

WILD RESOURCE CONSERVATION BOARD

BYLAWS

I. Membership

Section 6(a) of the Wild Resource Conservation Act, act of June 23, 1982, P. L. 597, No. 170, establishes membership of the Wild Resource Conservation Board (“Board”) as follows:

Secretary, Department of Conservation and Natural Resources (successor agency to the Department of Environmental Resources, pursuant to the Conservation and Natural Resources Act, act of June 28, 1995, P. L. 89, No. 18)
Executive Director, Pennsylvania Fish and Boat Commission
Executive Director, Pennsylvania Game Commission
Majority Chairman, Senate Environmental Resources and Energy Committee
Minority Chairman, Senate Environmental Resources and Energy Committee
Majority Chairman, House Environmental Resources and Energy Committee
Minority Chairman, House Environmental Resources and Energy Committee

Any member may designate an alternate to serve in his stead. The alternate must represent, or be on the staff of, the same body as the member. A member shall notify the Chairman of the Board and the Executive Director of the Department of Conservation and Natural Resource’s (DCNR) Wild Resource Conservation (WRC) Program in writing of this designation.

II. Statutory powers and duties

A. Section 6(b) of the Wild Resource Conservation Act states that the Board has the power and duty to:

1. Meet annually to determine and prioritize the management objectives deemed necessary to preserve and enhance the wild resource.
2. Conduct a public hearing not less than 60 days prior to each annual meeting of the Board, providing 30 days advance notice thereof by publication in the Pennsylvania Bulletin to which all interested persons shall be invited to make recommendations to the Board.

B. The Environmental Stewardship and Watershed Protection Act, act of December 15, 1999, 27 Pa.C.S. § 6108, states that the Board has the power to:

1. Approve projects or programs for funding as necessary to preserve and enhance wild resources. Grants for approved projects shall be made by DCNR from the Wild Resource Conservation (WRC) Fund. DCNR shall not allocate money from the WRC Fund if the allocation would exceed the money available in the Fund. The Board

shall consider the recommendations of interested persons and representatives of agencies serving on the Board when approving projects.

2. Recommend projects or programs that promote the preservation and enhancement of wild resources to DCNR for funding from the Environmental Stewardship Fund under 27 Pa.C.S. § 6105(a).

3. With the approval of DCNR, issue for sale to the public stamps, decals or other items of personal property intended to signify the interest of the purchaser in contributing to programs established by the Board. Any contributions and the net proceeds from the sale of merchandise shall be deposited in the WRC Fund.

4. Establish an advisory committee to advise the Board and DCNR regarding the wild resource management objectives of the Board and the approval of projects to promote the preservation and enhancement of wild resources. Members of the committee shall be chosen from the general public and shall serve at the pleasure of the Board.

III. Officers

A. In accordance with Section 6(a) of the Wild Resource Conservation Act, the chairmanship of the Board shall rotate on an annual basis among the members of the Board.

B. The Chairman shall be elected at the annual meeting of the Board. The Chairman shall take office upon the close of the meeting and shall serve as Chairman through the close of the next annual meeting.

IV. Executive Director of the Department of Conservation and Natural Resources' Wild Resource Conservation Program

A. The Executive Director of DCNR's WRC Program is an employee of DCNR.

B. In addition to the duties set forth in V, VI, and VII of these Bylaws relating to public hearings, Board meetings, and Advisory Committee meetings, the Executive Director shall have such other duties as assigned by DCNR to support the objectives of the WRC Program.

C. The Board delegates to the Executive Director the authority to approve or recommend on its behalf funding adjustments (increases or decreases) for approved projects up to a maximum of 10% of the amount originally approved or recommended for the project by the Board. When exercising this authority in any particular instance, the Executive Director shall notify the Board.

V. Public hearings

A. The Board shall conduct a public hearing annually for the purpose of allowing interested persons the opportunity to make recommendations to the Board concerning allocation of funds for grants and other projects to preserve and enhance the wild resource.

B. Notice of the public hearing shall be published in the *Pennsylvania Bulletin* at least 30 days before the hearing.

C. A quorum is not required to conduct a public hearing.

D. The public hearing shall be chaired by the Chairman of the Board or a designee of the Chairman.

E. The Executive Director of the WRC Program shall:

- a. Prepare, in consultation with the Chairman, a hearing agenda and provide it to the Board members and other participants prior to the hearing,
- b. Designate, in consultation with the Chairman, a record-keeper for the proceedings.
- c. Be the custodian of the records of the hearing.

VI. Meetings

A. Annual meeting

The Board shall hold an annual meeting at least 60 days after the public hearing for the purpose of approving grants and other projects for funding from the WRC Fund; recommending to DCNR grants for funding from the Environmental Stewardship Fund; electing a Chairman of the Board; and appointing members of the Advisory Committee. The Board may also address any other matters necessary to carry out its powers and duties.

B. Other meetings

The Board may hold other meetings as needed to further the objectives established at the annual meeting.

C. Procedures for meetings

1. Actions or deliberations of the Board that are subject to the Sunshine Act shall comply with the requirements of the Sunshine Act. Any procedures in these Bylaws that are inconsistent with the requirements of the Sunshine Act do not apply to such actions and deliberations.

