

01/30/2022 DRAFT

**ALASKA STATE PARKS
CITIZEN ADVISORY BOARD BYLAWS
Bylaws amended and approved 2/____/2022**

The Division of Parks and Outdoor Recreation (DPOR) provides outdoor recreation opportunities and conserves and interprets natural, cultural and historic resources for the use, enjoyment, and welfare of the people.

I. PURPOSES The Boards are organized for the following purposes:

- A.** To assist park staff with management and development issues.
- B.** To provide a forum for the collection and expression of opinions and recommendations on matters relating to state park units.
- C.** To protect the resources of state parks including its scenery, vegetation, wildlife, soils, waters, historic and cultural features, wilderness, and outdoor recreational opportunities.
- D.** To promote communication between the public, local government, and the state with the administrators of state parks.
- E.** To research matters of community interest relating to state parks; to bring matters of interest to the attention of the public; to appear and testify at public and legislative hearings as representatives of state park users and neighbors.
- F.** To make recommendations to the Director concerning, among other topics:
 - 1) Diverse public recreational uses;
 - 2) Mitigation of conflicts between user groups;
 - 3) Interpretation of the natural and human history of the parks;
 - 4) Increase public understanding and mitigation of human impacts on park resources;
 - 5) Cooperation between the Director and other federal, state, borough, and city agencies, service organizations, homeowners' associations, community councils, adjacent residents, and users of the park's resources;
 - 6) Cooperative agreements, land acquisitions or exchanges, regarding inholdings local government properties and adjacent lands;
 - 7) Promotion of public & legislative support for state parks' policies and programs.
- G.** To promote educational, scientific, and charitable purposes.

II. MEMBERSHIP

A. Number of Members: To help ensure a sustainable well-functioning Board of local community members without establishing a cumbersome panel number, a full Board consists of a minimum of seven members and may not exceed 15 appointed voting members. Ex-Officio Liasians are not considered voting Board members.

B. Term: Appointments to the Board shall be for a period of three state fiscal years, starting July 1 thru June 30 of the following year. Board members may reapply up to three months prior to their term expiration. Open Board seats will be filled as soon as possible upon vacancy and be staggered to offset member terms, which may require a shortened time period less than a full term. An appointment to fill a vacancy of less than a full term does not count as a full term. For a Board of fifteen, five of the member terms shall be scheduled to expire concurrently, with five to expire the next year, and five the following year, to assist with member transition, continuity, and institutional knowledge over a three-year period. For Boards less than 15, three of the members' terms will expire concurrently.

C. Representation: Board membership is desired from any interested community member and shall be chosen to ensure the representation of a broad public spectrum of interests, activities, and users to avoid a narrow or targeted viewpoint of the Board. All Board members carry the responsibility to represent the broad public interest and shall not consider themselves advocates of a specific interest or user group. No member shall misrepresent themselves and/or publicly express a personal opinion or position and claim it on behalf of the Board. No current DPOR staff can serve as a Board member due to potential ethical and interest conflicts. Previous DPOR employees may serve as a Board member after one year of separation from the Division.

D. Nominations and Appointments: The Director shall appoint all members of the Board. When a vacancy exists (such as a resignation, term expiration or sudden departure) the Board shall solicit applications from the public (three months prior, if possible) to fill the vacancy. Board deliberation on new applicants and reappointments will be held in an executive session, not open to the public, without prospective candidates in attendance. The Board shall recommend to the Director at least one nominee for each vacancy after a majority vote approves an applicant.

A vacant seat appointment will start at the first meeting after approval by the Director and appointment for the remainder of the vacancy term. Appointees may attend meetings as an incoming member prior to the start of their term to become acquainted and familiar with Board functions but are not a voting member until the appointed term start date.

E. Incumbent Nominations and Appointments: An incumbent member who has served a full term of three years may reapply before their term expires by submitting an application. The majority of the remaining present CAB members must vote to recommend the incumbent's subsequent term for the approval and re-appointment by the Director. If an incumbent's term has expired but has not or cannot be filled, then the incumbent may continue as a Board member if the Board votes to extend the term until the position is filled by a new applicant and the Director approves the appointee.

F. Attendance: Attendance is required for every meeting, and excused absences may be granted when made orally or in writing to the Chair in advance of the meeting. After the third unexcused absence in a calendar year, the Board member will be sent an inquiry by the Board as to their interest in remaining on the Board. If the inquiry is not answered within 30 days, that person's Board position will be considered vacant, and the Board will notify the member in question and Director in writing of the decision to vacate their position.

