

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TAX RELIEF FOR POLLUTION CONTROL PROPERTY ADVISORY COMMITTEE
BYLAWS**

ARTICLE 1 – PURPOSE

1. The purpose of the Tax Relief for Pollution Control Property Advisory Committee (the Committee) is to advise the Commissioners of the Texas Commission on Environmental Quality (TCEQ) on matters relating to property tax exemptions for pollution control property.

ARTICLE 2 – MEMBERSHIP

1. Number of Members: The size of the Committee may vary from time to time, but may not exceed thirteen members. The Committee will be comprised of members of industry, appraisal districts, taxing units, school district or junior college district, environmental groups, and members who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering.
2. Terms of Appointment: Members of the Committee are appointed by and serve at the pleasure of the Commission. Members of the Committee will serve staggered four-year terms and may be reappointed.
3. Resignation and Replacement Appointment: If a member of the Committee resigns, dies, becomes incapacitated, is removed by the Commission, otherwise vacates his or her position, or becomes ineligible prior to the expiration of his or her term, the Commission shall appoint a replacement who shall serve the remainder of the unexpired term.
4. Attendance: A record of attendance at each meeting of the Committee will be made. If a member misses three consecutive regularly scheduled meetings or more than half of all of the regularly scheduled meetings in a one-year period, that member automatically vacates his or her position on the Committee and the Commissioners shall appoint a replacement who shall serve for the remainder of the unexpired term.

ARTICLE 3 – PRESIDING OFFICER

1. Presiding Officer: The Committee shall elect from its members a Presiding Officer. The Presiding Officer shall preside over the Committee, develop meeting agendas, and provide written reports to the Commissioners.
2. Terms of Office: Elections shall be held annually or at the request of a majority of the members of the Committee. Votes shall be cast by public or secret ballot as decided by the Committee. Absentee votes may be cast by telephone or other acceptable technology during a recorded Committee meeting with said election. Proxy votes will not be allowed. The Presiding Officer may be re-elected.

ARTICLE 4 – MEETINGS

1. Meeting Schedule: Meetings will be held quarterly or at the call of the Presiding Officer or the Commissioners.
2. Agenda Development: Meeting agendas will be developed by the Presiding Officer with assistance from Executive Director staff. Any member wishing to include an item on the agenda has the responsibility to draft and present the proposed agenda item to the Presiding Officer for approval and inclusion. Agendas will typically adhere to the following fixed order: 1. Call to order, 2. Roll call of members present, 3. Publicly posted agenda items, 4. Old business, 5. New business, 6. Announcements, and 7. Adjournment.
3. Public Participation: Committee meetings will be open to the public. Members of the public will be asked to sign an attendance sheet. Comments from members of the public may be permitted at the discretion of the Presiding Officer. The Presiding Officer shall ensure that there is an opportunity for public participation at every Committee meeting.

ARTICLE 5 – MOTIONS AND VOTING

1. Obtaining the Floor: Members who wish to obtain the floor shall wait until the preceding speaker has finished addressing the Presiding Officer, and wait to be recognized by the Presiding Officer.
2. Motions: Motions should be stated in the affirmative (i.e., “I move that we...,” not “I move that we do not...”). The Presiding Officer will address motions generally in accordance with Robert’s Rules of Order.
3. Establishing a Majority: For administrative decisions, such as the election of the Presiding Officer or amending Committee bylaws, a majority is established by a majority of all members of the Committee. For all other matters, a majority is established by a simple majority of all members present, so long as a quorum of more than 50% of the Committee members is present.
4. Voting: The Committee will vote on any issue communicated as advice to the Commissioners and other issues within the purview of the Committee. Absentee votes may be cast by telephone or other acceptable technology after a motion has been presented and prior to adjournment. Administrative matters may be voted on by electronic means, provided no member of the Committee objects. All votes will be taken by general voice, show of hands, or roll call, with each member answering “aye” or “no” when his or her name is called by the Presiding Officer. Proxy votes will not be allowed. Consensus is not required. If a motion receives a vote of opposition, the Presiding Officer will call for a vote in a manner that will record the names of members for and against the motion. Executive Director staff will assist the Presiding Officer in preparing the Committee’s written recommendation to the Commissioners. If there is not consensus among all members of the Committee, minority members are encouraged to submit minority reports for the Commissioners’ consideration. Executive Director staff will assist minority members in drafting minority reports.

ARTICLE 6 – RECORDS AND REPORTS

1. Periodic Reports to the Commission: When requested by the Commissioners the Committee shall provide written reports containing their recommendations regarding matters associated with the tax relief for pollution control property program.
2. Annual Reports to the Commission: Unless otherwise directed, the Committee shall report to the Commissioners a minimum of once per year. The report must be sufficient to allow the Commissioners to properly evaluate the Committee's work, usefulness, and the costs related to the Committee's existence.
3. Records of Committee Meetings: Executive Director staff shall audio record each Committee meeting. Executive Director staff shall also record and maintain the attendance and minutes of each Committee meeting. Executive Director staff shall maintain a record of actions taken at Committee meetings and shall distribute approved attendance lists, meeting minutes, and other Committee documents to the Commissioners and Committee members upon request. Minutes and Committee reports will be maintained in a form and location that is easily accessible to the public, including on the TCEQ's website.