

NEW HAMPSHIRE RARE BIRDS COMMITTEE BYLAWS

Originally approved: December 1997

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I NAME AND STATUS

A. The name of this organization shall be the New Hampshire Rare Birds Committee (NHRBC), here after referred to as the "Committee".

B. The Committee is independent from New Hampshire Bird Records and the Audubon Society of New Hampshire. By mutual agreement, it shall serve as an independent advisory committee to New Hampshire Bird Records and both organizations shall work in close cooperation with each other towards the common goal of evaluating, documenting, publishing and maintaining the integrity of records of unusual birds in New Hampshire.

II PURPOSE

A. To review reports of unusual occurrences of birds within the state of New Hampshire and adjacent ocean waters.

B. To accept or reject such reports based upon the adequacy of documentation.

C. To establish and maintain an official state list of the birds of New Hampshire.

D. To permanently maintain copies of evaluated records and their associated documentation and all Committee votes, comments and pertinent outside expert information regarding those records.

E. To respond to a request from the observer of the result of the evaluation of his/her records and to educate the birding community in general of the results of those deliberations.

F. To work closely with the editors and staff of New Hampshire Bird Records (NHBR) toward our common goals.

G. To function as an independent technical advisory committee to New Hampshire Bird Records.

III COMPOSITION

A. Voting members:

1. The Committee shall consist of between six (6) and nine (9) voting members.

2. New members shall be nominated and elected by the sitting members of the Committee when the term of a Committee member ends or when, for other reasons, vacancies arise.

3. Term: Term of membership shall be three (3) years. Normally, elected members may serve two consecutive full terms or six (6) years, after which they must retire for a

minimum of one year before they can be considered for re-election, but that limit may be waived by a majority vote of the committee if qualified new members are unavailable.

4. The election of a new member shall require a simple majority of the full membership of the Committee.

5. Qualifications:

a. A member must have sufficient knowledge of, and ability to identify in the field, the birds of New Hampshire; knowledge of regional birdlife is desirable.

b. A member should have a recent history of active birding in New Hampshire. Residency outside of New Hampshire is not a preclusion to membership, but it is desirable that the Committee be composed substantially of New Hampshire residents, if qualified persons are available

c. A member should be an active reporter or subscriber to NHBR.

d. A member must be electronically connected and reasonably proficient in handling electronically submitted material.

e. A member should subscribe to the New Hampshire birds listserv and be active on eBird, or other similar means of communicating current bird sightings.

B. Chair:

1. The chair shall be a voting member of the Committee.

2. The chair is elected by the Committee by a simple majority of the full membership.

3. The chair may serve an unlimited number of one-year terms as long as he/she is a voting member of the Committee.

4. The chair shall serve as moderator of the Committee. He/she shall be responsible for running the meetings and shall serve as spokesperson for the Committee.

5. Along with the secretary the chair shall set meeting agendas and establish dates of meetings.

6. The chair shall be responsible for managing the production of the annual report of the Committee to be published in NHBR.

C. Secretary:

1. The secretary shall be named by the Committee to serve the Committee in the following capacities:

a. Coordinator for the Committee.

b. Liaison with New Hampshire Bird Records

c. Recording and corresponding secretary.

2. Duties and responsibilities shall include but are not limited to:

- a. Gathering of bird documentations from NHBR, eBird, and other sources as the Committee shall instruct.
- b. Organizing the documentation of bird records in such a manner as to make it available to the voting members for their analysis.
- c. Distribution of the records to the Committee members.
- d. Recording and documenting the votes of the Committee.
- e. Returning the original documentations to NHBR with the results of the Committee's deliberations.
- f. Recording and preparation of minutes of the Committee
- g. Providing an annual report of the Committee's findings to NHBR.
- h. Maintaining a permanent file of the deliberations, minutes and reports.
- i. Along with the chair, setting the agenda and dates for meetings.
- j. Acting as the liaison between the Committee and the managing editor of NHBR.

3. Qualifications:

- a. The secretary shall have the organizational skills and access to resources necessary to fulfill his/her duties and assignments.
- b. A knowledge of birds is desirable.
- c. Nothing precludes a voting member of the Committee, including the chair, from also serving as secretary, although the secretary may be someone other than a voting member of the Committee.

IV MEETINGS

- A. Frequency: The Committee shall meet at least once per year in order to conduct its business. A meeting may be called by the president and secretary or by a majority of the membership.
- B. Quorum: At least 2/3 of the current members must be present in order to conduct business and proceed with voting on submitted records.
- C. Meetings may be held in person, via conference call, or via video conference.
- D. Electronic votes are permissible if deemed expedient by the president and secretary.

