

Minutes of Meeting
Eighty-Third Annual Tribal Assembly
Central Council Tlingit & Haida Indian Tribes of Alaska
April 18-20, 2018
Elizabeth Peratrovich Hall
Juneau, Alaska

"Indigenous Yesterday, Today & Tomorrow"

Day 3: Friday, April 20, 2018

CALL TO ORDER

Yodean Armour, 1st Vice President-elect, called the meeting to order at 8:27 a.m. a.m.

INVOCATION

Jerry Bennett, Juneau Delegate, offered the invocation.

WORD OF THE DAY

- Shirley Kendall provided the Tlingit Word of the Day
- Lisa Lang provided the Haida Word of the Day
- Alfie Price provided the Tsimshian Word of the Day

ADOPT MINUTES OF APRIL 19, 2018

M/S LaVerne Wise/Robert Starbard moved to adopt the Tribal Assembly meeting minutes of April 19, 2018. M/C

PANORAMIC PICTURE OF DELEGATES

A panoramic picture of the delegates was taken by Raeanne Holmes and Jodi Garrison from the Communications Department.

ENROLLMENT COMMITTEE REPORT

Ella Bennett, Chair, Enrollment Committee provided the Enrollment Committee report.

M/S Mick Beasley/Mike Corpuz moved to accept the Enrollment Committee Report. No objection. M/C

ADOPTION OF THE BUDGET

James Jack, Sr., Chair, Finance Committee, presented the proposed amendments to the FY 2018 budget and proposed budget to FY 2019.

Proposed Amendments to FY 2018 Budget

M/S James Jack, Sr./Marvin Adams moved to adopt the proposed amendments to the FY 2018 budget. Amendment M/S Wilbur Brown/Gloria Sarabia moved to place \$150,000 as a placeholder in the budget for Tribal Courts purposes to build a budget for future year's in this year's budget. M/C. Vote on Main Motion: M/C

Proposed FY 2019 Budget

M/S Gerry Hope/Daphne Albee moved to suspend the rules to propose an amendment to the FY 2019 budget. No objection.

M/S James Jack, Sr./Ralph Wolfe moved to adopt the proposed FY 2019 budget. Amendment M/S: Gerry Hope/Wilbur Brown moved to amend the budget to include \$150,000 for Tribal Courts in the FY 2019 budget. M/C. Vote on Main Motion: M/C.

PRIVILEGE OF THE FLOOR

Rhonda Butler, Juneau delegate requested her son join her with the Juneau delegation. No objection.

President Peterson reported \$36,000 had been raised to date from yesterday's fundraiser banquet, for Tlingit language preservation.

WASHINGTON, DC UPDATE

Phil Baker-Shenk, provided the Washington DC update.

NCAI REPORT

Jacqueline Pata, NCAI Executive Director, provided the NCAI report.

M/S Patricia Allen-Dick/Marvin Adams moved to accept the NCAI report. M/C

The Chair reported \$397 was collected for Deanna Nelson family, Metlakatla Delegate.

RECESS

The meeting recessed at 11:45 a.m. for lunch.

Rob Sanderson, Jr., 1st Vice President called the meeting back to order at 1:18 p.m.

JUDICIARY COMMITTEE REPORT

Tate London, Chair, Judiciary Committee, recognized members of the Judiciary Committee before providing the report.

TRIBAL COURT REPORT

Debra O’Gara, Presiding Tribal Court Judge, and Michelle Demmert, Chief Justice, provided the Tribal Court report.

M/S Paulette Moreno moved to accept the Judiciary Committee’s recommendation to adopt TA Resolution 18-05, “*Termination of Parental Rights, Title 10: Judylee’s Law*” as amended. No objection. M/C

M/S Michael Corpuz/Royal Hill, Jr. moved to accept the Judiciary Committee’s report. No objection. M/C

SUSPENSION OF THE RULES

James expressed his appreciation to the delegates for the donation collected on behalf of his granddaughter who is facing a health issue. Amount collected was \$362.

Paul Marks II, Juneau delegate, offered words of encouragement to the families experiencing hardship.

The Chair declared a 5-minute recess to collect a donation for Sherry Chappell-Moreno (Dan Moreno) who lost her son yesterday.

The Chair recognized the Veterans in attendance.

