BYLAWS

ARTICLE I

Name and Purpose

Section 1. This Section shall be known as the Section on Public Utility Law. ("Section" or "Public Utility Law Section")

Section 2. This Section shall take as its province the development and practical working of the law of Pennsylvania and of the United States, relating to public utilities, in furtherance of the chartered purposes of The Pennsylvania Bar Association.

Section 3. The purpose of the Section on Public Utility Law shall be to bring together for better acquaintance and mutual advantage those members of the Bar who are interested in the law governing the public services as from time to time developed and defined; to hold meetings, conduct discussions, make studies, surveys and analyses, as to the law of public utilities under private or public operation; and to formulate and submit, to the Section and the Association, such reports and recommendations as may be deemed useful to the profession and advisable in the public interest.

ARTICLE II

Membership and Dues

Section 1. Each member of this Section shall pay to the Pennsylvania Bar Association annual dues in an amount to be determined from time to time by the Section Council, with any necessary approval by the Board of Governors of the Pennsylvania Bar Association.

Section 2. Any member of the Association, upon request and upon payment of 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 shall be more than six months past due shall thereupon cease to be a member of this Section.

Section 4. Any member that receives a dues waiver on the basis of a medical disability, financial hardship, or other hardship from the Membership Development Committee of the Pennsylvania Bar Association shall also be granted a waiver of dues payable to this Section.

ARTICLE III

Officers and Council

Section 1. The officers of this Section shall be a Chairperson, a Vice-chairperson, a Secretary, a Treasurer, and an immediate past Chairperson, each of whom shall be a member of this Section in good standing at the time of that officer’s selection.

Section 2. There shall be a Council of this Section which shall consist of the officers together with at least six other members to be elected by the Section as hereinafter provided (see Sections 4 and 5). Upon election of a new Chairperson, the outgoing Chairperson of the Section shall remain a member of the Council as the immediate past Chairperson, and shall have both right of participation in meetings and the right to vote, continuing until succeeded by the new Chairperson. For all other Officers, terms of office shall be one (1) year to be determined at the Annual Meeting, unless otherwise elected to Council or succeeding as an Officer.
Section 3. Each officer of this Section shall be nominated and elected in the manner hereinafter provided at each annual meeting of this Section, and shall hold office for a term beginning at the close of the annual meeting at which that officer shall have been elected and ending at the close of the next succeeding annual meeting of the Section, and until a successor shall have been duly elected.

Section 4. At the meeting of this Section at which these By-Laws shall have been adopted, at least six members of the Council shall be nominated and elected to serve until the next annual meeting of the Section. At that meeting, three members of the Council shall be nominated and elected to serve for one year, three for two years and three for three years. "Year" as used hereinafore shall mean a term beginning at the close of the Annual Meeting at which such Council members shall have been elected and ending at the close of the first, second or third succeeding Annual Meeting of this Section respectively. Thereafter upon the expiration of each of these initial terms, three members of the Council shall be elected at each Annual Meeting of the Section for terms of three years, each beginning at the close of the annual meeting at which they shall have been elected and ending at the close of the third succeeding Annual Meeting of the Section.

Section 5. The number of Council members may be increased up to nine members, at the discretion of the Nominating Committee.

ARTICLE IV
Nomination and Election of Officers

Section 1. Nominations. Prior to the Annual Meeting of this Section, the Chairperson shall appoint a nominating committee of three members of the Section who are neither members of the Council nor running for a Council seat. The nomination committee shall report to the Section its nominations for the offices of Chairperson, Vice-chairperson, Secretary, Treasurer, and Members of the Council to succeed those whose terms will expire at the close of that Annual Meeting and to fill vacancies then existing for unexpired terms. Other nominations for such offices may be made from the floor.

Section 2. Elections. All elections shall be conducted at the Annual Meeting of this Section by majority vote of the Section members in attendance, unless otherwise ordered by resolution duly adopted by the Section at such Annual Meeting.

