

# PENNSYLVANIA STATE VETERANS' COMMISSION BYLAWS

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**ARTICLE I: Introduction**

Section 1.1. DEFINITION OF BYLAWS. The General Assembly created the State Veteran Commission (“the Commission”) within the Department of Military and Veteran Affairs (“the Department”) 51 Pa.C.S. §§ 1701-1705. These bylaws provide rules for routine organizational conduct and administration not addressed in Subchapter A of Chapter 17 of Title 51 of Pennsylvania’s Consolidated Statutes.

Section 1.2. PURPOSES AND POWERS. This commission will have the purposes and powers as set forth in 51 Pa.C.S. §§ 1703 and 1704. In its advisory role, the commission serves as a professional, veteran-centric advocate and catalyst for identifying gaps in services, programs and benefits at the state government level. The commission functions as a sounding board for the department to discuss recommendations and evaluate solutions. By its varied composition, it is uniquely positioned to be a trusted conduit and communication channel for veteran service organizations, business and community groups, the U.S. Department of Veterans Affairs, the general public, and most importantly, veterans.

**ARTICLE II: Membership**

Section 2.1. COMPOSITION. The composition of the commission is set forth in 51 Pa.C.S. § 1702(b).

Section 2.2. TERMS. There are no limits on number of terms a commissioner may serve. The term length of an appointment is established by 51 Pa.C.S. § 1702(b).

Section 2.3. RESIGNATION. Any commissioner may resign at any time. Such resignation shall be provided in writing to the chair, who will notify the Adjutant General in order to notify the Governor.

Section 2.4. REMOVAL. A commissioner may be removed by the assigning veterans service organization or appointing authority.

Section 2.5. VACANCY. Any vacancy occurring during the term of a commissioner shall be filled for the unexpired term by the appointment of a successor in the same manner as the predecessor. For commissioners at-large, see 51 Pa.C.S. § 1702(f).

Section 2.6. COMPENSATION AND EXPENSES. Pursuant to 51 Pa.C.S. § 1702(d), commissioners shall serve without compensation. They shall be reimbursed for approved, out-of-pocket expenses deemed necessary and reasonable as a result of official business of the commission, to include duties outside of regularly scheduled meetings.

### **ARTICLE III: Officers**

Section 3.1. GENERAL. In accordance with 51 Pa.C.S. § 1702(c), the officers of the commission shall consist of a chair, a vice-chair, and a non-voting executive secretary.

Section 3.2. CHAIR. The chair shall preside at all meetings of the commission and, in general, shall perform all duties incident to the office of chair.

Section 3.3. VICE-CHAIR. The vice-chair shall perform the duties of the chair in the event of the latter's inability to act because of absence or other reason and shall perform other duties delegated by the chair.

Section 3.4. EXECUTIVE SECRETARY. The Executive Secretary shall be responsible for all administrative and logistical tasks related to the commission.

Section 3.5. ELIGIBILITY FOR OFFICER POSITION. Any appointed commissioner, excluding the Adjutant General, is eligible to become the chair or vice-chair.

### **ARTICLE IV: Meetings**

Section 4.1. MEETINGS. In accordance with 51 Pa.C.S. § 1702(e), the commission shall meet upon the call of the chair or the Adjutant General. If the chair elects to call a meeting, he or she shall query the Executive Secretary to ensure that there is adequate space and resources to hold the meeting. The Executive Secretary shall send a written notice to each member at least fourteen (14) days in advance of a meeting via e-mail or other means of communication deemed reasonably likely to reach the intended recipient. Such a notice shall contain the date, time, place, and purpose of the meeting. Commissioners unable to attend shall notify the Executive Secretary and chair in advance of the meeting, when at all possible, in order to be excused.

Section 4.2. MEETING CANCELLATION. The Adjutant General or the chair may cancel meetings but only for good cause.

Section 4.3. RECUSAL AND ABSTENTION. A commissioner shall recuse himself or herself from any matter in which he or she has a conflict of interest. A voting commissioner may abstain from voting by being present during the vote, but not casting a ballot.

Section 4.4. ADVANCE WRITTEN VOTE OR VOTE BY PROXY. If proper notice is given of a vote to be taken at a commission meeting, and if a commissioner is unable to participate, then the commissioner may submit to the Executive Secretary in writing prior to the meeting either a vote on the question or an authorization for a proxy to vote.

