GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

JOINT ADMINISTRATIVE POLICY & BUDGET/PERSONNEL COMMITTEES

Hilton Galveston Island Resort                        Galveston, Texas

October 5, 2015

ADMINISTRATIVE POLICY VOTING MEMBERS
Doug Boyd...................................................Texas
Martha Bademan (designee for Nick Wiley)..................Florida
Pamela Dana...............................................Florida
John Greene...............................................Alabama
Campo Matens............................................Louisiana
David Walker..............................................Alabama

BUDGET/PERSONNEL VOTING MEMBERS
Robin Riechers..............................................Texas
Leann Bosarge.............................................Mississippi
Doug Boyd...................................................Texas
Campo Matens............................................Louisiana
David Walker..............................................Alabama
Roy Williams..............................................Florida

NON-VOTING MEMBERS
Kevin Anson...............................................Alabama
Jason Brand..................................................USCG
Roy Crabtree............................................NMFS, SERO, St. Petersburg, Florida
Dale Diaz.................................................Mississippi
Dave Donaldson.........................................GSMFC
Myron Fischer (designee for Randy Pausina)..............Louisiana
Kelly Lucas (designee for Jamie Miller)..................Mississippi
John Sanchez.............................................Florida
Greg Stunz................................................Texas
Ed Swindell..............................................Louisiana

STAFF
Steven Atran.............................................Senior Fishery Biologist
Assane Diagne..............................................Economist
John Froeschke..........................................Fishery Biologist/Statistician
Doug Gregory.............................................Executive Director
Ava Lasseter.............................................Anthropologist
Mara Levy...............................................NOAA General Counsel
Charlene Ponce........................................Public Information Officer
Ryan Rindone..........................................Fishery Biologist/SEDAR Liaison
Claire Roberts.........................................Essential Fish Habitat Specialist
Bernadine Roy..........................................Office Manager
The Joint Administrative Policy & Budget/Personnel Committees of the Gulf of Mexico Fishery Management Council convened at the Hilton Galveston Island Resort, Galveston, Texas, Monday morning, October 5, 2015, and was called to order at 9:15 a.m. by Chairman Robin Riechers.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN ROBIN RIECHERS: That takes us to Tab G. The first item up for business is Approval of the Agenda. Are there any additions or deletions or other business that needs to be added to the agenda? Mr. Gregory.

EXECUTIVE DIRECTOR DOUG GREGORY: I want to add to Other Business just a brief announcement about the results of our two-year audit.

CHAIRMAN RIECHERS: Anything else? We’ve got a rather large committee here and so I am looking around the table. Would someone move adoption, please? It’s been moved and seconded that we adopt the agenda with the addition of the two-year audit added under Other Business. All those in favor say aye; all those opposed like sign. The motion passes.
We are now to the minutes of the last meeting, held August 10, 2015, Tab G, Number 2. Are there any corrections, additions, or deletions to the minutes? Hearing none, the minutes are approved as written. With that, that takes us down to the agenda now.

EXECUTIVE DIRECTOR GREGORY: It’s Tab G, Number 4.

CHAIRMAN RIECHERS: We are going to Tab G-4 and it’s the Review of the AP Staggered Terms and Mr. Gregory is going to lead us through that.

**REVIEW OF AP STAGGERED TERMS**

EXECUTIVE DIRECTOR GREGORY: Okay. At the previous council meeting, the council decided that for the ad hoc APs that they would be reviewed each January to determine if the council wanted to continue those APs. That was something we had decided back in January, but also, in the last meeting, it was determined that at that time you will also determine if you want to advertise any of those APs for reappointment and if you choose any to reappoint, we will do that later in the year when we do all the AP reappointments.

That was a major change, because sixty-six members are on ad hoc APs and so that left for the -- Our initial cycle of a one-year, two-year, three-year appointment to try to get the three-year staggered terms in place, that left the one-year appointments with just committee of nineteen people, Data Collection.

