



BY-LAWS

WYOMING STATE EMERGENCY RESPONSE COMMISSION

ARTICLE I. NAME

The legal name of this Commission is the "State Emergency Response Commission", herein and often referred to as the "SERC".

ARTICLE II. OBJECTIVES

The objectives of the SERC are to: perform the duties enumerated in the Superfund Amendments and Reauthorization Act of 1986 (SARA); develop and make recommendations concerning hazardous materials management and incident response in Wyoming; develop and make policy recommendations regarding the implementation of SARA; oversee the distribution of funds which become available pursuant to SARA; coordinate and assist state agencies assigned with the responsibilities for monitoring the production, storage and transportation of hazardous materials; approve rules and regulations promulgated by the Homeland Security Director for standards for regional response teams, hazardous materials emergency response training confirmation, and local and regional hazardous materials or weapons of mass destruction incident response reporting; execute the responsibilities set forth by legislation; encourage local emergency planning committees (lepc) to tour local industry facilities to increase their knowledge of industry practices and hazardous materials stored at those facilities.

ARTICLE III. MEMBERSHIP

As provided in W.S. 35-9-153 (a), the SERC consists of twenty (20) - voting members appointed by the Governor. Appointments include one (1) representative each from mining, trucking, manufacturing, railroad, legislature, local government, local law enforcement, fire services, Joint Tribal Council, emergency management services, media, medical field, emergency medical services, and general public; and one representative each from the following state agencies: Department of Environmental Quality, Department of Health, Department of Transportation, Department of Agriculture, Department of Fire Prevention and Electrical Safety, and the University of Wyoming Environmental Health and Safety Office. This membership will include representation specified by but not limited to, all applicable federal regulations. The Governor may remove any member as provided in W.S. 9-1-202.

Appointed members are expected to attend all regular meetings or assign a knowledgeable alternate representative. Voting rights will remain with the appointed member. A recommendation may be made to the Governor in writing as the result of a majority vote of the SERC for the removal of a member for non-attendance or non-performance. If the representative is a State Agency Representative, a copy of the recommendation will be sent to the State Agency Representative's Department Head. The Attorney General's Office (AG) will, in a technical support role, assign a representative to attend each meeting but shall not have a vote nor constitute a quorum.

ARTICLE IV. OFFICERS

The majority of the membership of the SERC shall elect the officers of the SERC to the positions of Chairperson and Co-chairperson for a term of three (3) years.

ARTICLE V. MEETINGS

As provided in W.S. 35-9-153(c) the SERC may meet as often as deemed necessary by a majority of the commission or at the request of the homeland security director. The officers of the SERC shall provide written notice of meetings to the membership and publish the notice in two (2) of the largest circulated newspapers in Wyoming a minimum of seven days in advance of each meeting. It is the Member's responsibility to give reasonable notice to the Chairman if unable to attend a scheduled meeting.

ARTICLE VI. QUORUM

A majority of the membership of the SERC or their designated representatives shall constitute a quorum.

ARTICLE VII. COMMITTEES

SERC committees shall be of such number and categories as decided by the SERC and approved by a majority of the membership. The SERC Executive Committee shall appoint the committee chairperson. Each SERC Committee Chairperson is responsible for appointing members to his/her committee except as mentioned below. Membership composition of committees may be the same number and type as the membership of the SERC.

At the request of the SERC Chairperson and SERC Committee Chairperson, state employees shall be appointed to SERC Committees by their Agency Director. The appointment will include the effective dates of service and specific duties. The state agency being represented by the committee member is responsible for all costs associated with this appointment. Any state employee serving on a committee may be removed by their Agency Director upon notification to the SERC Chairperson and SERC Committee Chairperson.

All state employees who serve on SERC committees will be classified as non-voting ex-officio members of the respective committees. This does not apply to SERC members.

ARTICLE VIII. ORDER OF BUSINESS

The following shall be the regular order of business:

1. Roll Call
2. Minutes of the previous meeting
3. Report of Committees
4. Unfinished Business
5. New Business
6. Public Comment Period
7. Adjournment

ARTICLE IX. COMMUNICATIONS

All official communications to the SERC shall be addressed to:

The State Emergency Response Commission
C/O SERC Admin. Asst.
Herschler Building 1st Floor East
122 West 25th Street
Cheyenne, WY 82002

SERC records will be maintained by the Office of Homeland Security. All records and communications will be available for review by the membership at the above address.

ARTICLE X. RULES OF ORDER

On questions of parliamentary procedure, Roberts Rules of Order shall prevail.

ARTICLE XI. AMENDMENTS

These By-Laws may be added to, or amended by a majority vote of the membership at any meeting of the SERC, provided a quorum is present.

ARTICLE XII. ADOPTION OF SERC BY-LAWS

A majority approval vote by the SERC membership is required to adopt the SERC By-Laws. Upon the adoption of the By-Laws by the SERC, a copy of the By-Laws will be signed and dated by the Chairperson of the SERC and will be available for inspection by the public at:

Wyoming State Emergency Response Commission
c/o SERC Administrative Assistant
Herschler Building 1st Floor East
122 West 25th Street
Cheyenne, WY 82002

DATE: April 7, 2007



Chairperson, Wyoming State Emergency Response Commission