PENNSYLVANIA BAR ASSOCIATION
BYLAWS OF THE ENVIRONMENTAL AND ENERGY LAW SECTION

ARTICLE I – Name and Purposes

Section 1. This Section shall be known as the Environmental and Energy Law Section.

Section 2. The purposes of the Section are:

(a) To study and strive to improve the law and its operation, including by supporting education, as it relates to the environment, energy, and natural resources in its broadest sense.

(b) To provide a forum for the exchange of views among members of the Section and with Federal, State, and Municipal agencies administering such laws.

(c) To provide opportunities for the development of friendship and understanding among environmental and energy lawyers including those employed by governmental agencies.

(d) To make such reports and recommendations as may be deemed useful or desirable to the public, the Pennsylvania Bar Association, and the Section.

ARTICLE II – Membership

Section 1. Each member of this Section shall pay to the Pennsylvania Bar Association annual dues.

Section 2. Any member of the Pennsylvania Bar Association, upon request and upon payment of Section dues for the current year, shall be enrolled as a member of this Section. Thereafter such dues shall be paid in advance each year, beginning on January 1 next succeeding such enrollment. Members so enrolled and whose dues are so paid shall constitute the membership of this Section.

Section 3. Any member of this Section whose annual dues are more than six months past due and who fails to pay same within thirty days’ notice of nonpayment shall thereupon cease to be a member of this Section.

ARTICLE III – Officers and Council

Section 1. The Officers of this Section shall be a Chair, a Vice-Chair, a Secretary, and a Treasurer, each of whom shall be a member of this Section in good standing at the time of their selection.
Section 2. There shall be a Council of this Section which shall consist of the Officers together with eight (8) members at large to be elected by the Section as hereinafter provided. The immediate past-Chair shall also be a voting member of the Council.

Section 3. Each Officer of this Section shall be nominated and elected in the manner hereinafter provided at the earlier of a meeting held during the Pennsylvania Bar Institute/Pennsylvania Bar Association Annual Environmental Law Forum (“ELF”) or the annual meeting of the Section, and shall hold office for a term of two years, beginning at the close of the ELF / annual meeting of which they shall have been elected and ending at the close of the second succeeding ELF / annual meeting of the Section, and until their successor shall have been duly elected. At the end of their terms, each Officer, if willing, shall advance to the next position as follows: The Chair shall move to the position of past-Chair; the Vice-Chair shall advance to the position of Chair; the Secretary shall advance to the position of Vice-Chair; and the Treasurer shall advance to the position of Secretary. A member of the Council shall be nominated by the Nominating Committee to advance to the position of Treasurer. The Nominating Committee shall also nominate members of the Council to fill other open Officer positions, if any. The slate of Officers shall be voted on by the Section at the ELF / annual meeting in accordance with Article IV, Section 2.

Section 4. Annually, at least two members of the Section shall be elected to the Council as members at large to hold a term of three years, beginning at the close of the ELF / annual meeting in which they shall have been elected and ending at the close of the third succeeding ELF / annual meeting of the Section.

ARTICLE IV – Nomination and Election of Officers and Council Members

Section 1. Nominations. Prior to the earlier of the ELF or the annual meeting of this Section, the Chair shall appoint a Nominating Committee of not less than three members of the Section. The Chair of the Nominating Committee shall be the immediate past Chair of the Section (or the Section Chair’s designee, if the immediate past Chair of the Section is unable to serve), and the other members of the Nominating Committee shall be members of the Section who are neither Officers of the Section nor voting members of its Council. Not less than 30 days prior to the earlier of the ELF or the annual meeting, the Chair of the Section shall notify the members of the Section of the names, office address, office phone number, and email address of the members of the Nominating Committee. Any member of the Section may notify the Nominating Committee of their interest in serving on the Council or may nominate any Section member in good standing.

(a) Nominations for the Officer positions shall be made in accordance with Article III, Section 3.

(b) Nominations for the Council positions shall be made as follows: The Nominating Committee shall give appropriate consideration to seeking new membership on Council and all forms of diversity, location, practice area, and participation within the Section. The Nominating Committee shall also consider Council members whose terms expire during a year when there is no election of Officers or when there is no opportunity for advancement to an
Officer position, if such Council members have been active participating members of the Council.