G. Removal of Board Member(s): At any Board meeting where a quorum of the membership is present, any member(s) may be recommended to the Director for removal from the Board by a majority vote when the Board determines the removal to be in the best interest of the public or the Board. The Board shall provide a written explanation to the member in question and the Director. The Director can remove a Board member with such justification as the member is a disruption to the Board by violating any of the CAB bylaws, operating procedures, or purpose.

H. Compensation: No compensation shall be paid to the Board members or officers. All services of the Board shall be done on a voluntary basis.

I. Event Attendance and Appointment: If necessary, the Board may designate one or more Board members to attend and report on meetings of municipal, state, and federal assemblies, boards, commissions, and committees. The Board shall designate a representative(s) of the CAB through a majority vote. No member shall identify themselves as a member or assert an opinion or position for the Board, except when designated to do so by the Board.

J. Ex-Officio Liaison: Liaisons, special interest representatives or technical assistants may be established and dissolved at the Board's discretion as non-voting participants. Ex-Officio Liaison nominations shall be forwarded to the Director for appointment. The Board shall recommend to the Director the term for which the Ex Officio Liaison should be appointed, provided it does not exceed three years, or the need for the special liaison or technical expertise, whichever may come first. "As necessary attendance" should be considered for Ex-Officio Liaisons, compared to mandatory attendance applied to appointed Board members. They shall be entitled to full participation, discussion, and interactions of the Board, excluding voting privileges.

K. Standing Committee, Special Sub-Committee and Working Group: A Board-approved standing committee, special sub-committee and or working group shall consist of any sub-portion of the Board members with a minimum of one Board member to serve as the committee chair and such appointed public members, ex-officio liaisons, and technical advisors as the Board determines necessary.

L. Board Officers and Elections: The Board shall elect a minimum of a Chair and Vice-Chair. An Administrative Assistant, and a Deputy Administrative Assistant may be designated by the Board, if deemed beneficial. Annual elections of the officers will occur at the first Board meeting after July 1 each year.

M. Conflict of Interest: Board members should avoid conflicts of interest in matters in which they have a directly related personal, ethical, or financial interest. Members shall disclose potential conflicts of interest prior to the Board discussion of the conflicting subject. Board members shall vote on whether or not the disclosed potential conflict is indeed substantial enough to warrant the member to be recused and abstain from discussion and voting.

N. E-mail Correspondence: E-mail correspondence may be used between the Division and Board members.

O. Amendments and Revisions: These Bylaws are DPOR-approved and adopted for all DPOR CABs statewide, and therefore are unable to be amended or revised without the Director's acceptance, approval, and adaptation for all DPOR volunteer CABs. Any CAB Board with a majority vote can recommend a revision to the Director for consideration, if appropriate for implementation for all statewide DPOR CABs covered by these Bylaws.

III. BOARD DUTIES AND RESPONSIBILITIES

A. The Board:

1. Shall carry out all duties contained in the Bylaws.
2. Respect and objectively consider the opinions of others, and demonstrate courtesy for all ideas, concerns and matters that are presented and discussed.
3. Make suggestions, provide opinions and recommendations for pertinent issues and agenda topics.
4. Take a responsible and active role on the Board and focus on the mission and goals of the Division and the park units.
5. Keep privileged information confidential and do not violate the trust of the Board, public or Division.
6. Represent the interest of the people, community, and the parks, and not for the advantage of self, friends, or special interests; and

7. Never exercise authority as a Board member except at Board meetings or as delegated to do so by the Board.

B. The officers of the Board shall be at a minimum, Chair and Vice Chair. Other officers may exist as deemed necessary by the Board. Each officer shall hold office until a successor has been duly elected and is eligible for reelection at the discretion of the Board. The officers shall be elected annually by the Board at the first meeting after July 1 each year. Any elected officer may be removed from that office by a majority vote, if deemed necessary. The simple action of removal from office does not constitute the removal from the Board and the member shall remain an active member of the Board.

