

§792. State Emergency Response Commission

1. Composition and terms. The State Emergency Response Commission, referred to in this subchapter as the "commission," as established by Title 5, section 12004-G, subsection 13-A, to implement effective emergency response to releases of hazardous chemicals. The commission is composed of 14 members as follows:

- A. The Commissioner of Environmental Protection or the commissioner's designee; [PL 2023, c. 62, §1 (AMD).]
- B. The Commissioner of Health and Human Services or the commissioner's designee; [PL 2023, c. 62, §2 (AMD).]
- C. The Director of Maine Emergency Medical Services, Department of Public Safety, or the director's designee; [PL 2023, c. 62, §3 (AMD).]
- D. The Commissioner of Labor or the commissioner's designee; [PL 2023, c. 62, §4 (AMD).]
- E. The Commissioner of Transportation or the commissioner's designee; [PL 2023, c. 62, §5 (AMD).]
- F. The Director of the Maine Emergency Management Agency or the director's designee, who serves as chair; [PL 2023, c. 62, §6 (AMD).]
- G. The Chief of the State Police or the chief's designee; [PL 2023, c. 62, §7 (AMD).]
- H. A representative, appointed by the Governor, of municipal government; [PL 1989, c. 464, §3 (NEW).]
- I. A representative, appointed by the Governor, of the Maine Fire Chiefs' Association; [PL 1989, c. 464, §3 (NEW).]
- J. A representative, appointed by the Governor, of a professional firefighters' union; [PL 1989, c. 464, §3 (NEW).]
- K. A representative, appointed by the Governor, of private commerce and industry; [PL 1989, c. 464, §3 (NEW).]
- L. A representative, appointed by the Speaker of the House of Representatives, of volunteer firefighters; [PL 1989, c. 464, §3 (NEW).]
- M. A representative, appointed by the President of the Senate, of an environmental organization representative of the general public; and [PL 1989, c. 464, §3 (NEW).]
- N. A representative, appointed by the Speaker of the House of Representatives, of organized labor. [PL 1989, c. 464, §3 (NEW).]

The Governor and legislative leadership shall request a list of 3 names from organizations covered under paragraphs H to N from which to make final appointments. All appointed members shall serve for a term of 4 years from the date appointed. Appointed members shall serve the following initial terms: one member for 1 year, 2 members for 2 years, 2 members for 3 years and 2 members for 4 years. Appointed members shall be allowed to serve for 2 consecutive terms.

[PL 2023, c. 62, §§1-7 (AMD).]

2. Powers and duties. The general duties of the commission are to oversee the implementation of a comprehensive program of planning and training for effective emergency response to releases of hazardous materials. Specifically, the commission shall:

- A. Advise the director on rules promulgated under this subchapter; [PL 1989, c. 464, §3 (NEW).]
- B. Designate emergency planning districts to facilitate implementation of emergency response plans; [PL 1989, c. 464, §3 (NEW).]

- C. Provide for the necessary appointment of local emergency planning committees; [PL 1989, c. 464, §3 (NEW).]
 - D. Supervise and coordinate local emergency planning committee activities; [PL 1989, c. 464, §3 (NEW).]
 - E. Review emergency response plans developed by the committees; [PL 1989, c. 464, §3 (NEW).]
 - F. Receive chemical spill notifications required pursuant to state law and the provisions of the United States Emergency Planning and Community Right-to-Know Act of 1986, Public Law 99-499; [PL 1989, c. 464, §3 (NEW).]
 - G. Provide the public with information upon request, consistent with the provisions of state and federal law, on emergency response plans, potential chemical hazards and safety; [PL 1989, c. 464, §3 (NEW).]
 - H. Rule on trade secrets in cooperation with the United States Environmental Protection Agency; [PL 1989, c. 464, §3 (NEW).]
 - I. Monitor, observe, participate in and review certain emergency drills and exercises; [PL 1989, c. 464, §3 (NEW).]
 - J. Review and monitor hazardous materials training programs in the State; [PL 1989, c. 464, §3 (NEW).]
 - K. Conduct joint emergency operations from the State Emergency Operations Center; and [PL 1989, c. 464, §3 (NEW).]
 - L. Undertake any other actions necessary to accomplish the purposes of this subchapter. [PL 1989, c. 464, §3 (NEW).]
- [PL 1989, c. 464, §3 (NEW).]

3. Voting. All votes require a quorum with at least 8 members present.
[PL 1989, c. 464, §3 (NEW).]

SECTION HISTORY

PL 1989, c. 464, §3 (NEW). RR 1995, c. 2, §96 (COR). PL 2003, c. 689, §B7 (REV). PL 2023, c. 62, §§1-7 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.