

CHAPTER 0320 - BOARD ORGANIZATION AND PROCEDURE

APPREVIATIONS

0321

The following abbreviations will be applicable throughout this Part:

"CAC"	California Administrative Code;
"Gov. C."	Government Code
"PRC"	Public Resources Code
"RPF"	Registered Professional Forester

DEFINITIONS

"Board"	The California State Board of Forestry and Fire Protection;
"Chairman"	The Chairman of the State Board of Forestry and Fire Protection;
"Department"	The California Department of Forestry and Fire Protection;
"Executive Officer"	The Executive Officer of the State Board of Forestry and Fire Protection;
"Registered Professional Forester"	A person qualified and licensed to practice forestry in California pursuant to PRC 750 et seq.

BOARD OFFICERS AND STAFF

0322

CHAIRMAN

0322.1

The Chairman will preside over meetings of the Board, appoint members of Board committees and advisory committees, and generally represent the interests of the Board.

VICE CHAIRMAN

0322.2

The Board will annually elect a Vice Chairman from its membership to preside over Board meetings in the absence of the Chairman. The Vice Chairman will be elected at the second regularly scheduled meeting of the calendar year by a majority of the total membership of the Board from nominations submitted by Board members.

EXECUTIVE OFFICER

0322.3

The Board will appoint an Executive Officer to serve as its administrative officer. The duties of the Executive Officer will include preparing meeting agendas and backup material, analyzing forestry issues and legislation of concern to the Board, acting as a liaison between the Board and the Department, representing the Board's interests with the public, the Legislature, and other administrative agencies, and generally assisting with the Board's business.

ASSISTANT EXECUTIVE OFFICER 0322.4

The Board will appoint an Assistant Executive Officer to administer the RPF licensing program and to assist the Executive Officer with his duties.

MEMBERSHIP OF COMMITTEES 0323

PROFESSIONAL FORESTERS EXAMINING COMMITTEE APPOINTMENTS 0323.2

The Professional Foresters Examining Committee will be appointed consistent with the requirements of 14 CAC 1122.

OTHER COMMITTEES 0323.3

- A. Except as otherwise provided in these policies, the Chairman will appoint members to standing committees of the Board and may appoint members to such other advisory committees as deemed necessary to conduct the business of the Board. Members of such committees may be chosen from the membership of the Board or from the general public and will serve at the pleasure of the Chairman of the Board.
- B. A committee chairman for every standing committee or advisory committee will be appointed by the Board Chairman.
- C. Topics will be assigned by the Board chairman after consultation with the appropriate committee chairman.
- D. Proposed regulations, rules, and Board policies normally will be reviewed and reported by the appropriate committee of the Board prior to scheduled hearings. Such proposals normally will constitute documents to be discussed at scheduled hearings and upon which staff reports will be prepared.
- E. Recommendations by Board advisory committees for changes in rules, regulations or policies normally will be referred to the appropriate committee of the Board. The committee will then make recommendations on the need for a public hearing and the contents of material to be considered at such a hearing.
- F. No committee will bring a substantive recommendation to the Board unless other committees with overlapping jurisdiction have been consulted.
- G. The Board's Executive Officer will authorize the expenditure of funds from Board accounts when monies are available and necessary for the conduct of business of Board committees or advisory committees.

MEETINGS AND HEARINGS 0324

REGULAR MEETINGS 0324.1

Meetings will be held at regular intervals on the call of the chairman, or by previous agreement of the Board on a schedule of meeting dates. The Chairman may, for good cause, change the starting time of any meeting or reschedule, cancel, or continue the meeting.

SPECIAL MEETINGS

0324.2

The Chairman may schedule (or the Executive Officer upon receipt of written requests of 3 Board members) a special meeting, provided that the notice for such special meeting specifies in detail the date, location, and subject matter of such special meeting. Notice of such special meeting will be given in the same manner as provided in Section 0324.3 below.

NOTICE

0324.3

- A. Notice of regular meetings of the Board will be sent by first class mail, dispatched not later than 10 days preceding such meeting, and will contain an agenda and brief description of substantive items to be considered at that meeting.
- B. Notice of regular meetings of the Board will be mailed to all Board members, to all parties to proceedings on the agenda, to interested federal, state and local agencies, and to persons who request such notice in writing.
- C. When a public hearing is required, pursuant to the requirements of Gov. C. 11346 et seq., for the adoption, amendment, or repeal of any rule, regulation, or order, notice will be given to appropriate persons as specified by the Government code or by Board regulations.

