

RHODE ISLAND MARINE FISHERIES COUNCIL
Advisory Panel Workshop
May 16, 2007
URI Narragansett Bay Campus
Corless Auditorium
South Ferry Road
Narragansett, RI

RIMFC Members: G. Allen, J. King, S. Parente, D. Preble, C. Anderson, S. Medeiros

RIDEM F&W Staff: J. McNamee, N. Scarduzio, M. Gibson

DEM Legal Counsel: G. Powers

DEM Law
Enforcement: S. Hall

Public: 2 people attended

The following is the annotated advisory panel policy from the RIMFC advisory panel workshop. These annotated regulations will be reviewed and approved/modified at the June 4, 2007 RIMFC monthly meeting. Here are the proposed modifications to the policy:

Species Advisory Panel Policy
Revised on 5-16-07
Adopted by the RIMFC June 4, 2007

VII. Species Advisory Panels

Introduction

The Rhode Island Marine Fisheries Council (Council or RIMFC) may appoint Species Advisory Panels composed of recreational and commercial fishermen, dealers, and other interested parties. The members will be selected to represent all applicable user groups, and will serve in an advisory capacity only. Every effort will be made to appoint individuals from various recognized fisheries organizations, user groups, and other concerned organizations that represent the ~~general~~ public interest, in order to ~~achieve allow representation from~~ all user groups to provide the Council with their opinions and views. No applicant will serve who has had a federal or state fisheries violation within the three years prior to his application. The purpose is so that each user groups' opinions and views are heard and reflected to the RIMFC. The advisors will be selected by the Council at a public meeting in open session after providing a one-month advance notice ~~of said deliberations~~. ~~Panel members shall serve in an advisory capacity only.~~ Upon selection by the Council, the newly appointed advisor will be provided a letter by the Division of Fish and Wildlife outlining his/her duties as an advisory panel member. A Division of Fish and Wildlife representative will be

appointed to act as both the scientific advisor and recording secretary. ~~A vice chair elected by the Species Advisory Panel members will facilitate the meeting in the absence of the chair. If an advisory panel chairperson is not able to attend a scheduled advisory panel meeting, the chairperson will ask a fellow Council member to chair that particular meeting. The chairperson of the Council should be notified prior to any substitution.~~

The membership list for each panel shall have a minimum of six and a maximum of fifteen primary panel members. Members will be added when deemed appropriate by the Panel Chairman and with the consent of the RIMFC.

Purpose

Per section 20-2.1-10 of the RI State Statutes, Species Advisory Panels serve at the pleasure of the RIMFC, with a sole purpose to provide informed advice to the RIMFC, reflecting the concerns and opinions from the users' group that each panel member represents.

Tasking Procedures

The RIMFC will provide definitive tasking to the respective Species Advisory Panels, including a timetable for reporting back to the Council. Aside from tasking by the RIMFC, Panel members may identify issues to the Panel Chairman, and with his agreement, the Panel Chairman may bring the issue to the RIMFC for their decision as to whether further Panel examination is warranted.

When the Council determines ~~an~~ issue warrants examination and advisement, the following procedures will be followed:

- (1) The Department of Environmental Management, in consultation with the Advisory Panel Chair, will prepare a range of options for the recreational, party & charter, and commercial interests which will provide regulatory (including legal/enforcement) and biological boundaries for the issues that are to be examined.
- (2) The Chairman will call for the timely scheduling of a Panel meeting. Thereafter, Panel members will be advised of the issues and of the Department prepared options. ~~The Chairman will then call for the timely scheduling of a Panel meeting.~~

Panels will adhere to the following guidelines:

- (1) Species Advisory Panels are open to all members of the general public.
- (2) The Chairman of the Panel will be a member of the RIMFC, be a non-voting member of the Panel, and be appointed by the RIMFC Chairman. The Chairman's principle role is to facilitate the conduct of the meeting. He shall not advocate a position, and will remain neutral towards any member's advocated viewpoint, or position. Further, he

has the responsibility to ensure Panel meetings are conducted in a civil manner and has the authority to excuse disruptive members, and/or cancel the Panel meeting. The Representative from the Division of Fish & Wildlife will act as Secretary and distribute the panel deliberations after approval from the Chairman. The Chairman will report to the RIMFC at its next meeting.

- (3) ~~Limit the voting for consensus to a minimum of six and a maximum of twelve panel members, with the flexibility to adjust that number upward to allow one member from each user group access to the Panel. Members will be added when deemed appropriate by the RIMFC Chairman.~~
- (4) Members will select/nominate their ~~own stand ins or~~ alternates from the same user group they represent. Members and alternates will serve one year, from April to April of the following year, subject to confirmation by the RIMFC. ~~When an alternate cannot be reached, an emergency alternate may stand in only with prior notice to the Panel Chairman.~~ Any Panel member with 3 or more absences during their one year term, or a documented history of disruptive conduct during Panel meetings, may be removed from the Panel on the recommendation to the Chairman of the RIMFC. Replacement appointments will be made as necessary. When an advisory member's position is vacated during the one-year appointment that position will be filled by the alternate. Yearly re-appointments will be made in order to address those on the waiting lists.
- (5) Advisory Panels will follow Roberts Rules of Order to the extent necessary at the discretion of the Chair. When a Panel meets to discuss the RIMFC tasking, the recreational, party & charter, and commercial members may separately caucus to discuss the issue and options. When an Advisory Panel member has a proposal for consideration by the panel that contains numerous options the proposal should be printed out with copies for each panel member. Thereafter, Panel members will, as a body, strive for consensus on the recreational, party & charter, and commercial aspects of the issue. Compromise should be method for agreements (consensus). When a user groups' representative can not agree on a point, he must state why he can't agree and what modifications would need to be made to the proposal at hand so he would agree. Comments from the general public at the Panel meeting are welcomed. Voting ~~will be for consensus only (all agree to) and~~ is limited to Panel members only. ~~This should be used to expedite issues that everyone agrees on. The Panel will not vote for majority and minority positions. If~~ When consensus cannot be achieved, voting can be recorded for minority and majority positions. ~~‡The Panel Chairman will report the necessary modifications to achieve consensus for each user group majority and minority positions to the Council along with the extent of support for each -position.~~

- (6) A Panel Chair may request that a~~The~~ Division of Law Enforcement ~~representative~~will attend an advisory panel meetings ~~at the request of the Chair~~. The RIMFC desires that that the Panel Chair communicate to the Division of Law Enforcement in a timely manner the specifics of their request so that the Division of Law Enforcement may in order ~~to~~ develop a uniform recommendations to the advisory panel and Council.
- (7) Advisory panel members ~~must~~ represent their specific user group, ~~not their personnel opinion, nor the opinion of their private or public affiliation~~. They should seek input from a broad sector of the user group that they represent. ~~If this policy is followed, generally speaking, hearings should then not have any new opinions or new controversies or ideas presented since each user group has already been heard from.~~
- (8) Appointed individuals noted under the “Other” category on the advisory panel membership lists, including but not limited to Division of Fish and Wildlife members and Scientific advisors, serve in an advisory capacity only and may not vote.