

# NCIMS Executive Board Policy

## **Supervision and Operation of NCIMS Councils and Committees**

Purpose: To establish: (i) basic expectations for participation in NCIMS Councils and committees; (ii) uniform rules for the operation of NCIMS Councils and committees; (iii) minimum committee meeting, reporting and outcome requirements; and (iv) responsibility for regular supervision and reporting on the status of NCIMS committees to the NCIMS Executive Board.

### **Participation on Councils and Committees:**

The goal of NCIMS Councils and committees is to advance the mission of the Conference – to assure the safest possible milk supply for all the people – and requires strong commitment by those involved, including preparation for and active participation during all meetings. Active participation includes attending scheduled meetings or conference calls, contributing to dialogue and asking questions, and identifying, proposing, or evaluating potential solutions. Assignment to a Council or committee involves more than simply providing comment or perspective, it is working in the collaborative and cooperative spirit characteristic of the Conference, and provides an opportunity for participants to develop leadership, to contribute to the Conference, and to interact with other stakeholders who share common goals.

After each meeting of the Conference, Council and Committee Chairs are encouraged to formally recognize their members for their participation, acknowledging their efforts and contributions toward the success of the Conference. Chairs may also use this as an opportunity to ask their members if they would like to continue in their role for future meetings, as well as to review expectations for active participation.

### **Council Membership:**

To continue to develop leadership within the Conference, term limits for Council members are limited to no more than five consecutive biennial meetings of the Conference, per Article IV, Section 10 of the Constitution. Serving as an Alternate during a conference will not count toward the term limit. Council Chairs and Vice Chairs may exceed the limit of five consecutive conferences, but only to fulfill their terms as Chair and/or Vice Chair. At the conclusion of their role as Chair/Vice Chair, they may return as a member of the Council if they will not exceed five consecutive meetings on that Council.

Term limits are specific to a Council; after reaching a term limit, it is possible to continue to serve as a member of a different Council. It is also possible, after reaching a term limit on a Council, to return as a member of that Council after not serving on that particular Council for at least one meeting of the Conference.

Council Chairs and Vice Chairs, with the assistance of the Executive Secretary, are responsible for tracking the time each Council member has served to assure they do not exceed the term limit. For the purposes of calculating term limits, the 2017 Conference will count as the first toward the term limit. Council Chairs and Vice Chairs are

encouraged to consider appointment of their Alternates to a voting position to help in assuring continuity and to anticipate future vacancies.

The NCIMS Executive Board may, using their discretion, waive a term limit to allow an individual to serve for a meeting of the Conference. The term limit should not be waived for a large portion of a single Council, nor should it be waived unless it is the only means to assure Councils have full representation and are able to function in their entirety.

**Committee Organization:**

The NCIMS *Constitution* and *Bylaws* require each Standing, Study and Ad hoc Committee to have a Committee Chair and Committee Vice Chair who are appointed by the Conference Chair and confirmed by the Board after each biennial meeting of the Conference. Committees may also have non-voting Alternates. Council Chairs shall nominate qualified individuals to serve as Committee Chairs and Vice Chairs. The Committee Chairs shall assist the Council Chairs in developing these nominations for approval by the NCIMS Executive Board.

**Council and Committee Oversight:**

The Chairs of Councils I, II, and III are assigned the primary responsibility to monitor the operation of NCIMS committees and report their status to the NCIMS Executive Board. Committee reports are expected to be brief, concise and submitted in writing during each regular Board meeting.

Council Chairs and Vice Chairs shall share the responsibility for monitoring each of the committees assigned. Committees shall be assigned to the Councils based on the same criteria that Conference proposals are assigned to each Council. The following chart establishes the subject area covered by each Council:

Council	Procedures	PMO/DMO	Other
I	None	Sec. 7,8,9,10, 12,13, and 14  App. A, C, D, H, I, J, M, O, and Q	Technical Engineering Review  SSCC
II	None	Sec. 1, 2, 3, 4, 5, 6, 15, and 16  App. B, E, F, G, L, N, P, and R	MMSR  EML
III	All Procedures Items	Sec. 11, 17, 18 and App. K, S, and T PMO Introduction	Resolutions Constitution/ Bylaws Reciprocity International Certification Program

Subject area and Ad hoc committees may be created under each Council as deemed necessary by the NCIMS Executive Board.

