

MENOMINEE CONSERVATION COMMISSION

BYLAWS

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Article I

Section 1. Name

This commission shall be known as the Menominee Conservation Commission.

Section 2. Purpose

The Menominee Conservation Commission is established for the purpose of (1) issuing such rules as are necessary for the purpose of conserving fish and game supply and ensuring the members of the Tribe continued opportunities for good fishing, hunting, trapping, and gathering; (2) making recommendations to the Legislature for creation of and/or revision to the laws of the Tribe concerning conservation; and (3) such other purposes as may be authorized by a subsequent act of the Legislature. (Chapter 287-3)

Article II

Section 1. Authority

The authority of the Commission is derived from Chapter 287, Menominee Conservation Code, which has been enacted by the Menominee Tribal Legislature.

Section 2. General Powers

The activities of the Commission shall be managed by the Members of the Commission. The members of the Commission shall be vested with all powers necessary to oversee the conservation of the natural resources pursuant to the Menominee Conservation Code Chapter 287.

Section 3. Commissioners

Seven (7) tribal members appointed by the Tribal Legislature shall make up this commission. (See Chapter 287-6)

Section 4. Officers

Officers shall be elected by the Commission annually and shall include:

- a. Chairperson
- b. Vice-Chairperson
- c. Secretary

Election of Officers:

The members shall elect a chairperson, vice-chairperson, and a secretary annually on the first regular meeting in June. Each officer shall hold office until their successor has been duly elected and qualified, or until removed.

Section 5. Duties of Officers and Commission

- a. Chairperson
 - 1) Preside at all meetings of the Conservation Commission
 - 2) Enforce the procedures defined in these by-laws along with procedures defined in Chapter 287 and perform all duties prescribed by the Commission from time to time.
 - 3) Communicate official business of the Commission
 - 4) Represent the Commission at the Menominee Tribal Legislature
 - 5) Is responsible for the meeting postings
 - 6) Call special meetings when appropriate
 - 7) All duties defined in Chapter 287-6.
- b. Vice-Chairperson – In the absence of the Commission Chairperson, the Vice-Chairperson shall perform the duties of the Commission Chairperson, and when so acting, shall have all the powers and all the responsibilities of the office of the Commission Chairperson. The Vice-Chairperson shall perform such other duties and have such other power as from time to time may be assigned to him/her by the Commission or Commission Chairperson.
- c. Secretary – In the absence of the Commission Chairperson and the Vice-Chairperson, the Secretary shall perform the duties of the Commission Chairperson, and when so acting, shall have all the powers and all the responsibilities of the office of the Commission Chairperson. The Vice-Chairperson shall perform such other duties and have such other power as from time to time may be assigned to him/her by the Commission or Commission Chairperson.
- d. Commissioners
 - 1) The Commissioners, excluding the Commission Chairperson and Vice-Chairperson shall perform duties assigned to them by the Commission Chairperson.

Section 6.**Regular Meetings**

Regular Meetings shall be held on a regular basis on the 1st Monday of each month @ 5pm in the College of Menominee Nation, Cultural Building, unless a conflict occurs which would require an alternate meeting date to be scheduled by the Commission through consensus.

Section 7.**Special Meetings**

Special meetings can be called by the Commission chairperson with MCC concurrence when necessary and in accordance with Chapter 177 posting procedure

Section 8.**Emergency Meetings**

Emergency meetings can be called by the Commission chairperson when necessary pursuant to Chapter 287-6, and Section J.

Section 9.**Annual Meeting**

Annual Meeting shall be held pursuant to Chapter 287-6, section I. Annual meeting will be held during the Second (2nd) Monday in April at 5:00 p.m.

Guidelines to the Annual Meeting Procedures

- a. The purpose of the annual meeting is to allow the Menominee Conservation Commission to communicate a yearly report to the tribal members and allow tribal members to voice their concerns, issues, etc. on record to the Menominee Conservation Commission.
- b. Commission shall have a sergeant-at-arms for the annual meeting.
- c. Any non-commissioner called to order twice (2) will be asked to leave.
- d. The commission chairman shall give annual report of what the Menominee Conservation Commission has accomplished in the past year and what concerns/issues the commission will be addressing in the upcoming year.
- e. Public comment period will allow each tribal member to speak once on related conservation issues, concerns, actions, etc.
- f. A tribal member will be able to speak up to 7 minutes.
- g. Public comment period will not be a debate among the public.

Section 10.**Quorum**

A majority of four (4) of the membership shall be required to conduct business

Section 11.**Removal**

Members may be removed as per Chapter 287-6, Section L. Violating the ethics code (see attached code of ethics pg.6) shall be deemed as unprofessional behavior.

The process for removing a Commissioner is defined in Chapter 287-6, Section L.

Removal from Office

Officers may be removed for violations of the code of ethics (see attached code of ethics pg.6). An election of the vacant officer's seat would occur at the next available meeting. Removal of the officer will require a minimum of 4 votes.

Section 12.**Vacancies**

The Commission Chairperson shall immediately notify the Tribal Chairperson of Legislature and CC the legislature, as well as MCC on the vacancies and request prompt action by the Tribal Legislature in filling the vacancy. It shall be pursuant to Chapter 287-6, Section M.

