

BY-LAWS:

SPORT FISHING AND BOATING PARTNERSHIP COUNCIL

BYLAW I – NAME AND PURPOSE

Section A. Name: The name of this board shall be the Sport Fish and Boating Partnership Council, hereinafter referred to as the “Council.”

Section B. Purpose: The purpose of the Sport Fishing and Boating Partnership Council (Council) is to advise the Secretary of the Interior (Secretary) and the Director of the U.S. Fish and Wildlife Service (Director) about aquatic conservation endeavors that benefit recreational fishery resources and recreational boating and that encourage partnerships among industry, the public, and government. It seeks to conserve, restore, and enhance the quality, function, sustainable productivity, and distribution of aquatic resources that support and increase recreational fishing and boating opportunities nationwide.

Section C. Authority: The Council was created and is renewed in furtherance of 43 U.S.C. §1457 and provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. §742a - §742j) and in accordance with its Charter, and is subject to the Federal Advisory Committee Act (FACA).

BYLAW II – COUNCIL MEMBER APPOINTMENT AND CATEGORIES

Section A. Appointment: Members of the Council are appointed by the Secretary. Members are selected based on specific needs of the Council in order to balance those viewpoints required to effectively address policy issues under consideration.

Section B. Categories: The Council shall consist of no more than 18 members and up to 16 alternates appointed by the Secretary for 2-year terms. The Director of the Fish and Wildlife Service (FWS), and the President of the Association of Fish and Wildlife Agencies (AFWA), shall be *ex officio* members. The 16 remaining members shall be discretionary appointees (Appointees). Such members shall be senior-level representatives for recreational fishing, boating, and aquatic resource conservation and must have the ability to represent their designated constituencies.

1. Primary membership

Appointees shall be selected from among, but not limited to, the following national interest groups:

- State fish and wildlife resource management agencies (2 members - one member shall be a Director of a coastal State and one from an inland State);
- Saltwater and freshwater recreational fishing organizations;
- Recreational boating organizations;
- Recreational fishing and boating industries;
- Recreational fishery resources conservation organizations;
- Tribal resource management organizations;
- Aquatic resource outreach and education organizations; and
- Tourism industry.

2. Alternate membership

Council members may request that an alternate member be appointed. In cases where the primary member is unable to participate in a Council meeting, the alternate shall have the same privileges as the primary member, including eligibility to vote. Alternate members may not represent primary members without prior approval by the Secretary. In cases where the AFWA President is unable to attend a meeting of the Council, the AFWA Executive Vice President shall serve as the alternate member.

Section C. Attendance Policy: Council members must attend at least one Council meeting annually and cannot miss two successive meetings unless represented by an alternate for at least one of the meetings missed. Council membership may be forfeited if an Appointee does not meet these attendance requirements. The Secretary may replace any member who is unable to fully participate in Council meetings.

Section D. Member Term of Office: The term of office for Appointees shall be 2 years. Council members may be reappointed at the Secretary's discretion.

Section E. Vacancy Replacement: Should a vacancy occur on the Council, the Secretary may appoint a replacement for the remainder of the two year term.

Section F. Role and Election of Council Officers:

1. Chair: The Chair shall consult with the Designated Federal Officer (or designee), and the Council Coordinator to establish priorities, identify issues to be addressed, determine the level and types of staff and financial support required, and serve as the focal point for Council members. In addition, the Chair is responsible for certifying the accuracy of minutes recorded by the Council to document its meetings.

2. Vice Chair: The Vice-Chair shall assist the Chair in directing the affairs and operations of the Council; act as presiding officer at meetings in the absence of the Chair and in the event of a vacancy in the office of the Chair shall act as said Chair. The Vice-Chair shall act as Secretary of the Council and, as such, shall certify the integrity of the minutes of Council meetings.

3. Designated Federal Officer: The DFO is the Director, or the Director's designee. The DFO, or designee, serves as the government's agent for all matters related to the

Council's activities. By law, the DFO or designee must: (1) approve or call the meeting of the Council; (2) approve agendas; (3) attend or chair all meetings; and (4) adjourn the meetings when such adjournment is in the public interest.