CONSTITUTIONAL AMENDMENTS

Will Micklin, Chair, Constitution Committee, facilitated the adoption of the amendments in the form of answering questions from the delegates along with Madeline Soboleff-Levy, General Counsel, who introduced and presented the amendments in power point form on screen for the delegates to review as a whole. A hand-out was also distributed in hard copy form as well. The Chair noted all of the proposed amendments were mailed to the delegates 90-days prior to Tribal Assembly, meeting the requirement of a majority vote. Any new language proposed to the amendments would require a 2/3 vote.

M/S Tate London/Wilbur Brown moved to amend the agenda to include the proposed amendments that came from the Judiciary Committee, for Article 11, Tribal Courts. No objection. Motion Carried.

M/S Will Micklin moved to take the remainder of constitutional amendments not acted upon at the 2017 Tribal Assembly from the table. No objection.

Remaining 2017 Proposed Amendments to the Constitution

Madeline reviewed the following proposed 2017 amendments to the constitution:

- Article VII. Powers of the Governing Body of the Tribe
- Article VIII. Officers and Executive Council (President/Session Chair vote)
- Article IX. Function of Officers (technical changes)
- Article X. Functions of the Executive Council (adds limits on EC)
- Article XI. Tribal Courts (technical changes)
- Article XII. Bill of Rights (clarified protections)
- Article XIII. Reservation of Rights and Privileges (a new article)
- Article XIV. Purpose and Principles of Government (a new article)
- Article XV. Rule of Law (a new article)
- Article XVI. Foreign Relations (new article)
- Article XVII. Adoption and Amendment (articulates how and by what standard the Constitution is amended)

M/S Will Micklin/Jim Price moved to adopt and review the remaining proposed 2017 amendments article by article. For the record: Michelle Demmert and Lisa Lang, Tribal Judges, will abstain from voting on all the constitutional amendments.

Article VIII. Officers and Executive Council

Section 1 (a)

M/S Jim Price/Tasha Hotch moved to keep the President's term limits to two years. No objection. Motion Carried.

Section 1 (c)

M/S Dionne Cadiente-Laiti/Tasha Hotch moved to strike Section 1 (c). The Chair ruled the voice vote resulted in a division and called for the distribution of electronic voting devices to the delegates. [99 delegates voted, 66 needed to pass] 42-yes, 53-no, 4-abstained. MOTION FAILED.

A 5-minute recess was declared to allow time to disseminate the devices.

The Chair, Rob Sanderson, Jr. 1st Vice President, called the meeting back to order 3:35 p.m.

Defer Proposed Constitutional Amendments to 2019 Tribal Assembly

M/S Jim Price/Ozzie Sheakley moved to table and defer the proposed constitutional amendments to the 2019 Tribal Assembly. [95 delegates voted, 64 is needed to reach 2/3 vote.] 40-yes, 51-no. 4-Abstained. MOTION FAILED

Section 1 (a)

M/S Will Micklin/Tasha Hotch moved to add a clause “... except in the case of a President elected to fill a vacancy, the President shall serve the remainder of the term of his or her

predecessor. (This makes clear the term is the remainder of the term the President could not fulfill his duties). No objection. M/C

Section 1 (e)

M/S Gerry Hope/Daphyne Albee moved to strike the amendments and keep the original language to Article 8, Section 1-e. No objection. M/C

Article IX. Functions of Officers

No other amendments.

Article X. Functions of the Executive Council

No other amendments.

Article XI. Tribal Courts

M/S Tate London/Morgan Howard moved to adopt the Judiciary Committee’s proposed changes. No objection. M/C

Article XII. Bill of Rights

No other amendments.

Article XII. Reservation of Rights and Privileges

No other amendments.

Article XIV. Purpose and Principles of Government

No other amendments.

Article XV. Rule of Law

No other amendments.

Article XVI. Foreign Relations

No other amendments.

Article XVII. Adoption and Amendment

M/S Janice Hotch/Tasha Hotch moved to add the words “by regular mail” between the words “writing” and “to all delegates ninety (90) days before an assembly ...” and add the word “super” before “majority vote.” M/C.

Vote on Main Motion (to adopt all of the remaining proposed 2017 amendments to constitution as amended). No objection. M/C

The proposed 2017 amendments as amended are passed.

