



State of Washington Citizens Advisory Committee On Pipeline Safety

Charter/Bylaws **Adopted May 2005;** **Amended August 2007** **Amended May 2009**

1. Legislative Charter

As specified in Chapter 81.88.140 Revised Code of Washington (RCW): “The Citizens Committee on Pipeline Safety (“the Committee”) is established to advise the state agencies and other appropriate federal and local government agencies and officials on matters relating to hazardous liquid and gas pipeline safety, routing, construction, operation, and maintenance. The Committee shall serve as an advisory committee for the Washington Utilities and Transportation Commission (“Commission”) on matters relating to the Commission’s pipeline safety program and activities.”

2. Membership

The Committee is comprised of thirteen total members who are appointed by the governor to staggered three-year terms. Nine members represent local government, elected officials, and the public. Four non-voting members represent owners/operators of hazardous liquid and gas pipelines.

3. Committee Chair and Vice-Chair Selection Process

Background

While members of the Committee are appointed by the Governor to three-year terms, the statute that created the Committee (RCW 81.88.140) is silent as to how the Committee is to be organized, other than voting and non-voting members. Upon appointment of the first committee, the Governor did appoint the Chair. However, given the lack of statutory direction, the Committee moved to establish a procedure for selecting its own officers.

Process

Leadership positions are to be filled by voting members of the Committee. The Committee Chair serves for a one-year term commencing with the date of term of appointments by the Governor (July 31). The Vice- Chair will serve a one-year term and then will be promoted to the position of Chair the following year. In other words, the Vice-Chair is also Chair-elect. Then each year the Committee selects a new Vice-Chair to maintain the succession. If the chair resigns or is replaced by appointment, the Vice-Chair promotes to become the Chair and the Vice-Chair becomes vacant unless the Vice-chair declines to become Chair. An election for the vacant position will be held at the

next full meeting of the Committee. In the absence of a Chair, the Vice-Chair will be the acting Chair.

Elections will normally be held annually in ~~September~~ May ~~unless an election was held at the previous meeting.~~ Self-nominations for the Vice-Chair position will occur during the meeting. If there is more than one person interested, then a secret ballot among voting members will occur. The Vice-Chair should ideally be a member that has two to three years left in their term in order to step up into the Chair position the following year. The person selected as Vice-Chair is making a two-year commitment, one as Vice-Chair and one as Chair. The positions start immediately upon election or promotion.

4. Goals and Expectations

The Committee shall have as its primary goals:

- Maintaining and improving the safety of pipelines in Washington State

To accomplish this goal the Committee will:

- Work to improve the understanding and awareness of pipelines and pipeline Safety in Washington State.
- Review, comment and make recommendations on proposed local, state and federal laws and rules pertaining to pipelines.
- Give counsel and advice to local governments, state government agencies (particularly the Commission Pipeline Safety Program and the Department of Ecology), and the U.S. Secretary of Transportation on pipeline issues.
- The Committee will assist Washington State citizens to understand pipelines and the safety of Washington pipelines.
- Committee members are expected to interact with key state, city, county, and public groups concerned with pipeline safety and with industry representatives.

5. Member Ground Rules

Committee members will strive to conduct themselves in a professional manner and treat each other with respect.

To facilitate productive discussion and decisions at meetings, Roberts Rules of Order will generally be followed.

6. Decision-making Methods

To the greatest extent possible, the Committee shall work toward consensus for decision-making. Where consensus is not reached on matters of policy or advice, the Chair shall put the matter before the voting members present for decision. For the committee to take any action a quorum must be present. Voting will be by simple majority of the voting members present. The Chair will solicit input and opinions on issues from all Committee members and then conclude decision making with a vote by voting members present.

7. Quorum

In order to make decisions related to action items at meetings, and vote on such items, the Committee will require a quorum to be present. A quorum will be established by a

having a majority of current voting members in attendance in person or via conference call.. Non-voting members will be included in all discussions and exchanges and shall receive all information provided to Committee members.

8. Annual Work Plan, Meeting Schedule and Locations

The Committee year will begin on August 1st and end on July 31st to coincide with the terms of the members. Committee meetings will generally be held at least 4 times a year. Additional meetings throughout the year will be scheduled on an as needed basis. The meetings will generally be held on dates mutually acceptable to the Committee members and the Commission staff in the following months:

- September
- November
- March
- May

The Committee will establish an annual work plan. The Chair and Vice- Chair will draft a work plan for the review of the entire Committee at the September meeting of every year.