Council Chairs and Vice Chairs are responsible for notifying their assigned committees of upcoming NCIMS Executive Board meeting dates and establishing a deadline for the receipt of all committee reports. Committee Assignments

Council	Committees
I	Standing Committees: Scientific Advisory Committee Single Service Container and Closure Committee Technical Engineering Review Committee  Ad Hoc Committees: Repackaging of Grade "A" Dairy Products (2019-112)
II	Standing Committees: Hauling Procedures Committee Laboratory Committee Methods of Making Sanitation Ratings Committee Other Species Committee Appendix "N" Modification Committee
III	Standing Committees: Constitution and Bylaws Committee Document Review Committee Liaison Committee HACCP Implementation Committee International Certification Program Committee  Ad Hoc Committees: Aseptic Program Implementation Committee (2011-301, 2011-308)

## **Standing Committee, Ad Hoc Committee and Special Committee Operating Guidelines**

Each Committee Chair is responsible to manage the operation of their committee and to report in writing to their Council Chair or Vice Chair the progress on the committee's work by the deadline established by the Council Chair for reporting such activities. After accepting the responsibility to chair a committee the Committee Chair shall promptly proceed to recommend persons to serve as members and advisors on the committee to the NCIMS Executive Board. Each Committee Chair shall determine the appropriate number of persons to serve on the committee. Committee Chairs are encouraged to consider a number large enough to assure key expertise and perspectives are adequately represented, but not so large that it becomes challenging to achieve quorum and to conduct business or that it becomes too costly to schedule meetings.

Committee Chairs shall ensure the number of regulatory voting members equals or exceeds the number of industry voting members on each committee. *NCIMS Bylaws* Article II Duties of the Chair, Section 6 provides that the Conference Chair shall assure that PHS/FDA may provide a non-voting consultant to standing committees, Ad hoc committees or study committees (with the exception of the Nominating Committee, Resolutions Committee, NCIMS Liaison Committee and Constitution and Bylaws Committee). The Committee Chair, when necessary, may recommend additional advisors or consultants. Committee Chairs should be considered voting members of each Committee; however, they should not vote on committee actions unless there is a tie vote. Committee Chairs should be counted as part of the required makeup of committees in accordance with the *NCIMS Bylaws* (Article II, Section 5) which requires at least ½ of the voting members shall be from a State Agency. Voting member(s) from Academia on a committee should be considered as non-regulatory members in the balance of the committee.

It is at the discretion of each Committee Chair to allow non-voting guests to participate in conference calls or meetings of the committee outside of the biennial Conference. A Committee Chair, determining that additional expertise or perspectives from non-voting guests would be helpful for completing the committee's work, may consider extending invitations to specific individuals outside of the committee. If guests are invited to participate, the Committee Chair should continue to consider the importance of maintaining a balance of regulatory and industry. Committee Chairs may determine that their meetings outside of biennial Conferences should be limited solely to voting members (with or without advisors and/or consultants) or be closed to those not serving in a formal role on the committee. For example, the Liaison Committee serves a unique function for the Conference. Due to the confidential nature of issues that may be brought before this committee, the Liaison Committee Chair may consider all committee meetings outside of the biennial Conference to be closed to non-members, with outside participation by invitation only.

### **Filling Vacancies on Councils and Committees:**

Sign-up sheets will be made available at meetings of the Conference and on the NCIMS website to allow Conference participants to indicate their interest in serving on NCIMS Councils and committees. When filling a vacancy, Council and Committee Chairs should first consider the volunteer list from the most recent Conference to identify

potential candidates. The Council or Committee Chair is responsible for identifying a qualified candidate that possesses the necessary background or expertise required and that represents the appropriate segment of the membership to meet the requirements for Council/committee makeup as per the *NCIMS Bylaws*.

**Process for Ex. Board Approval of Committee Members and Advisors:**

Committee Chairs shall recommend a list of persons to serve as members or advisors for their committee to the Council Chair. Committee Chairs should provide a list electronically to the Council Chair containing their name, affiliation, mailing address, phone number, email address and if they will be a voting or non-voting member for each person recommended. Council Chairs will recommend to the NCIMS Executive Board changes in membership for the committees they supervise. Unless there is some urgency to obtaining Executive Board approval for one or more committee members, all nominations shall be handled during regularly scheduled NCIMS Executive Board meetings or monthly email ballots. Council Chairs will notify Committee Chairs of the date of the next NCIMS Executive Board meeting and request that committee membership changes and committee reports be provided electronically for distribution to the NCIMS Executive Board.

