

BYLAWS OF THE NEBRASKA ENVIRONMENTAL QUALITY COUNCIL

ARTICLE I

Name

The name of this public body is the Nebraska Environmental Quality Council (hereinafter, "Council").

ARTICLE II

Object

The object of the Council is to carry out the duties assigned to it under the Nebraska Environmental Protection Act, §81-1501, et seq. and all other statutory provisions requiring action by the Council.

ARTICLE III

Members

Section 1. Membership of the Council shall be as set in Neb. Rev. Stat. §81-1503.

Section 2. Once appointed by the Governor, a new or reappointed member may serve on the Council prior to legislative confirmation.

ARTICLE IV

Officers

Section 1. The Council shall elect from its members a chairperson and a vice-chairperson who shall hold office at the pleasure of the Council.

Section 2. The vice-chairperson shall serve as chairperson in case of the absence or disability of the chairperson.

Section 3. The Director of the Department of ~~Environmental Quality~~ **Environment and Energy** shall serve as secretary of the Council and shall keep all records of meetings of and actions taken by the Council. He or she shall be promptly advised as to such actions by the chairperson.

Section 4. Election of officers shall occur in odd-numbered years during the second regularly scheduled calendar meeting. Elections shall occur under the, "new business," portion of the agenda. Nominations shall be taken by the floor and voting may be by

either secret or open ballot. New officers shall begin their term of office at the next regular meeting after elections are held.

ARTICLE V

Meetings

Section 1. The Council shall hold at least two regular meetings each year at a time and place fixed by the Council and shall keep a record of its proceedings, which shall be open to the public for inspection.

Section 2. An agenda shall be developed and maintained by the secretary according to the Open Meetings Act, Neb. Rev. Stat. §81-1411.

Section 3. The order of agenda (except for scheduled rulemaking hearings) may be changed at any regular meeting by an affirmative vote of nine members.

Section 4. Nine members of the Council shall constitute a quorum.

Section 5. Special meetings may be called by the chairperson. Such special meetings must be called by him or her upon receipt of a written request signed by two or more members of the Council.

Section 6. Emergency meetings may be held to the extent allowed by Nebraska Open Meetings Act, Neb. Rev. Stat. §84-1408 to 84-1414.

Section 7. The Council is a, "public body," for purposes of Neb. Rev. Stat. §84-1409 of the Open Meetings Act.

Section 8. Written notice of the time and place of all meetings shall be transmitted in advance to the office of each member of the Council by the secretary.

Section 9. Notice requirements for public rulemaking hearings shall be in accordance with Nebraska Environmental Protection Act, §81-1501 et seq.; the Administrative Procedure Act, §84-901 et seq.; and, Title 115.

Section 10. Rulemaking hearings shall be presided over by a hearing officer appointed by the chair person. After each hearing is closed, the hearing officer shall turn the conduct of the meeting back to the chairperson for action on the proposal. Other requirements for rulemaking hearings are contained in Title 115.

Section 11. Standards or regulations the Council proposes to adopt, amend or repeal require an affirmative vote of nine members. Before adopting any substantive amendments to the proposals before it, the Council shall give public notice and consider the amendments at a later meeting.

ARTICLE VI
Committees

Section 1. Either standing or special committees may be appointed by the Chairperson as he or she deems necessary to carry on the work of the Council. The chairperson shall be ex officio a member of all committees.

ARTICLE VII
Parliamentary Authority

The rules contained in the current edition of, Robert's Rules of Order Newly Revised, shall govern the Council unless waived by an affirmative vote of nine members.

ARTICLE VIII
Amendment of Bylaws

These bylaws may be amended at any regular meeting of the Council by an affirmative vote of nine members, provided that the amendment has been submitted in writing at the previous regular meeting.

Adopted by the Environmental Quality Council this 20 day of June, 2013.



Handwritten signature of Joseph L. Smith, appearing to be the name of the Council member who adopted the bylaws.



Handwritten signature of the Secretary, appearing to be the name of the official who signed the document.

Secretary