Section 4.5. OPEN MEETINGS. All actions and deliberations of the commission shall take place at a meeting open to the public, unless permitted otherwise by the 65 Pa.C.S. § 706 (Sunshine Act) or other applicable law.

Section 4.6. RULES OF ORDER. Except to the extent otherwise provided by law or by these bylaws, the rules of order for meetings of the commission and committees thereof shall follow as closely as practicable those prescribed for small assemblies or similar small bodies in the most recently published revision of Robert's Rules of Order.

Section 4.7. MEETING MINUTES. Meeting minutes shall be prepared as required by 65 Pa.C.S. § 706 (Sunshine Act) or other applicable law. They shall contain all substantive motions and resolutions (votes) of the commission.

Section 4.8. USE OF TELECONFERENCE. The commission authorizes the use of visual-audio teleconferences for Commission meetings, when appropriate. All other rules, such as quorums, notification, the business to be transacted, and minutes of the business transacted, shall apply.

Section 4.9 ACTION BY THE COMMISSION. Whenever an act or an approval by the commission is required or permitted under 51 Pa.C.S. §§ 1701-1705 and under these Bylaws, a majority vote of the commission present at a meeting at which a quorum has been established under 51 Pa.C.S. § 1702(e) shall be the act or approval of the commission, unless the vote of a greater number is required by these Bylaws or by operation of law.

## **ARTICLE V: Committees**

Section 5.1. CREATION OF COMMITTEES. Committees may be established to address the needs of the commission. In so doing, the commissioners may establish by resolution one or more standing or special committees. Any committee will continue to exist only at the pleasure of the commissioners.

Section 5.2. COMMITTEE MEMBERSHIP. Committee members will be selected and assigned as needed by the commissioners. These members may be commissioners and non-commissioners.

Section 5.3. COMMITTEE CHAIRS. The chair of each committee will be a sitting commissioner. As soon as possible after the election of officers, the commissioners will appoint the committee chairs.

Section 5.4. TERMS. Committee members will continue in their role until relieved.

## **ARTICLE VI: Operations**

Section 6.1. CODE OF CONDUCT. A commissioner will read and abide by the Governor's Code of Conduct (Executive Order 1980-18 Amended) as a civil officer appointee.

Section 6.2. CONFLICT OF INTEREST. All commissioners and committee members have a duty to disclose potential conflicts of interest to the chairman and the Adjutant General. Any commissioner or committee member who fails to disclose a potential conflict is subject to suspension and or removal as a commissioner. See also Section 6.1.

Section 6.3. OATH OF OFFICE. A commissioner will assume his/her duties at the first available meeting of the commission following his election or appointment as a commissioner and after being sworn in. A commissioner, as an appointed civil officer, shall not perform any power or duty without first taking the oath of office. The Oath of Office will be administered by the Adjutant General or his designee. The Oath of Office is:

*I (state first and last name) do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.*

Section 6.4. ADMINISTRATIVE AND LOGISTICAL SUPPORT. The commission receives administrative and logistical support from the department. The Executive Secretary coordinates that support. See Section 3.4.

Section 6.5. BUDGETING. The commission will propose a budget for the conduct of its operations for inclusion in the department's annual executive budget submission. This will be done in consultation with and with the assistance of the Executive Secretary. The approved funds allocated for the commission's purposes shall be used solely as determined by its members and as approved by the Executive Secretary, acting on behalf of the department.

## **ARTICLE VII: Amendments**

Section 7.1. MODIFICATION OF BYLAWS. Recommendation for modification will be submitted by written motion to the commission and require a vote of two thirds (2/3) of its voting commissioners for approval. The vote will normally occur at the next, regular commission meeting. At least three work weeks' notice (15 working days) shall be given prior to the date of voting. The modifications approved by the commissioners will then be submitted to the Adjutant General for final review and approval. Any provision of the Bylaws that become inconsistent with any future amendments to 51 Pa.C.S. §§ 1701-1705 shall be immediately amended to comply with those statutory amendments without further act or approval of the commission. All other provisions shall remain in full force and effect.

Section 7.2. ADOPTION OF BYLAWS. Adopted by the commissioners by resolution on April 14, 2023 and approved by the Adjutant General on **DATE**.