

BYLAWS OF THE PENNSYLVANIA STORAGE TANK ADVISORY COMMITTEE

APRIL 1990

Revised June 20, 1995

Bylaws
The Pennsylvania Storage Tank Advisory Committee

AUTHORIZATION

Section 105 of the Act of July 6, 1989, the Pennsylvania Storage Tank and Spill Prevention Act.

The Department shall consult with the advisory committee in the formulations, drafting, and presentation of all regulations promulgated under this act. The recommendations of the Advisory Committee shall be submitted to the Environmental Quality Board who shall give due consideration to the same.

1. MEMBERS

The members and alternate members of the Committee shall be appointed by the Secretary and chairperson for a two year term and shall not receive any compensation for their services but shall be reimbursed by the Department for their actual and necessary travel and subsistence expenses incurred in the performance of their duties.

2. ATTENDANCE

The organization of an appointed member or, if there is no organization, the appointed member, shall be verbally notified by the Chairman regarding chronic absence after an appointed member was absent, and the appointed alternate was not present to represent the member, for two (2) consecutive meetings within the term of the member's appointment.

In the event that the organization is specifically entitled to representation on the Committee under Section 105(a) of the Storage Tank Act, after three (3) consecutive absences the organization shall be notified in writing requesting a replacement to serve the balance of the chronically absent member's term.

In the event that the appointed member represents a general class or profession on the Committee under Section 105(a) of the Storage Tank Act, after three (3) consecutive absences the member shall be notified in writing by the Chairman. The Secretary of the Department may appoint another member from within the general class or profession to serve the balance of the chronically absent member's term.

3. ALTERNATES

- a. In the event that a Committee member cannot attend a scheduled business meeting, he shall arrange with his/her organization for his duly appointed alternate to serve in his absence.
- b. Alternates shall be appointed for a two-year term and shall not receive any compensation from the Department for their services but shall be reimbursed for their actual and necessary travel and subsistence expenses incurred in the performance of their duties.
- c. While serving in the absence of an appointed Committee member, said alternate shall have the authority to perform the duties and exercise the powers of the appointed member and shall be entitled to one vote in person on all matters as shall come before the Committee.

4. OFFICERS

- a. The officers of the Committee shall be a Chairperson, Vice Chairperson, and such other officers as the Committee may from time to time elect.
- b. It shall be the duty of the Chairperson to preside at all meetings of the Committee, call special meetings, appoint subcommittee Chairpersons with the consent of the Committee, and perform such other duties as pertain to the office.
- c. 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.

5. SECRETARY

Secretarial duties shall be performed by an employee designated by the Department of Environmental Protection. It shall be the secretary's duty to function as both a recording and corresponding secretary. Included among these duties shall be: (a) to give notice of the meetings to the Committee; (b) to record and keep a permanent file of the minutes; (c) to conduct correspondence and maintain a permanent file of such correspondence; and (d) to perform such other duties as may be requested by the Committee and agreed to by the Department.

6. ELECTION AND TERMS OF OFFICE

- a. The officers of the Committee shall be elected by ballot at the regular meeting of the Committee specified for that purpose in the bylaws, and shall hold office for a term of two years or until successors are elected.
- b. At least 30 days prior to the election of officers, the Chairperson shall appoint a nominating committee of three members from the Committee who shall prepare a list of nominations for the offices of Chairperson and Vice Chairperson. The consent of the candidates named must be obtained before the nominations are presented. The name of those nominees by office shall be distributed to all members of the Committee at least one week prior to election. Additional nominations to either office may also be made from the floor at the time of the election.
- c. In the event that the Chairperson determines that it is not practical to call a meeting of the Committee solely for the purpose of electing officers, election of officers may take place by mail ballot. Prior to mailing election ballots, the Nominating Committee should by mail give each member the opportunity to nominate additional members for office. If a member receives two or more nominations, his or her name shall be placed on the mail ballot. The consent of all nominees must be obtained before placing their name on the ballot. The chairperson of the Nominating Committee shall present the slate of nominees to the Chairperson, who shall instruct the secretary to prepare a mail ballot containing the names of the nominees and to mail the same to all appointed members. The Chairperson shall set the date for the return and counting of the mail ballots.
- d. In all cases, the election of officers shall occur by March 31 of the year appointments to the Committee are made.

7. MEETINGS

- a. The committee shall meet at least three times a year and at all other times at the call of the Chairperson.
- b. Upon receipt of a written request for a meeting from at least one-third of the members, the Chairperson shall, within two weeks of receipt of the request, schedule a meeting of the Committee for the purpose of conducting the business of the Committee.
- c. Announcement of all scheduled meetings will be in accordance with the requirements of the Pennsylvania "Sunshine Law".
- d. A majority of the members appointed to the Committee shall constitute a quorum.

8. SUB-COMMITTEES

The Chairperson shall appoint such sub-committees as deemed necessary by the Committee in order to carry out its duties and responsibilities. The Chairperson shall appoint the chairperson of each subcommittee.

9. AMENDMENTS

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 written notice of such amendment or repeal, shall have been sent by the secretary of the Committee to each member at least two weeks prior to said meeting.

10. PARLIAMENTARY AUTHORITY

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

Approved by the Committee on the 20th day of June 1995.