial Credentials Committee report that establishes a quorum;
- B.** Vote on requests to have speeches and special presentations recorded in the minutes before a quorum is established;
- C.** Adopt the convention agenda; and

- D.** Vote on any motion relative to rules of order.
- E.** It takes at least 50% + 1 of the quorum present voting affirmatively in favor of a recommended action for it to be declared passed.

All voting on business items will be by voice. The chair may call for a show of hands when a division is called for or if in his/her opinion the vote is too close to call. Any delegate may request a "roll call" vote when it is clear that the show of hands is still not sufficient to determine a prevailing side. Roll call votes should not be used just to consume convention time or disrupt convention business.

## **VII. ELECTION OF OFFICERS**

The nomination and election of officers shall take place at the time agreed to on the agenda. Once the agenda is adopted, other items may be amended but the election of officers shall remain as originally agreed to. It takes at least 50% + 1 of the quorum present voting for a candidate in order for the candidate to be elected to the position for which he/she was duly nominated by a seated delegate.

The election process shall be as follows:

- A.** The President (or session Chair) shall turn the Chair over to the Election Committee Chairman. No member of the election committee shall be a candidate for any office.
- B.** The Election Committee Chairman shall declare nominations open for the office of President.
- C.** Any duly seated delegate may make a nomination. Nominations do not require a second.
- D.** After calling for nominations three (3) consecutive times, the Chairman may declare nominations closed without a motion. Motions to close nominations are in order but not to deliberately block a nomination.
- E.** All of the nominations for the President and the Vice-Presidents will be put on a single ballot per office, and/or shall utilize an electronic balloting machine by each qualified delegate.

Nothing in these Standing Rules of Order shall prohibit or prevent an unsuccessful candidate for President to be nominated and considered for election as a Vice president or any other elected position of the Central Council.

- F.** An unsuccessful candidate for the Office of the President who provided a campaign speech for that office and is subsequently nominated for Vice President shall not be provided any additional campaign speech opportunities.
- G.** Delegates from the communities will be called to vote by community in the order in which they appear in the Rules of Election. The Election Committee will check off each delegate name as he/she votes. Members of the Elections Committee will vote in the order their names appear on the official role of delegates.
- H.** The Election Committee will take all ballots to another room and immediately tabulate election results. In the event a candidate does not get a majority of the delegate votes, another balloting will take place. Once a candidate gets a majority of the delegate votes, the Chair will request a motion to adopt the Election Committee report; and

- I. The election process will proceed as outlined above until all Vice-Presidents are elected. The exception is: all successful candidates getting a majority vote and the candidate(s) getting less than 10 votes will be removed from secondary balloting.

## **VIII. PARLIAMENTARIAN**

The President shall appoint a parliamentarian at the beginning of each Tribal Assembly.

All rule interpretations of the parliamentarian must be made to the session chairman in the form of a recommendation; it is then the responsibility of the chairman to make a ruling. It takes a majority vote of the delegates present to overturn the ruling of the chairman.

## **IX. CALL TO ORDER**

It is the responsibility of the President to make sure that each session of the convention is called to order as closely as possible to the designated time(s) specified on the adopted agenda. A quorum need not be present nor declared for a session to be called to order. Once the session is called to order, all convention rules are in effect.

## **X. ADOPTION OF THE AGENDA**

A proposed Tribal Assembly agenda will be sent to each delegate no later than 2 weeks prior to the start of the convention. It is the responsibility of a delegate who wants to amend the agenda to propose the suggested change(s) at least 1 week prior to the start of the convention with supporting documents and reasons for the suggested change.

Adoption of the agenda serves two (2) functions:

- A. It provides an opportunity for the delegates to vote on whether or not they agree with the proposed agenda; and
- B. It provides the delegates the opportunity to suggest amendments to the agenda. It can be amended at any time, without objection or with a majority vote.

Once the agenda is adopted, it serves as a guide for scheduled activities of the convention. All presenters must complete their presentation within their allotted time on the agenda. If additional time is needed, a vote authorizing the additional time is necessary and the session chair must interrupt the speaker to get the approval of additional time.

The chairman may not grant privilege of the floor for introductions or non-agenda presentations when the convention is behind on the agenda without a duly made motion and a two-thirds vote of delegates present.

A call for Orders of the Day, without objection will direct the sessions chairman to proceed with the scheduled agenda item notwithstanding current convention activities. If there is an objection to the call for Orders of the Day, then a majority vote to sustain the call will direct the chairman to proceed with the next item.

