

New York State FISH AND WILDLIFE MANAGEMENT BOARD



NEW YORK STATE FISH AND WILDLIFE MANAGEMENT BOARD BYLAWS, Rev. April 5, 2013

In order to ensure the orderly and efficient conduct of the business of the State Fish and Wildlife Management Board established under Section 11-0501 of the Environmental Conservation Law the Board does hereby adopt these revised bylaws with incorporation of previously adopted amendments.

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Article I, Name and Objectives

Section I, Name: The name of this organization shall be the New York State Fish and Wildlife Management Board

Section II, Objectives: Within the scope of responsibilities authorized by Section 11-0501, subdivision 8 "Duties of the State Board" of the New York Environmental Conservation Law the board shall act to:

1. Provide, preserve, expand and seek opportunities for public use of and access to the fish and wildlife resources of the state.
2. Improve fish and wildlife management programs and practices by the application of scientifically supported conservation practices on the lands and waters of New York State.
3. Provide sources of information to better accomplish these objectives and to aid in expediting and encouraging their accomplishments.

Article II, Membership

Section I, Board Members: There shall be a State Fish and Wildlife Management Board the regular members of which shall consist of three representatives from each of the existing regional boards, one each representing landowners, sportsmen and county legislative bodies.

(a) Each member, other than Advisory Members, shall be elected by and from the membership of the regional boards for a term of approximately one (1) year from the date of their election unless within such period they cease to be a member of the regional board.

Section II, Alternate and Temporary members

(a) In the absence of a regular board member the duly elected alternate to such a regional representative shall be recognized as the board member with full voting privileges.

(b) If a regular board member or their alternate cannot attend a state board meeting the regional chairman chairperson may designate a temporary representative to attend such meeting with full voting privileges. The temporary appointee appointment must be made from the same group as the one the regular and alternate members represent.

(c) Nothing contained herein shall prohibit alternates from serving on state board committees.

Section III, Advisory Members: The advisory members of the board, without vote, shall consist of the following persons or their duly designated representative during their term in office: The commissioner of the Department of Environmental Conservation, the Commissioner of the Department of Agriculture and Markets, the Commissioner of the Department of Transportation, The Commissioner of the Office of Parks, Recreation and Historic Preservation, the President of the State University of New York College of Environmental Science and Forestry, the Dean of the New York State College of Agriculture and Life Sciences, Chairperson of the State Soil and Water Conservation Committee, the President of the New York Farm Bureau, the President of the New York State Grange and the President of the New York State Izaak Walton League.

Article III, Officers

Section I, Officers: The officers of the board shall be the Chairperson, Vice-Chairperson and Secretary. The Director of the Division of Fish, Wildlife and Marine Resources, or the Director's designated representative, may be elected as Recording Secretary of the board, without vote, if the board so elects. The term of office for all officers shall be for approximately one year beginning immediately after the annual meeting.

Section II, Unexpired terms

(a) If the office of Chairperson shall be vacated for any reason before the end of the term the unexpired portion of that term shall be filled by the Vice-Chairperson

(b) In the event that the office of the Vice-Chairperson or Secretary or the position of any of the Executive Committee members at large is vacated for any reason prior to the expiration of the term will be filled through appointment by the Chairperson with the approval of the Executive Committee.

Article IV, Duties of Officers

Section I, Chairperson

(a) The chairperson shall preside over all board meetings and at all meetings of the Executive Committee.

(b) Shall appoint the chairperson and members of all regular and special committees, except the executive committee and shall be an ex-officio member of all appointed committees except the nominating committee.

(c) Shall represent the board on all matters relating to the concerns and objectives of the board.

Section II, Vice-Chairperson: The vice-chairperson shall assume the duties of the chairperson in the absence of or upon the inability of the chairperson to serve and shall perform other duties assigned by the chairperson. In the event that the vice-chairperson cannot serve the board shall elect a chairperson pro-tempore.

Section III, Secretary: The secretary shall be responsible for the board files and records, shall record the minutes of all meetings of the board, note and file any correspondence and issue meeting notices.

Article V, Elections

Section I, Elections

(a) The election of officers, executive committee members at large and the statutory member of the Conservation Fund Advisory Board shall take place at the annual meeting.

(b) They shall be elected by a majority vote of the total board. If requested, the vote shall be by ballot.

(c) They shall be elected from a slate of names submitted by the nominating committee together with any names submitted from the floor.

Article VI, Meetings

(a) The meetings of the board shall be at the call of the chairperson.

(b) Not less than two (2) meetings shall be called in each calendar year, one in the first six (6) months and one in the last six (6) months of the year.

(c) The chairperson shall call a special meeting upon the written or electronically transmitted request of a majority of the board voting members or four (4) regional board chairpersons.

(d) Notice of meetings shall be at least thirty (30) days in advance by mail or electronic means, except special meetings.

Section II, Annual Meeting, The first meeting in any calendar year shall be the annual meeting.

Section III, Quorum and Voting

(a) Members sufficient to represent a majority of the filled positions of the board and representing at least four (4) regions present at any duly called meeting shall constitute a quorum. A quorum need be established only at the roll call of the meeting. The word present shall mean in person, by video conferencing, telephone conferencing or any other electronic means approved by the chairperson.

(b) Having established a quorum, a majority of votes cast shall be required to adopt any motion except that an amendment of these bylaws will require two thirds (2/3) of the votes cast. Each member will vote individually on all business brought before the board.

Section IV, Conduct of Meetings: In all parliamentary matters not covered by these bylaws Roberts Rules of Order, Newly Revised (RONR) shall be followed.

Article VII, Standing and special Committees

Section I, Executive Committee

(a) This committee shall consist of the chairperson, vice-chairperson and secretary and three regular or alternate members who shall be elected by the board at the annual meeting.