What I am presenting to you and suggesting is that we take Coral and Spiny Lobster that were in the two-year and the three-year initial stage and move them to the one-year stage and they’re a couple of our more minor APs and that balances the regular APs out again to thirty-one with the initial one-year appointment and thirty-five with a two-year appointment and thirty-six with a three-year appointment, because our initial goal was to try to even out the workload, both for staff and the council, in going through these appointments.

After this first three years, everybody, except for the ad hoc APs, will be on a three-year appointment schedule and as soon as this meeting is over, we will notify all the APs of the revised schedule.

CHAIRMAN RIECHERS: Any questions or comments to Doug in regards to this? It looks like, basically based on the guidance that we gave them last time, they’ve come back with a revised plan of
how to go forward with this. Martha.

MS. MARTHA BADEMAN: Do you need a motion?

CHAIRMAN RIECHERS: I assume we do need a motion or are you all planning to go forward with this if we don’t change it in any way?

EXECUTIVE DIRECTOR GREGORY: Either way you would like to do it.

MS. BADEMAN: I will make a motion to move appointment of the Spiny Lobster and Coral APs to 2016.

CHAIRMAN RIECHERS: Do I have a second? It’s seconded by Mr. Williams. I want to correct something that Mr. Gregory said. We don’t have any minor APs. Any other comments here? Doug.

EXECUTIVE DIRECTOR GREGORY: Just a heads-up. I was going to suggest in January that since the Data Collection and the Spiny Lobster AP hadn’t met since we’ve done this that you consider just going ahead and reappointing them for a three-year period without re-advertising. The Coral did meet, but it’s a small committee and since their one-year appointment -- That’s not something you need to decide now, but I wanted to give you a heads-up that I was thinking about that. That’s something we can decide in January.

CHAIRMAN RIECHERS: Well, let’s go ahead and vote this off the board and then have a quick discussion about that, if we could. Any other comments or questions regarding the motion? All those in favor of the motion say aye; all those opposed same sign. The motion carries.

Now let’s go back to that comment, Doug, and what you may be thinking. I guess I would ask the question of what would be the downside in advertising and you might -- I realize we’ve had trouble getting people for those committees and so we’re likely to get the same names again, but what would be the downside in going ahead and advertising, so that we might even see a new name or two?

EXECUTIVE DIRECTOR GREGORY: Well, they haven’t had a chance to meet and I am trying to -- I would like to have all our APs meet more often than they have in the recent past and since they haven’t had a chance to meet, they really haven’t interacted or done anything. The Coral AP is the only one of the three that have met and they met one time.
CHAIRMAN RIECHERS: Let me understand what you are trying to avoid. I think you’re trying to avoid sending them a letter saying thank you for your service and we are reappointing and they haven’t met and is that what you’re trying to get at?

EXECUTIVE DIRECTOR GREGORY: Yes.

CHAIRMAN RIECHERS: Dale.

MR. DALE DIAZ: Thank you and I’m not on your committee, but I just want to make a point to let you all know that there was a Mississippi resident that was on the Data Collection Committee that did just resign and so you are at least one person short and that might have been the only person from Mississippi on there. I would have to check. Thank you.

CHAIRMAN RIECHERS: Go ahead, Doug.

EXECUTIVE DIRECTOR GREGORY: I don’t think it’s changed in the SOPPs, but the council can appoint people at any time, individuals like that.

CHAIRMAN RIECHERS: You said you were going to bring this to us in January and what I would just offer for a suggestion and possibly is in trying to navigate the system and the situation that you’re talking about, is could we not reappoint those, but also put a call out for additional names, maybe in January? That may be one option, so that we don’t run into the situation you’re talking about, where we’re basically thanking someone for their service and we have never called them to meet. Any other comments regarding this? If not, Doug, I believe you have the next agenda item as well.

