

ALASKA PUBLIC BROADCASTING COMMISSION OPERATING POLICY #05 -002

SUBJECT: COMMISSION RULES OF PROCEDURE

I. OBJECTIVE:

To establish and adopt procedures for the conduct of business of the Commission. In most instances, these written procedures reflect those practices already employed in Commission proceedings.

II. POLICY:

The following rules of procedure are adopted. Throughout these rules, the term "Chair" shall refer to the Chairperson or Co-Chairpersons of the Commission as elected by the Commission members pursuant to Alaska Public Broadcasting Commission Operating Policy 04-01.

RULE 1. AGENDA.

A. Order of Business. At all regular meetings the order of business shall be:

- I. Call to Order/Roll call
- II. Introduction of Commission Members and Attendees
- III. Approval of Agenda
- IV. Approval of Prior Minutes
- V. Commissioner Disclosures
- VI. Public Comment
- VII. Unfinished Business
- VIII. New Business
- IX. Public Comment
- X. Commission Member Comment
- XI. Next Meeting Date
- XII. Adjournment

B. Regular Meeting Agenda Preparation. The agenda for regular meetings of the Commission shall be prepared by the Executive Director subject to review and revision by the Chair. The following process will be followed for developing the agenda for regular meetings:

1. The Executive Director will circulate a "Call for Agenda Items" by e-mail to all Commissioners approximately 30 days prior to the meeting.

2. The Executive Director will provide a proposed draft agenda, including information relating to all items requested by Commissioners, to the Chair for review and revision.
3. Copies of the draft agenda shall be circulated to all Commission members at least fourteen days prior to the meeting date.

C. Amendments to Regular Meeting Agenda.

1. Amendments to the agenda for regular meetings shall be made by motion duly seconded and approved by a majority of those Commissioners in attendance at the meeting.
2. Any Commissioner intending to make a motion to amend the agenda must notify the Executive Director of the proposed amendment at least seven days prior to the meeting date; the Executive Director will thereafter notify all Commissioners of the proposed amendment.
3. Any motion to amend the agenda which does not comply with the provisions of Rule 1.C.2. shall be considered untimely and may not be acted upon; provided, however, that
 - a. The Chair may determine that good cause exists for consideration of the proposed amendment at that meeting and allow a vote on the amendment, and
 - b. Any Commissioner may move to add an agenda item for discussion purposes only without having previously complied with the provisions of Rule 1.C.2.

D. Agenda for Special Meetings. The agenda for special meetings of the Commission will be set by the Chair.

RULE 2. MEETINGS.

- A. Date, Time and Place of Regular Meetings. The Commission shall meet at least quarterly. Commission meetings may be conducted by teleconference. The date, time and place of regular meetings shall be determined by the Chair after consultation with the Executive Director and other Commissioners. The Executive Director will be responsible for appropriate public notice. The Chair may change the date of a meeting as may be necessary or convenient.

- B. Special Meetings. Special meetings may be called by the Chair. Commission members and the Executive Director may request that a special meeting be scheduled; however, the decision to call any special meeting is reserved to the Chair's discretion. If the Chair determines that a special meeting is warranted, the Chair in consultation with the Executive Director will determine the date, time and place of the special meeting sufficiently in advance for the Executive Director to give appropriate public notice. All Commissioners will be notified immediately of any special meeting.

RULE 3. COMMITTEES.

- A. Committees. The Commission may from time to time form committees to consider any items within the purview of the Commission. At the time the Commission forms a committee it shall specify the tasks with which the committee is charged. Any Commissioner may sit with any committee at all times; such Commissioner shall have the right to participate in committee discussion. Committees automatically terminate upon completion of the committee's assignment.

B. Selection, Process and Duties of Committees

1. Number of Members. No committee may be formed without at least three Commissioners as members. There is no upper limit on the number of Commissioners who may be named to an individual committee. The Executive Director will be considered a non-voting ex-officio member of every committee.
2. Committee Membership. Committee appointments shall be made by the Commission Chair. Appointments do not require ratification, but may be changed by vote of the Commission. All committee members shall serve at the pleasure of the Commission.
3. Powers and Duties of Committee Chairs. The committee chairs will be responsible for determining the degree of formality to be observed by the committee, setting the agenda for committee action, scheduling committee meetings and work sessions and reporting to the full Commission regarding the performance of its committee assignments. Committee chairs will work with the Executive Director to ensure that all public notice requirements are satisfied.
4. A committee may at the call of its chair or upon the vote of its membership take up any matter within the scope of its charge from the Commission.

- C. Quorum of Committees. A majority of the committee membership shall constitute a quorum. Non-voting ex-officio members shall be counted for purposes of establishing a quorum.
- D. Voting. The affirmative vote of the majority of committee members in attendance at the committee meeting shall be sufficient to take any committee action.

RULE 4. COMMISSION LIAISONS TO BOARDS AND COMMISSIONS

- A. Appointment of Liaisons. The Chair may nominate a Commissioner to serve as the liaison to other boards or commissions that exercise authority over matters affecting the provision and delivery of public broadcasting services in Alaska. The Chair, in its discretion, may choose to appoint itself to serve in a liaison capacity. The nominations shall be subject to ratification by the Commission.
- B. Role of Liaison. Commission liaisons serve as a link between the Commission and the board or commission to establish and maintain communication between the bodies on issues, projects, and other matters of mutual concern and interest.
- C. Other Meetings. The Commission encourages all Commissioners to attend meetings of individual grantees, regions and other boards, commissions, and citizen groups involved in some aspect of public broadcasting and to inform the Commission on the activities of those bodies and the issues before them, as appropriate.

