

June 18, 2003

BYLAWS

**The Agricultural Advisory Board
Pennsylvania Department of Environmental Protection
Established by the
Department of Environmental Resources Agricultural Advisory Board Act (Act 11 of 1993)
Amended by Act 220 of 2002**

ARTICLE I.

NAME: The name of this board shall be the Department of Environmental Protection Agricultural Advisory Board.

ARTICLE II.

AUTHORIZATION: This board is authorized and organized pursuant to Act 11 of 1993, the Department of Environmental Resources Agricultural Advisory Board Act, as amended by Act 220 of 2002, Chapter 7, Agricultural Advisory Board.

ARTICLE III.

PURPOSE: The board shall provide advice and expertise to the DEP Secretary regarding the nature of agriculture in the Commonwealth. The board shall also have the opportunity to review and provide comment on policies, rules, and regulations of the Pennsylvania Department of Environmental Protection, which have an impact or a potential impact on agriculture or the agricultural community. The board may provide comments on any existing departmental policy or regulation, as well as any regulatory proposal which would affect agriculture. In order to achieve this purpose, the board encourages comment and input from non-voting members and the general public.

ARTICLE IV.

MEMBERSHIP: The board shall consist of the following: one representative each, annually named, of the Pennsylvania Farm Bureau, the Pennsylvania State Grange, the Pennsylvania Farmers Union, and the PennAg Industries Association; a dairy producer, a livestock producer, a poultry producer, a grain producer, a fruit producer, a vegetable producer, a representative of the ornamental horticultural industry, a producer engaged in sustainable agriculture, a representative from the agri-business industry, and a representative of the agricultural chemical manufacturers industry, all appointed by the Governor for three-year terms and all receiving a majority of their gross income from the activity which they represent; and one representative each, named annually, from the Pennsylvania Association of Conservation District Directors, the Pennsylvania State University, and the chairman and minority chairman of the Agriculture and Rural Affairs Committee of the Pennsylvania

Senate or their designees and the chairman and minority chairman of the Agriculture and Rural Affairs Committee of the Pennsylvania House of Representatives or their designees.

The following are ex-officio members: one representative each, annually named, from the USDA Natural Resources Conservation Service, the USDA Farm Service Agency, the Pennsylvania Department of Agriculture (deputy secretary level or higher), the Pennsylvania Department of Environmental Protection (deputy secretary level or higher)

The Pennsylvania Farmers Union, Pennsylvania Farm Bureau, Pennsylvania State Grange, PennAg Industries Association, Pennsylvania Association of Conservation District Directors, and the Pennsylvania State University may designate one alternate each annually to serve in the absence of their respective board members. All board members representing organizations and ex-officio members must annually submit to the chairperson the name of their alternate. If the board member or the designated alternate of a member organization misses two consecutive meetings, the organization shall be notified of the absence. Board members shall not receive compensation for their services. Board members (except state and federal employees) shall be reimbursed by the Commonwealth for their travel and subsistence expenses incurred in the performance of their duties in accordance with the policies and monetary amounts as stated in Management Directive 230.10, the Commonwealth Travel Rules and Regulations.

ARTICLE V.

VOTING: Board members shall be entitled to one (1) vote, in person, on all matters which shall come before the board. Ex-officio members are not entitled to a vote. Designated alternates, while serving in the absence of a board member, shall have the authority to perform the duties and exercise the powers of that member and shall be entitled to one (1) vote in person on all matters that come before the board.

ARTICLE VI.

OFFICERS: All voting Board members shall annually elect a Board Chairperson and Vice-Chairperson, to serve in the absence of the Chairperson, from among the following designated members: the Pennsylvania Farm Bureau, Pennsylvania State Grange, Pennsylvania Farmers Union, PennAg Industries Association; and from among the Board members appointed by the Governor: a dairy producer, livestock producer, poultry producer, grain producer, fruit producer, vegetable producer, ornamental horticultural industry representative, sustainable agriculture representative, agricultural chemical manufacturers industry representative, and a agri-business representative. No member shall serve as Chairperson or Vice-Chairperson for more than two consecutive years.

A. It shall be the duty of the chairperson to preside at all meetings of the board, call special meetings, appoint sub-committee chairpersons with the consent of the board by majority vote, and perform other such duties as they pertain to the office.

B. The term of office shall be from January 1 to December 31 of any given year.

ARTICLE VII.

STAFF SUPPORT: The Pennsylvania Department of Environmental Protection shall provide the staff necessary to perform the administrative and secretarial duties of the board. Duties include: timely notice of meetings and committee meetings to the affected members; recording, transcribing, and maintaining a permanent file of the minutes of the board; receipt, preparation, and transmittal of incoming and outgoing correspondence of the board and maintenance of a permanent file of such correspondence; and performing other such duties as may be requested by the Board. Support staff shall not be entitled to a vote.

ARTICLE VIII.

SUBCOMMITTEES: The chairperson shall appoint any such committees as are deemed necessary by the board in order to carry out its duties and responsibilities. The chairperson of the board shall appoint the chairperson of each committee. The chairperson of the board shall also have the authority to dissolve any such appointed committees when the duties of that committee are complete. A listing of the committees and their respective charges shall be maintained. Additions to and deletions from that listing shall not constitute an amendment to these bylaws.

ARTICLE IX.

MEETINGS: A majority of the voting members of the board shall constitute a quorum for the purpose of conducting official business of the board. The board shall meet on a bi-monthly basis and at the call of the chairperson. Committee meetings shall be called by committee chairpersons with notification to the board. Announcement of all scheduled meetings shall be in accordance with the requirements of the Pennsylvania "Sunshine Law". Meetings shall be conducted in accordance with the procedures of the most recent version of Robert's Rules of Order.

ARTICLE X.

AMENDMENTS: These bylaws may be amended, repealed, or suspended at any meeting of the board by a two-thirds vote of the voting members of the board present at that meeting, provided that written notice of such amendment, repeal, or suspension shall have been sent to each member at least two weeks prior to said meeting.

ARTICLE XI.

BOARD REPRESENTATION: The Board shall act as a body in all matters and only the chairperson or his/her designated spokesperson shall communicate with the secretary or with third parties on behalf of the board.