REVIEW OF SOPPS UPDATE REGARDING AP APPOINTMENTS AND ADMINISTRATIVE COMMITTEE STRUCTURE

EXECUTIVE DIRECTOR GREGORY: Yes and this would be the Review of the SOPPs Revision, Tab G, Number 5. These are track changes that were done based on our last council meeting and it starts on page 7 of the SOPPs, which for my PDF version that I downloaded, it’s page 12 of 36, but it’s page 7 of the document itself.

This will be the last time we will look at the SOPPs for a while. I’ve been talking with Ms. Levy and you know we submitted SOPPs in 2012 for the Department of Commerce review and approval and they gave us comments about a year ago and we reviewed and approved them in January and now we’ve made some
more changes and so I’ve got to send it back through the system. We don’t know if the changes are minor enough to where it will just get the Regional Office review or if it has to go back to DOC.

The implication I got, or the inference I got, was that slow down and let’s let the SOPPs stabilize and sit for a while and so unless there is something major that anybody wants to address, this will be the last time probably in six months or so or a year that we will look at the SOPPs.

On page 7, based on conversations that I’ve had with you all during the last year of AP appointments, I changed the suggestion that each AP shall be limited to a membership of eighteen people instead of sixteen people, unless otherwise specified by the council. That’s not binding and it’s just a suggestion.

The next change is on page 8 and I will stop anytime somebody has concern about something or wants to make a motion. If there is no motion, then I will assume that these changes are acceptable.

On page 8, we included a paragraph to explain the way the fishing violation will be considered in AP appointments and I will read this to you, in case something is overlooked.

The presence of a fishing violation is an important aspect in consideration of an AP appointment. The council has determined:
1) applicable fishing violations include only violations of federally-managed species in either state or federal waters;
2) individuals are ineligible to serve on an AP within three years of the time that the violation was adjudicated; 3)vessel owners shall not automatically be held responsible for violations by a crew member when the owner is not present.

That third one just says “is not automatically held” and the council could still do that if they wish and so that’s the way I have incorporated the motions and discussions we had at the last council meeting on that. The next change is on page 9.

CHAIRMAN RIECHERS: Hold on, Doug, if you would. I think at the last meeting we had asked that the LEAP and LEC have a chance -- You may be covering it further down the road, but I was just going to ask here, since it pertained to this, that they get together on a call and that we talk about how we were going to feed the system regarding the violations at both the state and the federal level and how we were going to work through that, to
get their input on what we could and could not do from a reporting perspective. Were we able to have that call and have them review that, because it’s basically if we’re fixing to say we’re going to approve this and we’re not going to touch it again for some period of time.

EXECUTIVE DIRECTOR GREGORY: Well, we’re planning to have that conference call in November and then have a face-to-face discussion of it in March, at the March meeting. I have communicated with the NOAA Enforcement Agency and that part of that council’s desire to have NOAA Enforcement contact each state is not going to work. He says the council staff has to contact the states individually. What we’re going to have the AP do, and each member of the AP from state enforcement, is tell us what format they want our request in.

Now, the big discussion, I think, at that level is going to be can they identify in their enforcement database those species that are federally-managed, as opposed to those species that are not federally-managed? How easy is that to do? That’s the only other stumbling block I perceive, because the direction of the council was very clear at the last meeting that you only wanted federally-managed species to be in that consideration of violations. I haven’t talked to any of the state enforcement people as yet. That will be the first thing we talk about on the conference call and we will resolve that at the March meeting.

CHAIRMAN RIECHERS: Well, then so I assume if we have some reason to come back and visit this, based on the results of what they presented you, which I don’t necessarily see that there would be and I think they’re going to be able to tell you what they can and cannot provide and then we have to work within that system, but, if so, then we might have to come back and revisit this, if it would change this wording here in any way.

EXECUTIVE DIRECTOR GREGORY: This would be what Mara would say is a minor change and so, given my conversation with her this morning, that wouldn’t really disrupt anything.

CHAIRMAN RIECHERS: Right. Any other comments or questions? Camp.

MR. CAMPO MATENS: Thank you, sir. I hope this isn’t, once again, my not understanding what’s going on, but on Item 2, individuals are ineligible to serve on an AP within three years
of the time the violation was adjudicated, suppose they are found not guilty? Is that proper wording?

