

Maryland Sport and Tidal Fisheries Advisory Commissions

Operating Guidelines

July 2013

Background

Tidal Fisheries Advisory Commission (TFAC) and Sport Fisheries Advisory Commission (SFAC) were created in 1973 (1st 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 increased and staggered terms established for both SFAC and TFAC.

Currently, TFAC and SFAC provisions are provided for in Natural Resources Article, §4-204 Annotated Code of Maryland. TFAC is charged with advising the Department on commercial fisheries matters. TFAC is composed of 15 members consisting of fourteen commercial watermen that reflect the geographic regions of the State where the commercial fishing industry is operating and one member from the SFAC. TFAC seats provide for 2 year terms. SFAC is charged with providing the Department advice on recreational fisheries matters. SFAC is composed of 15 members representing diversified angling interests and waters of the State. SFAC seats provide for 4 year terms. Members appointed into a TFAC or SFAC seat after a term has begun serves only for the rest of the term, continue to serve until a successor is appointed and may be reappointed.

Membership

- The SFAC/TFAC Members 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 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. Bring constituent issues of concern to the attention of the Commission and Department in a timely manner in an effort to evaluate, address and respond.

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.

Chairperson

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

- The Chairperson has 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; and facilitate public participation at designated time periods on the agenda as time allows in a fair and equitable manner while maintaining an atmosphere of civility and respect.

Administrator - Approve agenda items with adequate time to accommodate discussion; set stage for meetings; approve SFAC/TFAC correspondences; and track tasks of and/or requested by the SFAC/TFAC.

Terms – The Chairperson will serve a term of two years, with the possibility of continuation of successive terms. The Vice Chairperson shall be appointed by a majority vote of Commission members, and also serve for two years. The Vice Chairperson has the following roles: act as Chairperson if elected Chairperson is not present.

Support Staff

- The Maryland DNR Fisheries Service Director designates a staff person(s) to support the SFAC/TFAC.
- The assigned staff person(s) has 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 is established based upon input from the Commission Members and DNR Fisheries Service staff, and approved by the Chairperson, and include any specific issues requested by the Secretary of DNR.
- An annual meeting schedule is announced by DNR by December of each year for the following year. Additional unscheduled meetings will be announced two weeks in advance unless approved by the Chairperson and the DNR Fisheries Service Director.
- DNR Fisheries Service will strive to have the agenda and meeting support information distributed to Commission Members and posted on the appropriate DNR SFAC/TFAC webpage at least one week in advance of a meeting.

Attendance

- The SFAC/TFAC membership is extended to each member as an individual based upon their interest and expertise.
- Proxy Attendees – A single, designated proxy may be nominated to serve on behalf of SFAC/TFAC Members.
- 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 determines if the appointed representative should be removed consistent with statutory attendance rules for these Commissions.

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 when a Commissioner is absent) 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) With the intent to provide a fair opportunity for public input, the SFAC/TFAC will utilize the following guidelines:
 - For issues that are not on the agenda – Chairpersons will include on each meeting agenda an opportunity for the public to bring such matters of concern to the Commissioner’s attention. Chairpersons will use a speaker sign-up list in deciding how to allocate the available time on the agenda to the number of people who want to speak.
 - For topics that are on the agenda – Chairperson will provide limited opportunity for public comment prior to the Commission taking final action on an agenda item, taking into account the time allotted on the agenda for the topic. Chairs will have flexibility in deciding how to allocate public comment opportunities; this could include hearing one comment in favor and one in opposition until the chair is satisfied further comment will not provide additional insight to the Commission.
 - 8) Motions. Commission members may make a motion. The motion will be written down to ensure Commissioners understand the motion. A motion will be seconded prior to discussion of the motion. The Commission should use the guidelines of Robert’s Rules of Order for handling motions. A motion that has been seconded will be followed by an equitable amount of time for discussion among Commission Members. Discussion is limited to the merits of the immediately pending motion. The Chairperson is responsible for allocation of discussion and public comment time. Following the discussion and public comment period, the Commission will take a vote on the motion. A motion is adopted by simple majority vote of Commission Members in attendance.

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 and/or Fisheries Service Director of DNR.

Meeting Minutes

- Meeting minutes are prepared as a record of any SFAC/TFAC meeting where official business is conducted.
- Meeting minutes are a verbatim record of meeting dialogue.

- Motions and action items from each meeting will be disseminated to Members electronically or by mail upon request by the next business day following a meeting.
- Draft meeting minutes are distributed to Members within one week following the SFAC/TFAC meeting to which the meeting minutes apply.
- Draft meeting minutes, with or without amendments, must be approved by a quorum of the Members.
- Only approved meeting minutes of SFAC/TFAC meetings may be distributed to non-members.
- The staff persons assigned to support the SFAC/TFAC must maintain a master file of SFAC/TFAC meeting agendas, meeting minutes, and meeting support information.

Public Comments

- If asked to comment on a matter under consideration by the SFAC/TFAC outside of a Commission meeting, a Member must 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 is 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 is reviewed and approved by the Chairperson.
- Copies of any correspondence transmitted by the SFAC/TFAC are provided to all Members.
- The staff person(s) assigned to support the SFAC/TFAC must 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 must complete the requested information and provide to the DNR principal staff person.
- Reimbursement may take 2-4 weeks.