

## PROPOSED MODIFICATIONS TO COUNCIL'S SOPPS

**Link to Full SOPPs:** [https://gulfcouncil.org/wp-content/uploads/Gulf-Council-SOPPs\\_August-2021.pdf](https://gulfcouncil.org/wp-content/uploads/Gulf-Council-SOPPs_August-2021.pdf)

### Section 2.3.3 Officers

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The Council elects during the first meeting each year after the date upon which Council members are appointed from among the voting members, by majority vote of the voting members present and voting, a Council Chair who shall serve a term not to exceed one year unless sooner replaced, and a Council Vice Chair who shall serve for a one-year term ending when a successor has been duly elected, unless sooner replaced. Such election shall usually be the last order of business at said meeting. The Chair and the Vice Chair can serve no more than two consecutive terms.

The Chair, or in the Chair's absence the Vice Chair, of the Council has authority to convene and adjourn meetings and public hearings and designate members of the Council, to attend meetings and public hearings. The Chair will control meetings and hearings by recognizing speakers, establishing the order of business, and designating members of the Council and its advisory bodies as members of committees and working groups. The Chair or Vice Chair may, in order to create a quorum, serve as an ex-officio voting member of any of the Council's committees of which he/she is not already a member.

It shall be the policy that in the absence of any Committee's Chair and Vice Chair, the Council Chair shall either preside and exercise the duties of that office as herein provided or appoint a member of the Committee to serve as interim Chair. If the Council Chair is also absent, then the Council Vice-Chair will preside and exercise the duties of that office as herein provided. Individuals are elected or appointed to the offices of the Council Chair and Council Vice-Chair even though they may be state officials. Alternate representatives (designee or principal) do not assume ~~these offices~~ [the offices of Council Chair or Council Vice Chair](#), but may participate as members of committees [and act as a Committee Chair or Committee Vice Chair](#).

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### Section 2.6 Advisory Panels (APs)/Fishing Industry Advisory Committees (FIACs)

The Council has established APs, which serve as fishing industry advisory committees, and will form such panels as it deems necessary or appropriate to assist in carrying out assigned functions

under the law. An AP shall normally be established for each fishery management unit identified by the Council.

### **2.6.1 Objectives and Duties**

For each FMP or amendment under consideration, the APs provide advice concerning the recommended optimum yield (OY), the management measures and allocations under consideration, the supporting documentation to any regulatory action, management objectives, and any other advice the APs deem appropriate or as required by the Council.

### **2.6.2 Members and Chair**

The APs shall generally be composed of members who are residents of the five state geographical area. Each AP shall be selected so as to provide for geographical, commercial, recreational, marketing, or other interests in accordance with functions and purposes of the panel with such membership established in a manner that provides fair representation to commercial and recreational fishing interests. Membership on an AP is determined by the Council during a closed session of its Council meetings and is based on the application provided by the applicant as well as the Council members' knowledge of the applicant. Consideration for appointment may include the appropriate interest, experience, and past performance as well as other factors such as a record of fishery violations. AP members serve at the pleasure of the Council and may be removed at any time without cause. Outgoing Council members may request to be placed on an AP of their choice at the discretion of the Chair and Vice Chair until the time of reappointment. When the AP term has expired, the outgoing Council member must apply for appointment through the regular appointment process.

No person may serve on more than two APs at any one time; however, service on any Ad Hoc or Special AP, as designated by the Council, will not be counted in the limitation to serving on more than two APs at the same time. Each AP shall be limited to a membership of 18 persons unless otherwise specified by the Council.

A Chair and Vice Chair for each AP shall be elected by members of the AP or may be designated by the Council at its discretion. The Chair or Vice Chair shall preside at each AP meeting. The Council may designate one or more members to meet with each AP.

Members and officers of the APs shall be appointed by the Council for a period of three years without term limits and may be removed or reappointed at the pleasure of the Council. Appointment of new members may be made during any Council session.

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, [regardless of the penalty \(i.e., written warning, civil fine, criminal conviction\)](#); 2) Individuals are ineligible to serve on an AP within three years

of the final finding of liability through adjudication, settlement, or default. A finding of liability is final after any applicable appeal period expires; and, 3) Vessel owners shall not automatically be held responsible for violations by a crew member when the owner is not present. If an individual who is currently serving on an AP is found to have a fishing violation that meets the preceding criteria subsequent to their appointment, the decision to maintain or remove the individual from the AP is at the Council's discretion.

**Or --** If an individual who is currently serving on an AP is found to have a fishing violation that meets the preceding criteria subsequent to their appointment on that AP, the individual will be removed from any APs, including Ad Hoc APs and Technical Committees.

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### **2.8.3 Administrative Committee Functions**

(a) Administrative/Budget:

The Administrative/Budget Committee, with assistance from the Executive Director and Administrative Officer, develops administrative and fiscal policy and provides oversight regarding the annual and 5-year budgets, the Statement of Organization, Practices, and Procedures (SOPPs), the Administrative Handbook, amendments to the Magnuson-Stevens Act and other matters relevant to Council policies and operational procedures.

(b) Data Collection:

The Data Collection Committee reviews and advises the Council on the data requirements for managing each fishery, the statistical methodology needed, and on all issues related to data and data collection.

(c) Gulf SEDAR:

The Gulf SEDAR Committee is comprised of the Council Chair and the Coastal Migratory Pelagics, Red Drum, Sustainable Fisheries, and Reef Fish Management Committee Chairs. This committee reviews and advises on SEDAR stock assessment priorities.

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