**MS. MARA LEVY:** I read it as adjudicated meaning there is some guilt associated with it. I mean if they’re exonerated, then I guess it was adjudicated, but there is no violation at that point.

**MR. MATENS:** Okay. Thank you.

**CHAIRMAN RIECHERS:** All right. With that, Mr. Gregory, we’ll go back to you.

**EXECUTIVE DIRECTOR GREGORY:** Okay. The next change is on page 9 and it’s minor. I noticed that when we were listing the fishery management committees that we didn’t put the word “Committee” at the end of them and so I took the word “Committee” off of the administrative committees. I also changed the name of the Administrative Policy to Administrative Policy & Budget and then changed the Budget & Personnel Committee to just Personnel.

Now, if the council wishes otherwise, I can leave the word “Committee” there and put “Committee” after the fishery management committees, but in one sense, I just wanted consistency there.

Then on page 10, I wrote a description of what the function of the Administrative Policy & Budget Committee is and deleted the Budget & Personnel Committee, which resulted in some re-lettering. Then at the bottom, because everything is in -- I added Personnel Committee. The Personnel Committee develops personnel policy and assists with other personnel matters.

The next page is 18. Now, this is a change that’s probably not necessary, after talking with Ms. Levy. Again, in one place in here, and I don’t know where it is right now, we say something about the Executive Director is responsible for doing meeting authorizations, but it’s delegated to the Administrative Officer.

Here, the original wording was that the Executive Director maintains all the personnel files and since that really is held in the Administrative Officer’s office, I was going to make that change, but after talking with Ms. Levy, I don’t think that change is necessary and so if there is no objection, I just won’t make that particular change.

**CHAIRMAN RIECHERS:** There doesn’t appear to be any objection.
EXECUTIVE DIRECTOR GREGORY: The next change is on page 22. Our HR staff identified some changes with the Family Medical Leave Act pertaining to service members. Basically, the care for a covered service member may be up to twenty-six weeks under FMLA, instead of twelve weeks for non-military service members. That’s just bookkeeping stuff.

Page 23 is the last one and this is one the council discussed, where I pointed out at the last meeting there was a discrepancy between our SOPPs and our handbook about who approves for GSA lodging rates when we have a lodging rate situation that’s above the GSA rate and the council wanted to maintain that decision with the Chair and the Vice Chair and so that changed is affected here and it’s already in the handbook that way and so this makes the SOPPs and the handbook consistent. That’s all the changes I have for the SOPPs at this point.

CHAIRMAN RIECHERS: Doug, are you looking for a final vote from us? I mean obviously we’ve been working through this for some time now and --

EXECUTIVE DIRECTOR GREGORY: For a year. If there’s no objections, I don’t -- Other than the committee structure change, most of these are bookkeeping type of stuff and I will just make those changes with the one exception I pointed out, unless there is objections now. I will get with Ms. Levy and see if I can word that sentence about adjudication better.

CHAIRMAN RIECHERS: The only question, Mara, is hearing the other conversations we had regarding penalties or violations, I should say, is if we have to come back and change that -- I understand the rationale for letting the SOPPs settle, if you will, in some respects, but you don’t believe there will be an issue of us coming back?

I mean, in some respects, this is our document that we need to be able to change as business needs to change, in some respects, but I also realize that you all ultimately approve them, even if it seems like it takes a long time for that.

MS. LEVY: I don’t necessarily see a problem. It’s just that, like you said, you know it does -- There is an official approval process for the document and once you approve this version, it’s going to have to run back through DOC GC so we can point out the changes from the last time. Then once they’re okay with everything, it has to run through NMFS and up to Headquarters and get approval.
So it’s just a process and I don’t know that changing that minor thing would even necessarily require you to go through the whole approval process again. I would have to look at that, but it doesn’t seem to be a big substantive type of change that you’re talking about.