ARTICLE V
Duties of Officers

Section 1. Chairperson. The Chairperson shall preside at all meetings of the Section and of the Council. The Chairperson may delegate to the Vice-chairperson the responsibility of presiding over meetings of the Section in his/her absence. The Chairperson 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 Chairperson shall represent the Section in the PBA House of Delegates as Section Delegate, or at his/her discretion, may appoint a Section Officer or Council Member to represent the Section in the PBA House of Delegates in his/her absence. Whomever is chosen as the Section Delegate (either the Chair or the appointee) will serve as the Section Delegate for the year. The Chairperson shall perform such other duties and acts as usually pertain to the office or as may be designated by the Council.

Section 2. Vice-chairperson. The Vice-chairperson shall assist the Chairperson in the performance of that officer's responsibilities in such manner and to such extent as the Chairperson may request. The Vice-chairperson 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 Chairperson. In case of the death, resignation or disability of the Chairperson, the Vice-chairperson shall perform the duties of the Chairperson for the remainder of the Chairperson'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 and
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 Chairperson.

Section 4. The Treasurer shall assist the officers of the Section as to the work of the Section generally.
The Treasurer shall keep an accurate record of all dues collected by the association for this Section and
of all monies appropriated to and expended for the use of this Section. The Treasurer shall perform such
further duties and have such further powers as may be designated by the Council or the Chairperson.

ARTICLE VI

Duties and Powers of the Council

Section 1. Subject to the provisions of the Constitution and By-Laws of the Pennsylvania Bar Association,
the By-Laws 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. The Council may authorize the Chairperson to appoint committees from Section members to
perform such duties and exercise such powers as the Council may designate.

Section 3. The Council shall approve the expenditure of all monies by the Section or appropriated for its
use, but it shall not authorize commitments on contracts involving the payment of money during any
fiscal year in an amount exceeding the monies of the Section or appropriated for its use.

Section 4. 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 Officer so
selected shall terminate at the close of the next Annual Meeting of the Section. The term of a Council
member so appointed shall expire at the scheduled conclusion of that term.

Section 5. The Council may meet at any time and place, including telephonically, on the call of the
Chairperson or any three members of the Council.

Section 6. All action of the Council shall be by a majority vote of the whole Council. Members of the
Council, if personally present at the meeting, shall vote in person; 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 electronic mail is recognized by the PBA and shall be so used as well by the Section when
appropriate.

Section 7. The Chairperson may, and upon the request of any member of the Council shall, submit or
cause to be submitted in writing, to each of the members of the Council, any proposition upon which the
Council may be authorized to act, and the members of the Council may vote upon such proposition or
propositions so submitted, by communicating their vote thereon, in writing over their respective
signatures or by telephone, or by electronic mail to the Secretary, who shall record upon the minutes
each proposition so submitted, when, how, at whose request it was submitted, and the vote of each
member of the Council thereon and keep on file such written and signed votes. If the votes of a majority
of the members of Council so recorded shall be in favor of such proposition or if such majority shall be
against such proposition, such majority shall constitute the binding action of the Council.

Section 8. The Council shall have complete authority to act on behalf of and to bind the Section on any
and all matters arising between Annual Meetings of the Section provided, however, that these By-Laws
may not be amended except in accordance with the provisions of Article VIII, Section 6, hereof.

ARTICLE VII

Meetings
Section 1. The Annual Meeting of this Section shall be held during the Annual Meeting of the Pennsylvania Bar Association and at the same city or place.

Section 2. Special meetings of the Section may be called by the Chairperson at such time and place as may be approved by the Council.

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 taken at such meeting 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. All bills incurred by this Section, before being forwarded to the Pennsylvania Bar Association for payment, shall be approved by the Chairperson, or if the Council shall so direct, by the Chairperson and the Treasurer.

Section 3. No salary or compensation shall be paid to any officer of the Section, member of the Council or member of a Committee.

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 this Section may on request of the Section be reported by the Chairperson of the Section to the House of Delegates 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 By-Laws may be amended at the Annual or any other meeting of the Section, consistently with the Constitution and By-Laws 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 By-Laws shall become effective upon approval by the Board of Governors of the Pennsylvania Bar Association.

(approved by BofG 2/23/12)

(proposed changes pursuant to discussion of By-laws Committee on 08/19/2016)

*Unanimously approved by the Board of Governors June 23, 2017.*