

R657. Natural Resources, Wildlife Resources.

R657-39. Wildlife Board and Regional Advisory Councils.

R657-39-1. Purpose and Authority.

This rule is established under the authority of Sections 23-14-2, 23-14-2.6(7), 23-14-3, and 23-14-19 to provide the standards and procedures for the operation of the Wildlife Board and regional advisory councils.

R657-39-6. [~~Wildlife Board~~]Electronic Meetings.

(1) Utah Code Section 52-4-207 authorizes a public body to convene or conduct an electronic meeting provided written procedures are established for such meetings. This rule establishes procedures for conducting Wildlife Board and Regional Advisory Council meetings by electronic means.

(2) The following provisions govern any meeting at which one or more Wildlife Board or Regional Advisory Council members appear telephonically or electronically pursuant to Section 52-4-207:

(a) If one or more board or council members participate in a public meeting electronically or telephonically, public notices of the meeting shall specify:

(i) the [~~board members participating in the meeting~~]platform that the public can use to submit public comments electronically and [~~how they will be connected to~~]view the meeting remotely;

(ii) the anchor location where interested persons and the public may attend, monitor, and participate in the open portions of the meeting;

(iii) the meeting agenda; and

(iv) the date and time of the meeting.

(b) Written or electronic notice of the meeting and the agenda shall be posted or provided no less than 24 hours prior to the meeting:

(i) at the anchor location;

(ii) on the Utah Public Notice Website; and

(iii) to at least one newspaper of general circulation within the state or to a local media correspondent.

These notices shall be provided at least 24 hours before the meetings.

(c) Notice of the possibility of an electronic meeting shall be given to board or council members at least 24 hours before the meeting. In addition, the notice shall describe how a [~~board~~] member may participate in the meeting electronically or telephonically.

(d) When notice is given of the possibility of a board or council member appearing electronically or telephonically, any [~~board~~] member may do so and shall be counted as present for purposes of a quorum and may fully participate and vote on any matter [~~coming~~

~~before the board~~].

(i) At the commencement of the meeting, or at such time as any board or council member initially appears electronically or telephonically, the chair should identify for the record all those who are appearing telephonically or electronically.

(ii) Votes by board or council members [~~of the board~~] who are not at the physical location of the meeting shall be confirmed by the chair.

(e) The anchor location, unless otherwise designated in the notice, shall be at the offices of the Utah Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

(i) The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected.

(ii) The anchor location shall have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

R657-39-7. [~~Wildlife Board~~] Emergency Meetings.

(1) There are times when, due to the necessity of considering matters of an emergency or urgent nature, the public notice provisions of Sections 52-4-202(1) cannot be met. Pursuant to Section 52-4-202(5), the notice requirements in Section 52-4-202(1) may be disregarded when [~~unforeseen~~] unforeseen circumstances require the [~~wildlife board~~] Wildlife Board or Regional Advisory Councils to meet and consider matters of an emergency or urgent nature.

(2) The following procedure shall govern any emergency meeting:

(a) No emergency meeting shall be held unless an attempt has been made to notify all [~~of the~~] board or council members [~~of the board~~] of the proposed meeting and a majority of the convened members vote in the affirmative to hold such an emergency meeting.

(b) Public notice of the emergency meeting shall be provided as soon as practicable and shall include at a minimum the following:

(i) Posting of the date, time, and place of the meeting and the topics to be considered:

(A) at the offices of the division;

(B) on the division's web page; and

(C) at the location where the emergency meeting will be held.

(ii) If members of the board or council appear electronically or telephonically, notice shall comply with the requirements of R657-39-6(2) to the extent practicable.

(c) In convening the meeting and voting in the affirmative to hold such an emergency meeting, the board or council shall affirmatively state and find what unforeseen circumstances have rendered it necessary [~~for the board~~] to hold an emergency meeting to consider matters of an emergency or urgent nature such that the

ordinary public notice of meetings provisions of Utah Code Section 52-4-202 could not be followed.

KEY: terms of office, public meetings, regional advisory councils

Date of Enactment or Last Substantive Amendment: October 22, 2009

Notice of Continuation: November 10, 2020

Authorizing, and Implemented or Interpreted Law: 23-14-2.6(7); 23-14-19