CHAIRMAN RIECHERS: All right. Any other comments or questions regarding the SOPPs? If not, then I am going to assume that Mr. Gregory is going to work on that one sentence and clean up these items and we’re ready for submittal again.

(The comment is not audible on the recording.)

CHAIRMAN RIECHERS: You certainly can bring it up as a non-committee member, if you would like, or if you have something you would like to bring up.

MR. MYRON FISCHER: At this time or at full council?

CHAIRMAN RIECHERS: Given where we are in time, I would say if there is something and a committee member -- If it’s something that requires a motion, Myron, then we’ll see what happens with it, but it’s probably worth having the discussion now.

MR. FISCHER: Being that we’re ahead of time and it’s just something a few of us have talked about and it’s not pointing at a particular person, but it came to light. I am not exactly certain of where this would fall, maybe around 3.2.2, somewhere before, or maybe 3.2.1, but it would have to do about participation in a meeting and voting -- Participation and creating motions and voting.

The feeling was that you should be present, as this is a functioning body. The method would be to deliberate and to create motions you would be present and if this committee feels it’s something they want to discuss and possibly reword something possibly around 3.2.2, I would probably vote for that at open council.

CHAIRMAN RIECHERS: Any committee members have a question or want to bring that issue or want to suggest we add that here or add something like that here or further discuss it? Leann.

MS. LEANN BOSARGE: So what we’re talking about here is, I guess, someone that can’t be physically at the meeting, but they are participating in some fashion, you know whether it be via the webinar or something that nature. What are we limiting them
to? They can participate, as in I guess give opinions or feedback or ask questions, but they can’t -- Obviously they can’t vote already and so we’re saying that they can’t make motions?

MR. FISCHER: I have been to, as many people here have been to, quite a few governmental body meetings, from local and town commissions and committees all the way up to this. Everything I have ever seen, you have to be present to participate and I understand why we did it. You know it’s understandable, but it’s just a door that if we open, it could get very tricky down the road.

CHAIRMAN RIECHERS: Leann.

MS. BOSARGE: I can see what you’re getting at, but I guess, as a female, I have a little bit of an issue with that, because there are some things that I have no control over and I don’t want to miss a meeting, but I gave birth about five days before a meeting and I wanted to participate in that meeting and I did participate via webinar.

Now, I didn’t try and make any motions or anything of that nature, but it’s not something I have any control over and so if I’m doing my best to be an active member of the council and do my homework and participate in the meeting and I can do everything except actually physically be there for some reason or another -- I mean I already don’t have the ability to send someone in my place.

We do give that ability to our government members and if they have some reason they can’t be here, they can actually send somebody else in their place and that person has all the abilities that they have. They can vote and they can do everything.

As a member that’s not in government, I don’t have that option and so I am already a little at a disadvantage there and I understand that I can’t vote if I am not physically here, but I think I should be able to have every other level of participation, if I want to be an active member of the council but I can’t physically be there.

CHAIRMAN RIECHERS: Doug.

MR. DOUG BOYD: I concur with Myron. I think that we’re opening a door here that we don’t understand what consequences can come about. How far do we extend this would be one question? Do we
extend it to the APs and the SSCs, where you can be giving
instruction as a college professor also and take time out to
just sit on a meeting and make motions and have discussion?

Another point would be that when we sit around a table that you
can look at everyone around the table and you can understand
what’s going on and you can have discussion, whereas if you’re
on the telephone or you’re on a webinar and you’re out there
away from this body, it’s much more difficult to communicate. I
would support the idea that we need to be present to vote and to
make motions and to give anything other than just testimony.

CHAIRMAN RIECHERS: Mara.

MS. LEVY: Are you talking about committee meetings, because for
the council meeting, we have the language that says in the Act
that decisions are by majority vote of the members present and
voting and we have interpreted that in the past as being
physically present.