2018 PROPOSED AMENDMENTS TO CONSTITUTION

Will Micklin, Chair, Constitution Committee, introduced the proposed 2018 amendments to the constitution, which were mailed to the delegates 90-days prior to Tribal Assembly.

M/S Will Micklin/Janice Hotch moved to adopt the proposed 2018 amendments to the constitution. It was pointed out the spelling of “Assembly” on page 18 at the bottom of the page needed to be corrected. No objection. M/C

PROPOSED 2017 REMAINING AMENDMENTS TO STANDING RULES OF ORDER

Will Micklin, Chair, Constitution Committee, reviewed the amendments page by page, which were mailed to delegates 90-days prior to Tribal Assembly. The amendments were distributed and also displayed on screen in power point form.

M/S Will Micklin/Marvin Adams moved to adopt the proposed 2017 remaining amendments to the Standing Rules of Order. No objection. M/C

Remaining 2017 Proposed Amendments: Standing Rules of Order

Page 1	No other amendments proposed.
Page 2	No other amendments proposed.
Page 3	No other amendments proposed.
Page 4	No other amendments proposed.
Page 5	No other amendments proposed.
Page 6	No other amendments proposed.
Page 7	Note: Numbering is a little out of sync.
Page 8	No other amendments proposed.
Page 9	No other amendments proposed.
Page 10	No other amendments proposed.
Page 11	No other amendments proposed.

The proposed 2017 remaining amendments to the Standing Rules of Order are adopted as amended.

2018 PROPOSED AMENDMENTS TO THE STANDING RULES OF ORDER

Will Micklin, Chair, Constitution Committee introduced the proposed 2018 amendments to the Standing Rules of Order, which were sent to the delegates 90-days prior to Tribal Assembly.

M/S Will Micklin/Tate London moved to adopt the proposed 2018 amendments to the Standing Rules of Order. No objection. M/C

REMAINING 2017 PROPOSED AMENDMENTS TO THE RULES OF ELECTION

M/S Will Micklin/Cindy Pedersen moved to adopt the remaining proposed 2017 amendments to the Rules of Election as presented. M/C

2018 PROPOSED AMENDMENTS TO THE RULES OF ELECTION

M/S Will Micklin/Jacqueline Pata moved to adopt the proposed 2018 amendments to the Rules of Election. M/C

PROPOSED 2017 REMAINING AMENDMENTS TO STATUTES

Will Micklin, Chair, Constitution Committee presented the proposed 2017 remaining amendments to Title 01 – General Provisions, which were mailed to the delegates 90-days prior to Tribal Assembly.

M/S Will Micklin/Jacqueline Pata moved to adopt the proposed 2017 amendments to Title 01 – General Provisions. No objection. M/C.

PROPOSED 2018 AMENDMENTS TO STATUTE: TITLE 01 - GENERAL PROVISIONS

Will Micklin, Chair, Constitution Committee presented the proposed amendments to Title 01 – General Provisions, which were mailed to the delegates 90-days prior to Tribal Assembly.

M/S Will Micklin moved to adopt the proposed 2018 amendments to Statute, Title 01 – General Provisions. No objection. M/C.

CONSIDERATION OF QUESTIONED RESOLUTIONS

Tribal Government Rules Committee Report

Will Micklin, Chair, provided the Tribal Government Rules Committee report.

M/S Will Micklin moved to adopt the committee’s recommendation to refer TA Resolution 18-02, titled: *“Prohibition of Tribal Judges from Serving on Tlingit & Haida Community Councils”*, to the Judiciary Committee for their review and recommendation. M/C.

M/S Will Micklin moved to adopt TA Resolution 18-08, titled: *“Directive to Foster a Healthy Tlingit & Haida Campus and Workplace Environment.”* M/C

Election Committee Report

Jan Peele, Chair, provided the Elections Committee report.

M/S Jan Peele/Tasha Hotch moved to adopt TA Resolution 18-01, titled: “*Allow Absentee and Electronic Voting*”. M/C

M/S Jan Peele/Tasha Hotch moved to adopt TA Resolution 18-03, titled: “*Tlingit & Haida and Local Election Chair to Improve Tribal Citizen Contact List.*” M/C

M/S Jan Peele/Tasha Hotch moved to adopt TA Resolution 18-04, titled: “*Clarify Definition of Seattle and San Francisco Communities*” with a recommendation of do not pass. MOTION FAILED.