2. The meetings shall be held at the call of the Chairman at such time and place that the Chairman shall designate. Notice of a meeting shall be given orally or by fax, e-mail, other electronic means, or other writing. Members shall be given at least 15 days advance notice of the meeting, but any member may waive his right to a 15-day notice.

3. The Executive Director of the WRC Program, shall:

- a. Prepare, in consultation with the Chairman, a meeting agenda and provide it to the members prior to the meeting,
- b. Designate, in consultation with the Chairman, a recorder of attendance, minutes and votes.
- c. Be the custodian of the records of the Board.

4. The Chairman shall preside at meetings. The Chairman may designate another member of the Board to preside in his absence.

5. Meetings will be conducted in accordance with Roberts Rules of Order unless a law or special rule of order adopted by the Board provides otherwise.

6. Four Board members shall constitute a quorum for the transaction of business; but if a quorum does not exist, a majority of the members present may adjourn the meeting without further notice.

7. At any meeting other than the annual meeting, a member may participate by conference telephone, computer, or any other communication equipment by means of which all participants in the meeting can communicate with each other. Participating in a meeting pursuant to this provision constitutes presence in person at such meeting. For actions and deliberations subject to the Sunshine Act, the absent members must be able to hear the comments of and speak to all those present at the meeting and all those present at the meeting must be able to hear the comments of and speak to such absent members contemporaneously.

8. Any action which may be taken at a meeting of the Board may be taken without a meeting if a consent to this procedure is provided in writing, via fax, or via electronic communication to the Chairman or Executive Director of the WRC Program by each member. The action to be taken without a meeting may be taken upon a majority vote of the full Board. This provision does not apply to actions and deliberations subject to the Sunshine Act.

VII. Advisory Committee

A. The Advisory Committee shall serve at the pleasure of the Board.

B. The Committee shall consist of no more than 12 members.

C. Members shall be appointed by the Board at the annual meeting.

D. If a vacancy on the Committee occurs during the period between annual meetings, the Board, in consultation with the Executive Director of the WRC Program, may appoint an interim member to serve until the next annual meeting. The Board should avoid allowing more than one position on the Committee to remain vacant at any given time.

E. There are three classes of members, each consisting of a maximum of four members. The initial term of Class 1 members will be the calendar year 2005 beginning January 1, 2005. The initial term of Class 2 members will be two calendar years beginning January 1, 2005. The initial term of Class 3 members will be three calendar years beginning January 1, 2005. After the expiration of the initial terms, the succeeding terms for all classes will be three calendar years.

There is no limit to the number of terms a member may serve, but the maximum number of consecutive terms a member may serve is two. Incumbents at the time of adoption of this provision [10/20/04] will not have previous terms count against the limit of two consecutive terms.

F. The Committee shall elect a Chairman and a Vice Chairman. The Chairman shall preside at meetings, and in the absence of the Chairman, the Vice Chairman shall preside. The Chairman may designate another member of the Committee to preside in the absence of the Chairman and Vice Chairman.

G. Meetings shall be held at the call of the Committee Chairman at such time and place as the Chairman shall designate. Notice of a meeting shall be given to each member orally or by fax, e-mail, other electronic means, or other writing. Members shall be given at least seven days advance notice of the meeting, but any member may waive his right to a seven-day notice.

H. A member may participate in a meeting by conference telephone, computer, or any other communication equipment by means of which all participants in the meeting can communicate with each other.

I. The Board shall remove any member who, without notice to the Chairman of the Committee, misses two consecutive meetings of the Committee.

J. The Executive Director of the WRC Program shall:

1. Prepare, in consultation with the Chairman of the Committee, a meeting agenda and provide it to the members prior to the meeting.
2. Designate, in consultation with the Chairman of the Committee, a recorder of attendance and minutes.
3. Be the custodian of the records of the Committee.

K. The Committee may adopt rules for its proceedings, but such rules may not be inconsistent with these Bylaws or with any rules adopted for the Committee by the Board.

L. The duties of the Committee shall be:

1. To advise the Board and DCNR on procedures and criteria for grant

selection and other issues concerning the WRC Program.

2. To advise and assist the Board and DCNR in the promotion of the WRC Fund.

3. To advise and assist the Board and DCNR in raising funds for the WRC Fund.

4. To undertake such other activities that support and advance the objectives of the WRC Program.

M. Conflict of interest.

If a Committee member has knowledge of a direct or indirect interest that he or she has in a grant application or other matter concerning which the Committee is exercising or may exercise an advisory function, the member shall promptly and fully disclose such interest to the Chairman of the Committee and the Executive Director of the WRC Program.

VIII. Amendment of bylaws

These Bylaws may be amended by vote of a majority of the full Board at any meeting if the notice of the meeting included a statement of the nature of the amendment to be considered.

These Bylaws adopted 7/23/2004.

Amended 10/20/2004. The amendment added the provision to VII E limiting the number of consecutive terms of Advisory Committee members to two and stating that for members who are incumbents at the time of adoption of the amendment, their previous terms will not be counted against this limit.