AGENDA INCLUSION

0324.4

Requests for inclusion of matters in the agenda will be delivered to the Executive Officer or the Chairman no later than 20 days prior to any Board meeting. The Executive Officer will review the agenda with the Chairman. The agenda will be approved by the Chairman. Agenda requests by Board members will be included on the agenda no later than the second meeting subsequent to the request.

QUORUM

0324.5

The presence of five members of the Board will constitute a quorum. No action will be taken in the absence of a quorum, except that a lesser number of members may continue a meeting from time to time until a quorum is present, and may receive information or status reports on non-action items. As required by PRC 736, five affirmative votes of the Board will be necessary to adopt, amend, or repeal rules and regulations of the Board adopted pursuant to the Forest Practice Act. All other actions will be by a majority affirmative vote of the quorum.

TESTIMONY AND RECORD OF PROCEEDINGS

0324.6

- A. It is the policy of the Board to allow the public to present oral as well as written testimony at all public hearings and meetings of the Board. The Chairman may impose reasonable limitations on the scope, duration and manner of presentation of oral testimony. To the extent practicable, any such limitation will be set forth in the hearing notice.
- B. The proceedings will be recorded electronically, or by other appropriate means. At the request of any interested person, the proceedings may be transcribed by a

certified court reporter providing the cost thereof is borne by the person making the request.

- C. The official record of Board hearings and meetings will consist of the electronic recordings which are prepared by the Board staff, any approved transcript of all or portions of such recordings, and all written documents, photographs and exhibits which are received by the Board at such hearings and meetings. In the event that recording equipment is unavailable or malfunctions, the record of the Board's recording secretary as approved by the Board will constitute the record of all oral presentations. The record of any meeting or hearing may be held open by the Board for a stated period to receive additional written materials.
- D. Electronic recordings will be summarized into minutes. Board members may submit written dissenting opinions on any motion passed by the Board for inclusion in the minutes within 14 working days of the date of adjournment

RULES OF ORDER OF MEETING CONDUCT

0324.7

- A. Except as otherwise determined by law or regulation or when the Board, by majority vote, determines otherwise, the Board will operate under the Sturgis Standard of Parliamentary Procedure, 2nd Edition, 1966, hereby incorporated by reference, including the Appendix on Governmental Boards, Councils, Commissions, and Committees, except that motions will require seconds.

RECORDS

0324.8

- A. The Executive Officer will be custodian of the Board's records.
- B. The Executive Officer of the Board will permit public inspection of the Board records during regular office hours, except for those forester's licensing records or other records which are allowed by Gov. C. Section 6250 et seq. to be kept confidential. Any forester (RPF), upon showing of proper identification, will be allowed to review his or her own personal file but not investigations or examination papers.

EMERGENCY MEETINGS

0325

In accordance with Gov. C. 11125.5, this section will establish the procedures and requirements which the Board will follow for emergency meetings for which 10 days advance agenda notice cannot be given. Where such notice can be given, it will be done in compliance with the requirements established in Gov. C. 11125 and other applicable provisions of law.

EMERGENCY SITUATION

0325.1

As specified in Gov. C. 11125.5, an emergency situation will be determined by a majority of members of the Board during a meeting prior to the emergency meeting, or at the beginning of the emergency meeting. An "emergency situation" will mean any of the following:

- A. Work stoppage or other activity which severely impairs public health, safety, or both;

- B. Crippling disaster which severely impairs public health, safety or both;
- C. Difficulties with examinations for licensure which require immediate attention;
- D. Administrative disciplinary matters, including, but not limited to, consideration of proposed decisions and stipulations, and pending litigation, which require immediate attention;
- E. Consideration of applications for licensure where a decision must be made in less than 10 days;
- F. Consideration by a licensing agency of proposed legislation which requires immediate attention due to legislative action which may be taken prior to the next regularly scheduled meeting of the agency, or due to time limitations imposed by law.

NOTIFICATION

0325.2

The Board will make a reasonable effort to give notice in writing or orally to all persons who may be directly affected by the Board's proposed action in order that such persons may be present during the emergency meeting.

PROCEDURES

0325.3

Any emergency meeting held pursuant to this section will be conducted according to the procedures contained in Section 0324 governing regular meetings of the Board.

CONFIRMATION OF EMERGENCY ACTION

0325.4

Where the Board takes action under emergency conditions, such action will be confirmed in accordance with the provisions of Gov. C. Section 11346.1.