**Process for Ex. Board Approval of FDA Advisors to NCIMS Committees:**

1. FDA/CFSAN will appoint one FDA Consultant to each Committee for which they may serve.
2. If FDA/CFSAN determines that additional FDA representatives are warranted as FDA Advisors to each Committee for which they may serve, CFSAN will seek volunteers from within FDA and recommend the name(s) of the selected representative(s) to the applicable Committee Chair and the NCIMS Executive Board for addition to the Committee(s) as a FDA Technical Advisor(s).
3. If a Committee Chair would like to specifically request that an FDA staffer join a particular Committee, that request should be made to CFSAN, either directly or via the FDA Consultant serving on the Committee. CFSAN will seek the acceptance of the requested FDA staffer to be a FDA Technical Advisor to the Committee, and if accepted, recommend the name of the requested representative to the NCIMS Executive Board for addition to the Committee as a FDA Technical Advisor.

**Required Minutes:**

Committee Chairs shall ensure that minutes are recorded for each meeting. The minutes of each meeting shall: (i) include the names of all those attending; (ii) establish there is or is not a quorum present to conduct business; and (iii) describe briefly the issues discussed and action taken.

A quorum is defined as 50% of the voting committee members plus one.

Copies of all minutes should be supplied to the Council Chair and Vice Chair for their use.

### **Chairs and Vice-Chairs:**

The Chair of NCIMS recommends to the NCIMS Executive Board for their approval individuals to serve as Chair and Vice Chair of each committee. The role of Vice-Chairs is to help manage the committee's work and to fill in when the Committee Chair is not able to attend or participate. With the exception of the Constitution and Bylaws Committee the Chair of NCIMS may recommend any member of NCIMS to serve as chair of a committee. Only state regulatory members are allowed to serve on the Constitution and Bylaws Committee.

Chairs and Vice-Chairs must be approved by the NCIMS Executive Board. At the NCIMS Executive Board Meeting during which concurrence of Conference changes is discussed with FDA, the NCIMS Executive Board shall confirm the appointment of each Committee Chair and Vice-Chair. Council Chairs and Vice-Chairs are responsible for contacting the Chairs and Vice-Chairs of their assigned committees and asking if they are willing to continue to serve in their respective roles in advance of this meeting.

### **Committee Meetings:**

The Chair of each committee is responsible for the meeting agenda and shall conduct the meeting. The Committee Chair or designee shall record and distribute the minutes from each meeting. Committees are encouraged to use conference calls to conduct business where possible to limit travel costs. When meetings are scheduled, which will involve travel to such a meeting, state personnel are eligible to apply for travel reimbursement from the NCIMS Conference in accordance with established policy. For specific information consult the *NCIMS Travel Procedures for State/Local Agencies* revised February 11, 2011, included as an attachment to this policy.

### **Voting vs. Consensus:**

Committees are encouraged to operate as much as possible using consensus. Decisions reached after achieving consensus are generally more strongly supported by committee members because there are no "winners" and no "losers" that can result from voting. Achieving consensus requires all committee members to participate, openly discuss the issues and listen to others' opinions. Listening and discussion of issues strengthens the working relationships between committee members and enhances respect for each other's opinions.

The committee has achieved consensus when each of the voting members has agreed they can live with the result of the committee action. Put another way, consensus means that no member of the committee is compromising their position beyond the point where they must object to the outcome. Consensus often requires compromise on the part of nearly every committee member. This situation is not always easy to achieve; however, do not give up too easily. When an issue has been thoroughly discussed but not resolved, it is often productive to appoint a sub-committee representing all points of view to work on the problem to bring a resolution back to the full committee for consideration. Consensus is also easier to achieve after members of the committee have worked together and developed respect for each other's position.

Where consensus is not possible committee action should be determined by a simple majority of the votes cast. When voting, anything less than a unanimous vote must be determined by majority vote.

### **NCIMS Conference Proposal Drafting and Editing Procedures:**

During each NCIMS Conference, Standing and Ad Hoc Committees meet to discuss and recommend actions for consideration by the three Councils on many individual proposals. In order to facilitate the presentation of recommendations to each Council the following guidelines should be followed:

1. The Committee Chair shall ensure that a computer and proposals are available during committee discussions and that someone is responsible for capturing and saving any changes to the files.
2. The Committee Chair shall ensure the scribe for the appropriate Council is supplied with an electronic copy of the proposal with the committee's recommended changes prior to the issue coming to the floor for discussion.

