**Governor’s Tribal Advisory Council Transportation Sub-Committee**

October 2017

Draft Charter

**PURPOSE:** The Governor’s Tribal Advisory Council Transportation Sub-Committee (Committee) is established to improve the government-to-government relationships between Federally Recognized Native Alaskan Tribes of Alaska (Tribes) and the Alaska Department of Transportation and Public Facilities (DOT&PF). The Committee provides advice to the Commissioner of DOT&PF (Commissioner) about matters of interest or concern to the Tribes and their constituents. The Commissioner recognizes and respects the sovereign status of the Tribes as described in the 2001 Millennium Agreement (<http://dot.alaska.gov/stwdpf/assets/Millennium-agree.PDF> ) and the State of Alaska Administrative Order 186 (<http://gov.state.ak.us/admin-orders/186.html> ) to continue to strengthen relationships with Alaska’s Tribes. The Committee has the authority (to recommend policies or procedures for DOT&PF as well as report to the Governor’s Tribal Advisory Council (GTAC) in order to provide input relevant to helping the State of Alaska administration find opportunities for collaboration between State and Tribes regarding Transportation. The Committee cannot incur debt payable by DOT&PF, nor can the Committee represent DOT&PF before any other entity. Meetings with Tribes through this Committee shall not constitute a “consultation” with Tribes.

1. **QUALIFICATION, NOMINATION AND APPOINTMENT**: For the purposes of this Committee, the terms “Tribe” and “Tribes” shall refer exclusively to the federally-recognized Alaska Native tribes located within the State of Alaska. Each member of the Committee is appointed by the Governor’s GTAC Transportation Representative (GTAC Rep.). A Tribe may nominate one member. Nominations will be solicited by Governor’s office bi-annually or upon determination that a need to solicit exists. Considering the recommendations of the Committee and Commissioner of DOT&PF the GTAC Transportation Representative shall appoint members to the Committee.
2. **REPRESENTATION**: Notwithstanding his or her Tribal affiliation, each member who is appointed by the GTAC Rep. is considered an “at large” advocate, to the best of their ability, for the interests of all the Tribes in the geographic area of the State of Alaska DOT&PF boundaries (Northern Region, Central Region, Southcoast Region) in which his or her Tribe is located. Each member must reside in Alaska. Each member who is appointed by the GTAC Rep. upon nomination by a Federally recognized Alaska Tribe is considered an advocatefor Alaska Natives of Alaska. The GTAC Rep. shall Co-Chair the Committee with the Commissioner. The Committee shall elect, by majority vote of those present, a Vice Chair, and/or Secretary. The Vice Chair and/or Secretary will serve a two-year term.
3. **DOT&PF REPRESENTATION**: The DOT&PF Deputy Commissioner is the Commissioner’s representative to the Committee. The Deputy Commissioner serves ex-officio as a member of the Committee and shall not vote on any matter.

**NUMBER OF MEMBERSHIPS**: The total number of memberships on the Committee shall at a minimum, consist of six (6) voting memberships, and at maximum it shall consist of no more than nine (9) voting members. The GTAC Representative Co-Chair is a voting member representing their Tribe’s DOT&PF regional boundary.

1. **TERM OF MEMBERSHIP:** Each voting member shall be appointed to a two-year term. Members appointed to fill a vacancy shall be appointed for the period of time remaining in that term of membership. By mutual agreement of the Co-Chairs and the Tribe nominating the member, a member may be reappointed for any number of terms of membership. A member may send an alternate to serve in his or her place only once per calendar year. Any member who misses two consecutive meetings, and not send an alternate shall automatically be declared unable to serve, and his or her membership shall be vacant. A minimum of two in-person attendances are required annually, with the third and fourth meeting attendance via teleconference allowed annually. Alternates have all the voting rights and privileges of the member they represent. Alternates do not automatically fill vacant memberships.
2. **“SUNSET” PROVISIONS**: The Commissioner shall, on or about the first day of January of each year evaluate whether this Committee will continue to exist. The Committee shall automatically continue in existence unless the Commissioner determines otherwise.
3. **FREQUENCY AND LOCATION OF MEETINGS**: Quarterly meetings are intended, with a minimum of three meetings called and held each calendar year. Meetings shall be held in Anchorage or Fairbanks, with a minimum of one meeting held each year in rural Alaska or at such other locations as may from time to time be convenient and necessary. Any Tribe may sponsor a meeting of the Committee at its Governmental Office under mutually agreeable terms.
4. A**DMINISTRATIVE AND LOGISTICAL SUPPORT FOR THE COMMITTEE**: DOT&PF and the Governor’s Office shall provide reasonable staff support for the activities of the Committee. DOT&PF and the Governor’s Office shall make arrangements for all meetings, shall provide administrative support, and shall record and maintain minutes of each meeting. While DOT&PF and the Governor’s Office will attempt to accommodate each member’s needs, they shall not be responsible for any costs to members, except as may be agreed in advance in writing. In all cases the provisions of the State Administrative Manual, and federal regulations as appropriate, shall govern the conduct.

**CONDUCT OF MEETINGS**: Meetings shall be guided by professional procedure and in a respectful manner. Summary minutes of each meeting shall be taken by the DOT&PF and/or staff of the Governor’s Office with review and input from the Co-Chairs. All decisions of the Committee shall be made by consensus of the voting members present, except that any member may request a vote to be taken on any specific matter. When a vote is taken, a simple majority of the members present shall govern.

1. **OPEN MEETING LAW:** Inasmuch as the Committee is entirely advisory in nature and has no governmental powers in and of itself, the proceedings of the Committee are not subject to state or federal open meeting laws. The Commissioner urges the Committee to conduct its business in an open manner, whereby any interested person is permitted to observe any meeting of the Committee. The Committee may, upon formal motion and approval by a majority of the voting members present, close the meeting to public observation for stated and reasonable cause. The Committee shall decide the terms and conditions under which it will receive testimony before it. The Committee shall not issue any form of public information or news releases; however, the Committee may request DOT&PF to issue such releases on its behalf and DOT&PF shall not unreasonably refuse to do so.
2. **INCOMPATIBLE ACTIVITIES**: Inasmuch as the Committee is advisory, proceedings of the Committee are not subject to state or federal laws governing incompatible activities. The Commissioner and the Governor’s Office request each member to refrain from any activity that could reasonably be construed as, or give the appearance of, an incompatible activity or a conflict of interest. Members shall not seek any personal preference in any business matter involving the DOT&PF, by virtue of their membership on this Committee. However membership shall not bar any member from otherwise conducting business with DOT&PF and the State of Alaska.
3. **MODIFICATIONS OF CHARTER**: The Commissioner shall have the right to change this Charter. However, the Committee may at any time request to change this charter. Notwithstanding his/her right in this regard, the Commissioner shall not unreasonably refuse such request. By the same token, in the event the Commissioner considers necessary any change not requested by the Committee, he shall seek the Committee’s consent to the change.

GTAC Representative Co-Chair \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_

DOT&PF Commissioner Co-Chair \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_

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