

Atlantic States Marine Fisheries Commission

Executive Committee

*February 1, 2017
8:00 – 9:30 a.m.
Alexandria, Virginia*

Draft Agenda

1. Welcome/Call to Order (*D. Grout*)
2. Committee Consent
 - Approval of Agenda
 - Approval of Meeting Summary from October 2016
3. Public Comment
4. Review and Consider Approval of FY16 Audit (*L. Leach*) **Action**
5. Finalize Standard Meeting Practices (*R. Beal*) **Action**
6. ACCSP Update
7. Other Business/Adjourn

Please Note: Breakfast will be served at 7:45 a.m.

The meeting will be held at the Westin Alexandria; 400 Courthouse Square; Alexandria, VA; 703.253.8600

Vision: Sustainably Managing Atlantic Coastal Fisheries

**MEETING SUMMARY OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
EXECUTIVE COMMITTEE**

**Harborside Hotel
Bar Harbor, ME
October 25, 2016**

INDEX OF MOTIONS

1. **Approval of Agenda by Consent (Page 1)**
2. **Approval of Meeting Summary from August 2, 2016 by Consent (Page 1)**
3. **Motion to approve the Conservation Equivalency document for action by the Policy Board. Mr. Boyles/Mr. Simpson The motion passed unanimously. (Page 1)**
4. **Motion to approve the Standard Meeting Practices document as revised by staff. Mr. Keliher/Mr. Woodward The motion passed unanimously. (Page 1)**
5. **Move that the Executive Committee adopt the resolution allowing for restatement of the Commission's retirement plan. Mr. Blazer/Mr. Boyles The motion passed unanimously. (Page 2)**
6. **Adjournment by Consent (Page 2)**

ATTENDANCE

Committee Members

Pat Keliher, ME (AA)	John Clark, DE (AA proxy)
Doug Grout, NH (AA)	Roy Miller, DE (GA Chair)
Dennis Abbott, NH (LA Chair)	David Blazer, MD (AA)
David Pierce, MA (AA)	John M.R. Bull, VA (AA)
David Simpson, CT (AA)	Braxton Davis, NC (AA)
Jason McNamee, RI (AA)	Robert Boyles, SC (AA)
Jim Gilmore, NY (AA)	Spud Woodward, GA (AA)
Brandon Muffley, NJ (AA proxy)	Jim Estes, FL (AA proxy)
Andy Shiels, PA (AA proxy)	

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Other Commissioners

Nancy Addison, GA (GA)	Ed O'Brien, MD (LA proxy)
Eric Reid, RI (LA Proxy)	Ritchie White, NH (GA)

Staff

Bob Beal	Laura Leach
Pat Campfield	Toni Kerns

Others

Charles Lynch, NOAA

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened in the McMurtry Room of the Harborside Hotel in Bar Harbor, Maine October 25, 2016. It was called to order at 8:00 a.m. by Chair Doug Grout.

APPROVAL OF AGENDA

The agenda was approved with the addition of a discussion on MRIP/Economic Survey.

APPROVAL OF PROCEEDINGS

The summary minutes from the August 2, 2016 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

AOC REPORT

AOC Chair Jim Gilmore noted that the Commission used a new auditing firm this year, Smith, Burdette and Bish, and found the auditing process to be challenging. The firm noted some findings that staff does not agree with, and staff has retained an independent auditing firm to assist with contesting these findings. Because of this, staff requested that action on the audit be deferred until the Winter Meeting. The Executive Committee approved this request.

CONSERVATION EQUIVALENCY

Staff presented the revised Conservation Equivalency document, and a motion was made by Mr. Boyles and seconded by Mr. Simpson "to approve the Conservation Equivalency document for action by the Policy Board." The motion passed unanimously.

STANDARD MEETING PRACTICES DOCUMENT

Staff presented the revised standard meeting practices document and there was discussion on several issues.

Executive Director Beal explained that the entire document is not binding; running the meeting is still subject to the discretion of the Chair; however established Quorum and Voting procedures are not subject to the Chair's discretion. The document is intended to document the Commission's best management practices for running board meetings.

Mr. Shiels recommended that the document be separate into two sections; the first section is binding and the second section are guidelines. Staff will revise the document accordingly. It will be added to the Commissioner Manual, and added to the website with other standard materials.

A motion was made by Mr. Keliher and seconded by Mr. Woodward to approve the Standard Meeting Practices document as revised by staff. The motion passed unanimously.

AWARDS COMMITTEE REPORT

Mr. Woodward, Awards Committee Chair, reported that the Committee met at the August meeting to discuss changing the name of the Hart Award. After lengthy discussion, and upon finding out that the Commission's 75 year history would be dedicated to Pat White, the Committee does not recommend changing the name of the David H. Hart Award.

PERFORMANCE APPRAISAL/MERIT INCREASE PROTOCOL

With the Commission continuing to hire employees for the states, staff is recommending that we align performance appraisals/merit increases with the states for employees housed in the states. Executive Committee members agreed, and asked staff to develop a document with guidelines for state-housed employees.