Jan Peele, Elections Chair, ruled TA Resolution No. 18-06, titled: “*Removal of Delegates for Cause*”, out of order because this was already provided for in the Constitution.

Cultural Heritage Committee Report

Fred Lauth, Chair, provided the Cultural Heritage Committee report. The committee referred all of their resolutions to the Finance Committee because of their financial component.

- TA 18-29, titled: “*Commitment to Increasing Access to Tribal Camps and Programs for Youth Outside of Service Areas*”
- TA 18-30, titled: “*Establishment of a New Tribal Policy Governing Repatriation*”
- TA 18-31, titled: “*Graphic Totemic Art Representing Moieties for Grave Markers*”
- TA 18-32, titled: “*Supporting Sitka Tribe of Alaska’s Efforts on Conservation of Herring in Sitka Sound*”

Natural Resources Committee Report

Gerry Hope, Chair, provided the Natural Resources Committee report.

M/S Gerry Hope/Tasha Hotch moved to adopt TA Resolution 18-32, titled: “*Supporting Sitka Tribe of Alaska’s Efforts on Conservation of Herring in Sitka Sound*” as amended. Gerry to work with the Executive Council on minor edits. M/C

M/S Gerry Hope/Tasha Hotch moved to adopt TA Resolution 18-44, titled: “*Clean Tourism and Protecting our Culture from Cruise Ship Dumping*”, as amended. M/C

M/S Gerry Hope/Tasha Hotch moved to adopt TA Resolution 18-48, titled: “*Promotion of the Use of Reusable Drink Containers*”, as amended. M/C.

Education Committee Report

Dionne Cadiente-Laiti, Chair, provided the Education Committee report.

M/S Dionne Cadiente-Laiti moved to adopt TA Resolution 18-15, titled: *“Support of Tlingit Language Instructional Pathway and School”*, as amended. No objection. M/C

M/S Dionne/Paulette Moreno moved to adopt TA Resolution 18-20, titled: *“Directive to Explore Haa Kaak Has Hidi (Our Uncle’s House) Tribal Academy”*, as amended. M/C

M/S Dionne Cadiente-Laiti/Paulette Moreno moved to adopt TA Resolution 18-21, titled: *“Declaration of Linguistic Emergency of the Tlingit Haida and Tsimshian Languages”*, as amended. M/C

Governmental Affairs Committee Report

Jacqueline Pata, Chair, provided the Governmental Affairs Committee report.

M/S Jacqueline Pata/Paulette Moreno moved to refer TA Resolution 18-07, titled: *“Restriction of Partisan Campaign Endorsements to Tribal Assembly”*, to the Executive Council. M/C

M/S Jacqueline Pata/Paulette Moreno moved to refer TA Resolution 18-09, titled: *“Promoting Local Hire”*, to the Executive Council. M/C

M/S Jacqueline Pata/ moved to adopt TA Resolution 18-13, NEW TITLE: *“Support to Expand Market Sale of Sea Otter and to Amend the Marine Mammal Protection Act”*, as amended (Combined TA Resolution 17 and 18). M/C

M/S Jacqueline Pata moved to adopt TA Resolution 18-41, NEW TITLE: *“Request that the Federal Government Apply the Marine Mammal Protection Act Consistent with Tribal Sovereignty”*, as amended (Combined TA Resolutions 40 and 41). M/C

M/S Jacqueline Pata/Paulette Moreno moved to adopt TA Resolution 18-27, titled: *“Increase Investigation of Missing & Murdered Indigenous Women”*, as amended. No objection. M/C

M/S Jacqueline Pata moved to refer TA Resolution 18-35, titled: *“Endorsement of U.S. House of Representatives Candidate Alyse Galvin”*, to the Executive Council. M/C

M/S Jacqueline Pata moved to adopt TA Resolution 18-36, titled: *“Support of the Unrecognized Southeast Alaska Native Communities Seeking Legislation to Allow Them to Form Alaska Native Claims Settlement Act (ANCSA) Corporations and Received ANCSA Benefits”*, as amended. M/C

M/S Jacqueline Pata moved to refer TA Resolution 18-38, titled: *“Support of the City of Kake’s Petition to the Local Boundary Commission to Form a Kake Borough”*, to the Executive Council for further development with the communities this would impact. M/C

M/S Jacqueline Pata/Paulette Moreno moved to adopt TA Resolution 18-39, titled: *“Opposition to the Gold and Copper Project in the Unik River Watershed Owned by Seabridge Gold”* as amended. M/C

Jacqueline Pata moved to reconsider TA Resolution 18-44, titled: “*Clean Tourism and Protecting our Culture from Cruise Ship Dumping*”. (Adopted under Natural Resources Committee report). No objection.

