

**BYLAWS of the PENNSYLVANIA GRADE CRUDE
DEVELOPMENT ADVISORY COUNCIL**

Approved on Month Day, 2017

ARTICLE I. Name.

The name of this Council shall be the Pennsylvania Grade Crude Development Advisory Council (Advisory Council). **The council will have a short title of CDAC for Crude Development Advisory Council.**

ARTICLE II. Authorization.

The Advisory Council is authorized and organized pursuant to Section 3 of the Pennsylvania Grade Crude Development Act (Act of June 23, 2016, P.L. 379, No. 52).

ARTICLE III. Purpose and Duties.

The Advisory Council shall:

1. Examine and make recommendations regarding existing technical regulations promulgated under 58 Pa.C.S. (relating to oil and gas), and policies implemented by the Department of Environmental Protection that impact the conventional oil and gas industry of this Commonwealth.
2. Explore the development of a regulatory scheme that provides for environmental oversight and enforcement specifically applicable to the conventional oil and gas industry.
3. Promote the long-term viability of the conventional oil and gas industry.
4. Assist the Secretary of Environmental Protection with and provide written comments on new departmental policy that will impact the conventional oil and gas industry of this Commonwealth, including economic consequences.
5. Review and comment on the formulation and drafting of all technical regulations proposed under 58 Pa.C.S.
6. Provide institutional support for the conventional oil and gas industry of this Commonwealth by ensuring effective cooperation and communication among governmental agencies and the academic and research community.
7. Recommend appropriate measures relating to the promotion and development of the conventional oil and gas industry of this Commonwealth.
8. Develop a plan to increase Pennsylvania grade crude oil production in an environmentally responsible way to more adequately supply the refineries which depend on the Pennsylvania grade crude oil.
9. Develop a joint working group with the Department of Environmental Protection and develop an environmentally responsible and economically viable production water management option.
10. Perform other duties as necessary or appropriate to effect the intent and purposes of the Pennsylvania Grade Crude Development Act. The Council shall also annually issue a report of its activities and recommendations.

ARTICLE IV. Advisory Council Membership.

The Council shall consist of the following members:

1. The Secretary of Community and Economic Development or the Secretary's designee.
2. The Secretary of Environmental Protection or the Secretary's designee.
3. One member of the Senate appointed by the President pro tempore of the Senate.
4. One member of the Senate appointed by the Minority Leader of the Senate.
5. One member of the House of Representatives appointed by the Speaker of the House of Representatives.
6. One member of the House of Representatives appointed by the Minority Leader of the House of Representatives
7. Two representatives of the Pennsylvania Independent Petroleum Producers appointed by the Governor.
8. Two representatives of the Pennsylvania Independent Oil and Gas Association appointed by the Governor.
9. Two representatives of the Pennsylvania Grade Crude Oil Coalition appointed by the Governor.
10. Two representatives of refineries of Pennsylvania grade crude oil appointed by the Governor.
11. One representative of a nonprofit corporation, which has the purpose of promoting the history and economic benefits of the conventional oil and gas industry in this Commonwealth appointed by the Governor.
12. One representative of academia who is a geologist with an expertise in petroleum geology appointed by the Governor.
13. One representative of academia who is a hydrologist appointed by the Governor.

ARTICLE V. Member Delegates.

Each member, at his or her sole discretion, may designate a single delegate to represent the member before the Advisory Council in the member's absence ("delegate"). Designation of a delegate shall be made in writing or e-mail to the Department of Community and Economic Development and chairperson of the Advisory Council. The designation remains in effect until withdrawn in writing by the member. Submission of a new delegate by a member automatically revokes the designation of a prior delegate.

In the absence of the member, the delegate has the same participation and voting, but not leadership, rights as the member in business before the Advisory Council. It is the member's responsibility that his or her delegate is fully informed of the Advisory Council's activities to ensure effective participation and representation by the delegate.

ARTICLE VI. Officers and Committees.

A. Officers

The members of the Advisory Council shall select a Chairperson and Vice Chairperson, by majority vote. The term of the Chairperson and Vice Chairperson shall be two years and limits service to no more than two consecutive terms.

