

# KENTUCKY FISH AND WILDLIFE COMMISSION

## BYLAWS<sup>1</sup>

### ESTABLISHMENT, MEMBERSHIP, AND AUTHORITY

The Kentucky Fish and Wildlife Commission (the “Commission”) is established in Chapter 150 of the Kentucky Revised Statutes (KRS).

“The Department of Fish and Wildlife Resources Commission shall consist of nine (9) members, one (1) from each commission<sup>2</sup> district, as set out by the commissioner with the approval of the commission, and not more than five (5) of the same political party.” KRS 150.022(1).

The Commission’s authority and duties are set out in KRS Chapter 150 and Chapter 235.

### MISSION

The mission of the Kentucky Fish and Wildlife Commission “is to protect and conserve the wildlife of this Commonwealth so as to insure a permanent and continued supply of the wildlife resources of this state for the purpose of furnishing sport and recreation for the present and for the future residents of this state; to promote the general welfare of the Commonwealth; to provide for the prudent taking and disposition of wildlife within reasonable limits, based upon the adequacy of the supply thereof; to protect the food supply of this state, and to insure the continuation of an important part of the commerce of this state which depends upon the existence of its wildlife resources.” KRS 150.015.

### GOVERNANCE

Although no member of the Commission is more noteworthy than any other, organization is necessary for efficiency; therefore, the Commission shall elect annually from its members a:

- Chair;
- Vice Chair; and
- Secretary.

The Chair shall preside at all meetings of the Commission. The strength of the Commission relies on the diversity of the opinions of its members. Its power is as a group, not as individuals. Therefore, the Chair should be the spokesperson conveying the sentiment of the Commission to the staff and public. When speaking in their districts, Commission members should clearly distinguish their own opinions from official positions of the Commission as determined by a vote when those differ.

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<sup>1</sup>These by-laws shall replace in their entirety any by-laws or standing orders approved by this or any prior Commission of the Department of Fish and Wildlife Resources. Any duties or requirements subsequently added to the Commission through KRS or KAR will necessarily apply.

<sup>2</sup>“Wildlife” was changed to “commission” in KRS 150 in reference to the board per Senate Bill 217 (2022 General Assembly) because the department’s wildlife districts differ from Commission districts.

The Chair is the conduit between the Commission and the Commissioner. The Commissioner is the conduit between the Commission and staff.

With knowledge of the Chair of the Commission and Commissioner, a Commission member may seek advice from staff regarding a problem or question in their district.

The Vice Chair shall preside at meetings in the absence of the Chair.

The Secretary shall record minutes of all meetings of the Commission, and preside at meetings in the absence of the Chair and Vice Chair.

## **MEETINGS**

All meetings of the Commission and its committees shall comply with state law and be conducted under Roberts Rules of Order<sup>1</sup>.

“A majority<sup>2</sup> of the commission shall constitute a quorum for the transaction of any business, for the performance of any duty or for the exercise of any power vested in the commission.” KRS 150.022(9).

The Commission shall meet at least quarterly in Frankfort. See KRS 150.023(1). It may also conduct special called meetings at will upon request of the chair and consent of at least four members electronically or by mail, or by petition of any majority of Commission members electronically or by mail, in any part of the state where a specific need or opportunity arises, or to contribute to better communication with stakeholders in the various regions of the state. No more than two special called meetings shall be held in one fish and wildlife Commission district during the same calendar year, except meetings held at department headquarters in Frankfort are not applicable or subject to this restriction. All Commission meetings shall be conducted under the Kentucky Open Meetings Act.

In order to promote efficient meetings and well informed decisions, the Commission directs the Department to provide all agendas, handouts, statistics, and other materials deemed necessary and relevant to a meeting's agenda to all Commission members prior to any regular meeting. Said information is generally to be delivered electronically or postmarked at least two weeks (14 days) before the scheduled regular meeting date. This timeline should not generally be deviated from except in cases of emergency, necessity, or by special request from Commission members.

## **COMMITTEES AND WORKING GROUPS**

The Commission may establish committees to aid in its mission. Committees conduct official business on the part of the Commission. A committee shall be comprised of no more than four Commission members, nominated by members other than the Chair and approved by majority

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<sup>1</sup> Meetings of the Commission shall be conducted in accordance to the most recently published version of Roberts Rules of Order Newly Revised In Brief including versions published subsequent to the adoption of these Bylaws.

<sup>2</sup> A majority of the Commission is based upon the current membership at the time of the action. As such, vacancies may result in the number of members needed for a quorum being less than five (5). See 1988-1991 Ky. Op. Att'y Gen. 2-469 (1990), Ky. OAG 90-119, 1990, WL 512690.

vote of a quorum. Committees shall elect a committee chair by vote of a quorum of the committee; in the event of a tie, the Commission Chair shall cast the tie-breaking vote.

Committees may be standing committees—to meet as needed to review and vote on assigned business to advance to the full Commission for action as the committee sees fit, or special (ad hoc) committees—to review and report on specific issues or topics with a more limited scope or timeframe. A Commission member shall not simultaneously chair more than one (1) standing Committee, nor serve on more than two (2) standing committees. A member may only serve on a particular committee, or chair a particular committee, for a maximum of four (4) years. Committees must provide public notice of each meeting including date, time, and location information, no less than seven (7) days before a committee meeting date and consistent with the Kentucky Open Meetings Act.

The Commission members may choose to participate in working groups established by the Department upon request of the Commissioner. Working groups shall be advisory only. The Commission may designate up to three (3) Commission members to participate in a given working group. These shall be appointed by the Chair and approved by majority vote of a quorum.

## **ETHICS**

The actions and ethics of the Commission shall be governed by the Executive Branch Code of Ethics, provisions deemed applicable to Board and Commissions. See <https://ethics.ky.gov/Pages/boardsCommissionsGuidelines.aspx>.

In terms of conduct and demeanor toward the public, Commission members shall:

- seek to advance the mission of the department;
- be exemplary sportspeople;
- obey all fish, wildlife and boating laws;
- encourage environmental responsibility;
- never use or attempt to use his or her official position to secure or create privileges, exemptions, advantages, or treatment for themselves or others in derogation of the public interest at large.

## **TRAINING**

Within 30 days of appointment to the Commission by the Governor and after taking the Oath of Office as required by KRS 12.070(4), KRS 62.010(3), and Section 228 of the Constitution but no later than the day prior to the first Commission meeting at which the member is to participate, Commission members shall make themselves available for training at department headquarters in Frankfort by the Commissioner, his assigned department representative(s), and/or legal counsel, as to:

- duties;
- ethics;
- conduct of meetings; and
- procedures for receiving reimbursement for expenses.

Commission members shall make themselves available for additional trainings as required for members of executive branch boards and commissions and refresher trainings as necessary.