

# Maryland Sport and Tidal Fisheries Advisory Commissions

## Draft Operating Guidelines

### July 9, 2009

#### Background

Tidal Fisheries Advisory Commission (TFAC) and Sport Fisheries Advisory Commission (SFAC) were created in 1973 (1<sup>st</sup> Sp. Sess., ch. 4, §1) to replace the Fish and Wildlife Commission and Commission on Chesapeake Bay Affairs which were abolished by the Maryland General Assembly in 1972. Since 1973, TFAC original name (Commercial Fisheries Advisory Commission) was altered to its current title and membership was increased; duties, terms and representation were expanded and SFAC's membership was increased from 9 to 12.

Currently, TFAC and SFAC provisions are provided for in Natural Resources Article, §4-204 Annotated Code of Maryland. Subsection (a) provides for up to 12 members for TFAC with 11 members being commercial watermen and one member from SFAC. TFAC members serve two year terms. Subsection (b) establishes duties, membership and terms for members. SFAC is charged with providing the Department advice on recreational fisheries matters. SFAC is composed of 12 members representing diversified angling interests and waters of the State. SFAC members serve 4 year terms. Members continue to serve until a successor is appointed. Members appointed after term has begun serves only for the rest of the term.

#### Membership

- The SFAC/TFAC Members shall have the following roles:
  - Prepare for Meetings: Read distributed meeting information in advance of meeting; discuss pertinent issues with the constituents you represent; and prepare to communicate and discuss constituent's viewpoints at meetings.
  - Service Between Meetings: Maintain regular communication with the constituents you represent, informing them on the status of the SFAC/TFAC and representing the SFAC/TFAC accurately.
  - Work in Meetings: Attend to process; follow agenda; suggest solutions or compromises; search for closure.
  - Participate: Use the capacities and resources you possess; promote the ideas, perspectives, and constituencies you represent while adhering to the purpose of the SFAC/TFAC.
- SFAC member shall be appointed to TFAC by a majority vote of SFAC members. The elected SFAC member shall represent the views of SFAC to the TFAC members.

#### Term of Tenure

- As required under §4-204, TFAC members are appointed to two year terms and SFAC members are appointed to four year terms and may be reappointed.

#### Chairperson

- As required under Natural Resources Article, §1-102 the members of each Commission shall appoint a Chairperson for their Commission by a majority vote.

- The Chairperson shall have the following roles:
  - Leader - Model leadership and governance behavior; preside in a fair manner; synthesize concepts; forge relationships; develop SFAC/TFAC consensus.
  - Meeting Facilitator - Ensure adherence to agenda and operating guidelines; facilitate and clarify discussion; involve membership; explore diversity of opinions/inputs; resolve discussions; facilitate public participation in a fair and equitable manner while maintaining an atmosphere of civility and respect; allocate meeting time to accommodate discussion
  - Administrator - Approve agenda items; set stage for meetings; approve SFAC/TFAC correspondences; and track tasks of and/or requested by the SFAC/TFAC.
- Term limits of elected officers: Options: (1) no terms, (2) 2 year , (3) 4 year (only applies for SFAC); or (4) no consecutive terms
- Vice Chairperson
  - Appointed by a majority vote of Commission members.
  - Acts as chairperson if elected chairperson is not present.
  - A Vice Chairperson would automatically be considered as a potential successor for a Chairperson.

## **Support Staff**

- The Maryland DNR Fisheries Service Director shall designate a staff person(s) to support the SFAC/TFAC.
- The assigned staff person(s) shall have the following roles:
  - Administrator - Prepare and distribute meeting agendas, meeting summaries and meeting support information; arrange for meeting space; and secure materials and/or resources to facilitate meetings.
  - Technical Support: Provide information and consultation regarding technical issues.

## **Agenda and Meeting Support Information**

- The agenda for SFAC/TFAC meetings shall be established by the Members and approved by the Chairperson, and include any specific issues requested by the Secretary of DNR.
- An annual meeting schedule will be announced by the Department by December of each year for the following year. Additional unscheduled meetings will be announced two weeks in advance.
- The agenda and meeting support information shall be distributed electronically one week in advance of a SFAC/TFAC meeting and ten days in advance by postal mail.

## **Attendance**

- The SFAC/TFAC membership is extended to each member as an individual based upon their interest and expertise.
- Proxy Attendees. Options: (1) Proxy attendees will not be permitted for this effort. (2) Proxy attendees are not eligible to participate in a quorum vote. (3) Individuals nominated to serve as a proxy must be approved by the Secretary of the Department prior to meeting attendance. Participation by a proxy must be limited to two (2) meeting per year in order to encourage attendance by appointed members. (4) Proxy attendees may be used as needed.

