

Item 1

Information/Action Item

Review of voting rules

Pursuant to the Commission's Governance Policy, once a quorum has been established, all action by the Commission requires the concurrence of a majority of the Commissioners present. As a result, the number of affirmative votes for a particular action can vary depending on the number of Commissioners in attendance. In those instances where only eight Commissioners are present, by policy, five affirmative votes are necessary to take action. Correspondingly, eight affirmative votes are needed when the entire fifteen-member complement of Commissioners is present.

Given that the Commission is in the process of recruiting a new Executive Director, depending upon the number of Commissioners that are present for the November 4-6, 2015 meeting, the selection of the Commission's new Executive Director could be accomplished by less than a majority vote of the entire Commission – meaning that five Commissioners could select the new Executive Director if only eight Commissioners are present. Considering that this position is, by statute, appointed by the Commission and serves at the pleasure of the Commission, a decision made by less than half of the body may not be desirable.

In light of this possibility, the Commission may want to consider whether, for purposes of the recruitment of the Executive Director, it will require that the successful candidate receive no less than eight affirmative votes, regardless of the number of Commissioners present. To do so would require Commission action on a motion. Increasing the number of affirmative votes required would ensure that the selected candidate had significant support from the Commission at the time of his or her selection. It could also, however, increase the possibility that a candidate cannot be selected because none of the candidates is able to garner the needed eight votes for selection.

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