

Bylaws of the Northeast Aquatic Nuisance Species Panel

ARTICLE 1 ENABLING LEGISLATION

The Northeast Aquatic Nuisance Species Panel (hereafter NEANS Panel) was recognized in July 2001 under the provisions of the National Aquatic Nuisance Prevention and Control Act (NANPCA) of 1990 [reauthorized as the National Invasive Species Act (NISA) of 1996] by the approval of the Federal Aquatic Nuisance Species Task Force.

ARTICLE 2 MISSION, GOALS, AND OBJECTIVES

Mission: Protect the marine and freshwater resources of the Northeast from aquatic invasive species (hereafter AIS) through commitment and coordinated action.

Goals:

- A. Prevent the introduction, establishment, and dispersal of AIS in the Northeast.
- B. Control the spread of AIS already introduced into the Northeast.
- C. Mitigate the harmful ecological, economic, social, and public health impacts associated with the introduction, establishment, or spread of AIS in the Northeast.

Objectives: (see Appendix A)

ARTICLE 3 FISCAL MANAGEMENT

All funding for the NEANS Panel will be housed and managed by the Northeast Aquatic Nuisance Species Council, a 501(c)(3) not-for-profit organization. The NEANS Panel will operate on the same fiscal year as the Federal Government, from October 1 to September 30.

ARTICLE 4 MEMBERSHIP

Members with formal NEANS Panel appointments shall comprise the NEANS Panel.

- A. **Panel members:** The Panel votes on issues brought before it, including budgetary, programmatic and membership related-questions/issues. The Panel may authorize the Steering Committee for any level of decision making. For new potential Panel members nominated to represent a specific sector of interest on the Panel, if the Panel raises no objections to the nominee(s), then the USFWS is notified of the new panelist(s). Panel members represent northeastern state governments, U.S. federal government agencies, eastern Canada provincial governments, Canadian federal agencies, trade, scientific, or professional associations/societies, non-government organizations, and academic institutions that have a significant interest or role in the prevention, control, mitigation, or impacts of AIS.

Panel members representing Canadian organizations or government agencies are prohibited from voting on funding related issues only. Panel members from U.S. organizations and government agencies have full voting rights on all issues. In the event that a Panel member is unable to participate in a meeting or conference call of the full NEANS Panel, he or she may designate a proxy from the entity he or she represents to take his or her place. The Panel member or the Panel member's supervisor must submit a written statement (e-mail is acceptable) to the AIS program manager in advance that states the proxy is designated to take the place of the absent Panel member during a specified meeting or conference call. **Terms:** Panel members serve on the NEANS Panel at the pleasure of the State, Province, agency, NGO, or other organization that they represent, which will determine the length of service for its representative(s).

1. **Northeastern states and provinces.** Each of the following states from the northeastern region of the United States and provinces from eastern Canada may identify two representatives* plus one proxy for NEANS Panel membership. The process for selecting representatives is to be determined by each state or province. The proxy does not have voting rights during panel meetings or calls unless one or both of the two representatives is/are absent.
 - a. Maine
 - b. Massachusetts
 - c. New Hampshire
 - d. Vermont
 - e. Rhode Island
 - f. Connecticut
 - g. New York
 - h. Quebec
 - i. New Brunswick
 - j. Nova Scotia
 - k. Prince Edward Island
 - l. Newfoundland and Labrador

* One freshwater and one marine with the exception of Vermont.
2. **U.S. and Canada federal government agencies.** Each of the following agencies may designate a representative for NEANS Panel membership:
 - a. Agriculture Canada
 - b. U.S. Army Corps of Engineers
 - c. Atlantic States Marine Fisheries Commission
 - d. U.S. Coast Guard
 - e. U.S. Department of Agriculture
 - f. Canadian Department of Fisheries and Oceans
 - g. Environment Canada
 - h. U.S. Environmental Protection Agency
 - i. U.S. Fish & Wildlife Service (USFWS)

- j. U.S. National Oceanic and Atmospheric Administration
- k. U.S. National Park Service
- l. Transport Canada

3. **Trade, scientific, or professional associations and societies, non-government organizations (NGOs), and academic institutions.** The Panel will identify and recommend organizations in this category to the USFWS for membership.