(c) The Nominating Committee shall report to the Section its nominations for all Officers and Council positions to be filled. In the event of more than one nominee for a position, the person to serve shall be selected by the Nominating Committee and approved in accordance with Article IV, Section 2.

Section 2. Elections. Election of Officers and Council members shall occur during the earlier of the ELF or the annual meeting of the Section. Officers and Council members shall be elected by a majority vote of Section members present at the ELF / annual meeting. The Council shall, by resolution, order a subsequent election to occur on another time and place to fill any Officer or Council member position that did not garner a majority vote. The subsequent election shall be based on new nomination(s) to be made by the Nominating Committee, subject to the 30-day notice period for nominations set forth in Article IV, Section 1. For any election, the Council may, by resolution, order elections to be via secret, written ballot.

ARTICLE V – Duties of Officers

Section 1. Chair. The Chair shall preside at all meetings of the Section and of the Council. The Chair shall prepare and distribute an agenda for each meeting. The Chair shall formulate and present at each annual meeting of the Pennsylvania Bar Association a report of the work of the Section for the past year. The Chair shall perform such other duties and acts as usually pertain to the office or as may be designated by the Council.

Section 2. Vice-Chair. The Vice-Chair shall assist the Chair in the performance of responsibilities in such manner and to such extent as the Chair may request. The Vice-Chair shall perform such further duties and have such further powers as usually pertain to the office or as may be designated by the Council or the Chair. The Vice-Chair shall serve as the Section’s delegate to the Pennsylvania Bar Association’s House of Delegates, unless the Vice-Chair is already a voting delegate, in which case the Chair shall serve or designate another Section member to serve as the Section’s delegate. In case of the death, resignation or disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair’s term.

Section 3. Secretary. The Secretary shall assist the Officers of the Section as to the work of the Section generally. The Secretary shall be the custodian of all books, papers and documents of the Section. The Secretary shall keep minutes of all meetings of the Section and of the Council and the record of all action taken by consent without a meeting. The Secretary shall perform such further duties and have such further powers as may be designated by the Council or the Chair.

Section 4. Treasurer. The Treasurer shall assist the Officers of the Section as to the work of the Section generally. The Treasurer shall maintain liaison with the staff of the Pennsylvania Bar Association in connection with the Association’s collection of Section dues. Disbursements from the funds of the Section on deposit with the Pennsylvania Bar Association shall be made upon requisition by the Chair and the Treasurer to the Pennsylvania Bar Association. The Treasurer shall keep a record of all disbursements and make periodic financial
reports to the Council and an annual financial report to the membership of the Section at the annual meeting. The Treasurer may prepare an annual budget for the Section which shall be submitted to, considered, and approved with such revisions of any as are deemed desirable by the Council at its first meeting succeeding the annual meeting.

ARTICLE VI – Duties and Powers of the Council

Section 1. Subject to the provisions of the Constitution and Bylaws of the Pennsylvania Bar Association, the Bylaws of this Section and action duly taken by the Section at its annual meeting, the Council shall have general supervision and control of the affairs of this Section.

Section 2. Standing Committees. The following shall constitute the Standing Committees of the Section:

(a) Environmental Committee. The Environmental Committee shall concern itself with the study of, and the dissemination of information on, the practice of environmental law in the Commonwealth of Pennsylvania.

(b) Energy Committee. The Energy Committee shall concern itself with the study of, and the dissemination of information on, the practice of law in the Commonwealth of Pennsylvania as it relates to energy, including renewable energy, shale gas, and all forms of energy production.

(c) Membership and Diversity Committee. The Membership and Diversity Committee shall concern itself with the membership and diversity of the Section and shall support the Section in developing, improving, and implementing membership and diversity initiatives.

(d) Programs and Publications Committee. The Programs and Publications Committee shall concern itself with the planning of continuing legal education (CLE) and non-CLE programs that support the purposes of the Section, in addition to publication of the Section’s newsletter. When necessary, the Chair of the Programs and Publications Committee shall serve as the Section’s liaison to the Pennsylvania Bar Institute in connection with CLE courses that pertain to the practice of environmental and energy law.