So I guess we said you could make motions at full council, but
you couldn’t actually vote on them and so I am just -- Whenever
you get to what you’re actually trying to do, be very clear
about whether we’re talking committees and council proceedings
both and then is it -- I guess I heard motions and voting and
not just voting. If you ever get to the point where you’re
going to make a motion to do something, to just be very specific
about what that is.

CHAIRMAN RIECHERS: Myron, since you brought it up, and I’m
going to ask you, even though you’re a non-committee member, do
you or Camp have the thoughts about what it was you’re trying to
limit folks to here?

MR. FISCHER: My thought would be to work as a council, as we’re
doing right now, where everyone must be present to deliberate.
For all the actions we do at a normal meeting, you should be
present, which includes deliberation, creating motions, and
then, of course, voting.

CHAIRMAN RIECHERS: Camp, do you have language that you would
like to propose with a motion?

MR. MATENS: Yes. I move that the language in the SOPPs reflect
that any vote, deliberation, or motion require the member to be
physically present.

CHAIRMAN RIECHERS: We have got a motion on the board and do we
have a second?

MR. BOYD: I will second it.

CHAIRMAN RIECHERS: The motion is seconded. Leann, obviously this goes further than what you were suggesting. I believe you could still listen in and do those things, but you wouldn’t be able to participate, at least as I am reading it. I want to make sure about that. Mara.

MS. LEVY: Just when we say “physically present”, I don’t know if you have thought about the implications for webinar meetings if you want to hold those. If you actually hold a webinar meeting, nobody is going to be physically present and so I guess if you’re limiting this to physically present at those meetings where it’s possible -- I guess we would have to think about how to word that, but I don’t want you to preclude yourselves from ever having a meeting by webinar, if that’s what you need to do.

CHAIRMAN RIECHERS: At least by discussion, I think that’s understood, Mara. If the motion were to pass, I think we have at least some license to make sure that we still have the ability to have a conference call that we’ve done I think in the past and we’ve done some webinars in the past. Doug.

EXECUTIVE DIRECTOR GREGORY: I think you need to be explicit whether this is for just the council meeting itself or for the committee and the council or for our APs or for our SSCs, because we have had on the SSC in the past, I think twice, a joint webinar/present meeting and I’ve been talking with staff recently about trying to do that again, because our current SSC is too big to meet in our office meeting room.

If we let some people participate by webinar, then we could probably continue to use our office meeting room, but the SSC and the Reef Fish AP -- Any AP that’s more than eighteen people, we’re not going to fit them in our conference room and we will have to go to a hotel. I know that’s not a major consideration with everything, but it is a consideration and we were thinking about having joint webinar/in-person meetings, but if you don’t want us to do that, then that’s the way we’ll go forward.

CHAIRMAN RIECHERS: Well, to answer your question, at least from the perspective of what it applies to, at least according to -- I had to scroll to it real quickly, but I think the 3.2.2 refers to council and it doesn’t refer to APs and other things and so with the suggestion of that’s where it would go, I think it’s confined right now, Doug, at least based on what I was able to
read here quickly as we’re catching up to this. Mara.

**MS. LEVY:** And confined to full council or committees also, because that language, at least in the Act, talks about the council and so the way your committees function, you have more leniency and so if that applies to your committees too, then I think we should make that clear.

**CHAIRMAN RIECHERS:** Camp, what was your intent?

**MR. MATENS:** Mara, I see that and my intent would be to this committee, committee meetings at this venue.

**CHAIRMAN RIECHERS:** So the intent is committees and full council?

**MR. MATENS:** Yes and I am kind of reading this real quickly here. I read it a couple of times and I hate to say something is implied, but it’s sort of implied, to me, that it was at a council meeting, but if that’s the case, let’s clean this language up so it does what at least I propose and let’s get a vote on it.

**CHAIRMAN RIECHERS:** Mr. Williams.

**MR. ROY WILLIAMS:** Thank you, Mr. Chairman. I was going to suggest that we specify that this apply to appointed council members and not the state directors, specify that -- Myron and I were having a sidebar conversation and this issue came up and so I would like us -- If the maker of the motion would agree to specify that where it says “to require the SOPPs language reflect that any vote, deliberation, or motion require an appointed council member be physically present” and would you accept that?