B. Panel Contributors. A contributor is someone who, while not formally appointed to the NEANS Panel, actively attends and participates in Panel meetings or other functions regularly. Encouraged to join in Panel discussions and participate in Panel Committees and Workgroups, contributors can seek and receive letters of support from the NEANS panel in support of their participation. A contributor has no voting rights on any matters before the Panel unless he/she also serves in the capacity of proxy for a Panel member.

C. Public / Observer: An observer or the public are essentially periodic guests; those individuals who are neither formally appointed as Panel members nor regularly participate in NEANS Panel meetings and/or activities. They may be invited to attend specifically or are interested in providing public comment. Observers may contribute to Panel discussions and participate in Panel Committees and Workgroups, but they have no voting rights on any matters before the Panel.

ARTICLE 5 OFFICERS

The Officers shall consist of two Panel Co-chairs and an Immediate Past Co-chair.

A. Panel Co-chairs. The Panel Co-chairs jointly preside over the operations of the NEANS Panel and the Steering Committee. Panel Co-chairs must be NEANS Panel members. They are responsible for calling meetings/conference calls of the Steering Committee, presiding over Steering Committee meetings, preparing the annual budget with the Steering Committee, preparing contracts for paid NEANS Panel staff, and insuring that the NEANS Panel is working to accomplish its goals and objectives. Panel Co-chairs are chosen by the Panel members and serve for two-years as an active Co-chair and one year as an Immediate Past Co-chair. The terms of the two Co-chairs are offset, so that both Co-chair positions do not come up for election in the same year. All official NEANS Panel documents must be signed by one or both Panel Co-chairs. The signature of both Panel Co-chairs is not required if the action represented by the document was discussed and approved by the Steering Committee at a meeting or conference call in which both Panel Co-chairs were present, the approval is documented in the meeting minutes, and the Co-chairs concur that only one of them needs to sign. Co-chairs may also delegate the signing

of official NEANS Panel documents to the AIS Program Manager.

- B. Immediate Past Co-chair:** The role of the Immediate Past Co-chair is to aid in the transition of Co-chairs and to follow through on initiatives begun during his or her term. The Immediate Past Co-chair will participate on Steering Committee calls and assist the current Co-chairs as needed.

ARTICLE 6 ORGANIZATION

The NEANS Panel is organized into a Steering Committee and project-specific Workgroups.

- A. Steering Committee.** The Steering Committee is responsible for the governance of the NEANS Panel, as authorized by the Panel, including preparation and approval of the annual budget. The Steering Committee consists of the two Panel Co-chairs who preside as co-chairs, the Immediate Past Co-chair, one member from each state, one member from each Canadian province, two federal or non-governmental representatives, and one representative of the USFWS. If a Panel Co-chair or Immediate Past Co-chair is a representative of a state, he / she will also serve as the Steering Committee member for his / her state. If a Panel Co-chair is a representative of a federal government agency or non-governmental organization, he / she will also serve as one of the two federal or non-governmental representatives on the Steering Committee. Canadian Steering Committee members may not vote on funding-related issues.
1. Steering Committee meetings (or conference calls) should be scheduled periodically, usually every one to two months. Either Panel Co-chair can convene a Steering Committee meeting.
 2. As the governing body of the NEANS Panel, official business will be decided by simple majority vote (see Article 9) until revoked. All decisions will be duly recorded in the meeting (or conference call) minutes.
 3. A Quorum for the Steering Committee will consist of at least one Panel Co-chair and at least four other Steering Committee members who have full voting rights.
 4. Proxy: In the event that a Steering Committee member is unable to participate in a meeting or conference call of the Steering Committee, he or she may designate a proxy to take his or her place. For the federal agencies, northeastern states or provinces, either the other state/federal/provincial designated Panel member or proxy can serve as proxy (refer to Article 4.A.1.). For all others, the member or the member's supervisor must submit a written statement (e-mail is acceptable) to the AIS program manager in advance of the call that states the proxy is designated to take the place of the absent member during a specified meeting or conference call.