The Committee and Staff will set the year's regular meeting schedule at the September meeting. Staff is responsible ensuring the reserving meeting space. Notice of meetings will be sent to all members and interested public. Meeting notifications will also be posted on the Commission's website at <http://www.wutc.wa.gov>

9. Meeting Agendas and Minutes

New business agenda items will be solicited from Committee members as a regular part of the Committee's meeting duties. The Committee chair will review issues raised and will decide whether to place items on the agenda for a future meeting.

Agenda topics will be gathered from Committee member feedback, Commission staff, and the Washington State Department of Ecology (DOE) as appropriate. Committee meeting agendas will be finalized by the Chair and Vice-Chair in consultation with Pipeline Safety Director. The Chair has final approval authority for any agenda item. The Chair has ultimate responsibility to assure that agendas and meetings have continuity and that the Committee is making progress on issues.

Agendas will be distributed as far in advance of meetings as possible, with seven days prior as the goal. Agendas will be sent to members electronically, or by other means as requested. Agendas will also be posted to the Commission's website.

Commission Staff will record minutes of Committee meetings. Minutes will consist of a summary of issues discussed and actions taken.

Draft minutes of the preceding meeting will be sent to members within 30 days of said meeting. Minutes will be posted to the Commission's website following adoption by the Committee.

Materials provided to the committee and presentations made to the committee shall be included in the committee records. To the extent practical, these materials and presentations will be posted on the committee website, along with the meeting minutes.

Presenters will be notified in advance of the meetings that presentation material will be made part of the meeting public record.

10. Attendance Requirements

All members are to endeavor to attend all regularly scheduled meetings of the Committee to the extent possible. Members may be excused from attendance at individual meetings by the Chair for good reason. Requests to be excused from a committee meeting should be sent by e-mail to the Chair and the Commission staff with copies of the e-mail request sent to the Vice- Chair. Members who fail to attend three regularly scheduled meetings in a row (unexcused absence) or attend less than half the scheduled meetings in a year may be asked to resign by the Chair from the Committee in order to allow other interested persons to seek membership. Members may not attend in proxy or otherwise have another individual attend as their representative. Members may attend meetings via conference call to the extent that facilities to support such participation can be made available.

11. Appointment of Committee Liaison

The Committee Chair may appoint one or more members to serve as liaison to outside committees, task forces or work groups that relate to pipeline safety concerns. While serving as a liaison, the member(s) shall be a representative of the Citizens Committee on Pipeline Safety. To the degree possible, any opinion expressed or votes made by the liaison shall reflect the position of the Committee. The liaison shall also directly give status reports to the Citizens Committee.

12. Budget

As specified in RCW 81.88.140(5), expenses for the Committee, as well as staff support, are to be provided by the Commission. The biennial budget established by the Commission includes funds to cover the Committees meetings, including travel, per diem, and lodging for members as necessary.

The Committee may pursue additional funding through the normal Commission budgetary process. Grant requests for special committee activities and projects should be pursued through the Commission.

13. Internal Communication

All members of the Committee shall have access to information developed or exchanged amongst the members. The Chair will solicit input and opinion from all members during Committee meetings. Members shall exchange information through e-mail, telephone, or other means and strive to keep each other up to date about issues pertaining to ongoing work of the Committee. Information pertinent to meeting agenda items will be shared as early as possible with all members in order that meetings may proceed efficiently.

Positional discussions of pipeline safety issues that could come before the committee for a vote must be avoided in email or other communication device. The chair shall move these discussions to the next meeting agenda to ensure meeting the intent of public open meetings.

Pet Kmet's proposed replacement of the above paragraph:

“ Committee members will refrain from (wording? Communicating with a majority of the committee) using e-mail and other communications devices to express positions on issues with a vote pending before the committee. Where this is not possible because of the need for the committee to take action before the next meeting, commission staff and committee members will summarize these conversations/decisions for the record at the next committee meeting.”

Comment [RAA1]: UTC will review this issue with legal counsel and propose new wording at the May Committee meeting.

14. External Communication

External communications regarding official positions of the Committee will reflect the breadth of Committee interests and concerns as much as possible.

15. Subcommittees

Subcommittees will be formed on an as needed basis to meet work demands of the committee’s goals. Subcommittees shall contain at least one voting member. Each subcommittee shall establish a group Chair that will be responsible for subcommittee continuity and progress. The subcommittee Chair will also be responsible for updating the rest of the Committee on the work accomplished by their subcommittee as requested.

16. Bylaw Adoption and Amendment

Committee bylaws must be adopted by affirmative vote of a majority of voting members appointed to the Committee. Amendments to the bylaws may be made after distribution of the amendment to all members, discussion of the proposed amendment at a regularly scheduled meeting, and affirmative vote by a simple majority of the Committee’s voting members. Exceptions to the bylaws can be made under extraordinary circumstances by a majority of voting members.