-Strikeout text in the original proposal to be omitted using the double strikeout:  
(~~example of double strikeout~~)

-Bold and use Font Size 16 for all text added to the original proposal:  
(**example of Bold and Font Size 16**)

### **Electronic files are essential for all changes involving more than a word or two.**

3. Save the changes to each proposal to a new file named after the committee's name followed by the year and proposal number (exp: Hauling 2009-134).
4. Review the proposal and changes with the committee after saving to make sure it contains all of the recommendations and is complete. Save the file to a memory stick for easy downloading to the Council's laptops.
5. Provide the Council Chair with a minimum of 28 paper copies of each proposal and have additional copies available for the audience.
6. Inform the Council Chair/Vice Chair as early as possible that you will be offering an amendment or substitute solution so the scribe can be prepared and hard copies distributed to Council members prior to the issue coming to the floor for discussion.
7. Committee Chairs shall prepare a report of the Committee's action on each proposal assigned to their Committee. Committee Chairs shall ensure each Council Chair has a paper copy of the report of the committee's actions on each proposal prior to the Council session. An electronic copy of the report shall be provided to the Executive Secretary.
8. Committee Chairs shall ensure someone from the Committee is available in each Council to give the committee's report and explain the committee's recommendations when each proposal is brought to the floor for discussion.

## **NCIMS Conference Resolutions:**

NCIMS Conference resolutions are non-binding, formal expressions of the Conference that embody the opinion of the voting delegates on subjects believed to be relevant to the Conference. Submitting a resolution to the Conference may serve, for example, to raise awareness of an issue, to commemorate an important person or event, to recognize an individual or group that has made a significant contribution to the Conference, or to request a reasonable action of the NCIMS Executive Board. Achieving these objectives does not always require a Conference resolution. There are multiple means of bringing attention to a topic or fostering dialogue within the Conference other than through a resolution. Resolutions are not to be confused with Conference proposals, cannot modify Conference documents, and cannot be used to establish standing committees. Resolutions are not empowered to amend, or be in conflict with, the *Constitution* and *Bylaws*.

To simplify the process of reviewing resolutions, a standard template will be used for submission. In general, the following guidelines should be followed (also refer to *NCIMS Resolution Template and Example*):

1. Resolutions consist of two general parts: a Preamble (the “Whereas” clause) and a Recommendation (the “Resolve” clause).
2. The resolution will be written as one long, continuous sentence, consisting of multiple clauses joined by semicolons with a single period at the end.
3. The Preamble provides background information on the topic, statements of fact, or supporting information that justifies the Recommendation.
  - The Preamble consists of one or more clauses, each beginning with “Whereas”, and joined to the next Preamble clause through a semicolon with “and” (i.e., “; and”) at the end.
  - The final clause in the Preamble simply ends with a semicolon (;).
4. The Recommendation reflects a clear intention or expression from the Conference.
  - The Recommendation clause begins with “Therefore, Be It Resolved”.
  - If a second Recommendation clause is needed, it follows a semicolon (;) with “and” (i.e., “; and”) at the end of the first clause, and begins with “Further, Be It Resolved”.
  - The final Recommendation clause ends with a period.
5. The Resolution, when properly formatted, should be no longer than a single page.

Prior to the Conference, the Chair of the NCIMS Executive Board is responsible for identifying individuals to serve on the Resolutions Committee and for selecting the Chair of the committee. The Resolutions Committee shall consist of a minimum of three regulatory members: one each from the Eastern States, Central States and Western States. The Resolutions Committee will provide the template and guidelines for submission to members of the Conference and will establish a timeframe for receiving resolutions. The role of the Resolutions Committee is to review and consider, to make editorial or formatting changes, and to present submitted resolutions to the delegates for consideration. The Resolutions Committee may discuss submitted resolutions with the author and propose alternate language to assist with revisions. The Resolutions Committee is responsible for assuring resolutions have been properly and consistently



formatted, and for distributing the resolutions in a timely manner such that the delegates have sufficient opportunity to review and understand the potential ramifications of the resolutions prior to voting (close of business on the first day of the plenary session). Like proposals, resolutions may be amended by the voting delegates when brought to the floor for discussion.

Attachment: NCIMS Travel Reimbursement Policy adopted October 26, 1999 (revised February 2, 2023)

Attachment: NCIMS Resolution Template and Example (adopted October 11, 2017)

**Adopted by the NCIMS Executive Board on September 17, 2007**

**Revised and adopted November 3, 2008**

**Revised and adopted February 11, 2011**

**Revised and adopted February 23, 2017**

**Revised and adopted October 11, 2017**

**Revised and adopted February 2, 2023**

Board Policy Supervision and Operation of NCIMS Committees Adopted Oct 11, 2017.doc

# **NCIMS Travel Reimbursement Policy**

## **NCIMS TRAVEL PROCEDURES**

### **for State/Local Agencies**

**NCIMS** realizes the importance of having effective meetings and this requires committee chairs, committee members, members of the Executive Board and others to attend. In the last several years, **NCIMS** has supported the travel of Board and Committee members from state agencies who might not otherwise be able to attend because of a lack of available travel funds in their agency.