V RECORDS

- A. The Committee is responsible for creating and supplying to NHBR a list of those species (the Review List) that require formal deliberation by the Committee. This list should be updated from time to time and should be examined at least annually for changes, additions or corrections.
- B. Records requiring review by the Committee:

1. Records of species on the Review List

2. First state breeding records.
3. Records that the seasonal editors of NHBR determine warrant review by the Committee.

C. Examination of records.

1. Records shall be made available to the voting members with enough time in advance of a scheduled meeting to give them time to properly and carefully deliberate.
2. No member shall discuss his/her decisions with other voting members prior to the scheduled meeting.

D. Voting:

1. Voting members shall record their decisions and comments via means approved by the secretary.

2. Voting requirements

a. No fewer than 2/3 of the active members' votes, including votes of abstain, must be cast for final determination.

b. Absentee ballots are allowed. However only two (2) absentee ballots per voting meeting are allowed.

3. Voting categories:

a. Accept

i Identification to species correct.

ii Accept to genus only (e.g., "Empidonax, sp.") or a small subset of similar species (e.g., "Gray-cheeked/Bicknell's Thrush"). when species identification is in doubt.

iii Accept with "qualification". This category of acceptance is limited to older records, prior to 1988, with little or no documentation but which were submitted by experienced and reliable observers or which are otherwise reasonable given the location, date and other circumstances.

iv. Discuss identification.

b. Reject

i Identification to species questionable or not determinable.

ii Origin of bird questionable

iii Exotic species

4. Abstention: Voting members may not abstain from voting except regarding birds they have reported.

5. Comments: All rejected records will be supported by comments describing the reasons for rejection.
6. Consultation: Any voting member is allowed to utilize any and all available resources to aid in his/her decision making. This may include seeking the opinions of persons with expert knowledge.
7. Decisions: Final decisions will take place at a voting meeting following the circulation of records to all members.
 - a. Reports that receive a unanimous vote or no more than one dissenting vote, are accepted. (However, a unanimous vote shall be required for a first state record).
 - b. Reports that receive any ratio of votes other than those above will be brought before the Committee for discussion and then another vote. Acceptance will require a no less than one dissenting vote.
 - c. If there are two absentee ballots that are dissenting, and if those dissenting votes would cause rejection of the record, then the deliberation of the record must be tabled until the next meeting.

E. Criteria for First State Record:

1. Acceptance requires a unanimous vote by the Committee
2. Acceptance requires at least one of the following:
 - a. Separate documentation from at least three (3) observers.
 - b. A specimen.
 - c. A photograph.
 - d. A video recording.
 - e. An audio recording.
3. A species identification accepted by the Committee that fails to meet the criteria for a first state record shall be considered "hypothetical."

F. Criteria for First State Breeding Record. Acceptance requires:

1. A unanimous vote by the Committee
2. Evidence that there was a nest with eggs or young OR dependent young in appropriate habitat. This evidence should be evaluated in light of the record's probability as well as the quality of the evidence. For new (as opposed to historical) records, the Committee should encourage observers to document these records at the time, preferably with a photograph.

VI PUBLICATION:

The determinations of the Committee shall be published annually in NHBR. The report shall present the results since the last report published in NHBR.

VII REOPENING RECORDS:

A. If new evidence regarding a previously judged record becomes available, said record may be resubmitted to the Committee for re-evaluation. It will be circulated and voted upon in the usual manner, as if never before submitted., except that it will be accompanied by all previous votes and comments by the Committee and all new evidence clearly marked as such. A simple majority of votes will be required to reverse a record previously accepted by the Committee, whether acceptance or rejection.

B. Historical records requiring review, including those which have been previously published as "accepted" but which have not been voted upon by the Committee, will be circulated and judged in the usual manner as if never before considered.

VIII AMENDING BYLAWS

It shall require a meeting of the entire Committee, with a vote of no more than one dissenting, to amend these Bylaws.

IX PELAGIC BOUNDARIES

At the September 5, 2000 meeting of the Committee, it was agreed to amend the bylaws to include the following definition of the pelagic boundaries for the State of New Hampshire:

On the South: Due east from the Massachusetts/NH border.

On the North: From the middle of the mouth of the Piscataqua River along the state line to the mid-point of the breakwater between Star and Cedar Islands, thence due east.

The NH/MA border is at Latitude 42.8722 = 42 degrees 52 minutes 20 seconds

The NH/ME border is at Latitude 42.9772 = 42 degrees 58 minutes 38 seconds.