

## POLICY FOR THE SHELLFISH ADVISORY COUNCIL REMOTE ACCESS MEETINGS

### Shellfish Advisory Council Public Meeting Policy

#### **A. Purpose**

The following serves as the Shellfish Advisory Council's policy regarding the means by which Council members, Department staff and the public may participate in meetings of the Shellfish Advisory Council.

#### **B. Definitions**

**In-person meetings.** In-person meetings are meetings in which all members of the Council and all members of Department staff and members of the public are located within the same physical space.

**Remote meetings.** Remote meetings are meetings in which all members of the Council and all members of the Department staff and public participate by telephonic, video, electronic or other similar means of communication that allows an individual to participate in a meeting without being physically present.

**Hybrid meetings.** Hybrid meetings are meetings where Council members, Department staff, and/or members of the public may participate either in-person or remotely.

#### **C. In-Person Meetings**

Members of the Council and Department staff are asked to be physically present for public meetings except when that is not practicable. Situations in which physical presence of an individual may not be practicable include:

1. The existence of an emergency or urgent issue that requires the Council to meet by remote methods – meeting notification requirements and public participation are not waived in matters of emergency or urgency.
2. Concern based on individual health risks associated with in-person participation.
3. Illness, physical condition, or travel complications that cause an individual significant difficulties attending in-person
4. Significant distance or weather that impedes travel

In the event that a member of the Council finds it is not practicable to participate in-person, for any reason listed above, they must notify the Commissioner as soon as possible. The Commissioner may authorize remote participation of the individual(s) by means facilitated by the Department. Remote participation of Council members and Department staff must be consistent with the provisions of the following section.

#### **D. Remote and Hybrid Meetings**

In recognition of the value of diverse public input, the Commissioner, in consultation with the Council Chair, may choose to conduct any public meeting in a remote or hybrid manner, pursuant to this policy, when:

1. the geographic location of the project area(s) and community(ies) affected by Council discussion causes significant difficulties for members of the public traveling and attending in-person; or
2. the anticipated level of public interest cannot be supported by suitable venues for in-person meetings; or

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3. Council members find it is not practicable to participate in-person for the reasons provided in the preceding section.

The following applies to all remote and hybrid meetings undertaken by the Shellfish Advisory Council in conducting their official business.

1. To the extent required by law or otherwise practicable, all other requirements, policies and practices applicable to Council meetings apply.
2. A Council member who is participating remotely is considered present, including for the purposes of a quorum and voting.
3. Council members, staff and invitees listed as presenters or participants on the agenda must be able to hear and speak to all other members. Participants are asked to mute their microphones unless they are speaking.
4. All votes taken during a remote or hybrid Council meeting must be taken by roll call vote.
5. When remote participation is provided for members of the public, members of the public must have a meaningful opportunity for participation substantially equivalent to opportunities provided at in-person meetings.
6. A technical failure on the part of a person that interrupts that person's electronic or telephonic connection to the meeting or proceeding does not invalidate any action taken by the Council or Department at that meeting.
7. Participants in a remote or hybrid meeting must not transmit as part of their video any sign, logo, slogan, images, props or paraphernalia, except State of Maine agency or applicant logos or pictures or visual aids that are commonly used in presentations necessary for the Council to conduct its business.
8. Members of the public wishing to offer questions or comments must be called upon by the Chair.
9. Remote technology which requires a social media account, or software or membership that must be purchased will not be employed as the sole method of attending remote meetings.
10. Comments and remarks included in a "chat" or similar medium are not part of the meeting record unless recognized by the Council Chair or Commissioner.