In addition, the DFO is responsible for providing adequate staff support to the Council, including the performance of the following functions: (1) notifying members of the time and place of each meeting; (2) maintaining records of all meetings, including activities of Committees and Subcommittee and other subgroups, as required by Law; (3) maintaining the roll; (4) preparing the minutes of all meetings of the Council's deliberations, including Committee, Subcommittee and other subgroup activities; (5) attending to official correspondence; (6) maintaining official Council records and filing all papers and submissions prepared for or by the Council, including those items generated by Committees, Subcommittees or other subgroups; (7) acting as the Council's agent to collect, validate and pay all vouchers for pre-approved expenditures; and, (8) preparing and handling all reports, including the annual report as required by FACA.

4. Officer Election: The full Council shall elect from among voting Appointees a Chair and a Vice-Chair. Such election shall be held at the first full Council meeting following Secretarial appointment. The Chair and Vice-Chair shall serve 2 year terms concurrent with their appointments. Only 2 successive terms may be served.

If the Chair becomes vacant for any reason, the Vice-Chair shall serve as Chair for the remainder of the term or until another Chair is elected by the Council.

BYLAW III – COUNCIL MEETINGS

Section A. Meeting Procedures:

The Council shall meet at least twice per year as required in the charter. Meetings will be called by the Designated Federal Officer (DFO), or designee, in consultation with the Chair according to the following considerations:

1. Agenda: The DFO, in consultation with the Council Chair and Coordinator, shall approve the agenda for all meetings. The Council Coordinator shall distribute the agenda to the members prior to each meeting and shall publish an outline of the agenda with the notice of the meeting in the Federal Register no less than 15 calendar days in advance of the meeting. Items for the agenda may be submitted to the DFO and/or the Chair by any member of the Council. Items may also be suggested by non-members, including members of the public. Meetings of the Council shall include, at a minimum, the following agenda items: review of the agenda; roll call of attendees; approval of minutes from previous meetings and old and new business.

2. Minutes and Records: The Council Coordinator shall prepare minutes of each meeting and shall distribute copies to each Council member. Minutes of open meetings shall be available to the public upon request. Minutes of closed meetings shall also be available to the public upon request, subject to the withholding of matters about which

The Council may establish *ad hoc* subcommittees as it deems necessary for the purposes of compiling information, conducting research or otherwise furthering the work of the Council. Membership may include individuals with specialized knowledge from outside the Council.

Such committees and subcommittees may not conduct business without the direction of the Council as a whole and must report to the full Council.

Section B. Voting

1. Quorum: A majority of the Council voting membership shall constitute a quorum for the transaction of business. The Council shall not elect officers, take positions on issues, or offer advice or recommendations with less than a majority of its members in attendance.

2. Manner of Acting: The affirmative vote of a majority of members of the Council or designated Alternates present at any meeting of the Council at which a quorum is present shall be the act of the Council. Each Council member, not to include ex officio members, shall have one (1) vote. Voting by proxy shall not be permitted.

The DFO or designee shall serve as Council parliamentarian.

When a decision or recommendation of the Council is required, the Chair shall request a motion for a vote. Any member, including the Chair, may make a motion for a vote. A second of a proper motion shall be required to bring any issue to vote.

Section C. Expenses and Reimbursement:

Expenses related to the operation of the Council and appropriate activities of Council members shall be borne by the Service. This shall include travel and lodging expenses, and per diem living costs, which shall be reimbursed at a rate equivalent to that allowable for Federal employees.

BYLAW IV — Appointing Authority

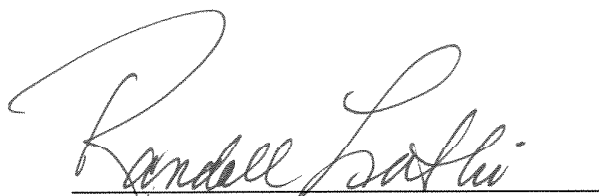
Section A. Appointments to the Recreational Boating and Fishing Foundation Board of Directors:

The Council shall recommend the appointment of 5 members to the Board of Directors of the Recreational Boating and Fishing Foundation (pursuant to the bylaws of the Foundation). Such appointments shall consist of:

- State Tourism Director, 1 seat
- Grassroots Conservation/Advocacy Organization, 2 seats
- At large members, 2 seats

Section B. Council Nomination Process to Foundation Board:

The Council Chair shall appoint a nominating committee to recommend appointments to the Foundation Board. The full Council shall approve all nominations to the Foundation Board.

A handwritten signature in cursive script, reading "Randall Laffey", written over a horizontal line.

Signed

JUN 0 1 2007

Date