(b) It shall be empowered to act between full board meetings to conduct business of the board. Any official action of the committee shall require a majority vote of the full committee.

(c) Any action of this committee may be overridden by a two thirds (2/3) vote at a duly constituted meeting of the board.

Section II, Planning Committee

(a) The planning committee shall consist of the chairperson, vice chairperson, secretary and other members to include all regions and may include advisory members.

(b) It shall consider broad, long term aims and courses of action of the board and make recommendations relating to these aims and actions.

(c) It may act in an advisory capacity to the executive committee.

Section III, Nominating Committee

(a) The nominating committee consisting of three (3) members shall be appointed by the chairperson thirty (30) days prior to the annual meeting.

(b) The nominating committee shall submit their list of recommended candidates to the board at the annual meeting.

(c) Nominations shall be limited to regular and alternate members of the board.

(d) A person's name shall not be submitted unless that person has been asked to serve prior to the election and has agreed to serve in that capacity if elected.

(e) Other nominations for any elected office or position may be made from the floor after the report of the nominating committee and before the election is held.

(f) Nominations shall be submitted for the office of chairperson, vice-chairperson, secretary, the statutory member of the Conservation Fund Advisory Board and the three at large members of the executive committee as provided for under Article VII, Section I (a).

Section IV, Credentials Committee

(a) The credential committee shall consist of the secretary and three (3) regular or alternate members.

(b) It shall endeavor to determine that all members of the state board, whether voting or advisory, are legally representative of their positions on regional and state boards.

(c) Their determination shall be reported to the executive committee prior to the annual meeting.

Section V, Resolutions Committee

(a) The resolutions committee shall be composed of three (3) regular or alternate members of the board.

(b) It shall review all resolutions submitted to the board to insure their conformity to the requirements outlined in the following resolutions procedure; Article VII, Section V (c).

(c) State board resolutions procedure:

(1) Any regional board, the state board, advisory member or committee may submit a resolution to the secretary of the state board.

(2) Submissions will be made at least thirty (30) days prior to the scheduled date of the meeting at which it is to be considered. Any resolution submitted after the deadline and any resolution brought up at the board meeting will be considered to be a late resolution.

(3) It is the responsibility of the originating body to ensure that their proposed resolutions are well prepared. All resolutions must contain the following information.

- The originator of the resolution.
- The date on which it was submitted.
- The effective date on which such actions are desired to be in force.
- A title which encapsulates the purpose of the resolution.

- The “whereas” section will provide sufficient background so that the purpose, rationale and justification for the resolution can be understood and the merits of the resolution evaluated.
- The “resolved” section will describe the desired action being sought in sufficient detail so that the desired objective can be achieved. Individuals who can assist in the attainment of the desired actions and to whom the resolution is to be sent are to be clearly identified.

(4) The secretary will ensure that resolutions which have been submitted in a timely manner are of proper format but will not change the intent of the resolution. Resolutions which are confusing, require significant rewording or do not contain all the required information will be returned to the originator with the shortcomings identified.

(5) A copy of each resolution in proper format shall be forwarded by the secretary of the state board to the regional chairpersons, regional board secretaries, the originator and state board advisors. It shall be the responsibility of the regional board chairperson to ensure that regional board members are informed of the resolution and that the position of the regional board is known to their state board members.

(6) The originator of late resolutions shall provide to the secretary adequate copies, as determined by the secretary, to be distributed to the board members at the beginning of the state board meeting.

(7) All resolutions, including late resolutions, submitted to the state board shall be reviewed by the resolutions committee to determine their appropriateness for consideration in accordance with the purpose of the board as stated in Subdivision I of Section 11-0501 of the State of New York Environmental Conservation Law. Late resolutions shall be reviewed to determine if immediate action is required or if it can be deferred until the next state board meeting. The committee shall make no determination of a resolutions merit nor shall it recommend approval or disapproval. The choices for action are:

- Appropriate for immediate consideration. (Regular and late resolutions)
- Appropriate for consideration at a future meeting. (Late resolutions only)
- Inappropriate for consideration. (Regular and late resolutions)

(8) Resolutions initiated as a result of the business conducted at state board meetings and appropriate for immediate consideration will be drafted in proper format by the resolutions committee and presented to the full board for consideration prior to the close of the meeting.

(9) The presentation of resolutions to the board and the voting activity can be handled by the Resolutions Committee or by a person designated by the chairperson.

(10) A motion may only be made to approve, disapprove or amend a resolution

(11) Voting by members should be reflective of their regional board's position taken on the resolution. However, upon further clarification, additional information or amendment the representative's votes should be reflective of the actions that would have been taken by the regional board if this information had been available to them. Voting members by virtue of their position are empowered to vote on late resolutions not previously considered by their regional board in a manner appropriate to their regional concerns.

(12) The secretary shall forward the adopted resolutions to the designated parties and shall report on the status of the resolutions at the following state board meeting.

Section VI, Special Committees: The chairperson may appoint any additional committees deemed advisable to further the objectives of the board. Any regional board members or advisory members are eligible to serve on a special committee.

Article VII, Bylaws

Section I, Availability: A copy of the bylaws will be provided to all board members and advisory members upon their appointment or the revision of the bylaws. Copies of the bylaws shall be available for inspection at each meeting.

Section II, Amendments: The bylaws governing this board may be amended by a two thirds (2/3) vote of the votes cast at a duly constituted board meeting provided a copy of such proposed amendment is sent to all voting members thirty (30) days prior to the meeting by mail or email.

Section III, Conflicts: In any case where these bylaws conflicts with a state law or regulation the state law or regulation shall take precedence.

Amended at the 111th session April 5, 2013 in Hamilton, NY.