

Robert's Rules of Order
As Used by the General Tribal Council

Voting

Majority Vote - used in most instances and requires a simple majority of the members voting, excluding those who choose to abstain. The abstentions are asked for to complete the record, not to include them in the count.

Two-Thirds Vote - used to overturn a previous action as identified in the *Ten Day Notice Policy*. Requires two-thirds of those voting to take action, excluding those who choose to abstain. The total number of votes, divided by three, multiplied times two. Fragments are included in the 'yes' votes as that is where two-thirds of the vote lies.

Note: an action of the membership to overturn a prior action taken at a meeting which was concluded by the Business Committee on behalf of the General Tribal Council, because no quorum was met, falls within the *Ten Day Notice Policy* requirements.

Tie Votes - in the event of a tie, the Chairperson can vote. A tie is identified in Robert's Rules of Order as an occasion where if the Chair casts a vote, a different outcome will result. The Constitution identifies that the Chair votes "only in the case of a tie." This has been identified to limit the ability of the Chair to vote to break a tie vote. In the case of a two-thirds vote, where it would change the results of the vote.

Point of Order

A point of order arises when a member who has the floor is not talking about the subject matter on the agenda before the membership at that time in the meeting. The point of order calls the attention of the Chair to the discussion and requests that the discussion on the floor reasonably relate to the agenda item. A point of order question may interrupt another who has the floor. The Chair should recognize the member by name, and request them to state their point of order. No discussion is allowed regarding the point of order. A point of order may interrupt another who has the floor to speak.

Privileged Question

A privileged question arises when the action under discussion, or the discussion itself, will infringe on a right of another member. It can interrupt a member who has been given the floor, and can either be addressed immediately, or if not immediately, can be addressed after

the member who has the floor has completed their discussion.

The Chair recognizes the member with the privileged question and asks him to state his question. No discussion on the privileged question is in order. The Chair should then immediately rule on the question, or indicate that it can wait until the current member has completed discussion. Once the discussion is completed, the Chair must rule on the privileged question. Generally the Chair has always ruled on the privileged question immediately.

Appeal the Decision of the Chair

This motion must be raised immediately after the Chair makes a ruling, and before another has been given the floor. A decision of the Chair may be appealed only where there is an issue that is subject to interpretation. Where the decision is clear, no appeal may be raised. The Chair makes the determination whether the decision is appealable.

If an appeal is entertained, a simple majority is necessary to overturn the decision. Anything less, and the decision of the Chair is upheld. The Chair may vote in the case of a tie, or where the vote will result in a change in the vote by creating a tie, which in this case upholds the decision.

Call for the Question

General Tribal Council has used this motion to immediately end discussion or to vote to end discussion. The motion is primarily used to immediately end discussion. Note, Robert's Rules of Order requires a two-thirds vote for the call for the question to end discussion, the General Tribal Council has accepted a simple majority.

If a call for the question is used to end discussion, an immediate vote on the motion is in order.

A member may request the Chair to put the call for the question to a vote, i.e. to vote on the call for the question. If this is done, the Chair restates that a question has been called for and a vote in favor of the call for the question results in discussion ending and a vote on the motion before the body. A vote in opposition to the call for the question results in discussion continuing. A simple majority is required in the vote to end discussion.

Note: this does not require a second.

Note: there have been circumstances (limited) where the Chair has identified that an overwhelming portion of the membership oppose the call for the question. In those cases, the vote has not taken place.

Motion to Table

This motion has the effect of taking the entire subject matter out of discussion, regardless of when it is raised - i.e. before, during, or after a main motion or amendment to a main motion is pending. A simple majority vote is required in the motion to table.

There is no discussion on a motion to table. There is no discussion on an item if the motion to table is adopted.

In the Annual or Semi-Annual meetings, the tabled matter ends up on the agenda of the next meeting. In a special meeting, the matter dies, unless another meeting is scheduled to discuss the subject.

Rescinding or Amending a Prior Motion

This motion requires a two-thirds vote under section III(1)(a)(3) of the *Ten Day Notice Policy*.

Note: There are circumstances when rescinding or amending a prior motion is not in order.

Motion to Reconsider

This motion is brought forward by a member wishing to bring a matter back before the body. The matter must be on the agenda and the membership must have received reasonable notice. The motion must be seconded, and it requires a majority vote. If the vote passes, the motion or prior action is on the floor as if the prior vote did not occur.

Note: There are circumstances when reconsidering a prior motion is not in order.

Roll Call Vote/Quorum

A roll call vote has been requested in the past, it is an extremely infrequent occurrence. A roll call is generally requested in regards to a quorum count, and it has been determined that it is not definitive. If asked for, it must be conducted where there is a question as to whether a quorum exists, not where it is obvious that there is a quorum. A roll call to identify a quorum may be followed up with a request by a member to conduct a simple count.

There is no clear answer, however, if a member has not signed the quorum forms at the entrance of the meeting with the Enrollment Department, they may not sign the quorum form during a roll call.

Counting

The Election Board is responsible for counting votes at General Tribal Council meetings.

Robert's Rules of Order

It has been identified in the past that many actions taken at General Tribal Council meetings conflict with Robert's Rules of Order. However, given the fluctuating nature of the membership attending each meeting, the Parliamentarian has generally ruled that the membership's application of the rules of order supersedes any version of Robert's Rules of Order. Further, that to change such understanding, the change would have to be noticed in compliance with the *Ten Day Notice Policy* and be approved by the membership.

The version of Robert's Rules of Order has not been identified in a formal manner. The Parliamentarian has generally identified to the Chair, prior to the meeting, the version of the rules they will be using.