

BYLAWS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CLIMATE CHANGE ADVISORY COMMITTEE

Approved on November 5, 2008
Amendments Approved on November 18, 2010

Article I: Name

The name of this Committee shall be the Climate Change Advisory Committee (Committee) to the Department of Environmental Protection (Department).

Article II: Authorization

This Committee is authorized and organized pursuant to Section 5 of the Pennsylvania Climate Change Act of 2008 (Act 70 of 2008)

Article III: Purpose

The Committee shall advise the Department regarding the implementation of the provisions of the Pennsylvania Climate Change Act of 2008, including but not limited to, the development of a climate change action plan, annual greenhouse gas inventories, impacts assessment report, voluntary greenhouse gas emissions registry and such other climate change related activities that the DEP might request.

Article IV: Membership

The Committee shall be comprised of residents of this commonwealth with interest, knowledge or expertise regarding climate change. Members shall be selected to reflect a diversity of viewpoints on climate change issues from the scientific, business and industry, transportation, environmental, social, outdoor and sporting, labor and other affected communities.

- A. Appointments:** There will be 21 members of the committee, 18 appointed and 3 ex officio. Six (6) voting members will be appointed by the Governor. Six (6) voting members will be appointed by the Senate, of these members the Majority Leader of the Senate shall appoint four (4) members and the Minority Leader shall appoint two (2). Six (6) voting members will be appointed by the House of Representatives, of these members four (4) will be appointed by the Majority Leader and two (2) by the Minority Leader. Ex officio voting members will be the Secretary of Conservation and Natural Resources, the Secretary of Community and Economic Development and the Chair of the Pennsylvania Public Utility Commission, or their designees.
- B. Designees:** Each ex officio member shall have a formally appointed designee. Designees shall be appointed for terms that correspond to the terms of their ex officio member(s). While serving in the absence of an ex officio Committee member, the designee shall have the authority to perform the duties and exercise the powers of the ex officio member and shall be entitled to one vote on all matters that come before the Committee.
- C. Alternates:** Appointed Committee members may have formally appointed alternates. Appointed members may designate an alternate to attend Committee

meetings in their absence. Alternates will have voting rights. The alternate shall have the authority to perform the duties and exercise the powers of the appointed member and shall be entitled to one vote on behalf of the appointed member on all matters that come before the committee. Designation of an alternate shall be made in writing to the Department.

- D. Proxy:** Each appointed committee member may designate another committee member as a proxy in the event the appointed committee member or his formally appointed alternate are not in attendance. The proxy shall have the authority to perform the duties and exercise the powers of the appointed member and shall be entitled to one vote on behalf of the appointed member on all matters that come before the committee. Designation of a proxy shall be made in writing to the Department and the committee chairperson two weeks before the next scheduled meeting, if possible.
- E. Terms of Service:** A member shall be appointed for a term of four (4) years. Of the initial members appointed by the Governor, three (3) shall serve initial terms of two (2) years. Of the initial members appointed by the Majority Leader of the Senate, two (2) shall serve initial terms of two (2) years. Of the initial members appointed by the Majority Leader of the House of Representatives, two (2) shall serve initial terms of two (2) years. Of the initial members appointed by the Minority Leader of the Senate, one (1) shall serve initial terms of two (2) years. Of the initial members appointed by the Minority Leader of the House of Representatives, one (1) shall serve initial terms of two (2) years. After such initial terms, all appointment shall serve for a term of four years.

Article V: Officers

The chairperson of the Committee shall be elected by ballot, from among and by a majority vote of the appointed members of the Committee (as per Section 5 (b)(2) of the Act). The chairperson shall be determined based on the results of the ballot, pursuant to Robert's Rules of Order. The term of the chairperson shall be for two (2) years. An individual may serve no more than two consecutive terms as chairperson. A chairperson shall be elected no later than the second meeting of the Committee. A vice chairperson may also be elected. The term of the vice chairperson may be for two (2) years and an individual may serve no more than two consecutive terms as vice chairperson.

It shall be the duty of the chairperson to preside at all meetings of the Committee and call special meetings with the approval of the Committee, and perform such other duties as pertain to the office. The Committee may create subcommittees as it deems necessary to carry out its work. The Committee may invite technical or sector specific experts who are not members of the Committee to participate in subcommittee discussions in order to provide information, analysis, advice, recommendations and other resources to subcommittee members. The technical experts shall not have voting rights and shall serve without compensation or reimbursement. Subcommittee chairpersons shall be members of the full Committee and shall be elected by a majority vote of the Committee members. Any Committee member may serve on as many subcommittees as that member wishes. It shall be the duty of the vice chairperson to perform the duties of the

chairperson in the absence of that chairperson, and assist the chairperson in the performance of such duties as may be assigned by the chairperson.