**MR. MATENS:** Yes, sir, and thank you.

**CHAIRMAN RIECHERS:** Does the seconder accept that?

**MR. BOYD:** I do.

**CHAIRMAN RIECHERS:** Go ahead, Roy.

**MR. WILLIAMS:** Just to make it clear, any state director would still have to come, because they can always get somebody else to come to the meeting.

**CHAIRMAN RIECHERS:** Dr. Crabtree.
DR. ROY CRABTREE: The way I read that motion now, it tells me that an appointed council member has to be physically present, but a state director could dial in by telephone and I don’t know why we would do it that way.

MR. WILLIAMS: That isn’t what I wanted to do and so --

DR. CRABTREE: Am I reading it wrong? That’s what it says, isn’t it?

EXECUTIVE DIRECTOR GREGORY: Roy, are you trying to be too precise?

MR. WILLIAMS: Possibly, but my goal is that the state directors would have to come, because there is a whole slew of them that could come to the meeting and so I guess then we just make it any council member has to be physically present. I guess I have damaged the motion and so if Camp would agree --

CHAIRMAN RIECHERS: Okay and so that’s been removed and I now have Martha and then Pam.

MS. MARTHA BADEMAN: It was just to that. I think it’s better the way it is now.

DR. PAMELA DANA: I don’t know and just a point. I don’t really care, but there is -- I have never been on any board ever, except for this, that won’t allow you to participate by phone if you have a compelling reason for a vote. I mean even bank boards that I sit on you can call in and vote, but whatever.

CHAIRMAN RIECHERS: Mr. Sanchez and then we’re going to probably dispense of this.

MR. JOHN SANCHEZ: Thank you and I’m not on the committee, but I can understand the vote part, being physically present, but not to be able to -- As you know, you had an illness, like with Harlon, and something he’s been involved in for nine years and he couldn’t at least contribute verbally his thoughts? I think that’s a little excessive.

CHAIRMAN RIECHERS: Okay. We have a motion on the board and we have discussed the intent of the motion and while the language may not be perfect here in the motion to reach that intent completely, but I think Doug has a good idea, if it passes. With that, I am going to say all those in favor of the motion say aye; all those opposed same sign. The motion fails.
EXECUTIVE DIRECTOR GREGORY: The next topic is Tab G, Number 6. What I have here are three bills before Congress pertaining specifically to red snapper that I said I would bring to the council at the last meeting.

At the last meeting, we reviewed the House bill that has passed the House, HR 1335, and the Senate bill, the Florida Fisheries Forever Act, that was proposed by Rubio that has not been passed by the Senate.

The House bill is going to the Senate and so we don’t need the bills up there. If you want to put something up on the screen, put the section analysis of any of the three bills. What I have done is there is -- I kind of got bogged down in the weeds at the last council meeting and was asked to do something more concise for the council.

Fortunately, I have been talking with a gentleman who used to work for Congress, Dave Whaley. I met him at our June Council Coordinating Committee meeting and he pointed out to me that most of the Magnuson Act reauthorization activity is coming out of the Gulf of Mexico.

We had this idea of hiring him and I didn’t hire him, except I’ve got a small contract with him to work for us through the remainder of the year and also to work for the other councils, through us, to help us keep track of all the legislation and these summaries and section-by-section analyses you see here are the result of his work.

He has only been on the job for three weeks and he has already analyzed all of the bills that are outstanding right now. There is a couple more coming out and, in conjunction with the other EDs, next year we’re going to see about keeping him on, in a collaborative way, to help us through 2016.

I don’t intend to go through these bills in detail at this point. I want to bring them to your attention. Also, we have similar analyses of all the other bills on our website and soon we will have a link on our main page that takes you to the legislation page, but right now, you have to go to the CCC Meeting link and on that page, you will see a link to the legislative page and there you will see an analysis of all the outstanding bills that pertain to fisheries in the U.S. right
now. Most of them are House bills and some of them are appropriation.