(e) Awards Committee. The Awards Committee shall be responsible to seek nominations and select recipients for awards from time to time, the criteria of which shall be set by the Council, recognizing dedication to an individual(s) who has / have made an outstanding contribution to the development, improvement, or furtherance of the profession of environmental or energy law in Pennsylvania or to the Section. The Awards Committee shall consist of three individuals, all of whom shall be former Chairs of the Section.

Section 3. Special Committees. The Council or the Chair may from time to time appoint other committees consisting of Section members to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these Bylaws and the Constitution and Bylaws of the Pennsylvania Bar Association.
Section 4. Committee Membership. Members of each Standing and Special Committee shall be appointed by the Chair with the approval of Council following the annual meeting of the Section. Following the appointment and approval of each Standing and Special Committee, the Chair may add members to each Standing or Special Committee without the need for Council approval.

Section 5. Budget. The Council shall approve the annual budget, if presented, and any revision thereof and shall approve the expenditure of all monies by the Section or appropriated for its use, but it shall not authorize commitments involving the payment of money during any fiscal year in the amount exceeding the monies of the Section or appropriated for its use.

Section 6. Vacancies. During the interim between annual meetings of this Section, the Council may fill vacancies in its own membership or in the office of any Officer of the Section, but the term of office of any person so selected shall terminate at the close of the next annual meeting of the Section where that position would otherwise have been scheduled for election.

Section 7. Council Meetings. The Council may meet at any time and place on the call of the Chair or any three members of the Council.

Section 8. Quorum. All action of the Council shall be by a majority vote of the members of the whole Council present (in person, virtually, or by conference call) and voting. A majority of the Council constitutes a quorum. Members of the Council, if personally present or participating by electronic means at the meeting, shall vote in person, writing, or by voice, but, if absent, may communicate their vote in writing to the Secretary, and such vote shall have the same effect as if cast at the meeting. Voting by email is recognized by the Pennsylvania Bar Association and may be used by the Council when appropriate.

ARTICLE VII – Section Meetings

Section 1. The regular annual meeting (if not held in conjunction with the ELF) and semiannual meetings of this Section shall be held during the periods of the annual and semiannual meetings of the Pennsylvania Bar Association and at the same city or place.

Section 2. Special meetings of the Section may be called by the Chair at such time and place as may be approved by the Council. Members attending such special meetings may be reimbursed from Section funds for their direct out-of-pocket expense incurred by reason of attending, but only upon submission of itemized bills to the Chair who may seek Council approval for such reimbursement in whole or in part consistent with Article VI, Section 5.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business, and all action of the Section shall be by a majority vote of the members present.

ARTICLE VIII – Miscellaneous Provisions
Section 1. The fiscal year of this Section shall be the same as that of the Pennsylvania Bar Association.

Section 2. The bills incurred by this Section, before being forwarded to the Treasurer of the Pennsylvania Bar Association for payment, shall be approved by the Chair, or if the Council shall so direct, by the Chair and the Secretary.

Section 3. No salary or compensation shall be paid to any Officer of the Section, member of the Council or member of a Committee, provided that certain out-of-pocket expenses may be reimbursed in accordance with Article VII, Section 2.

Section 4. No action by this Section shall become effective as the action of the Pennsylvania Bar Association until it is approved by the Pennsylvania Bar Association. Any resolution adopted or action taken by the Section may on request of the Section be reported by the Chair of the Section to the annual meeting of the Pennsylvania Bar Association or to its Board of Governors for the Association’s action thereon.

Section 5. All printing for the Section or for the Council or any committee of the Section shall be done under the supervision of the headquarters office of the Pennsylvania Bar Association.

Section 6. These Bylaws may be amended at any annual meeting of the Section consistent with the Constitution and Bylaws of the Pennsylvania Bar Association by a majority vote of the members of the Section present and voting, provided that such proposed amendment shall have been, or shall be, approved by a majority of the Council. But no amendment so adopted shall become effective until approved by the Board of Governors of the Pennsylvania Bar Association.

Section 7. These Bylaws shall become effective upon approval by the Board of Governors of the Pennsylvania Bar Association.

Amendments approved by the Board of Governors, May 11, 2022.