M/S Jacqueline Pata/Robert Starbard moved to refer TA Resolution 18-44, titled: “*Clean Tourism and Protecting our Culture from Cruise Ship Dumping*”, to the Executive Council for further refining. M/C

M/S Jacqueline Pata moved to refer TA Resolution 18-46, titled: “*Urge Puget Sounds Clean Air Agency to Improve Tribal Consultation*”, to the Executive Council. M/C

Late Submissions

M/S Ronald Mallott/Janice Hotch moved to adopt TA Resolution (*un-numbered, no title provided*), requesting a criminal justice task force to investigate why Alaska Native/American Indians are serving longer terms in comparison to non-Natives who serve less time for the same crime committed. M/C

For clarification, resolutions that were submitted late would require suspension of the rules because they did not go through the established resolutions process. An announcement would be in order when there is late resolutions submitted and what the process is.

Housing Committee Report

Ralph Wolfe, Chair, provided the Housing Committee Report.

M/S Ralph Wolfe moved to adopt TA Resolution 18-24, titled: *Directive to Explore Tiny Houses for Homeless Tribal Citizens.*” M/C

Judiciary Committee Report

Tate London, Chair, provided the Judiciary Committee report.

M/S Jacqueline Pata/Morgan Howard moved to refer TA Resolution 18-30, titled: “*Establishment of a New Tribal Policy Governing Repatriation*”, to the Executive Council at a time certain before the end of the year (as this would require consultation with communities). M/C

For the record, Paulette Moreno, Sitka delegate, abstained from voting on TA 18-30.

M/S Tate London/Wilbur Brown moved to adopt TA Resolution 18-37, titled: “*Creation of a Violence Against Women (VAW) Task Force.* M/C

Economic Development Committee Report

Marvin Adams, Chair, provided the Economic Development Committee report.

TA Resolution 18-20 was already passed under the Education Committee's report. There were no other resolutions.

Health & Human Services Committee Report

LaVerne Wise, Chair, provided the Health & Human Services Committee report.

M/S LaVerne Wise/Tasha Hotch moved to adopt TA Resolution 18-25, titled: "*Establishment of a Tribal Policy to Support Safe Working Environments in the Hotel Industry*". MOTION FAILED

M/S LaVerne Wise/Janice Hotch moved to adopt TA Resolution 18-28, titled: "*Directive to Partner with the Seattle Indian Health Board to Explore the Expansion of Tribal TANF Services to King County*". M/C

Resolutions Referred to Executive Council

M/S Jacqueline Pata moved to refer TA Resolution 18-29, titled: "*Commitment to Increasing Access to Tribal Camps and Programs for Youth Outside of Service Areas*", and TA Resolution 18-31, titled: "*Graphic Totemic Art Representing Moieties for Grave Markers*", to the Executive Council. M/C

OTHER BUSINESS / GOOD OF THE ORDER

Winners of raffles were announced.

Delegates offered closing comments to the delegates about resolutions, Tribal Assembly, staff, relatives and guests in attendance, youth, appreciation of support given, and up-coming events.

Paul Marks II, Juneau Delegate, recommended incorporating a peace ceremony into next year's Tribal Assembly in place of a grand entrance in the spirit of unity.

President Peterson provided closing remarks, extending his apologies to the Dance Group who was supposed to perform but left to participate in the Women's March. He thanked Marvin Adams and Wilbur Brown, for their service as Executive Council members, also congratulating the newly-elected Executive Council members, Yodean Armour and Catherine Edwards.

ADJOURN

Nathan Lopez, Delegate, offered the closing prayer.

The Southeast Alaska Native Veterans retired the colors.

President Peterson declared the 83rd Tribal Assembly adjourned at 6:51 p.m.