It shall be the duty of the Chairperson to:

1. Establish the meeting agenda in consultation with the Department of Community and Economic Development and the Department of Environmental Protection;
2. Preside at all meetings of the Advisory Council;
3. Call special meetings with the approval of the Advisory Council; and
4. Issue correspondence at the direction, and on behalf of, the Advisory Council.

In the absence of the duly elected Chairperson at an Advisory Council meeting, the Vice Chairperson shall perform the duties of the Chairperson.

B. Committees

Committees may be formed to address specific technical issues, at the direction of the Advisory Council. A committee will include at least one member of the Advisory Council, who shall act as Chair of the committee. Other members of the committee shall be individuals deemed by the Advisory Committee to possess technical competence in the specific subject area and asked to serve on the committee by the Chair of that committee.

Instructions to the committee from the Advisory Council shall include a definition of the specific technical subject involved, the issues in question and direction as to the type and due date for reports.

ARTICLE VII. Meetings.

The Advisory Council shall meet upon the call of the Chairperson, but not less than semiannually. A simple majority of the members shall constitute a quorum.

Standing agenda items to appear on the agenda of every regularly scheduled meeting will include: call to order, pledge of allegiance, roll call, public comment period before deliberation, standing reports from council committees/DEP/DCED, old and new business, and other.

The Advisory Council meetings shall be open to the public and follow all requirements of the Pennsylvania Sunshine Act. The Advisory Council may receive and/or solicit input from those in attendance at the meetings and/or by written submission from the public desiring to bring matters to the attention of the Advisory Council.

The chairperson will ensure that each Advisory Council meeting allows for public input in the form of verbal testimony not to exceed 5 minutes per person or organization. Copies of all correspondence directed to the Advisory Council, whether received by the Chairperson, the Department of Community and Economic Development, or the Department of Environmental Protection, shall be made available to all members in a timely manner.

ARTICLE VIII. Voting.

Each member of the Advisory Council shall be entitled to exercise one vote in each matter placed before the Advisory Council for which a vote is called. Delegates, while serving in the absence of a member, shall have the authority to perform the duties and exercise the powers of that member. Action may be taken on a matter before the council by a majority vote of the full membership of the council.

Members and delegates will be permitted to participate in meetings via teleconferencing or remotely through other digital means, and can be counted towards a quorum. Members and designees will have full voting authority regardless of their means of participation in the meeting.

ARTICLE IX. Report.

The Advisory Council shall annually issue a report of its activities and recommendation to:

1. The Governor.
2. The President pro tempore of the Senate.
3. The Minority Leader of the Senate.
4. The chairperson and minority chairperson of the Environmental Resources and Energy Committee of the Senate.
5. The Speaker of the House of Representatives.
6. The Minority Leader of the House of Representatives.
7. The chairperson and minority chairperson of the Environmental Resources and Energy Committee of the House of Representatives.
8. The Secretary of Environmental Protection.

ARTICLE X. Advisory Council Administration.

The Department of Community and Economic Development (DCED) shall provide administrative support, office space and any other technical assistance required by the Advisory Council to carry out its duties. Administrative support shall include transcribing, sending, and maintaining a permanent record of meeting minutes, sending agendas and materials to Advisory Committee members prior to meetings, posting agendas, handouts and meeting minutes on the DCED website and the review and approval of travel and subsistence expenses.

The Department of Environmental Protection (DEP) shall consult with the Advisory Council on all policies and technical regulations promulgated under 58 Pa.C.S. (relating to oil and gas), include any written comments of the Advisory Council received before DEP's submission of a proposed rulemaking package of technical regulations under 58 Pa.C.S. to the Environmental Quality Board, and provide technical assistance required by the Advisory Council to carry out its duties.

ARTICLE XI. Amendment of Bylaws.

These Bylaws may be amended, repealed or altered in whole or in part by a majority vote of all the voting members, provided that a copy of the proposed amendment shall be provided to each member at least one month prior to the date of the meeting.

ARTICLE XII. Issues not covered by the Bylaws.

Substantive matters that are not covered by the Bylaws shall be addressed by the Advisory Committee for a determination of how they will be handled. Meeting procedure shall be according to Robert's Rules of Order. Robert's Rules of Order may be suspended at any time given a majority vote of all members or designees.

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