

## **BYLAWS: STATE EMERGENCY RESPONSE COMMISSION**

### **Article 1**

#### **Purpose and Authorization**

The duties and purposes of the State Emergency Response Commission (SERC) are those set forth pursuant to the “Emergency Planning and Community Right-to-Know Act,” Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 and the Connecticut General Statutes, Section 22a-600 through 22a-611, inclusive, as amended. These duties and purposes include, but are not limited to:

1. Coordinating SARA Title III training, grant opportunities, education, technical assistance and outreach activities;
2. Designating local and regional emergency planning districts, appointing and coordinating local and regional emergency planning committees for each district;
3. Establishing procedures and a system for receiving and processing emergency release reporting, other required information and inventories from covered facilities, and requests from governmental officials or the public for information including the designation of an official to serve as coordinator for information; and
4. Increasing state and local emergency response capabilities through the opportunity of obligating funds under federal grant opportunities.

### **Article II**

#### **Name**

The commission shall be known as the State Emergency Response Commission (SERC).

### **Article III**

#### **Membership and Terms of Appointments**

The membership of the Commission shall be as defined in Connecticut General Statutes, Section 22a-601, as amended.

### **Article IV**

#### **Officers**

Section 1. Officers. The Chairman of the SERC shall be designated by the Governor. The elected officers of the Commission shall be one Vice Chairman and one Secretary to be elected by the Commission and to serve until their successors have been duly elected and assume office. The SERC shall recommend to the Governor that one of the nine members be appointed as Chairman.

Section 2. Qualifications for Office. Any State Agency representative who is a member of the Commission or who is designated, pursuant to Article VI Section 5 herein, to participate and

to vote on behalf of a member, shall be eligible for the elective office of Vice-Chairman. Any individual who is a member of the Commission or who is designated, pursuant to Article VI, Section 5 herein, to participate and to vote on behalf of a member, shall be eligible for the elective office of Secretary.

Section 3. Nominating Committee. During the months of October and November of the even number years, the Chairman shall appoint a Nominating Committee of at least three (3) but no more than five (5) Commission members. The Nominating Committee shall submit a slate of proposed officers to the Commission at the following January Commission meeting.

Section 4. Election of Officers. At a regular meeting to be held during the month of January of the odd number years, the Commission, by a majority of those present and voting, shall elect each of the officers of the Commission from the slate of officers proposed by the nominating committee and any additional nominations for each officer position received from the Commission members at said meeting.

Section 5. Term of Office. Each elected officer shall take office immediately and shall serve for a term of two (2) years or until his successor is duly elected and qualified.

Section 6. Vacancies and Removal. Except as provided in Article V, Section 2, vacancies in any elective office may be filled for the balance of the term thereof by the Commission at any regular or special meeting. The Commission, at its discretion, by a two-thirds vote of all of its members, may remove any officer from any office for cause.

## **Article V** **Duties of Office**

Section 1. Chairman. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage of such office. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed in these bylaws.

Section 2. Vice Chairman. There shall be one Vice Chairman. The Vice Chairman shall work in close cooperation with the Chairman, shall perform such duties as the Commission shall assign. In the absence or incapacity of the Chairman, the Vice Chairman shall be vested with all powers and perform all the duties of the office of the Chairman. In addition, the Vice Chairman shall, in case of resignation, death or removal of the Chairman, become Chairman of the Commission and shall serve in the capacity until his successor is appointed.

Section 3. Secretary. The duties of the Secretary shall be the same as those of the Vice Chairman, and in the absence or incapacity of both the Chairman and the Vice Chairman, the Secretary shall be vested with all the powers of and perform the duties of the office of the Chairman. The Secretary shall, in writing, acknowledge the minutes of each Commission meeting and certify all Commission meeting notices.

## **Article VI** **Meetings**

Section 1. Regular meetings will be held at least every other month on a schedule set by the Commission. In the event of conflict with holidays and other events, a majority at any meeting may change the date of any meeting. Schedule of the State Emergency Response Commission regular meetings for the calendar year shall be posted or filed with the Secretary of State Office as required by Section 1-21 of the General Statutes. Written notice including a meeting agenda shall be mailed to all members at least six days prior to any regular meeting. Regular meetings shall be restricted to agenda items only. No other business may be considered except by a majority vote of members present and voting.

Section 2. Special meetings may be called by the Chairman. Upon request of any seven Commission members, the Chairman shall call a special meeting. Written notice shall be mailed to all members at least five (5) days prior or verbal notice given at least (2) days prior to any special meeting and shall specify the purpose of such a meeting, and no other business may be considered except by unanimous consent of the entire voting membership of the Commission. Such consent may be obtained either before or after such special meeting, but until such consent is obtained, action on matters not identified in the purpose of the special meeting shall not be valid.

Section 3. A majority of the voting membership of the Commission shall constitute a quorum for final action on any Commission report. For other business, a quorum shall be one-third of the membership. Adoption of all motions shall require a majority of the members present and voting or their properly designated alternates, as provided in subsection 5 of Article VI.

Section 4. All Commission meetings shall be open to the public when in session. Executive sessions may be held upon an affirmative vote of two-thirds of the members of the Commission present and voting, taken at a public meeting and stating the reasons for the executive session, as defined in Section 1-18a of the General Statutes.

Section 5. The Commissioners of Environmental Protection, Public Safety, Emergency Management and Homeland Security, Public Health, the Labor Commissioner, the Adjutant General of the Military Department, and Transportation, the Secretary of the Office of Policy and Management, the State Fire Marshal and the State Fire Administrator each may designate a person to act on his behalf as an alternate by filing written notice of such designation with the Chairman, including the length of time it is to be effective. Such designation shall entitle the alternate to full participation, including, except to the extent prohibited by law, voting on behalf of the Commission member.

Section 6. Members of the Commission who are unable to attend a meeting may be excused from their absence by the Chairman. Any member who accumulates three consecutive unexcused absences shall receive a letter from the Chairman. The letter shall state the importance of each member's participation and shall request a statement as to the member's intention to actively participate in the future. If the member fails to respond to the letter or

accumulates two more consecutive unexcused absences, the Chairman shall notify the Governor of the members failure to participate.

**Article VII**  
**Employees**

The Commission shall employ and discharge such staff and consultants as is necessary for the performance of its functions and duties.

**Article VIII**  
**Committees**

Standing and special committees may be appointed by the Chairman. The duties of each committee shall be prescribed by the Commission.

**Article IX**  
**Amendments**

These bylaws may be amended by a two-thirds vote of the entire voting membership of the Commission, only after the proposed change has been read and discussed at a previous regular meeting, except that the bylaws may be amended at any meeting by the unanimous vote of the entire voting membership of the Commission, provided that the text of the proposed amendment shall be included in the notice of the meeting.