RULE 5. DEBATE

- A. Speaking on the Question. A Commissioner or the Executive Director may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to Commissioners who have not spoken on the question. Commissioners shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.
- B. Asking Questions. After obtaining recognition from the Chair, a Commissioner or the Executive Director may ask direct questions of another Commissioner, the Executive Director, or a person appearing before the Commission.

- C. Decorum. Commissioners shall not question the motives, competency or integrity of any person except as necessary to decide a personnel evaluation, contract or grant award, or other matter in which such issues are clearly relevant. The Chair shall admonish any Commissioner violating this rule and if violations are severe or repeated, may without a vote declare a recess not to exceed ten minutes.

RULE 6. RULES OF PUBLIC PARTICIPATION

Public comment on Commission business will be conducted according to the following rules:

- A. The Chair will announce and conduct all public comment sessions.
- B. The Chair may open the public comment session by summarizing its purposes and reemphasizing the rules of procedure.
- C. Public testimony may be taken from persons who are attending the meeting either in person or by teleconference.
- D. The Chair may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time. The time limit may be extended by a majority of the Commission. The time limit for individual speakers shall be uniform for all speakers. Speakers shall not have the right to transfer their unused time to other speakers but the Chair may grant additional time to a person speaking on behalf of a group which is in attendance at the meeting.
- E. Any person or entity contemplating presenting public testimony is also encouraged to submit written presentations and exhibits in advance of the meeting. Material submitted to the Executive Director's office more than three business days before a meeting and comprising 10 pages or less will be eligible for distribution at that meeting and, to the greatest extent practicable, will be distributed by the Executive Director in electronic format to all Commissioners in advance of the meeting. Members of the public shall deliver all written remarks, proposals and other materials to the Executive Director and shall not transmit them directly to any Commissioner. As a general rule material submitted less than three days before a meeting will be distributed by the Executive Director at the meeting.
- F. The Chair will set forth the item or subject to be discussed during public comment and will rule non germane comments out of order.

- G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Chair, their place of residence and their affiliation, if any, with any grantees or other entities involved in the production and delivery of public broadcasting services.
- H. During public comment, Commissioners may direct questions to members of the public or the Executive Director only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.
- I. The Executive Director may participate in the same manner as the members of the Commission.
- J. No person except a Commissioner or the Executive Director may comment during Commission proceedings except as provided in the public comment segments of the meetings. Public comment shall be confined to agenda items.

RULE 7. MOTIONS

- A. **Motions and Seconds.** Any Commissioner, including the Chair, may offer motions. The Executive Director may not offer motions but may suggest them to the Chair or the full Commission for consideration. Seconds to motions are required prior to substantive discussion. Seconds may be offered in order to allow discussion on the motion and do not necessarily indicate support of the motion as stated.
- B. **Amendments to Motions.** Any Commissioner may move to amend any pending motion before that motion has been finally acted upon by the Commission. The motion to amend must be seconded and then be approved by a vote of the Commission; provided, however, that if the mover and second of the original motion accept the proposed change as a friendly amendment then no vote of the Commission shall be required on the amendment. Motions to amend take precedence over the pending main motion and shall be resolved before returning to the main motion.
- C. **Reconsideration.** Reconsideration of motions is governed by Rule 11.

RULE 8. QUORUM FOR ACTION AND VOTE REQUIRED.

- A. Quorum. A majority of the Commissioners must be in attendance, either in person or by teleconference, for the Commission to transact any Commission business. Once a quorum is established, the Commission may continue to transact business despite the subsequent loss of the quorum due to the departure of one or more Commissioners.
- B. Vote Required. The affirmative vote of a majority of a quorum (either in person or by teleconference) shall be required to take any action. Any Commissioner may request a roll call vote on any item being voted upon; all votes conducted during teleconferences must be conducted by roll call.

RULE 10. MINUTES

The Executive Director's office shall be responsible for the taking of minutes at all meetings of the full Commission. Minutes of committee meetings may be taken at the discretion and direction of the committee chair.

RULE 11. RECONSIDERATION

- A. What May Be Reconsidered. Main motions and amendments to main motions are subject to reconsideration. Procedural motions may not be reconsidered.
- B. Who May Reconsider. Any Commissioner voting on the prevailing side may give notice of or move for reconsideration.
- C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.
- D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the meeting at which the action to be reconsidered occurred.
- E. Successive Reconsideration. There may be only one reconsideration even though the action of the Commission after reconsideration is opposite from the action of the Commission before reconsideration.
- F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.

- G. Effect. A motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken.

RULE 12. PROCEDURAL ISSUES NOT ADDRESSED BY THESE RULES

Any procedural issues not addressed by these rules shall be resolved by ruling of the Chair.

RULE 13. APPLICATION OF OPEN MEETINGS ACT

The Alaska Open Meetings act (AS 44.62.310-312) applies to Commission proceedings to the extent provided therein.

PASSED AND APPROVED by the Alaska Public Broadcasting Commission, this 5th day of November, 2010.



Carl Berger, Chair