

STATE OF OREGON
STATE EMERGENCY RESPONSE COMMISSION
EXECUTIVE COMMITTEE

BYLAWS

ARTICLE I

Name

The body shall be known as the State Emergency Response Commission (SERC) Executive Committee, hereinafter the "SERC Executive Committee."

ARTICLE II

Authorization

The SERC Executive Committee is formed in accordance with Oregon Administrative Rule (OAR) 837-095 by the Oregon State Fire Marshal acting in its agency capacity as the Oregon SERC.

ARTICLE III

Purpose

The purpose of the SERC Executive Committee is to assist and advise the SERC with its implementation of the Emergency Planning and Community Right-to-Know Act (EPCRA), Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (42 U.S.C. Chapter 116, Section 11001 et seq.), hereinafter "EPCRA," and Oregon Revised Statutes (ORS) 453.520.

Duties and Responsibilities

The duties and responsibilities of the SERC Executive Committee include, but are not limited to:

- A. Advising the SERC on the designation of emergency planning districts consistent with Oregon Administrative Rules (OAR) 837-095;
- B. Advising the SERC on the creation, modification, or dissolving of local emergency planning committees (LEPC) and on the confirmation of appointments to those committees;
- C. Reviewing plans developed by local emergency planning committees and making recommendations to the SERC on plan approval;
- D. Supporting local emergency planning committee efforts to implement EPCRA and ORS 453.520;
- E. Supporting and assisting SERC and local emergency planning committee efforts to enhance hazardous materials emergency preparedness and response capabilities; and
- F. Coordinating hazardous materials training, education, and outreach activities as well as grant and technical assistance opportunities in support of the SERC and local emergency planning committees.

ARTICLE IV

Membership

Section 1: Composition. The composition and membership of the SERC Executive Committee is defined in OAR 837-095 and consists of representatives from state, tribal, and local governments, statewide associations, and industry.

Section 2: Alternates. Each representative to the SERC Executive Committee *shall* designate an alternate who is authorized to act on behalf of the represented government, association, or business in the absence of the primary representative.

Section 3: Compensation. All members of the SERC Executive Committee shall serve without compensation.

ARTICLE V

Officers

Section 1: Composition of the Officers

- A. The SERC Executive Committee shall be led by a Chair and Vice Chair:.
- B. The Chair shall be a member of the OSFM and be designated at the discretion of the State Fire Marshal; and
- C. The Vice Chair shall not be a state agency employee, selected by the membership through an election and appointed by the SERC. The term shall be two years, and elections shall be held at the first SERC Executive Committee meeting of each odd numbered year.

Section 2: Duties of the Chair

- A. *Serve as a liaison between the SERC Executive Committee and the SERC;*
- B. Report to the SERC on committee activities;
- C. Call for and organize committee meetings;
- D. Provide an agenda for and preside at all committee meetings;
- E. Form and appoint members to such subcommittees and work groups as are necessary to facilitate committee work; and
- F. Sign all committee documents requiring signature.

Section 3: Duties of the Vice Chair

- A. Perform the duties of the Chair in the Chair's absence; and
- B. Perform other duties as assigned by the Chair.

Staff

Section 1: Composition of the Staff

- A. The Staff Executive and the Staff Coordinator shall support the work of the SERC Executive Committee;
- B. The Staff Executive shall be designated by the Chair with no term limits; and
- C. The Staff Coordinator shall be designated by the Chair with no term limits.

Section 2: Duties of the Staff Executive

- A. Assist the committee Chair with meeting preparation;
- B. Provide subject matter expertise on EPCRA, Oregon statutes and rules related to hazardous materials, and training, outreach, and grant activities and opportunities relevant to the work of the committee; and
- C. Perform other tasks as assigned by the committee Chair or Vice Chair.

Section 3: Duties of the Staff Coordinator

- A. Distribute committee meeting agendas;
- B. Prepare and distribute committee meeting minutes; and
- C. Perform other tasks as assigned by the committee Chair or Vice Chair or Staff Executive.

ARTICLE VI

Meetings

Section 1: Regular Meetings. The SERC Executive Committee shall meet on a regular schedule set by the committee. Meetings may be held virtually through conference calls and or webinar.

Section 2: Special Meetings. A special meeting (virtual or in person) of the SERC Executive Committee may be called by the SERC or the committee Chair.

Section 3: Notice. Notice of the method, time, place, and agenda for regular meetings shall be provided at least five days in advance of the meeting. Notice of the method, time, place, and purpose of a special meeting shall be provided at least three days in advance of the meeting.

Section 4: Quorum. The participation of a simple majority of the designated SERC Executive Committee members shall constitute a quorum for the conduct of business at

regular and special meetings.

Section 5: Minutes. The minutes of all SERC Executive Committee meetings shall be maintained by the SERC.

Section 6: Public Participation. All SERC Executive Committee meetings are open to the public.

ARTICLE VII

Voting

Section 1: One Vote. Each member of the SERC Executive Committee or their participating alternate, including the committee Chair and Vice Chair, is entitled to one vote.

Section 2: Proxy. Proxy voting shall not be accepted.

Section 3: Method. Voting may occur in person or via teleconference.

Section 4: Abstentions. Every member must abstain from voting on any matter that poses a conflict of interest. Members must register their abstention at the time of the vote and the abstention shall be reflected in the meeting minutes.

Section 5: Majority. Except as noted in Article X, Amendments, an affirmative act of the SERC Executive Committee requires the presence of a quorum and approval by a simple majority of the representatives present.

ARTICLE VIII

Subcommittees and Work Groups

The SERC Executive Committee may establish subcommittees and work groups as necessary for the conduct of business.

ARTICLE IX

Parliamentary Authority

Robert's Rules of Order will serve as a guide for matters of procedure at all membership meetings but may be followed more specifically at any membership meeting at the discretion of the Chair.

ARTICLE X

Amendments

These bylaws may be amended by a two-thirds majority vote at any regular meeting where a quorum is present. Notification of the proposed amendments must be distributed to all members at least fifteen (15) days prior to the meeting at which the vote shall be taken.