Section 13. Resignation

Any member may resign their office at any time, such resignation to be made in writing to the Menominee Conservation Commission. The Menominee Conservation Commission shall forward the resignation to the Menominee Tribal Chairman's office for recording and the scheduling of a special election or appointment to fill the remaining term.

Section 14. Complaints by Commissioner(s)

Complaints by any commissioner must be submitted in writing to the Conservation Chairman. Conservation Chairman must address the complaint at the next meeting (if necessary, in executive session). If commissioner is not satisfied with results then Chairman and commissioner will forward the complaint to the Menominee Tribal Legislature.

Section 15. Complaints against the Commission

1. The Menominee Conservation Commission reserves the right to respond to any complaint charged against it. This includes Menominee Tribal General Council complaints. The Commission has the basic right to defend itself in all complaint processes.
2. Tribal Member(s) will utilize the MITW Complaint Procedure to bring forth individual complaints against MCC member(s) or The Tribal Member(s) may submit a letter of complaint to MCC in lieu of complaint procedure

Article III**Section 1. Agendas**

1. Shall be created by the Commission Chairperson and the person defined by the Commission to assist in the agenda.
2. Shall be signed by the Commission Chairperson or the person authorized by the Commission Chairperson.
3. Shall be distributed to the Commissioners before every meeting and posted pursuant to Tribal Code Chapter 177, Posting Procedures.

Section 2. Meeting Procedure

- A. Current Edition of Robert's Rules of Order shall be the parliamentary Authority in all matters not specifically covered in these Bylaws.
- B. The Commission may adopt temporary rules of order based on circumstance pertaining to a particular meeting.
- C. Legislature Rules of Procedure has no binding to the Menominee Conservation Commission and is not the parliamentary authority.

Section 3.**Public Comment**

1. Will be defined as an item on every agenda for regular and special meetings.
2. The Commission will decide through a motion, the maximum length of a comment in minutes.
3. Commission will allow public comments after an agenda item has been discussed initially by the Commission as a whole during regular and special meetings.

Section 4.**Voting**

1. The vote will be taken with a show of hands
2. The chair may vote as per Current Edition of Robert's Rules of Order

Section 5.**Executive Session**

1. Executive Session can be called pursuant to current edition of Roberts Rule of Order.
2. Previous notice must be given

Article IV**Section 1.****Amendments to the by-laws**

These procedures may be altered, amended, or repealed or new procedures adopted with the following criterions:

- 1) Previous notice has been given
- 2) One of the following vote requirements has been obtained
 - b) A majority vote of the entire Commission at a regular or special meeting of the Commission.

ATTACHMENT

Menominee Conservation Commission Code of Ethics

I. INTRODUCTION

A. Purpose

1. The Menominee Conservation Commission regulates the conservation of the Natural Resources pursuant to the Menominee Conservation Code Chapter 287. It is essential that high moral and ethical standard be maintained by all appointed members of the Menominee Conservation Commission in order to (a) eliminate conflicts of interest, (b) improve standard of public service, and (c) maintain the trust and confidence of the public.
2. This policy to establish a Code of Ethics for the guidance of all appointed members in conduct of their duties while serving as members of the Menominee Conservation Commission.

II. STATEMENT OF POLICY

- A. No appointed member of the Menominee Conservation Commission shall violate any of the conservation laws during his/her term on the Menominee Conservation Commission.
- B. No appointed member of the Menominee Conservation Commission shall perform Menominee Conservation Commission responsibilities where conflict of interest exists for said Menominee Conservation Commission commissioner.
- C. No appointed member of the Menominee Conservation Commission shall use confidential information gained in the course of their term for private gain.
- D. No appointed member of the Menominee Conservation Commission shall disclose confidential information without proper approval by the Menominee Conservation Commission as a whole.
- E. No appointed member of the Menominee Conservation Commission shall purposely do indirectly acts/behaviors which directly violate the code of ethics.
- F. No appointed member of the Menominee Conservation Commission shall miss two or more consecutive meetings of the Menominee Conservation Commission without obtaining the prior approval of the chairperson of the Menominee Conservation Commission. Said approval may be granted by the chairperson of the Menominee Conservation Commission for the following reasons:

1. The medical condition of said Menominee Conservation commissioner, or his or her immediate family, warrants his or her absence;
2. Deaths is said Menominee Conservation Commission commissioner's immediate family;
and
3. Other reasons approved by the Menominee Conservation Commission chairperson.

G. No appointed member of the Menominee Conservation Commission shall conduct disorderly and unprofessional behavior during the course of a Menominee Conservation Commission meeting. It is without a doubt that the Menominee Conservation Commission Commissioner(s) will debate conservation topics but respect for each other's opinions will be upheld.

H. All appointed members of the Menominee Conservation Commission shall abide by the Menominee Conservation by-laws, Menominee Chapter 287 Conservation Code, and Menominee Tribal Constitution.

I. No appointed member of the Menominee Conservation Commission shall file a complaint that causes any proposed Menominee Conservation Commission rule to be held up or voted down by the Menominee Tribal Legislature, unless said complaint is received initially by the Menominee Conservation Commission and endorsed by the Menominee Conservation Commission.