C. Officer Responsibilities:

1. Chair:

- a) Supervise and coordinate all the affairs of the Board and preside at meetings as a voting Board member.
- b) Be in contact with Division staff members prior to monthly Board meetings as needed to discuss pertinent issues. Submit agenda items by e-mail to Division staff member(s) prior to monthly or special Board meetings.
- c) Act as the spokesperson of the Board to carry out its established purposes outlined herein.
- d) Conduct meetings of the Board in a reasonable, fair, constructive, and controlled manner (Robert's Rules of Order or similar).
- e) As appropriate, call special meetings of the Board.
- f) Lead the Board in appointing and/or delegating the organization of special sub-committees and working groups to members of the Board.
- g) Be familiar with and uphold the Bylaws to lead the Board.
- h) Lead the Board in determining its annual goals and objectives while serving an elected term of one year unless re-elected or until a successor been duly elected.
- i) In the event of a tie vote of the quorum, the vote of the Chair will determine the outcome.

2. Vice-Chair:

- a) Assume all duties of the Chair in their absence.
- b) Serve an elected term of one year unless re-elected or until a successor has been duly elected.
- c) Serve as a regular voting Board member.

3. Administrative Assistant: This position may exist as the Board deems necessary.

- a) Responsible for all administrative functions of the Board directly or delegated, to include but not limited to documenting the meeting minutes, electronic audio/video recording, creation and distribution of agendas, working with state staff on public notices, resolutions, etc., and any other

- requirement occurring during the Board's function.
- b) Serve as a regular voting Board member.
- 4. Deputy-Administrative Assistant: This position may exist as deemed necessary by the Board.
 - a) Assist Administrative Assistant with responsibilities as assigned or delegated.
 - b) Assume all administrative duties in their absence.
 - c) Serve as a regular voting Board member.

IV. MEETINGS

A. Regular scheduled meetings of the Board will occur at a minimum, on a quarterly basis – January, April, July, and October; or on a monthly basis during the fall, winter, and spring portions of the year with a summer meeting hiatus during June -- August. The hiatus may include May or September if it is determined no urgent business is required. A semi-monthly schedule option of January, March, May, September, November may occur around the summer hiatus months if the Board deems it necessary for more than quarterly, but less than the monthly requirement. It is recommended the Board chose one of the above options and set a consistent day of the month, time, and venue to maximize public participation.

B. Special meetings may be called by the Chair or Vice-Chair, at the request of the Director (designee) or any Board member when determined to have any critical, special circumstances, or time sensitive topic(s).

C. All Regular and Special meetings of the Board shall be:

1. Open to the public with an agenda that allows for public comment.
2. Held in a public forum (conducted at a designated place, by remote communication, or at a designated place and by remote communication).
3. Announced to the Board members and public a minimum of five days in advance, whenever possible, with posted regular schedule meetings as determined by one of the above meeting scheduling options above, established by the Board.
4. All notices of special meetings shall state the purpose and agenda of the meetings.
5. Postponed due to lack of a quorum or for unforeseen and exceptional circumstances, however, discussion may take place on agenda items.

D. Executive Session of the Board may occur at a regular or special meeting. It is reserved for topics that are considered confidential and sensitive and shall be closed to the public and not recorded within minutes or audio/visual. A report on the Executive Session will be entered in the minutes at the next open session of the Board.

E. Quorum: A simple majority of the full Board members must be present to constitute a quorum to officially conduct Board meetings and business. A minimum of five constitutes a quorum for a full Board of seven or nine. Nine constitutes a quorum for a full Board of fifteen.

F. A simple majority of the members present is necessary to pass any motion. In the event of a tie quorum vote, the manner in which the Chair, or if not present, the Vice Chair voted will determine the vote outcome.

G. Parliamentary Procedures for Motions and Resolutions: The Chair may govern the meetings in any fashion from casual to a structured formal format as long as the meeting proceeds in a reasonable, fair, calm, constructive and controlled manner. It is recommended that the Board adheres to the procedures below for the following actions.

1. Discussion/Debate
 - a) Discussion of a matter is permitted while no motion is pending.
 - b) Until a motion to vote on a pending matter has been made and seconded, any Board member may speak on a pending matter.
 - c) Discussion shall be confined to the current matter pending.
2. Motions
 - a) All motions by a Board member require a second by another Board member. If there is no second, the motion fails.
 - b) Raising a parliamentary question or point of order is not a motion, and therefore, does not require a second.
 - c) A Board member may withdraw a motion or a second at any time before the call for the vote on that motion begins.
3. Voting and Calling for a Vote
 - a) A motion calling for a vote on a pending matter is not in order until each Board member who wishes to do so has at least two opportunities to speak on the issue.
 - b) A motion calling for a vote is not debatable.
 - c) The Chair states the motion in its entirety for clarity.
 - d) The Chair calls for the vote.
4. Point of Order
 - a) A point of order is the device used to require the Board to observe its own rules and to follow established parliamentary practice. Any Board member may raise a point of order at any time.
 - b) The Chair shall rule on a point of order.
 - c) The Board members may challenge the Chair's decision regarding a point of order by putting the matter to a vote. An affirmative vote of a majority of Board members present will overrule the decision of the Chair regarding a point of order.

