From:	Mike Collins
To:	Ben Hartig; Brian cheuvront; Charlie Phillips; David Cupka ; Doug Haymans; Duane Harris; George Geiger; Louis Daniel; Lt Lam; mark robson; mcurrin1@bellsouth.net; Robert Boyles; roy.crabtree@noaa.gov; Tom Burgess; Tom Swatzel; Vince O"Shea; warner-kramerDM@state.gov; Wilson Laney; Anna Martin; Bob Mahood; Gregg Waugh; John Carmichael; Julie Neer; Kari Fenske; Kate Quigley; Kim Iverson; Mike Collins; Myra Brouwer; Roger Pugliese
Subject:	FW: Proposed SOPP Modification
Date:	Wednesday, December 08, 2010 10:55:13 AM

From: Tom Swatzel [mailto:tom@swatzel.com]
Sent: Wednesday, December 08, 2010 10:56 AM
To: Mike Collins
Subject: FW: Proposed SOPP Modification

Mike:

Could you forward this to the rest of council? I had only sent it to the SOPPs committee.

Thanks

Tom Swatzel
843-222-7456

From: Tom Swatzel [mailto:tom@swatzel.com]
Sent: Monday, November 29, 2010 9:13 AM
To: 'Cheuvront, Brian'; 'georgejgeiger@bellsouth.net'; 'palmettobooks@bellsouth.net'; 'seageorg@bellsouth.net'; 'Doug.Haymans@dnr.state.ga.us'
Cc: 'robert.mahood@safmc.net'; 'Roy Crabtree'; 'monica.smit-brunello@noaa.gov'
Subject: Proposed SOPP Modification

SOPPs Committee Members:

I would like to ask the SOPPs Committee to consider modifying how minority reports or statements are handled under our SOPP.

Below is a comparison of our SOPP minority report language with that of the "model" SOPP provided in our briefing book:

> **From the SAFMC SOPP** (SOPPs Committee Attachment 3)**:**
>
> ***11-A-(7) Minority Reports****. Council members in the minority wishing to submit a minority position will be responsible for the preparation of the minority report. Council staff will provide data and any other information of record requested for the report. Information used in the minority report must have been available to the Council and discussed by the Council in making its decision. The minority must declare their intent to submit a minority position to the Executive Director within three working days after the majority vote and have the minority report ready for submission within 30 days after such declaration.*

If possible, at the same time of the majority vote, the staff will indicate the submission time frame. The intent is for the majority and minority documents to be submitted to the Secretary at the same time.

From the "Model" SOPP (SOPPs Committee Attachment 2)**:**

3.2.6 Dissenting Votes; Minority Written Statements
Voting members of the Council who disagree with the majority on any issue to be submitted to the Secretary, including principal state officials raising federalism issues, may submit a written statement of their reasons for dissent. If any Council member elects to file such a statement, it will be submitted to the Secretary at the same time the majority report is submitted.

It seems to me that the overriding issue with minority reports or statements is the fact that they need to be submitted to the Secretary at the same time the majority report is submitted. It's my view that as long as the minority report or statements meet the Secretarial submission deadline they should be allowed.

I ask the committee to consider replacing our SOPP minority report language with that contained in the model SOPP. Or at a minimum consider deleting the following sentence from our SOPP 11-A-(7):

"*The minority must declare their intent to submit a minority position to the Executive Director within three working days after the majority vote and have the minority report ready for submission within 30 days after such declaration."*

Thanks for your consideration.

Tom Swatzel
843-222-7456