



GROUP MEETING
Agenda Item 6.5 – Excerpt of Suggested Bylaw Revisions
1/25/06

ISSUE #1: Voting member attendance and # of designated alternates

ARTICLE II. VOTING MEMBERSHIP

Article II. Section 6. Attendance

All members shall make a good faith effort to attend all RWPG meetings and hearings. Records of attendance shall be kept by the Secretary at all RWPG meetings and hearings and presented as part of the minutes. Effective calendar year ~~2004~~2006, voting members must attend at least ~~one-half~~ two-thirds of the sum of all required meetings and hearings during a calendar year. Voting members of the RWPG who have excessive absences shall be subject to removal from membership under Section 8(c) of this Article. Representation by a designated alternate pursuant to Article V does not excuse a member's absence.

ARTICLE V. DESIGNATED ALTERNATES

Each voting and non-voting member shall designate an alternate to represent him/her when he/she is unable to attend a meeting or hearing. The Chair shall not recognize the designation of more than one individual alternate's name per member per calendar year. Each member must notify the Chair in writing of the name and address of the member's designated alternate at least forty-eight hours prior to the first meeting or hearing at which the designated alternate will appear on behalf of the member. If the member fails to provide such notice, the Chair may forbid the participation of the designated alternate at the meeting or hearing. ~~The Chair shall not recognize the designation of more than one alternate per member at any given time. The Chair shall not recognize more than two alternate designations of any kind per member per calendar year unless the RWPG expressly decides to waive this provision.~~

The designated alternate shall enjoy the same voting privileges, or lack thereof, and shall be bound by the same duties, terms and conditions as the member they represent, except as otherwise provided in these bylaws. However, a designated alternate for a voting member who serves as an officer shall not be allowed to serve in the capacity as an officer in the member's absence.

ISSUE #2: Redefine what constitutes an automatic end of a voting member term

ARTICLE II. VOTING MEMBERSHIP

Article II. Section 8. Removal of Voting Members

(a) Grounds for Removal of Voting Members. The following shall constitute grounds for removal of a voting member:

- (1) excessive absenteeism as defined under Section 6 of this Article determined by the RWPG;
- (2) inability to serve due to poor health;
- ~~(3) resignation;~~
- (4) change in status so that the member no longer represents the interest he or she was selected to represent unless waived by the RWPG by a two-thirds vote of the voting membership present;
- (5) failure to abide by the code of conduct provisions set forth under Section 7 of this Article;
- ~~(6) appointment of a successor by the voting members upon expiration of the member's term;~~
- (7) falsifying documents;
- (8) any other serious violation of these bylaws as may be determined by the voting members; or
- (9) the voting member's designated alternate engages in any acts described in subdivisions (5), (7), or (8) of this subsection.

~~(b) Death of a voting member shall automatically end the term of that member without the necessity of further action.~~

The following shall automatically end the term of a voting member:

- (1) resignation;
- (2) appointment of a successor by the voting members upon expiration of the member term; or
- ~~(4) death.~~

(c) Process for Removing Voting Members. Voting members may be removed at any time for any of the grounds for removal of voting members set forth in subsection (a) of this section. Any member with knowledge that events have occurred constituting a ground for removal under subsection (a) of this section shall report such information to the Chair. The Chair, upon discovering or receiving such information, shall contact that member to verify the events that have occurred or the acts that have been alleged. The member shall respond to the Chair within fifteen calendar days from the date of receipt of the Chair's request. The Chair may require any information or response to be in writing. If the Chair believes that a ground for removal may exist, then the Chair shall confer with the Executive Committee regarding the matter, and the Executive Committee may vote to place an item on the next subsequent agenda addressing the possible removal of the member. If the Chair does not believe that a ground for removal exists and indicates that he or she will not place an item on the next agenda addressing the possible removal, then if five voting members request its inclusion on the agenda in writing, the Chair shall place an item on the next subsequent meeting agenda addressing the possible removal of the member.

ARTICLE III. SELECTION OF NEW VOTING MEMBERS

Article III. Section 1. Timing

No later than ninety calendar days prior to the end of a voting member's term, or within forty-five calendar days of ~~the all other removals~~ of a voting member pursuant to Article II, Section 8, the RWPG shall solicit nominations from the public for a successor, in a manner to be determined by the RWPG. ~~When a vacancy exists due to the death of a voting member, the RWPG shall solicit nominations from the public for a successor at the next RWPG meeting, in a manner consistent with the posting requirements of the Texas Open Meetings Act.~~

ISSUE #3: Clarification only; no substantive change
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ARTICLE III. SELECTION OF NEW VOTING MEMBERS

Article III. Section 4. Executive Committee Responsibilities

The Executive Committee shall receive and process the nominations and, no sooner than ten calendar days after the deadline for submitting nominations, shall recommend a nominee to the voting membership as a whole, giving strong consideration to an agreed upon nominee from those individuals and entities that collectively represent that interest.

The Executive Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the Executive Committee and may consider any person who meets the conditions of membership as a nominee.

Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors, and if voting members decide to participate in the selection of their successors, they shall serve until their successors take office. ~~However, a~~ No member shall participate in a vote in which he or she is a nominee.

Article III. Section 5. Vote Required

The voting members shall make a decision for a successor by a two-thirds vote of the voting membership present. If no decision can be reached, the voting members shall consider other nominations until a new member can be selected by a two-thirds vote of the voting membership present. The selection of a new member is effective immediately after the vote confirming his or her selection.

Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors, and if voting members decide to participate in the selection of their successors, they shall serve until their successors take office. ~~However, a~~ No member shall participate in a vote in which he or she is a nominee. If any member is unable to participate in a vote under this section, an alternate for that member shall not participate in that vote. An alternate for a member shall not participate in any vote in which that alternate is a nominee.