## **XI. ASSEMBLY CHAIRMAN**

This rule provides the President with the option of appointing a session chairman for any or all sessions of the convention whether or not the President remains present. It is preferred that appointed session chairmen be selected from the six (6) elected Vice Presidents. Any appointed

session chairman may return the chairmanship back to the President at any time without convention action.

The President, when chairing, will respond to questions or offer his views on any action that may negatively impact the tribe or need clarity from the administration of the tribe.

## **XII. MOTIONS**

Any duly seated delegate may make a motion once the chairman recognizes him/her. All motions must be duly seconded before debate is allowed. Long or technical motions shall be submitted to the Recording Secretary in writing.

A motion should be presented as follows:

"Mr. [Madam] Chairman, [if new to convention or if chairperson is unfamiliar with delegates give your name] I move. . ."

The order of priority of motions is:

- A.** Points of order.
- B.** Tabling [not debatable].
- C.** Deferring [not debatable].
- D.** Amendment; and
- E.** The main motion action.

## **XIII. RESOLUTIONS**

An adopted resolution is the policy of the tribe for the next two years or until rescinded by subsequent convention action. The lifecycle of a resolution will begin on election years and will be the policy for the tribe for the next two years. Resolutions on the same topic, of the same substance, and generally requesting the same action during the two-year period are out of order. It is the responsibility of tribal administration to follow up on the resolution until preferred results are achieved or a conclusive response is received by the tribe.

Any duly seated delegate may submit a resolution; resolution from T&H Community Council must have been first adopted by that community council. Disputes will be settled with the presentation of minutes of local meeting where the resolution was adopted.

All resolutions must be turned in to the convention Recording Secretary by the close of business on the Friday before the Tribal Assembly.

- A.** The Recording Secretary shall ensure that all resolutions are entered into official tribal resolution format, sorted by topic relative to committee responsibilities, and numbered in the order in which the resolution is received relative to the topic.
- B.** Resolutions submitted after this date and time shall be ineligible for submittal to the Tribal Assembly except as provided in these rules.
- C.** Any resolutions submitted after that time are automatically referred to the Executive Council or may be introduced to the floor only by the passage of a motion to suspend the rules allowing its introduction.

- D. A motion to suspend this rule requires a 2/3 vote of quorum present.
- E. Motions to suspend the rules to introduce a resolution that was submitted after the deadline are out of order until all other resolutions have been acted upon.

The Recording Secretary shall have a copy of each resolution for the Resolutions Committee who will review the resolution and:

- A. Assign each resolution to the appropriate committee or committees and suggest format changes so as to be consistent with the official tribal resolution format.
- B. Return the modified resolution to the Recording Secretary for typing with written suggestions as to which committees should consider the resolution.
- C. After the resolutions have been typed, they will be copied to all delegates with the suggested committee recommendations stamped on them.
- D. Committees will consolidate resolutions on the same topic or issue into one comprehensive resolution while ensuring there are no conflicting and/or contradictory clauses in the resolution; and
- E. Once the resolution has been considered by the committee(s), each the committee designee shall report its recommendations to "pass" or "do not pass" to the convention along with followed by a motion to pass the resolution.
- F. The chair will request comments or recommended amendments from the designee of other committees when a resolution has been referred to more than one committee are introduced to the floor. The committee that had the floor prior to the comments or recommendations will presume with their presentation on their committee action until completed or relinquishing the floor.
- G. Resolutions not acted upon by the convention because the were either not brought to the floor by a delegate or a committee designee or due to expiration of convention time shall be referred to the Executive Council through a declaration from the chair or with the adoption of a motion directing such.

#### **XIV. STATUTES**

Statutes, once adopted, become a permanent policy of the tribe, in effect until repealed, amended, or replaced by another statute.

Statutes shall be handled and adopted very much like resolutions except that all newly drafted resolutions will be mailed to the highest vote-getter delegate in each community who is responsible to advise the other delegates in that particular community that he/she has the proposed statute and make it available for their review before the convention.

A newly proposed statute or a proposed amendment to an adopted statute requires a 2/3 vote for adoption except when they have been sent via U.S. mail at least 90 days prior to the Tribal Assembly they are then adopted by a simple majority vote.

Technical amendments (amendments that do not change the intent or meaning of the statute) may be made by voice vote of the delegates present.

Significant amendments or lengthy amendments must be in writing before each delegate before action can be considered.

## **XV. COMMITTEES**

Each even-numbered year (election years) the President shall send a list of committees to each delegate and request advice as to which committee(s) they are interested in serving on before they come to the convention. The President will compile a list of committee membership and appoint interim chairmen to each committee. These interim chairmen shall serve as the Committee on Committees that is charged with reviewing the list of committee membership and recommending improvements to the convention. Without objection the recommendation of the Committee on Committees will be the final committee structure. If there is an objection, the decision of the majority of delegates present will determine the final committee structure.