Article VI: Meetings

The Committee shall meet as necessary to fulfill the duties required by the Act. The meeting dates will be decided upon by the Committee in consultation with the Department. A quorum for the purpose of conducting business shall consist of a simple majority of appointed voting members, including formally appointed alternates and valid proxies. For purposes of adopting a motion, a majority vote¹ will be used.

Meetings will be conducted in compliance with the Pennsylvania Sunshine Act. Members or their respective designees are expected to attend for the duration of the time needed to cover the presented agenda. Meetings will be conducted according to Robert's Rules of Order.

Final actions of the Committee must be taken at the full Committee level. If four (4) or more Committee members dissent with respect to any action of the Committee, including but not limited to voting to approve or disapprove the potential impact report and the action plan prepared by the Department, the dissenting members may prepare a minority report. Members of the Committee approving Committee actions may prepare a majority report. Minority and majority reports will be appended to any report or plan prepared by the Department pursuant to the Pennsylvania Climate Change Act.

Committee members are expected to attend all Committee meetings. Any Committee member not attending two (2) consecutive meetings without prior notice to the chair person may be recommended for removal. The chairperson will make this recommendation to the appointing authority.

Article VII: Outside Presentations to the Committee

Outside presentations such as speakers, technical experts, films, etc. will be allowed at the discretion of the Committee. Any member may request the Committee as a whole to determine whether a presentation shall be permitted. In the selection and use of outside technical resources, an attempt shall be made to maintain a balance of perspectives. Reimbursement for outside presenters may be limited to overnight accommodations, per diem and travel expenses.

Article VIII: Administration

Administrative duties shall be performed by an employee designated by the Department as the PA Climate Change Advisory Committee liaison. It shall be the liaison's duty to function as the recording and corresponding administrator, as assigned by the Department. Included among these duties shall be: to give public notice of the meetings for the Committee and any subcommittee meetings, to record full Committee minutes and subcommittee minutes and keep a permanent file of the minutes of meetings of the Committee (minutes of the meetings of the Committee and subcommittees shall be

¹ Defined by Robert's Rules of Order as "more than half of the votes cast by persons legally entitled to vote, excluding blanks or abstentions, at a regular or properly called meeting where a quorum is present"

distributed to the full membership of the Committee), to distribute meeting materials prior to the Committee meetings, to coordinate the processing of reimbursement requests from Committee members, to coordinate and arrange air travel and overnight accommodations for Committee members, facilitators and outside presenters, as applicable, to conduct both outgoing and incoming correspondence and to maintain a permanent file of such correspondence, to coordinate the appointment and reappointment process, and to perform other such duties as may be requested by the Committee.

Article IX: Reimbursement

Members of the Committee and their designees shall serve without compensation, but may be reimbursed from funds appropriated for necessary and reasonable travel and other expenses incurred during the performance of their duties. If both a member and their designee choose to attend a meeting, the designee is not eligible for reimbursement. Alternates will not be reimbursed for travel or other expenses.

Committee members, designees and outside presenters will be reimbursed for eligible expenses based on current Commonwealth reimbursement rates. The Department is responsible for providing Committee members with an updated schedule of travel, per diem, mileage, overnight accommodation, and other applicable rates. Committee members, designees and outside presenters should coordinate overnight accommodations, applicable travel, and reimbursement procedures through the Committee's liaison.

Article X: Amendments to Bylaws

These bylaws may be amended, repealed or suspended at any meeting of the Committee by two-thirds vote of the members of the Committee present at the meeting, provided that both: 1) there is quorum, and 2) written notice of such amendment or repeal shall have been sent by the designated Committee liaison to each Committee member at least two weeks prior to said meeting.

Article XI: Input from the Public

Public input may be received at any meeting of the Committee or subcommittee at the discretion of the Committee or subcommittee, time permitting. Copies of any written submissions or communications from the public to the Committee or subcommittee shall be distributed to all members of the full Committee prior to the next following meeting.

Article XII: Parliamentary Authority

For items not covered by these bylaws, Robert's Rules of Order shall be the final authority.