

BYLAWS

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION ENVIRONMENTAL JUSTICE ADVISORY BOARD

ARTICLE I. NAME: The name of this Board shall be the Pennsylvania Department of Environmental Protection's *Environmental Justice Advisory Board (EJAB)*.

ARTICLE II. AUTHORIZATION: The EJAB is authorized by the Secretary of the Pennsylvania Department of Environmental Protection.

ARTICLE III. PURPOSE: The EJAB may recommend to the Secretary the adoption, amendment, or repeal of such rules, regulations, standards, criteria, policies, guidance and procedures as it deems necessary and advisable for implementation of the agency's environmental programs and recommendations of the Environmental Justice Work Group.

ARTICLE IV. MEMBERSHIP: The Board shall consist of 15 members from a broad cross-section of interests including, but not be limited to, private citizens from low-income and minority communities, regulated entities, local governments, environmentalists, academia, and industry.

The Secretary of the Department shall appoint or reappoint members of the Board at his or her discretion in May of every other year beginning with May 2004.

- A. Any member not attending two (2) consecutive meetings without prior notice to the chairperson may be recommended for removal. The chairperson will make this recommendation to the Secretary of the Department.
- B. Board members represent themselves even though they have been selected to serve in the above broad categories.
- C. The Board members should regularly attend meetings of other DEP Advisory Boards.
- D. The Secretary of the Department may at any time fill any vacancy on the Board.
- E. In the event a board member is unable to attend the bi-monthly meeting, he or she could designate a single alternate to participate in the bi-monthly meetings. The alternate will not have voting privileges. Members should be permitted to vote via a proxy vote on issues that have previously been discussed or distributed.

ARTICLE V. VOTING: Members shall be entitled to one (1) vote, in person, on all matters that come before the Board. A quorum for voting requires the presence of at least seven voting members. An affirmative vote is two-thirds of those members present. Presence is defined as (i) in person; (ii) in a manner where Board Members can, within reason, communicate in real time including but not limited to conference calls and computer conference. No action can be taken on a specific matter unless the meeting and its agenda meet the requirements of the Pennsylvania Meeting Sunshine Act.

ARTICLE VI. OFFICERS: The officers of the Board shall be a chairperson and a vice-chairperson.

- A. **CHAIRPERSON:** It shall be the duty of the chairperson to preside at all meetings of the Board, call special meetings, and perform such other duties as pertain to the office of chairperson.
- B. **VICE-CHAIRPERSON:** It shall be the duty of the vice-chairperson to perform the duties of the chairperson in his or her absence. He/She shall also assist the chairperson in the performance of such duties as may be assigned by the chairperson.
- C. **TERM OF OFFICE:** The term of office shall be two calendar years or until successors are elected.

ARTICLE VII. SECRETARY: The Department of Environmental Protection shall delegate an employee to perform the necessary secretarial duties for the Board. The Office of Environmental Advocate will perform the secretarial duties which includes: providing timely notice of meetings and standing committee meetings to the affected members and to the public; recording, transcribing, and maintaining a permanent file of the transactions (including 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; performing such duties as may be requested by the Board.

ARTICLE VIII. ELECTION OF OFFICERS: The officers of the Board shall be elected at the spring meeting. Officers shall be elected by a majority of those members present at any meeting where a quorum has been attained.

ARTICLE IX. STANDING COMMITTEES:

- A. Standing committees shall be established by a majority vote of those members attending a regular or special meeting of the Board.
- B. Standing committee membership: The chairperson shall appoint committee members. Tenure on a standing committee is not restricted.

- C. Each standing committee shall receive a charge by the chairperson at the time of its creation, and each standing committee shall exist until such time as the responsibilities and duties contained in that charge are accomplished.

A listing of the standing committees and their respective charges shall be maintained by the secretary as Appendix I of these bylaws. Additions to and deletions from that appendix shall not constitute an amendment to these bylaws.

ARTICLE X. MEETINGS: The Board will meet bi-monthly. Regular meeting dates shall be established on an annual basis. Alternate meeting dates and additional meetings shall be called by the chairperson or at the request of the Department.. Subcommittee meetings shall be called by subcommittee chairpersons with notification to the full Board.

ARTICLE XI. OUTSIDE PRESENTATIONS: Outside presentations such as speakers, films, etc., will be allowed at the discretion of the chairperson. Any member may request the Board as a whole to determine whether a presentation shall be permitted.

ARTICLE XII. AMENDMENTS: These bylaws may be amended, repealed, or suspended at any meeting of the Board by a two-thirds vote of the members of the Board at that meeting provided that written notice of such amendment, repeal, or suspension shall have been sent by the secretary to each member at least one (1) week prior to said meeting.

ARTICLE XIII. TIME LIMITS: Wherever a time limit is specified in these bylaws, it may be waived by unanimous consent by those members in attendance at a regularly scheduled meeting.

ARTICLE XIV. BOARD REPRESENTATION: The Board shall act as a body in all matters, and only the chairperson or his or her designated spokesperson shall communicate with the Secretary or with third parties on behalf of the Board. Board members can meet with these parties with the intent of representing themselves.

ARTICLE XV. EFFECTIVE DATE: The effective date of these bylaws is 06/03/2003