V. DPOR SUPPORT

The Division shall furnish the following to the Board:

- A.** Meeting room or venue (location, electronic or combination).
- B.** Assistance with posting and distributing printed, electronic, or telephonic meeting notices, and furnished meeting minutes and recordings to the Division website under Citizen Advisory Boards, as necessary.
- C.** Assistance with public notice posting and distribution on state website(s) and electronic or social media resources for regular or special meetings, as necessary.
- D.** Assistance with local media sources for distribution of information and postings, as necessary.
- E.** Maintain duplicate files of approved meeting agendas, minutes, and appropriate documents of the Board.
- F.** Furnish information, necessary maps, copies, plans and data for agenda items.
- G.** Provide regular staff reports.
- H.** The Division shall affirmatively and without special Board request consult with the Board concerning:
 - a) Budget;
 - b) Proposed regulatory changes;
 - c) Construction plans;
 - d) Participation of other State agencies in the provision and maintenance of access routes;
 - e) Land use plans;
 - f) Regulation of uses;
 - g) Wildlife management;
 - h) Regulation of inholdings;
 - i) Any germane topic specially requested by the Board.

VI. BOARD REPRESENTATION

- A.** Individual Board members shall not take any action on behalf of, or represent the Board without specific approval of the Board.
- B.** Individual Board members representing the Board shall only represent the

Board's position on any issue to the public, with no personal opinions or viewpoints.

- C. Each Board is required to have an independent letterhead, which can include a Board logo, graphic or icon of its choosing or creation. The Board cannot use the State, Department or Division letterhead or insignia as part of the letterhead or any correspondence.
- D. The Board may consult with DPOR staff when considering any proposed recommendation or action to the public, legislators, municipalities, organization, or other government agency, including but not limited to the following:
 - 1) Proposed or current Division or regional budget and Capital Improvement Projects (CIP).
 - 2) Proposed or current design and construction project plans.
 - 3) Proposed changes in maintenance or development of access routes to and within Park(s).
 - 4) Proposed or modifications to current land use plans for State Parks.
 - 5) Proposed new or modified regulations for State Parks.
 - 6) Proposals for acquisitions of in-holdings within and adjacent to the Parks.
 - 7) Permits, concessions, and commercial activities in State Parks.
 - 8) Recommendations for DPOR management plans, operations, policies or procedures.

VII. ACTION UPON BOARD RECOMMENDATIONS

The Division, and its Director, agree to review and fairly consider all resolutions of the Board, and to report decisions, concurrence, rejection, or concurrence with modifications, together with an adequate explanation of the decision, within a timely manner.

VIII. DEFINITIONS

- A. "Director" means the Director of the Division of Parks and Outdoor Recreation within the Alaska Department of Natural Resources, or designee specified in writing.
- B. "Board" means any voluntary State Park Citizens Advisory Board. There are Director-appointed State Parks Advisory Boards and Commissioner-appointed Boards.
- C. "Division" means the Division of Parks and Outdoor Recreation.
- D. "Park(s)" means any regional State Park or State Park unit.
- E. "Full term," means a full three-year appointment to the Board.

F. "Quorum," means a sufficient majority of the full Board to protect from unrepresentative action in the name of the body by an unduly small number of Board members. A quorum is a minimum of five for a full Board of seven or nine official voting members, or a minimum of nine for a full Board of fifteen official voting members.

G. "Ex-Officio Liaison" means a non-voting participant attending Board meetings with information beneficial to the Board. Such participants may take part in discussions and not be required to only speak in the meetings during public comment.

IX. SIGNATORIES

These Bylaws are effective immediately upon the date of the signature and supersede any previous Alaska State Park Citizen Advisory Board Bylaws.

_____ **Alaska State Park Citizen Advisory Board**

_____ **CAB Chair Signature**

_____ **CAB Chair Printed Name**

_____ **Date**

Division of Parks and Outdoor Recreation

Alaska Department of Natural resources

_____ **Director Signature**

_____ **Director Printed Name**

_____ **Date**