A committee or Board member should request funds for travel from **NCIMS** only if their agency is unable to provide funds for travel. The committee or Board member should seek partial travel funds from their agency. Additionally, when requesting **NCIMS** travel funds, the committee or Board member should minimize expenses.

In an effort to minimize expenses related to committee and Board meetings, the following guidelines are provided:

#### **Board and committee expenses**

- Appointments to a committee should be preceded by a letter from the Committee Chair to the state agency to obtain agency concurrence for an employee's participation on the committee. A letter from agency management concurring with the appointment should be referred to the Chair.
- Committees should be encouraged to use conference calls and other conferencing techniques whenever possible to minimize travel expenses. If a conference call is not feasible, the committee chair should notify the Conference Chair prior to scheduling a meeting and explain the need for the meeting. In addition, the committee chair should notify the Conference Chair of any individual requesting **NCIMS** travel assistance.
- Committee chairs must submit a budget for approval by the Conference Chair for meeting room and break expenses. Meeting room charges should be negotiated with the meeting facility and must be on an as needed basis.

#### **Authorization Procedures**

- The Conference Chair is responsible for approving all travel requests. The Conference Chair may consult with the Board in certain circumstances when it is necessary or advisable. The Conference Chair must be aware of the current financial condition by keeping in close contact with the Executive Secretary.
- All travel requests must be submitted through the committee chair to the Conference Chair indicating that travel expenses had been denied by the state agency.
- Committee members must submit their requests through their committee chair, who must approve the travel before forwarding the request to the Conference

Chair. The committee chair should justify the requests by explaining why the member's presence is in the best interest of **NCIMS**.

- Committee chairs and Board members may make their request directly to the Conference Chair.
- The Conference Chair shall promptly approve or reject all requests and send a copy to the person requesting approval, the committee chair (if appropriate), and the Executive Secretary.
- Travel reimbursement request shall not exceed current U.S. General Services Administration (GSA) travel policy and per diem rates at <https://www.gsa.gov/travel/plan-book/per-diem-rates>

### **Allowances and receipts**

- Room costs will be reimbursed on an actual-cost basis and may not exceed the approved GSA amount. A receipt is required.
- Meals and Incidental Travel Expenses (M&IE) shall be limited to 75% of the daily amount for travel days. Amounts for meals that were provided to you or covered by registration fees shall be deducted from the days M&IE amount. Receipts for meals shall not be required.
- Auto travel will be reimbursed at the Internal Revenue Service standard business rate. The claim should show origin and destination points and total mileage.
- Air fare should be the lowest available. A copy of the plane ticket/payment receipt is required as a receipt.
- Taxi, ride share, limousine, or other transportation will be reimbursed at actual cost per GSA travel policy.

### **Travel Expense Voucher**

- A properly completed current NCIMS travel expense voucher must be submitted to the Executive Secretary along with the appropriate receipts as previously outlined.
- The Executive Secretary shall check the voucher and receipts and compare to the travel request form to ensure accuracy and appropriateness.
- The Executive Secretary shall promptly reimburse the approved travel expenses. The Executive Secretary shall retain a copy of the approved travel expense voucher and travel request for the file.

**Adopted by the NCIMS Executive Board on October 26, 1999 (revised September 17, 2007; February 11, 2011, February 2, 2023).**

**RESOLUTION OF THE  
20 NATIONAL CONFERENCE  
ON INTERSTATE MILK SHIPMENTS**

**RESOLUTION No. [ ]**

**Instructions:** Text highlighted in yellow is to be completed by the NCIMS Resolutions Committee. Text highlighted in gray is to be completed by the Submitter of the Resolution.

**WHEREAS:**

(type Initial Preamble Clause); and

**WHEREAS:**

(type second Preamble Clause, if needed. Copy and paste this “WHEREAS” section for additional clauses before the Final Preamble Clause); and

**WHEREAS:**

(type Final Preamble Clause);

**THEREFORE, BE IT RESOLVED:**

(type Recommendation Clause).

(date)

\_\_\_\_\_  
(insert name), Chair, NCIMS

NCIMS Resolution Template and Example (adopted October 11, 2017)