- In the event that you are unable to attend a meeting, you must notify the DNR staff person assigned to the SFAC/TFAC within 48 hours of the meeting. The DNR staff person will work with you to obtain and provide your input to the SFAC/TFAC.
- The DNR staff person will notify SFAC/TFAC members if a meeting is to be canceled for lack of a quorum.
- If a Member is unable to attend 75% of SFAC/TFAC meetings during a calendar year, the Secretary of DNR shall determine if the appointed representative should be removed.

## **Quorum**

- A quorum is a simple majority of appointed Members.

## **Communication Ground Rules**

- The SFAC/TFAC is asked to consider each suggested ground rule in an effort to facilitate group discussions:
  - 1) Only SFAC/TFAC Members (or approved proxy attendees) will sit at the meeting table.
  - 2) Members will strive to focus on their values and interests, not their positions.
  - 3) Only one member will speak at a time, each member will have equal opportunity to participate.
  - 4) Each Member will focus on the agenda issue to keep the discussion moving forward.
  - 5) Each Member will respect all other Members and individuals of the public that may be in attendance at meetings.
  - 6) Each Member will strive to listen actively and be open-minded.
  - 7) Public observers will be allowed to address the SFAC/TFAC at a designated time period on the agenda for each meeting.
    - For topics that are not on the agenda, the Chairperson will use a public sign-up list in deciding how to allocate the available time on the agenda (typically 10 minutes) to the number of people who want to speak.
    - For topics that are on the agenda, the Chairperson will provide limited opportunity for comment, taking into account the time allotted on the agenda for the topic.
  - 8) Motions. Commission members may make a motion.
    - The motion shall be written down as part of the meeting minutes.
    - A motion shall be followed by an equitable amount of time for discussion amongst members and an equitable amount of time for public comment.
    - Discussion shall be limited to the merits of the immediately pending question or issue.
    - The Chairperson is responsible for allocating discussion and comment time.
    - Following the discussion and comment period, the motion shall be seconded by a Commission member, other than the member who made the original motion.
    - A seconded motion shall be approved by the majority of the Commission members in order to be adopted.

## **Decision-Making**

- The SFAC/TFAC will strive to make its decisions on a consensus model but set forth that if consensus cannot be reached then a simple majority can decide an issue.
- Members with minority views can request that their views be explicitly included in any decisions and recommendations that are made to the Secretary of DNR.

## **Meeting Minutes**

- Meeting minutes shall be prepared as a record of any SFAC/TFAC meeting wherein official business is conducted.
- Meeting minutes shall be a verbatim record of meeting dialogue.
- Draft meeting minutes shall be distributed to Members within 10 days following the SFAC/TFAC meeting to which the meeting minutes apply.
- Draft meeting minutes, with or without amendments, shall be approved by a quorum of the Members.
- Only approved meeting minutes of SFAC/TFAC meetings may be distributed to non-members and posted to the Fisheries website.
- The staff persons assigned to support the SFAC/TFAC shall maintain a master file of SFAC/TFAC meeting agendas, meeting minutes, and meeting support information.
- Action Items from each meeting shall be disseminated electronically or by mail upon request by the next business day to members following a meeting.

## **Public Comments**

- If asked to comment on a matter under consideration by the SFAC/TFAC outside of a commission meeting, a Member shall differentiate between personal views, and any official position taken by the SFAC/TFAC.

## **SFAC/TFAC Positions and Recommendations**

- Official positions or recommendations adopted by the SFAC/TFAC which Members believe warrant the attention of the Secretary of DNR shall be recorded in the SFAC/TFAC meeting minutes and transmitted to the Secretary of DNR, as official correspondence.

## **Official Correspondence**

- Official correspondence generated by the SFAC/TFAC shall be reviewed and approved by the Chairperson.
- Copies of any correspondence transmitted by the SFAC/TFAC shall be provided to all Members.
- The staff person(s) assigned to support the SFAC/TFAC shall maintain a master file of all correspondences transmitted by the SFAC/TFAC.

## **Travel Reimbursement:**

- SFAC/TFAC members can receive travel reimbursement for meetings in accordance with the State of Maryland's travel reimbursement guidelines and rates.
- SFAC/TFAC members will receive expense account forms at each meeting, and shall complete the requested information and provide to the DNR principal staff person.
- Reimbursement may take 2-4 weeks.

