

# **Louisiana Emergency Response Commission By-Laws**

## **Article I – Name**

The name of this body shall be the Louisiana Emergency Response Commission, hereinafter referred to as “the Commission.”

## **Article II –Authority and Purpose**

### Section 1. Authority

Louisiana Revised Statute (LRS) 30:2364; Title 42, Chapter 116 of the United States Code (USC); and Louisiana Executive Order JML 24-121 provides statutory authority under which the Commission operates. In addition, the Commission functions under the supervision and guidance of the Deputy Secretary of the Department of Public Safety and Corrections, Public Safety Services.

### Section 2. Purpose

The responsibilities of the Commission include, but are not limited to:

- Enhance public safety and environmental protection through efficient implementation of hazardous material emergency planning and community right-to-know laws;
- Designate local emergency planning districts and appoint a Local Emergency Planning Committee (LEPC) and members for each district;
- Supervise and coordinate the activities of the LEPCs;
- Coordinate other state agency activities in the area of hazardous materials emergency planning and community right-to-know laws to ensure legal and jurisdictional autonomy of each of these agencies is preserved;
- Promote, assist, and guide local, regional, and state government activities to integrate hazardous materials emergency planning and accident prevention programs in order to prevent unnecessary overlaps;
- Establish procedures for receiving, processing and providing information to the public on hazardous materials;
- Review LEPC regional emergency plans and make recommendations to the LEPC on revisions of the plan that may be necessary to ensure coordination of such plan with regional emergency plans of other LEPCs;
- Receive verbal and written follow-up emergency notifications of the release of extremely hazardous substances or hazardous chemicals;
- Provide a forum for the consideration of ideas and concerns of public and private interest in the implementation of hazardous material emergency planning and accident prevention programs;

- Provide a mechanism for timely review and processing of requests for hazardous material information legally available to the public.

### **Article III – Commission Membership**

#### Section 1. Composition

In accordance with Executive Order JML 24-121, the Commission shall be composed of sixteen (16) members as follows:

1. The deputy secretary of the Department of Public Safety, or the deputy secretary's designee;
2. The secretary of the Department of Environmental Quality, or the secretary's designee;
3. The secretary of the Department of Health, or the secretary's designee;
4. The director of the Governor's Office of Homeland Security and Emergency Preparedness, or the director's designee;
5. A representative of the Right-To-Know Unit, Department of Public Safety, Office of State Police;
6. A representative of the Louisiana Emergency Preparedness Association;
7. A member of the Carrol L. Herring Fire & Emergency Training Institute at Louisiana State University;
8. A representative of environmental interests;
9. A representative of the chemical industry nominated by the Louisiana Chemical Association;
10. A representative from the Louisiana Motor Transportation Commission;
11. A representative member from the Louisiana Fire Chiefs Association;
12. One representative from each the five public service commission districts actively engaged in emergency management.

#### Section 2. Terms of Office

Members shall serve at the pleasure of the governor.

#### Section 3. Vacancies

Vacancies on the Commission shall be filled by appointment of the governor.

#### Section 4. Attendance

Members are expected to attend all meetings.

### **Article IV – Officers**

#### Section 1. Officers

Commission officers shall consist of a Chair and Vice-Chair. The Chair may also establish additional officer positions as necessary for the efficient operation of the Commission.

## Section 2. Appointment of Officers

The governor shall appoint the Chair. It shall be the responsibility of the Chair to nominate a Vice-Chair and other officers he or she deems necessary. Nominations for Vice-Chair and other offices must be approved by a majority vote of members.

## Section 3. Duties of Officers

The Chair shall be responsible for developing meeting agendas, presiding at meetings, and signing meeting documents when required. The Chair shall also be responsible for implementing the policies adopted by the Commission.

The Vice-Chair assumes the duties of the Chair in his or her absence.

## Article V – Committees

### Section 1. Standing Committees

The Commission shall maintain the follow standing committees:

1. Long-Range Planning Committee
2. LEPC Service Committee
3. Public Information Committee
4. Training Committee

### Section 2. Committee Chairs and Membership

The Commission Chair, or designee, shall serve as the chairperson for the Long-Range Planning Committee. The remaining members of the Long-Range Planning Committee shall consist of the chairpersons from each of the other three standing committees.

