

#1 by Rick Fridell (2 Jan 2008)

Proposed change to bylaws, Section III D 1:

Recommended changes:

- a. Voting Members will be elected to TWO year terms.
- b. Voting Members of the Committee may be nominated for ADDITIONAL TERMS.
- c. There shall be no limit to the number of TERMS that any one person may serve on the Committee.
- d. Three or four Members will be up for reselection or replacement each year

Comments / justification for proposed change.

I'm very puzzled why we have bylaws that would force a member to leave the committee, even if that member is well qualified, does a superb job, and desires to continue to volunteer their time to be on the committee. I can see no reason why we would limit the terms of volunteer membership on the committee, particularly since there are relatively few birders in Utah and a concurrent low number of qualified individuals willing to volunteer their time to be on the committee. By having two-year terms, it gives individuals the option of declining additional time on the committee. And as long as there are open nominations after each term, a vote will ensure that sitting members keep up on their responsibilities and remain in good standing. The current nominations certainly show that the future of Utah birding is in good hands, and all are active and knowledgeable birders. I have no idea if Ron or Mark are interested in volunteering to be on the committee for additional terms and I certainly mean no disrespect to any of the recently nominated individuals, but none of the nominees have near the experience of the departing individuals. I am concerned that with the current bylaws, the quality of the committees' products will suffer in the future due to mandatory departures from the committee and lack of qualified nominees.

Respectfully,

Rick Fridell

#2 by Kris Purdy

Proposal:

My proposal is this: eliminate item IV.C.11. from the bylaws. I believe that each record must be considered on its own merit and that first state records must not have to meet more stringent criteria than records of species seen in the state many times.

(Discussion)
Gents,

I've finally developed the mental fortitude to address an issue we discussed prior to Colby's and Eric's joining the committee, and that some of you dealt with in July and August 2006--first state record criteria.

The crux of the issue is this: our bylaws prescribe different and more stringent criteria for accepting a first state record than they do for a review species that has been seen in the state many times. Those of you who participated in the discussion in July and August 2006 were generally of the opinion that the criteria should be the same for all records; here's a link to the archived messages so you can review them for background if you wish. Also check the December 2007 archives when I briefly addressed the topic and said I'd get back to it after we added new members for 2008:

<http://seureserver.seuresites.net/pipermail/reccom/>

Rick weighed in with his opinion during the December discussion; David noted that we discuss proposals and leave them half-finished, and Milt noted that based on the Jul-Aug 06 discussion, the committee added the hypothetical category for first state records accepted without physical evidence.

The changes that the committee adopted from the 2006 discussion did not entirely resolve the problem. Here are the germane bylaw criteria for records and then for first state records:

IV.C.7. Voting Criteria. The criteria used by a member for acceptance or rejection of a record are based on that member's knowledge and experience and will not be specifically addressed in these rules. However, members are encouraged to accept or reject records on the basis of more-or-less objective criteria such as the adequacy of the field marks reported or the conditions under which the observations were made (e.g., lighting, weather, optical equipment, etc.) The veracity of the observer should not normally be questioned without good cause.

IV.C.11. First State Records. It is preferable that a first state record have some form of physical documentation. Acceptable evidence could consist of photographs, sound recordings, specimens, verified band numbers, etc. However, a first state record may be accepted without physical documentation with these considerations in mind:

- (1) The species is obvious and easy to identify and cannot be confused with a similar species.
- (2) The observer is familiar with the species.
- (3) The observer is known by the committee members as a careful competent observer with experience in documenting rare birds.
- (4) There are multiple competent observers that submit separate, careful documentation.

Accepted records will be listed as either "verified with physical evidence" or "accepted but not verified with physical evidence." First state record submissions that involve only a single observer, may be accepted as "hypothetical" and added to the UOS Checklist of Birds of Utah as such. Species shall remain on the hypothetical list until a record meeting the above criteria is accepted by the committee.

Knowledge of first state record criteria has caused me not to accept two first state records whose first or second round vote comments are now available for us to discuss (Gilded Flicker and Blackburnian Warbler). I don't think I have the authority to dispense with the rules and choose my own criteria with which to vote, but I have the obligation to start the discussion to change the rules.

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In addition, for everyone, please feel free to discuss again the issue above or to submit counter proposals.

Kris

#3 by David Wheeler

PROPOSAL: I would like to formally propose that we modify our voting form to allow us a choice to vote "accept--but record does not meet criteria to include on official list" (or some equivalent thereof).

(Discussion)

This would:

- 1) allow us to vote on the merits of the submission irrespective of the official status of the species,
- 2) record our votes on the merits of the record irrespective of its status, and
- 3) better preserve such records for later reevaluation.

I think this would allow us to better serve our role as evaluators of records without having to default to an unhelpful, if correct, comment of "Record doesn't meet criteria for a first-state record as prescribed by the bylaws". A vote of NO followed by that statement does not shed any light on the merit of the actual submission, and conveys such a submission to the dustbin of rejected records, stigmatized with all that the (virtual) stamp of REJECTED implies. Such a record becomes, at least to some degree, lost to posterity, irrespective of its merit. Are we not "burying" useful data? I think the voting form/categories as it/they now stand get in the way of acknowledging a record having merit & scientific relevance, based solely on our "rules" rather than an actual review of the record. I think if we were allowed the choice I described above, we

could vote our opinions on the merit of the submitted record without compromising the important "purity" or "sanctity" of our official list. We could, as has been described before, also place such a provisionally accepted species in some sort of sublist or substatus, if we should later decide to do so. After all, once a species is accepted onto the list because someone once had the good fortune to have a good camera handy, we would consider every subsequent report of that species without summary dismissal. So a record is evaluated completely differently simply on the basis of whether previous records met our criteria. It seems to me that we should separate the question of the likelihood of a record being true (i.e. the reported species) from the different question of whether this record should result in that species being included onto our official list (a procedural consideration).

Maybe I am missing something, but I am not sure what happens to records which are rejected with the phrase "Record doesn't meet criteria for a first-state record as prescribed by the bylaws." Are they kept aside in a "provisional file" somewhere for later review? If not, shouldn't they be? I do not see how they could be unless we accept the record in the provisional manner I described above. Currently, the acceptance criteria for our official bird list inadvertently bias species which are harder to photograph (say swifts, swallows, etc.). That may well be unavoidable, but it also means sightings of these hard-to-photograph species will be rejected more than easily photographed species. If we at least put the "good" (but unsupported by photographs) records into a "provisional" category, as was done in the past, these records could then be fully rehabilitated into full standing once the species met our acceptance standards due to a subsequent record with better physical documentation. Currently, I am not sure that someone could/does rummage about in the rejected records file once a species is accepted to see what previously rejected records for that species should be resurrected for reconsideration. If memory serves right, recent records rejected on procedural grounds, or in mortal danger of being thus rejected, include the Gilded flicker, Blackburnian warbler, Pacific Slope Flycatcher. My question is, unless we are allowed to vote on the merits of a species not on the official Utah list, why even consider records like the Logan Mississippi kite record, other than to see if we should even vote on it? I strongly urge us to do so, but only if we have the ability to provisionally accept.

Thank you very much to those who made it this far in my ramble,

David