- B. **Workgroups.** A Workgroup is created by the Panel to accomplish specific tasks or projects of the NEANS Panel in areas such as education, outreach, policy, legislation, science, and technology. Workgroups exist only as long as a particular project is being carried out.
1. During Panel meetings, ideas for Panel projects can be proposed by Panel members or contributors. After a brief description of an idea and discussion, the Panel will decide by simple majority vote which projects should be pursued. Panel members will then be asked to volunteer to join workgroups to undertake the further framing of the proposed projects.
 2. Once a Workgroup is formed, it is responsible for finalizing the proposed budget and workplan to accomplish the task. A formal workplan and budget must be submitted to the Steering Committee for final approval before proceeding with the project.
 3. Workgroups are responsible for conducting their own meetings/conference calls. Workgroups will usually meet during NEANS Panel meetings.
 4. Workgroups can recruit their own participants; there is no limit on the number of participants a workgroup can recruit. Workgroup membership roles will be shared with the AIS Program Manager. Individuals can serve on more than one Workgroup.
 5. Each Workgroup will elect a lead or co-leaders.
 6. Workgroup lead or co-leaders will provide progress reports to the Panel at Panel meetings and interim reports for Steering Committee conference calls, as requested.

ARTICLE 7 QUORUM

A quorum for conducting business at a NEANS Panel meeting will consist of at least: one Panel Co-chair; four state representatives (from four different states) and one representative of a U.S. federal agency or one other member group from Article 4(3), none of whom are serving in any other position that is needed to form a quorum. For example, a designated state representative who is also a Panel Co-chair cannot fill both positions when determining if a quorum is present.

ARTICLE 8 MEETINGS

Meetings are to be held twice a year at locations rotating through the member states in the Northeast Region and twice a year by conference call. Upon occasion, Panel meetings may be hosted by a member Canadian province or agency. Locations for subsequent meetings can be selected by the Panel as a whole at the preceding meeting. If a quorum is not present, a meeting can still proceed, but no official business (e.g. election of officers) can take place. Any deferred Panel business due to lack of a quorum must be addressed by the Steering Committee during its next call or meeting.

**ARTICLE 9
DECISION MAKING**

A. Voting.

All Panel decisions will be determined by a simple majority vote by all members present who have voting rights; Canadian members can vote on any issue except those that involve funding.

B. Elections.

1. Panel Co-chairs are elected by the NEANS Panel. A new Co-chair is elected during the first meeting held after 1 October each year. The senior (non-retiring) Panel co-chair will call for nominations. Any NEANS Panel member can nominate or be nominated. If there is more than one nominee, each will be given an opportunity to address the Panel. Panel members will then designate their vote on paper and the nominee receiving the most votes will be selected as Panel Co-chair. If there is only one nominee, the acceptance of the nominee as Co-chair will be undertaken by simple majority vote.
2. The new Panel Co-chair assumes the leadership position immediately following the end of the Panel meeting.
3. Workgroup leaders/co-leaders is elected by their respective membership by a simple majority vote during their first meeting.

**ARTICLE 10
AMENDMENTS**

These bylaws can be amended by a majority vote of the Panel.

**ARTICLE 11
PAID CONTRACT STAFF**

The NEANS Panel may contract with an AIS Program Manager and other contractors as deemed required to fulfill the goals and objectives of the Panel. The Panel Co-chairs will determine the duties and responsibilities, and compensation for paid staff will be detailed in an annual contract. On behalf of the Panel, the NEANS Council will review and vote to approve all paid contracts.

Appendix A. Objectives of the Northeast ANS Regional Panel

- 1) Provide regional coordination and leadership to federal, state, provincial, and tribal governments and commercial, private, and public organizations conducting invasive ANS programs or activities.**
 - A) Advise the ANS Task Force regarding national and regional priorities and projects. Respond to specific requests from the ANS Task Force providing regional perspectives and recommendations.
 - B) Encourage partnership among agencies and organizations to enhance efforts limited by financial or staff resources. Stimulate and strengthen partnership with stakeholders.