With the exception of the standing Enrollment Committee, the standing Finance Committee, the standing Judiciary Committee, the Elections Committee, and single-function committees established by the convention to function in between conventions on a specific task, all committees shall function only while the convention is in session or in recess.

- A.** The **Enrollment Committee** will meet at least once and as many as three times in between conventions to certify enrollment applications and individual community voter lists.
- B.** The **Finance Committee** will meet at least once and as many as three times in between conventions to review financial documents and provide comments on tribal financial issues.
- C.** The **Elections Committee** will meet as necessary at the request of the President to officiate delegate election disputes whenever there is a legitimate challenge of a delegate election in a Tlingit and Haida community during the delegate election process. They shall also officiate the election of officers and any other election during the Tribal Assembly.
- D.** The **Judiciary Committee** will meet at the call of the chair as needed to develop, refine, and recommend policy adoptions for the improvement of the tribal courts system.

It is the responsibility of the committee chairman to set the committee meeting time, place, and agenda in consultation with administration.

Committee functions are as outlined on the attachment to this policy.

## **XVI. RECORDING OF MINUTES**

The Recording Secretary is responsible for recording all of the actions of the convention into minutes; the elected Tribal Secretary is responsible to ensure that all minutes are properly recorded and made available to delegates in a timely fashion. The minutes shall include only: agenda items, actions, and special presentations. Comments of delegates and/or staff members will not be recorded as a matter of practice; however, a delegate may have his comments or the comments of others recorded in the minutes upon request and without objection.

## **XVII. SUSPENSION OF THE RULES**

A delegate may introduce items, speakers, or request action that is not on the agenda or out of synchronization with the agenda by requesting a suspension of the rules. The suggested format of the request should be:

"Mr./Madam Chairman, my name is \_\_\_\_\_. I move and ask unanimous consent to suspend the rules to . . ." [add an agenda item, introduce a resolution, allow a non-delegate to speak on an issue, etc.].

If there is an objection, a majority of delegates present decide if rules are suspended. The rule on suspending the rules for introducing resolutions that are late supersede these rules on that topic.

## **XVIII. BUDGET ADOPTION**

The Central Council operating budget must be introduced no later than the end of Thursday and must be adopted before adjournment. If it appears there will not enough time to introduce the budget in time or adopt the budget by adjournment, other items regardless of their importance must be delayed to make room for budget introduction and/or adoption.

It is strongly recommended that all resolutions and proposals that will cost money be introduced as early as possible so that the budget may be accurately adjusted to accommodate the resolution. Once the budget has been passed, resolutions that will cost the Central Council money are not in order and it will take a two-thirds (2/3) vote to change the adopted budget.

## **XIX. ACTION BETWEEN ASSEMBLIES**

It is the responsibility of the President to make sure that the business of the tribe is carried out throughout the year through staff activities. The President must ensure that all convention actions are carried out in a timely fashion and all policies of the tribe set by convention action be adhered to.

The Executive Council may make political and policy decisions on behalf of the tribe in between conventions. It is also authorized to be the tribal governing body in between conventions and in that capacity provides direction to administrative staff on all issues that affect the welfare of the tribe and/or its members.

Nothing in these Standing Rules shall diminish or replace the authority of the Tribal Assembly and/or the Executive Council as a result of any advice provided by elected delegates from qualifying communities and any action or change in direction related to a policy, resolution, motion, law, or rule as result of any advice shall be reviewed and formally considered by the Tribal Assembly and/or the Executive Council.

Delegates reserve the right to vote on any issue or business item via telephone polls, mail, or fax provided all delegates are notified of the action, the reason for such action and expected outcome.

Neither the President nor the Executive Council may exercise actions or activities that are in conflict with or in any way diminish the intent of convention actions. The President and/or the Executive Council may, however, seek advice from the delegates on issues that appear unclear and if it is the judgment of the President and/or the Executive Council that clarity on the issue would benefit the tribe and/or tribal/members. In this instance, every delegate must be contacted in writing and given reasonable time to express their opinion on the issue.

## **XX. RULES AMENDMENTS**

These rules may be amended at any time during a convention without objection or by a majority vote of a quorum present. It is intended that these rules will serve as a guide to the delegates and

administration and therefore every effort will be made to keep them brief and simple.

**[Gender neutral: he means he or she; him means him or her; Chairman means chairman or chairwoman]**

**Adopted:** April 4, 1992

**Amended:** April 20, 1994

April 15, 1999

April 2004

June 28, 2011

April 18, 2012

**April 21, 2012**