

**CONSTITUTION & BYLAWS
OF THE
ANDROSCOGGIN COUNTY
LOCAL EMERGENCY PLANNING
COMMITTEE**

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Article I TITLE

- Section 1 This organization shall be the “Androscoggin County Local Emergency Planning Committee.” Short title “Androscoggin County LEPC” herein referred to as the “Committee.”

Article II OBJECTIVES

- Section 1 The objective of this committee shall be to follow the mandates of Public Law 99-499, “Emergency Planning and Community Right-to-Know Act of 1986 (SARA Title III)” and amendments adopted under Title 37B, Chapter 13 of the Maine Revised Statutes Annotated (MRSA).
- Section 2 Further, it is the intention of the Committee to establish a safe environment for the people of Androscoggin County by overseeing the movement and use of hazardous materials in our County and communities; assisting businesses and government agencies in the establishment of policies and procedures for handling these materials that will be effective and equitable to all. As a member of the LEPC, the LEPC coordinator will be responsible for the following duties and or activities:
- a) Develop and maintain a comprehensive County-wide emergency response plan which shall include public education of the same
 - b) Evaluate County-wide and facility emergency response plans according to review criteria established or adopted by the State Emergency Response Commission (SERC) as authorized under Title 37B MRSA Chapter 13
 - c) Address any deficiencies noted in the response plans subsequent to SERC or LEPC evaluation of that plan
 - d) Provide written comments to facilities whose plans have been reviewed, stating that the plan is satisfactory or in what areas it is deficient and said report to be forwarded to SERC. Facilities will have 90 days in which to respond in writing to any deficiencies noted in the report, after which the report and facility response shall be available together for public inspection.
 - e) Educate and inform the public of issues and developments surrounding emergency response preparedness in Androscoggin County.
 - f) Serve as an information repository and clearinghouse for all information specifically identified as public information under SARA Title III and Title 37B MRSA Chapter 13, including Safety Data Sheets (SDS), SARA Section 313 TRI (Toxic Release Inventory (TRI) Program

Article III MEMBERSHIP

- Section 1 Membership will consist of a minimum 14 members, including members which represent the following entities: elected State and local officials, law enforcement, emergency management, firefighting, emergency medical, health department, environmental protection, hospitals, transportation, broadcast and print media, general citizens, community groups (e.g. Red Cross), facility owners/operators and facility employees. Additional members shall be accepted as to provide the greatest possible cross section of the County in regards to occupation and location.
- Section 2 Those wishing to serve on the Committee shall submit a written application to the Committee. The application shall be submitted to the Chair of the LEPC. At a

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minimum, such applications shall contain the person's name, address, the membership category he/she would like to represent, and why the individual believes he/she is qualified to fill that category.

- a) The Committee shall review all membership applications within 60 days of receipt. Once the Committee has completed its review of prospective member applications, there will be a motion to vote and a preliminary decision will be made. Any changes to the LEPC roster will be submitted to the SERC for final approval (Title 37B section 793 item 1). All applicants for LEPC membership shall receive a copy of the Committee's recommendation including a written decision should the person receive a negative recommendation for membership.

Section 3

- a) Resignation and/or change in an agency's representation is to be submitted in writing to the Committee Secretary at the earliest possible convenience. Upon written response, changes will be presented to the LEPC members for preliminary approval, and then forwarded to the SERC for the final approval (per Title 37B, section 793, item 1).
- b) All LEPC members are encouraged to attend at least (1) meeting a year in order to retain an active membership. At the first meeting of each calendar year, the membership roster will be reviewed. Those members not attending at least 1 meeting annually and who have had no contact with LEPC officers within that period will be removed from the membership roster. Members found to be out of compliance with the above shall be notified, in writing by the secretary of the infraction, unless mitigating circumstances can be identified and found to be satisfactory to the LEPC. Those found to be out of compliance for no reason shall be recommended to the LEPC for termination. The LEPC will vote to terminate or excuse the member(s). Termination upheld by a majority vote will be effective 30 days from date of notice.

Section 4

The County Emergency Management Agency (EMA) Director, or the assigned designee shall hold the title of LEPC emergency coordinator for the purpose of receiving release notifications and activating the County emergency operations plan. The County EMA director will be responsible for the day-to-day business matters of the LEPC. The director shall be custodian for the committee funds except as may be otherwise provided or ordered.