Committee chairs for the LEPC Service Committee, the Public Information Committee, and the Training Committee shall be appointed by the Commission Chair. Members of these committees shall be appointed by their respective chairpersons and approved by the Commission. The Commission Chair may also appoint non-commission members to serve on these standing committees when such appointments as necessary to accomplish committee objectives.

The Commission Chair and Vice-Chair shall serve as ex officio members of each committee.

### Section 3 – Primary Functions of Standing Committees

The primary function of the *Long-Range Planning Committee* is to provide members with long-term direction for the Commission.

The primary function of the *LEPC Service Committee* is to provide guidance, assistance, and support to new and existing Local Emergency Planning Committees (LEPCs) regarding meeting organization, planning processes, coordination efforts, and related operational matters. The Committee shall assist LEPCs in developing and maintaining effective preparedness,

communication, and coordination capabilities necessary to support emergency planning and response activities within their respective jurisdictions.

The LEPC Service Committee shall also promote coordination and interoperability among LEPCs, emergency response agencies, and public safety partners through the sharing of information and resources, participation in joint training and exercises, and collaboration on emergency planning and response strategies.

The primary function of the *Training and Resource Committee* is to evaluate local and state training needs and identify funding and other resources necessary to provide statewide emergency preparedness and response training relating to hazardous materials.

The primary function of the *Public Information Committee* is to develop, coordinate, and support public outreach and education initiatives designed to promote community awareness of emergency preparedness, emergency response procedures, hazardous materials safety, and public protective actions.

The Committee shall assist in the dissemination of emergency preparedness information to the public through community outreach events, educational programs, informational materials, and coordination with Local Emergency Planning Committees (LEPCs), public safety agencies, and community stakeholders. The Committee may also support public awareness efforts related to emergency planning, hazard communication, and community resiliency initiatives.

#### Section 4. Special Committees

At the discretion of the Commission Chair, special committees with specific purposes may be established. Special committees shall be dissolved once the objectives of the special committee have been achieved. Appointments to these special committees shall be made by the Commission Chair.

#### Section 5. Committee Reports

Each standing committee or active special committee shall report committee activities during each Commission meeting.

### **Article VI – Meetings**

#### Section 1. Regular Meetings

The Commission shall meet quarterly at a date, time, and location determined by the Chair.

#### Section 2. Special Meetings

Special meetings may be called by the Chair or upon request of a majority of the Commission members. Special meetings may be held via teleconference or videoconference at the discretion of the Chair.

#### Section 3. Rules of Order

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases in which they are applicable and not inconsistent with these by-laws or any applicable laws. A majority of appointed members shall constitute a quorum for conducting business.

#### Section 4. Notice of Meetings

Notice of the time, place, and agenda items to be considered at each meeting shall be provided to members no later than one week prior to each regular meeting. Matters not appearing on the agenda may be considered upon a favorable vote by a majority of members present.

Notice of special meetings and intended agenda items shall be provided to members in writing or by phone no later than one day prior to a special meeting.

Notice to the public of all Commission meetings shall be made in accordance with the Louisiana Open Meetings Law.

#### 5. Public Access

Any person wishing to have an item placed on a regular or special meeting agenda shall advise the Chair no later than two weeks prior to the meeting. The person making the request shall supply the Chair with his or her name, address, group represented, and the subject to be addressed. The Chair may grant, refuse, or act upon this request at the Chair's discretion.

Any written statements or supporting documents which are to be submitted as part of a non-member presentation shall be submitted no later than five days prior to a regular meeting and no later than one day prior to a special meeting.

The Chair may recognize an audience member at a meeting and subsequently allow that person to address the Commission where participation of such person, in the judgment of the Chair, will enhance understanding of a matter under consideration by the Commission.

No person shall speak more than once on the same subject unless granted permission by the Chair.

No presentation shall exceed 10 minutes unless permitted by a majority vote of commissioners present.

### **Article VII – Voting**

Each member shall have one vote. Members may abstain from voting. Proxy voting is prohibited.

### **Article VII – Amendments**

These by-laws may be amended by a majority vote of Commission members in attendance at any regular meeting where a quorum has been reached, and provided that written notice of the proposed amendments have been provided to members no later than 30 calendar days prior to the meeting.