I did send to the council earlier this week some overall summaries of all the bills that Mr. Whaley did for us. I didn’t want to inundate you with twenty-one or twenty-two documents and so I sent you those three overviews.

The detailed analyses are on our website and if you have any questions about anything as you read through these, contact me and staff and we will help you in any way in getting more information or understanding what is happening. There is a flurry of activity, as you all know, and some of it is contradicting and some of it’s confusing and some of it’s duplicative and in this table format, he has identified, in the right-hand column, what parts of the bill are also contained in other bills and how they relate to other bills and that was something the council asked us to do at the last council meeting.

I hope you find this new format helpful to you. Right now, I don’t anticipate that the council is going to be called to do any testimony for the remainder of this year and so I don’t think we need to go into anything in detail, but one of the things I’ve been attempting to do, unlike last year, is to try to get some council input on the legislative activity, so that if the Chair is called to give testimony that we have some feedback from the council.

Last year, we couldn’t really get ahead of the game, because Congress gives you like two weeks’ notice to get everything ready and I am just trying to get to the point where when we do that that we have a chance to incorporate more people’s input.

Now, the other thing I will try to do, if we get in a situation like that, is circulate drafts to the entire council and get feedback that way, but it -- Just as you go through this, any feedback you have on how we can do things different to improve the information coming to you would be appreciated. With that, any way you want to go, Robin, at this point -- Any way you want to proceed is fine with me.

CHAIRMAN RIECHERS: I know I have had some discussions with other council members after you sent this out and obviously the formats and the summaries are useful and help put it all in context in a fairly concise manner and so we certainly appreciate you and Mr. Whaley obviously doing that for us. Any other comments or questions here? Again, this is kind of an
informational briefing. Mr. Sanchez.

MR. SANCHEZ: More in the form of a question. I know, as council members, we’re expected not to lobby Congress, but when you feel strongly about some of these issues and some of this proposed legislation, I guess I am looking for some clarification as to how one would approach their elected official, yet not represent yourself as it being a council-oriented decision and my personal feelings on certain issues. Is that taboo or is there a gray area or I mean how does that work?

MS. LEVY: So the council can’t lobby as a group. You can’t take council funds and do a council position letter. You as an individual can talk to your Congressperson or Senator or whoever. You just need to say I am representing myself and I’m here on behalf of myself.

CHAIRMAN RIECHERS: Any other comments or questions here? Hearing none, then that takes us to our Other Business item, Doug. That was the audit review.

OTHER BUSINESS

EXECUTIVE DIRECTOR GREGORY: Right and we just -- We have an audit done every two years and we just completed the audit that covers the years 2013 and 2014 and, again, as in the past, the audit was clean and nothing was found in the way we handle our finances or our documentation that raised any questions whatsoever with the auditors.

CHAIRMAN RIECHERS: Any questions to Doug about the audit? Yes.

DR. KELLY LUCAS: Are copies of the audit available for review, should a council member wish to do so?

EXECUTIVE DIRECTOR GREGORY: If you would like, yes. We don’t have the final copy from the auditors yet. We just had a draft, but we could go -- We had an exit interview with the Chair and Vice Chair and the Chair of the Budget Committee, but I will let you know when the final is approved or given to us. We got the bill already, but we didn’t get the final.

CHAIRMAN RIECHERS: I am trying to recall and on the phone call, I thought they were going to be wrapping it up within the week or so and there were some editorial things still going on, but that’s what I am recalling and is that right, Doug? Am I remembering that right?
EXECUTIVE DIRECTOR GREGORY: Right and it should have been completed by October 1 and submitted to the Department of Commerce.

CHAIRMAN RIECHERS: So yes, it can be available to all council members or council members who want it when that’s done. Any other comments here? Hearing none and seeing no hands, then this committee stands adjourned.

(Whereupon, the meeting adjourned at 10:00 a.m., October 5, 2015.)