

# WASHINGTON STATE EMERGENCY RESPONSE COMMISSION

Amended as of MAY 6, 2014

## BYLAWS

### ARTICLE I

Name

The body shall be known as the Washington State Emergency Response Commission, hereafter referred to in this document as the "SERC".

### ARTICLE II

Purpose and Authorization

The duties and purposes of the SERC are those set forth pursuant to the Emergency Planning and Community Right-to-Know Act (EPCRA), Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (Public Law 99-499), herein referred to in this document as "EPCRA." State of Washington provisions for EPCRA are addressed under chapter 38.52.040 of the Revised Code of Washington and chapter 118-40 of the Washington Administrative Code. Nothing in these bylaws shall be in conflict with the regulatory and statutory provisions that regulate EPCRA. The duties and purposes include, but are not limited to:

1. Carrying out the mandate of EPCRA
2. Improving state and local hazardous materials emergency response capabilities
3. Coordinating hazardous materials issues and initiatives
4. Advising the Emergency Management Council on all matters pertaining to EPCRA and hazardous materials matters within the state of Washington

### ARTICLE III

Membership

Section 1: The membership of the SERC shall be by agency or organization, each with one primary representative and one alternate representative. The SERC shall consist of the director or designee of the following:

1. Washington State Department of Ecology
2. Washington State Department of Health
3. Washington State Department of Labor and Industries

4. Washington State Department of Transportation
5. Local Emergency Manager
6. Local Emergency Planning Committee (Eastern Washington)
7. Local Emergency Planning Committee (Western Washington)
8. Washington State Military Department
9. Private industry
10. Transportation Industry
11. Washington Fire Chiefs
12. Washington State Patrol

Section 2: In order to ensure the SERC will conduct its business with continuity, each member agency or organization shall identify its primary representative and one alternate (or any changes thereto) by submitting the same in writing to the SERC.

Section 3: The representative of the local emergency managers will be selected by the Washington State Emergency Managers Association.

Section 4: All members of the SERC shall serve without compensation.

## **ARTICLE IV**

### Duties of Office

Section 1: Chairperson. The Chairperson shall be appointed by the Emergency Management Council. The Chairperson shall preside at all meetings and hearings of the SERC, shall have the duties normally conferred by parliamentary usage of such office, and establish and ensure publication of the agenda for each regular meeting of the SERC. The Chairperson shall have the authority to:

1. Appoint and generally perform other duties as may be prescribed in these bylaws
2. Sign, on behalf of the SERC, documents that require such signature
3. Call regular and special meetings of the SERC

Section 2: Vice Chairperson. The Vice Chairperson shall be appointed by the Emergency Management Council. The Vice Chairperson shall work in close cooperation with the Chairperson and shall perform such duties as the SERC shall assign. In the absence or incapacity of the Chairperson, the Vice Chairperson shall be vested with all powers and perform all the duties of the office of the Chairperson

Section 3: Staff Coordinators. The SERC/LEPC Staff Coordinator, provided by the Emergency Management Division, shall, in writing, acknowledge the minutes of each Commission meeting, certify all Commission meeting notices, and perform such other duties as may be directed by the Chairperson of the Commission. Additional Staff from Emergency Management Division, Department of Ecology, and the Washington State Patrol, Office of the Fire Marshal may provide administrative and technical support as they relate to EPCRA matters pertinent to the SERC and directly applicable to the administration of the Commission business.

## **ARTICLE V**

### Meetings

Section 1: Regular meetings will be held at least quarterly, as established by the SERC. Proposed agenda items shall be referred to the Chairperson not later than six weeks prior to the meeting. No other business may be considered except by a majority vote of members \*present and voting.

Section 2: A special meeting may be called by the Chairperson upon request of any five primary SERC members. Written notice shall be sent to all members at least five (5) days prior or verbal notice given at least two (2) days prior to any special meeting and shall specify the purpose of such a meeting. No other business may be considered except by unanimous consent of the entire voting membership of the SERC.

Section 3: A quorum necessary to conduct a meeting of the SERC shall be no less than five members or their designated alternates. Adoption of all motions shall require a majority of the members \*present.

*\*Present shall mean being in attendance physically, electronically and/or by phone.*

Section 4: All SERC meetings shall be open to the public.

Section 5: The deliberations of all members of the SERC shall be governed by the Roberts Rules of Order, Revised.

Section 6: Meetings shall be scheduled and announced by the Staff Coordinator not later than six weeks in advance, with all matters to be considered provided to the members not later than one week in advance.

## **ARTICLE VI**

### Attendance

Section 1: The SERC shall convene regular meetings at least quarterly. Additional meetings may be called as prescribed in Article V, Section 2, above.

Section 2: Primary members or their designated Alternates are expected to attend all meetings.

Section 3: Upon the absence at two or more consecutive meetings by the Primary or designated Alternate, the Chair will directly contact the absent agency/organization member to determine intentions of continuation as a member of the Commission. The Chair shall make one or more of the following recommendations to the SERC regarding continuation of the absent member: 1) that the member agency/organization be continued in probationary status for one year 2) that the member be recommended for discontinuation, and 3) that the Chair contact the member agency/organization with an explanation of action(s) taken and solicitation of a newly appointed member.

## **ARTICLE VII**

### **Voting**

Section 1: Each member or their designated alternate, including the Chair, shall be entitled to one vote.

Section 2: No members will vote by proxy.

Section 3: Members may register their abstention on any vote. The abstention shall be reflected in the minutes. Members are required to abstain on matters which pose a conflict for them.

Section 4: SERC Staff Coordinators shall not vote on any SERC matter; rather, they will provide member support and help carry out the matters upon which the SERC members vote.

## **ARTICLE VIII**

### **Committees**

The SERC shall appoint such ad hoc committees and working groups as required.

## **ARTICLE IX**

### **Amendments**

These bylaws may be amended by a two-thirds vote of the entire membership of the SERC, only after the proposed change has been read and discussed at a previous meeting.