- 2) Provide regional support for and encourage commitment to state, provincial, and regional Aquatic Invasive Species (AIS) policies.**
 - A) Secure the commitment of states and provinces within the geographic scope of the Panel to recognize the significance of AIS, elevate awareness, and advance efforts to develop and implement AIS policies and management.
 - B) Develop and establish regional policy guidance to encourage consistency among the states and provinces within the geographic scope of the Panel.
 - C) Encourage states and provinces within the geographic scope of the Panel to develop and adopt AIS policies.

- 3) Provide regional support for the use of regulatory and legislative authorities, when necessary, to prevent and control invasive AIS.**
 - A) Encourage states and interstate organizations within the geographic scope of the Panel to develop and implement comprehensive ANS management plans. Encourage Canadian provinces to develop and implement similar management plans and to participate in developing and implementing plans for bi-national waters.
 - B) Develop guidance to assist states and provinces in evaluating existing legislative authorities and law enforcement practices.
 - C) Encourage states, provinces, and tribal authorities to develop and establish consistent legislation and enforcement to address invasive AIS.

- 4) Increase AIS awareness among all sectors of the public emphasizing the need for and importance of prevention.**
 - A) Stimulate resource manager, and if requested, legislative awareness to promote the importance of AIS and the implementation of prevention and eradication techniques.
 - B) Increase awareness among stakeholders emphasizing the critical role they can play in AIS prevention.
 - C) Increase awareness among state, federal, and provincial law enforcement agencies with importation inspection responsibilities.
 - D) Increase awareness among the general public to advance general understanding of the harmful impacts associated with invasive species, to promote support from the public for increased funding to address invasive species issues, to foster proper use of prevention techniques, and to advance early detection and surveillance efforts through volunteer monitoring efforts.

- 5) Support and foster research initiatives that advance control, eradication, base line monitoring, and prevention of invasive AIS. Support and foster research that contributes to the understanding of the biology, ecology, and potential impacts of invasive AIS and the vectors by which they are dispersed.**
- A) Support AIS inventory and assessment research initiatives in freshwater and marine ecosystems.
 - B) Support research studying species-specific biology, ecology, and control vulnerability to advance control and management of AIS.
 - C) Support research exploring new prevention alternatives that could be easily conducted by the general public.
 - D) Support research investigating alternative control technologies.
 - E) Encourage funding agencies to support invasive e research.
- 6) Serve as a regional resource or clearinghouse to coordinate and promote information sharing among all the states and provinces within the geographic scope of the Panel.**
- A) Ensure that state, provincial, and regional information and data is available to resource agencies, stakeholders, and the public.
 - B) Provide a mechanism for researchers to share technical and scientific information with Panel member agencies and organizations for efficient dissemination to stakeholders and the public.
 - C) Ensure that information and data is shared with existing invasive AIS clearinghouses or data centers (e.g. National Aquatic Nuisance Species Clearinghouse maintained by New York Sea Grant, National Nonindigenous Species Database maintained by US Geological Survey, Gainesville, FL).
- 7) Evaluate Panel progress and effectiveness to ensure the work of the Panel meets the needs of its members, is consistent with the Panel's Mission and Goals, add value to existing efforts, and contributes to the successful prevention, control, and management of AIS.**
- A) Prepare and submit an annual report summarizing the progress and accomplishments of the Panel to the ANS Task Force.
 - B) Prepare annual work plans outlining priority activities that the Panel and its committees will undertake.
 - C) Evaluate Panel membership as needed to ensure appropriate agencies, organizations, and stakeholders are represented.
 - D) Evaluate the Operational Framework of the Panel including the Mission, Goals, and Objectives as needed.

Adopted by the Northeast Aquatic Nuisance Species Panel on May 11, 2004

Amended by the Northeast Aquatic Nuisance Species panel on November 17, 2006

Amended by the Northeast Aquatic Nuisance Species Panel on November 10, 2009

Amended by the Northeast Aquatic Nuisance Species Panel on October 23, 2013