

SECTION OF ENVIRONMENT, ENERGY AND NATURAL RESOURCES

KENTUCKY BAR ASSOCIATION

BY-LAWS

ARTICLE I

NAME AND PURPOSE

Section 1. Name.

The organization shall be known as the Section of Environment, Energy and Natural Resources, (Section), of the Kentucky Bar Association (KBA).

Section 2. Purpose.

The purpose of this Section shall be as follows:

A. To promote the exchange of ideas within the KBA on matters of interest to lawyers who practice within the field of environmental quality, energy and natural resources.

B. To provide through the KBA, programs and information relevant to environmental, energy and natural resources law practice.

C. To enhance the image and professional capability of the legal profession in the field of environmental, energy and natural resources law.

ARTICLE II

MEMBERSHIP AND VOTING

Section 1. Membership.

Membership in the Section is open to all members of the KBA. A membership fee shall be assessed annually to those members of the KBA who wish to be members of the Section. An initial fee of \$10.00 per annum has been established, and any

increase or decrease shall be subject to approval by a majority vote of the Section members present and voting at the Annual Meeting. Dues shall be due and payable with the KBA dues. Associate, non-voting membership may be permitted.

Section 2. Voting.

Only dues paying members of the KBA and the Section shall be qualified electors and eligible to vote and hold office in the Section. Unless otherwise provided in these Articles, any and all official action taken by the Section at the Annual Meeting shall be by a majority of those members present and voting.

ARTICLE III

OFFICERS, DIRECTORS, AND COMMITTEES

Section 1. Officers.

A. The officers of the Section shall be the Chair, the Chair-Elect, and the Vice-Chair. They shall be elected at the annual meeting of the Section from and by the Section membership present and voting during the Annual Meeting of the KBA and shall qualify by acceptance. All officers must be active dues paying members of the KBA and the Section. A word importing the masculine gender only may extend and be applied to females as well as males.

B. Duties of Officers:

(1) Chair. The Chair shall preside at all meetings of the Section and of the Executive Committee and shall perform such other duties assigned by the membership or by the Executive Committee. He shall prepare and file an annual report in compliance with the requirements of the By-Laws of the KBA.

(2) Chair-Elect. The Chair-Elect shall serve as administrative assistant to the Chair and shall perform the duties assigned by the membership, the Executive

Committee or the Chair. He shall, during the tenure as Chair-Elect, endeavor to thoroughly familiarize himself with the duties of the Chair and the works of the Section and of the KBA.

(3) Vice-Chair. The Vice-Chair shall serve as secretary of the Section and shall issue notice of all meetings of the Section and the Executive Committee and shall keep a record of the proceedings.

C. Term of Officers.

(1) The officers shall serve for a term of one year beginning with the adjournment of the annual meeting of the membership at which they are elected and ending with the adjournment of the next annual meeting of the membership or thereafter until their successors shall have been duly elected and qualified. The member of the Section elected Chair-Elect at an annual meeting of the membership, shall, upon expiration of his term as Chair-Elect, succeed to the office of Chair for a term of one year, beginning with the adjournment of the annual meeting of the membership of which he assumes the office and ending with the adjournment of the meeting of the membership thereafter, until his successor has assumed office.

Section 2. The Executive Committee.

A. The Executive Committee shall be composed of the Chair, Chair-Elect, Vice-Chair, immediate past Chair, and four other members. The Chair shall appoint the four non-officer members of the Section to be members of the Executive Committee. In making such appointments, the Chair shall consider the qualifications, size and type of practice, and the diversity of geographical location of each person so appointed. The term of the appointed non-officer members shall be coextensive with the term of the

Chair. The Executive Committee shall be responsible for liaison with all other section and committees of the KBA.

The Executive Committee, by two-thirds (2/3) vote, may exercise the power of the Section during any period the Section membership is not meeting, subject to such limitation as may be imposed by the Section membership.

Section 3. Standing Committees.

The standing committees shall be as enumerated herein. They shall be advisory to the Chair and to the Executive Committee and shall have duties as directed by the Chair and as herein set out.

A. Nominating Committee. The Nominating Committee for each subsequent year shall be appointed at least three months prior to the Annual Meeting of the Executive Committee. In making such appointments, the Chair shall consider the qualifications, size and type of practice, and the diversity of geographical location of each person so appointed. The Nominating Committee shall consist of at least three members (but not more than five members) of the Section and shall include at least one past Chair of the Section, if he is available and willing to serve. In the first year of the Section, the Chair shall serve as a member of the Nominating Committee. The Nominating Committee shall receive and consider suggestions of persons to serve as officers and Directors for the Section and shall report a slate of nominees to the section for election at the business meeting of the Section at the Annual Meeting of the KBA. The Nominating Committee may nominate more than one person for each office.

B. Natural Resources Committee

1. Coal
2. Forest Resources

3. Oil and Gas
4. Water Resources
5. Alternative Energy Sources
6. Oil Shale
7. Hard Minerals

C. Environmental Quality Committee

1. Air Quality
2. Water Quality
3. Solid and Hazardous Wastes

D. Energy Committee

1. Energy Policy
2. Electric Power
3. Public Lands and Land Use

E. CLE Committee

1. Programs
2. Newsletter
3. Teaching

F. Planning Committee

G. Membership Committee

1. Regular
2. Associate Memberships

Section 4. Special Committees.

The Chair shall with the approval of the Executive Committee create such special committees as deemed necessary.

Section 5. Committee Chairs and Memberships.

The Chair shall, with approval of the Executive Committee, appoint the chair of each standing committee and each special committee. The Chair shall appoint the membership of each committee.

ARTICLE IV

MEETINGS

Section 1. Meetings.

A. An annual meeting of the Section shall be held during the KBA Annual Convention.

B. Special meetings of the Section may be called by the Chair, by two-thirds (2/3) vote of the Executive Committee, or by the Vice-Chair upon written request of not less than 25 members of the Section. The time, place, and purpose of the special meetings shall be announced at least 10 days in advance, either by publication in the Kentucky Bench and Bar or by notice to the membership via first class mail or via electronic mail. All special meetings shall be held within the Commonwealth of Kentucky.

C. At all meetings, the members of the Section present (but not less than three) shall constitute a quorum for the purpose of transacting business. The latest edition of Roberts' Rules of Order shall govern the proceedings.

D. The Executive Committee shall meet not less than three times each year. The meetings of the Executive Committee shall be called by the Chair or upon written request of not less than four (4) members of the Executive Committee. The time and place of the meetings of the Executive Committee shall be announced at least ten (10) days in advance by notice via first class mail or via electronic mail to its members.

ARTICLE V

AMENDMENTS

Section 1. Amendments.

These by-laws may be amended at an Annual Meeting of the Section membership by two-thirds (2/3) vote of the members of the Section in attendance and voting, provided that notice of the substance of the proposed amendments shall either have been published with notice of the meeting in the Kentucky Bench and Bar or sent to all members of the Section with notice of the meeting via first class mail or electronic mail. Alternatively, these by-laws may be amended by two-thirds (2/3) vote of the members of the Section (but not less than 25 members) by electronic vote, provided that notice of the substance of the proposed amendments shall have been delivered to members of the Section via first class mail or electronic mail at least thirty (30) days prior to the voting. The timing, security and manner of electronic voting shall be determined for each vote by the Executive Committee in consultation with the KBA Executive Director.