MICHIGAN BOARD OF FORESTERS

BYLAWS

Approved February 6, 2019

ARTICLE I – NAME

The name of this organization shall be the MICHIGAN BOARD OF FORESTERS.

ARTICLE II - PURPOSE

The purpose of this Board is to:

Be an independent self-directed body of seven appointed by the state forester and created within the Department of Natural Resources to operate the Registered Forester Program in Michigan. The board shall comply with all the criteria in PA116.

ARTICLE III- BOARD MEMBERSHIP

Section 1: COMPOSITION

The Board shall consist of individuals appointed by the State Forester of Michigan following the structure in Public Act 116 of 2018, Sec. 53505. Board members must be citizens of the United States and full-time residents of Michigan. They must each have at least 10 years of professional forestry experience.

a.) The board shall consist of not fewer than 5 nor more than 7 individuals appointed by the state forester and nominated by and from the following groups:
   i.) An individual representing the Association of Consulting Foresters
   ii.) An individual representing the Society of American Foresters (SAF)
   iii.) An individual representing the forestry program faculty of a university whose forestry program is accredited by the SAF
   iv.) An individual representing state agencies that have forestry staff
   v.) An individual representing forest products advocacy or the forest products industry, including logging.
   vi.) An individual representing private forest landowners
   vii.) An individual representing a municipal, urban, or community forestry field.

Section 2: SUBSTITUTES

Substitutes are prohibited.

Section 3: COMPENSATION

PA 116 of 2018, Sec 53505, (10), Members of the board shall serve without compensation. However, members of the board may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the board.

Section 4: TERMS
PA 116 of 2018, Sec 53505 (4): Members of the board shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed, 3 shall serve for 2 years.

Section 5: VACANCIES
Pa116 of 2018, Section 53505 (5) If a vacancy occurs on the board, the state forester shall make an appointment for the unexpired term in the same manner as the original appointment.

Section 6: REMOVAL
PA116 of 2018, Sec. 53505 (5) The state forester may remove a member of the board for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause. Board officers may be recommended for removal from office by a vote of the majority of the members of the Board. Final action on such recommendation shall be made by the state forester.

An individual may be removed from the Board if he or she misses four consecutive meetings of the Board. Participation via conference call constitutes attendance for purposes of this section.

ARTICLE IV - OFFICERS

Section 1: ELECTIONS
Title and Number : PA 116 of 2018, Section 53505 (6) The board shall elect from among its members a chairperson, vice-chairperson, secretary, and other officers as it considers appropriate. PA116 of 2018 Section 53505 (6) Officers of the board shall serve for terms of 2 years.

Section 2: DUTIES

a.) Chairperson
The chairperson shall preside at meetings of the Committee, appoint sub-committees and perform all duties generally pertaining to the office of the chairperson. PA116 of 2018 Section 53505 (11) The chairperson of the board shall appoint a violations committee consisting of 3 members of the board.

b.) Vice-Chairperson
The vice-chairperson shall perform the duties of the chairperson in his/her absence.

c.) Secretary
PA116 of 2018, Section 53505 (8) The secretary of the board shall record all proceedings of the board.
The Secretary shall also distribute meeting minutes, post meeting announcements per the Open Meetings Act guidelines, and provide approved agendas and minutes to the Department's webmaster for posting to the Board webpage lodged within the Department's website in a timely fashion.

ARTICLE V – MEETINGS

Section 1: Number
PA116 of 2018 Section 53505 (6) The Board shall meet once annually in person and once annually by conference call or video conference, or more frequently at the call of the chairperson or if requested by 2 or more members.

Section 2: Quorum
PA116 of 2018, Section 53505 (7) Five or more members of the board constitute a quorum for the transaction of business at a meeting of the board. A majority of the members present and serving are required for official action of the board.

Section3: Notice
Notice of all meetings of the Board shall be given electronically at least 10 days before the meeting. Minutes of the previous meeting shall be submitted to the Board members prior to the next meeting.

Section 4: Official Records.
The official records of the Board shall be kept by and at the offices of the Department of Natural Resources. A written record prepared, owned, used, in the possession of or retained by the Board in the performance of an official function, is subject to the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

Section 5: Open Meetings
PA116 of 2018 Section 53505 (8) Business that the board may perform shall be conducted at a public meeting of the board held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

Section 6: Conduct
Robert's Rules of Order shall govern the Board in situations in which they are not inconsistent with these by-laws. The board may adopt any special rules of order and any statute applicable to this organization.

Section 7: CONFLICT OF INTEREST
If a board member believes that he/she may have a conflicting interest in a specific matter that comes before the board, such board member must declare the potential conflict and recuse him/herself from discussion of the matter.

Section 8: Public Comment
Private citizens can ask to be placed on the agenda to provide comment on an issue for an upcoming Board meeting up to one week prior to the meeting. If private citizens are placed on the agenda, they will have a maximum of 5 minutes to provide comment. Private citizens may also provide comment on the day of a Board meeting by filling out a public comment card; they will receive a maximum of 3 minutes to provide comment. The public comment period will be during the meeting.

ARTICLE VI – COMMITTEES

PA116 of 2018 Section 53505 (11) The chairperson of the board shall appoint a violations committee and other committees as deemed necessary in the operations of the Board.

Section 1: VIOLATIONS COMMITTEE (PA 116 Sec. 53505 (11).
The Violations Committee shall consist of 3 members of the board. The violations committee appointed by the chairperson shall serve on the committee for 2 years and shall act in full accordance with the rules in PA116 of 2018 Section 53517 (1-8).

Section 2: EXECUTIVE COMMITTEE
The board may appoint an executive committee composed of the officers of the board and any others at the board's discretion. This executive committee will not have the power to make decisions for the board, but rather would be able to discuss matters at short notice and make suggestions and recommendations for action by the board.

ARTICLE VII – REPORTS and OTHER DUTIES

Section 1: PA116 of 2018, Section 53507

(a) The board shall make available a list of registered foresters to be posted on the website of the Department of Natural Resources. This list shall be produced every six months; the effective date shall be included on the list.

(b) The board shall make an annual report to the state forester on proceedings, applications, renewals, complaints, and hearings under this part.

(c) On a biennial basis, provide the department an evaluation of the registered forester program, including both the following:

(i) the number of registered foresters, economic data, and other relevant program data

(ii) the sufficiency of the fee under section 53509 to operate a fiscally sound program.

(d) The board may call witnesses and receive evidence in hearings under this part.

Section 2: PA116 of 2018, Section 53511

(a) The board shall determine whether members of affiliated professional organizations within and outside of this state are eligible for automatic registration under this part.

(b) The board shall register an applicant who is a registered or licensed forester in another state or country if the board considers the requirements of the state or country to be equivalent to the requirements for registration in this state.

ARTICLE VIII - AMENDMENTS

These bylaws may be amended by a two-thirds vote of the Board at a meeting at which a quorum is present, provided that the proposed amendment is circulated to the members at least fourteen days in advance of the regular or special meeting at which the members are to vote