

# COUNCIL OPERATING PROCEDURE

## Ad Hoc Committees

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Approved by Council: 03/11/05  
Revised: 09/16/10, 11/08/18, **04/16/19**

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### PURPOSE

To establish procedures for creating, operating, and terminating Ad Hoc Committees.

### CREATION AND TERMINATION

Ad Hoc Committees are created to address specific (or short term) issues and are intended to be in place for a limited duration. Ad Hoc Committees are created and terminated by vote of the Council. Current Ad Hoc Committees (including names and affiliations, but not contact information) shall be listed in the Council Roster.

### OBJECTIVES AND DUTIES

Objectives, duties, and expected duration for each Ad Hoc Committee shall be specified at the time the committee is created.

### MEMBER COMPOSITION AND TERMS

Based on the advice of Council members and advisory committees, the Council Chair appoints Ad Hoc Committee members.

#### Member Terms

Ad Hoc Committee members serve until the tasks assigned to the Ad Hoc Committee are completed. However, an Ad Hoc Committee member may be replaced at the Council Chair's discretion if a member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the Committee Chair or Council Executive Director, or 3) appears unable to fulfill their obligations as a Committee member.

#### Termination of Membership

An Ad Hoc Committee member may be replaced at the Council Chair's discretion if a member: 1) transfers employment or moves to a different location; 2) is absent from two or more consecutive meetings without giving adequate notification to the Ad Hoc Committee Chair or Council Executive Director; or 3) appears unable to fulfill their obligations as a Committee member; 4) their area of expertise is no longer required; 5) is reassigned by sponsoring agency; 6) violates the *Rules of Conduct for Employees and Advisors and Contractors of Regional Fishery Management Councils, U. S. Department of Commerce*; or 7) The Council Chair, in consultation with the Executive Director, determines that a member should be removed for just cause (e.g., violation of

marine resource regulation, felony conviction, investigated reports of sexual harassment, etc.; these examples are not all-inclusive.). This also includes removal of a member who repeatedly fails to adhere to proper decorum and to show respect for other Committee members, or the Committee itself, as evidenced by rude and disruptive behavior and/or an unwillingness to refrain from abusive treatment or harassment of other members and/or Council staff assigned to assist the Committee in carrying out its business of providing recommendations to other committees and the Council. Reports of such behavior should be made to the Executive Director or Council Chair so that the incidents(s) can be properly investigated.

#### Alternate Members

Due to the limited and specific nature of Ad Hoc Committees, members shall, generally, not be allowed to appoint alternates and are strongly encouraged to attend all Ad Hoc Committee meetings. However, a member may request an alternate to a meeting no more than twice per calendar year under the following terms. All requests for alternates require prior approval by the Executive Director. The Executive Director must be notified in advance in writing with the name of and contact information for the proposed alternate at least 30 days prior to the first day of the committee meeting, or the first day of the Council meeting held in conjunction with the committee meeting. Non-federal alternates will be reimbursed for travel expenses per the Council travel rules. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences. Such designees may participate in Ad Hoc Committee deliberations as a regular member.

#### Officers

The Chair and Vice Chair of each Ad Hoc Committee shall be appointed by the Council Chair and shall serve for the duration of the Ad Hoc Committee. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

#### MEETINGS

The committee shall meet at the request of the Council Chair or Executive Director as often as necessary to fulfill their responsibilities.

#### Public Participation

The public will be permitted to comment on items relative to the agenda at a time to be announced in the *Federal Register* and a Council news release. Comments may be limited if deemed necessary by the Committee Chair. Written statements also may be submitted during the public comment period. The public will not be permitted to interject comments during the meeting at any time other than the established comment period unless asked to do so by the Committee Chair or a Committee member. Members of the public may be asked to leave the meeting at the Committee Chair's discretion if their conduct is impeding the orderly progress of the meeting.

The granting of permission for the public to tape all or any part of the meeting is at the discretion of the Committee Chair and such permission shall be obtained in advance of the meeting.

Copies of this operating procedure shall be available upon request from the Council office.

### Public Notification of Meetings

Timely public notice of each Ad Hoc Committee meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting. However, the Council recognizes that due to the expediency of some Council actions and/or other reasons deemed valid, such two-week advance notice may not always be possible.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate NMFS regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

### Minutes and Reports

As workload permits, a Council staff member shall attend and draft minutes of each Ad Hoc Committee meeting. Such minutes shall be submitted for approval by the majority of committee members prior to or at the next committee meeting.

Ad Hoc Committees shall report to the Council as directed by the Council Chair or Executive Director.

Reports will describe both areas of consensus and differences. If necessary, majority and minority reports may be drafted to present the divergent views of the Ad Hoc Committee. The Committee Chair will present both majority and minority reports to the Council.

Draft reports or statements prepared and discussed at these meetings will be available to the public in final form after submission to the Council. They will not be distributed to the public during the meeting unless authorized by the Committee Chair.

### STAFF RESPONSIBILITIES

In addition to drafting meeting minutes, Council staff has responsibility for guiding, assisting, and coordinating activities of these committees including ensuring that Council policy, schedules, guidelines, and direction are followed; preparing agendas, *Federal Register* notices; attending meetings; conducting supportive analyses of complex technical and policy matters; presenting briefings to these committees on necessary matters; supporting preparation of committee reports or recommendations for presentation to the Council; and facilitating discussion among committee members to achieve consensus and maintain decorum. Council staff also facilitates communication and coordination among the various Council advisory bodies to resolve issues and promote consistency.