RESTATEMENT OF RETIREMENT PLAN

Because of the number of part-time and seasonal employees the Commission is hiring to conduct the APAIS survey in the states, staff requested the Executive Committee approve restating the Commission's retirement documents to exclude employees who work less than 1,040 hours in a year. A motion was made by Mr. Blazer and seconded by Mr. Boyles that the Executive Committee adopt the resolution allowing for restatement of the Commission's retirement plan. The motion passed unanimously.

MRIP INTERCEPT SURVEY

Several Committee members expressed concern with adding socio-economic questions to the intercept survey, especially in the first year the states will be conducting the APAIS interviews. Executive Director Beal suggested that staff talk with Gordon Colvin and the MRIP staff to see if we can adjust the timing of the socio-economic survey.

ADJOURN

CHAIR DOUG GROUT adjourned the Executive Committee meeting at 9:40 a.m.

ASMFC Standard Operating Procedures for Meetings

February 1, 2017

As established by the Interstate Fisheries Management Program Charter, the Atlantic States Marine Fisheries Commission (Commission) generally uses Roberts Rules of Order to conduct its business. There are some deviations from Roberts Rules adopted by the Commission. The following operating procedures are provided to make Commission meetings more effective and efficient.

Required Elements

The following voting and quorum provisions are established in the Commission guiding documents and are not subject to the discretion or interpretation by the meeting chair.

Quorum – The following quorum provisions are included in the Commission guiding documents. These provisions are not subject to the meeting chair’s discretion.

- The presence of Commissioners representing a majority of the state members (>50%) constitute a quorum at a meeting of the Commission.
- Any state shall be recorded as present when represented by one or more of its Commissioners.
- A quorum for any Commission group shall be a majority of the members of such body, provided that any such body may petition the Executive Committee in advance for approval of an alternative quorum procedure.

Voting – The following voting provisions are included in the Commission guiding documents. These provisions are not subject to the meeting chair’s discretion.

- The Commission’s Business Session, and management boards and sections shall be by state (or by jurisdiction or federal agency) with one vote per state. A state’s vote shall be determined by the majority of that state’s delegation of Commissioners who are present. Based on the number of delegates present, votes may be cast in favor, in opposition, in abstention, or null. A null vote occurs when only two state delegates are present and they do not agree on a position. A null vote can also occur if three state delegates are present and one delegate abstains from participating in the state caucus and the other two delegate do not agree on a position.
- No person may, by proxy, vote more than once on any issue.
- Any Commissioner or Commissioner Proxy or duly authorized representative of a jurisdiction or agency that is a member of a management board/section may make or second any motion; provided the maker of the motion and second (when necessary) must each come from a different state, jurisdiction, or agency.
- Any meeting-specific proxy appointed by a Legislative or Governors’ Appointee Commissioner may not vote on a final action being considered by a management board/section. Meeting-specific proxies may vote on preliminary decisions such as issues to be included in a public hearing draft or approval of public information documents.
- A final action is defined as: fishery specifications (including but not limited to quotas, trip limits, possession limits, size limits, seasons, area closures, gear requirements), allocation, final approval of FMPs/amendments/addenda, emergency actions, conservation equivalency plans,

ASMFC Standard Operating Procedures for Meetings

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and non-compliance recommendations. A meeting-specific proxy may participate in the deliberations of the meeting, including making and seconding motions.

- The roll must be called for all final actions unless there is no objection to the motion.
- A two-thirds majority, which is required for an emergency action, extending a management action, or amending/rescinding a final action, is defined by the entire voting membership. However, federal agency abstentions do not count when determining the total number of votes.

Discretionary Elements

The following process recommendations are meeting best management practices for use by a meeting chair to effectively and efficiently run Commission meetings.

Process – The meeting chair has the discretion to manage the meeting conduct and application of the following best management practices.

- All board members should have the opportunity to speak once prior to anyone speaking a second time.
- An individual may not be recognized to speak on a motion more than two times during a single board meeting.
- If the chair believes there may not be opposition to the motion, he/she will seek board consent of the action by asking “If there is no objection, this item will be adopted.” After pausing for any objections, the chair states “As there are no objections, this item is adopted unanimously.” It is not necessary to ask for a show of hands.
- If the chair determines too much time is being consumed by speakers, he/she can set a time limit on such speeches.
- The meeting chair can use either of the following options for “one in favor/one against”:

Options for use of “one in favor/one against”:

Option 1: At any time in the meeting based on concern regarding limited time availability to conduct the full business of the board/section or in cases when extensive debate on an issue has occurred, the chair can limit debate to one in favor/one against.

Option 2: After all members have had the opportunity to speak on a motion twice, the chair will limit debate to one in favor/one against. If there is no one left to speak in favor/against the chair will call the vote on the motion.