Article IV FUNDS

Section 1

The Committee shall determine the use of funds with policy guidelines and recommendations from the SERC and the County EMA director. The County EMA director shall have discretionary authority for administrative use of funds. Committee approval will not be needed for purchase of paper, postage, mileage, meals, advertising, registrations, computer supplies and software, references, books, subscriptions, training course fees and wages for part-time or contract help for planning tasks.

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Article V OFFICERS

- Section 1 Officers shall consist of a chairperson, vice chairperson, and secretary. These positions will comprise an executive board.
- Section 2 Officers will be elected by nomination and vote of all members present.
- Section 3 Term of office will be for a period of one year, with election to take place during the last meeting each calendar year. The chairperson, vice chair and secretary will be elected at the first meeting in the calendar year.
- Section 4 In the event of a vacancy on the executive board, the committee shall fill the vacancy at the next regular meeting.
- Section 5 Duties of the officers.
- a) The chairperson shall preside at all meetings of the Committee and the executive board. He/she shall appoint the chairperson of each standing committee, the other members thereof to be appointed from the floor. He/she shall appoint such special committees as may be authorized by the body. He/she shall obey all lawful orders of the body and be familiar with the mandating Federal and State laws, the Committee's bylaws and basic parliamentary law and procedure.
 - b) The EMA Director will serve as the vice chairperson and shall assume and perform the duties of the chair in the absence of the chair. He/she shall serve as treasurer and provide to the committee the LEPC activity report.
 - c) The EMA planner will serve as the secretary and shall keep records of the minutes of meetings. He/she shall keep an up to date roster of all members of the Committee. He/she shall take care of routine day to day business matters for the Committee, and compile an agenda for meetings in consultation with the chair and vice chair.
- Section 6 All officers shall have the right to vote and debate questions the same as any other member.
- Section 7 Officers shall assume their duties at the first meeting of the calendar year following elections.

Article VI MEETINGS

- Section 1 Regular meetings of the Committee shall take place quarterly on the last Friday of the first month each quarter, beginning in January to total four meetings in a calendar year.
- Section 2 If such meeting falls on a holiday, then it will be held the previous or following Friday.
- Section 3 Special meetings may be called by a majority of the executive board.
- Section 4 Meetings may be cancelled or rescheduled by the County EMA director due to unsafe weather conditions, emergencies or unforeseen reasons.

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- Section 5 The last meeting of the calendar year shall be deemed the annual meeting, and shall be for the election of officers, finalization of financial matters pertaining to reporting requirements, and other business as necessary.
- Section 6 Meetings will be held in Androscoggin County or alternative locations as determined by the committee.
- Section 7 The secretary is responsible to provide a reminder to all Committee members to include date, time and location of each meeting approximately two weeks prior to such meeting, as well as an agenda for the meeting.
- Section 8 Seven members of the Committee at a meeting shall constitute a quorum for the transaction of business. If a quorum is not present, a vote as to call a special meeting at a later date, to adjourn until the next regular meeting can be made by those members present or present members vote to agree to operate by consensus when a quorum is not present.
- Section 9 When a quorum is not convened, the next called meeting shall be a valid meeting notwithstanding lack of a quorum, and the meeting reminder sent by the secretary shall so inform the members.
- Section 10 All regular meetings will be considered as public meetings. Notification of the public will be made by advertising, each year, the upcoming meeting schedule and a statement as to availability of LEPC records. As a minimum, advertising will include the Sun Journal.
- Section 11 All requests for information will be directed to the Secretary of the Committee who will be considered as the coordinator for requests for information.

Article VII RULES OF CONDUCT

- Section 1 The rules contained in "Robert's Rules of Order, revised edition" shall govern in all cases to which they are applicable and in which they are not inconsistent with federal and state laws and/or guidelines and these bylaws.

Article VIII AMENDMENTS

- Section 1 Proposed changes to these bylaws may be proposed at any regular meeting. A vote on any changes will occur at the next/following meeting and will be considered approved/amended by a majority vote of the members present provided there is a quorum. Bylaws are to be reviewed biannually, on the even numbered years.

I HEREBY DECLARE THAT THESE BYLAWS HAVE BEEN ADOPTED OR REVISED BY POPULAR VOTE ON THIS 30th DAY OF January IN THE YEAR 2020.

Signed: 

**Director, Androscoggin County
Emergency Management Agency
Vice Chair & Treasurer
Local Emergency Planning Committee**