

**A.C.A. § 12-82-104****Copy Citation**

Current through all acts of the Third Extraordinary Session (2022), including corrections and edits by the Arkansas Code Revision Commission.

**AR - Arkansas Code Annotated**    **Title 12 Law Enforcement, Emergency Management, and Military Affairs**    **Subtitle 5. Emergency Management**    **Chapter 82 Arkansas SERC/LEPC Act**

**12-82-104. State Emergency Response Commission.**

---

**(a)**

**(1)** The State Emergency Response Commission shall be composed of:

**(A)** The executive heads of the Department of Health, the Division of Environmental Quality, the Division of Arkansas State Police, the Division of Emergency Management, the Division of Labor, the Arkansas Fire Training Academy, and the Arkansas Department of Transportation, and the Adjutant General, or their designated representatives;

**(B)** One (1) individual representing the local emergency planning committees;

**(C)** Two (2) individuals from regulated entities;

**(D)** One (1) individual from an unregulated entity with knowledge of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11001 et seq.; and

**(E)** One (1) private citizen to represent the public at large.

**(2)**

**(A)** The chair of the commission shall be elected by the members of the commission and shall serve for a two-year period.

**(B)**

**(i)** Each commission member designated in subdivisions (a)(1)(B)-(E) of this section shall serve for a term of four (4) years and shall serve at the pleasure of the Governor.

**(ii)** The term of any member designated in subdivisions (a)(1)(B)-(E) of this section may be extended for a period of one (1) year to prevent the terms of all members from expiring in the same year.

**(b)** The commission shall establish local emergency planning committees within the authorized and established local emergency services jurisdiction of the state as prescribed in §§ 12-75-101 — 12-75-129.

**(c)** Local emergency planning committee membership, functions, and duties shall be in accordance with the federal guidelines prescribed in the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11001 et seq.

**(d)** The commission may promulgate such rules and guidelines as deemed necessary or desirable:

**(1)** For the training and certification of public emergency response and recovery personnel, as defined in this chapter;

- (2)** To ensure compliance with the appropriate federal guidelines and law governing public emergency response and recovery personnel; and
- (3)** To adequately administer the requirements of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11001 et seq., in accordance with the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.
- (e)** Any person who is denied training certification under this chapter may appeal such decision to the commission by notifying the commission in writing within fifteen (15) days after the denial of certification.

## History

---

Acts 1993, No. 567, § 4; 1995, No. 626, § 1; 1999, No. 646, § 48; 1999, No. 1164, § 121; 2017, No. 707, § 22; 2019, No. 315, § 975; 2019, No. 910, §§ 3029, 5912.

Arkansas Code of 1987 Annotated Official Edition

Copyright © 2023 by the State of Arkansas All rights reserved