

15 Department of Defense, Veterans, and Emergency Management

15-214 Department of Defense, Veterans Affairs, and Emergency Management

2024-021: Chapter 2, Rules for Establishing Fees for Reporting Under the Superfund Amendments and Reauthorization Act of 1986 and Title 37-B Sec. 801, MRSA, Chapter 13

Statutory Authority: 37-B M.R.S. § 801(2)(A)

Type: Routine Technical

Emergency?: No

Fiscal impact: *The proposed change in the rule will increase the facilities' cost each year dependent upon how many facilities they own. Each reporting facility currently pays a registration fee and separate inventory fee. With this proposed rate increase, MEMA and the Commission would increase the registration fee associated with all hazardous and extremely hazardous chemical facilities. The registration fee has not changed since it was implemented in 2002 and has not kept up with inflation and the rise of the administrative cost of the program. Some examples of how costs will change are outlined below.*

School District W has three facilities they report for, but all are on continuous property. Under the current rule, \$50 is the registration fee. Under this new rule, \$100 is the registration fee.

Facility W owns two facilities in different towns. Under the current rule, \$50 per facility is the registration fee, totaling \$100. Under the new rule, \$100 per facility is the registration fee, totaling \$200.

Principal purpose: *This would increase the registration fee paid by facility owners and operators of hazardous materials in the State of Maine as reported to the State Emergency Response Commission (SERC) pursuant to the Superfund Amendments and Reauthorization Act of 1986 and 37-B Sec. 801 M.R.S., Chapter 13. This rule would authorize the Director of Maine Emergency Management Agency, with the advice of the State Emergency Response Commission, to change the current fee amount and fee schedule. The registration fee set by the Commission has not been changed since it was implemented in 2002; the inventory fee was changed by rulemaking in 2021. Due to cost of inflation, the Commission struggles to maintain an adequate level of funding for County Emergency Management Agencies, State-funded Hazardous Materials Response Teams and local trainings for first responders. This increase in the current fee schedule would allow the State Emergency Response Commission to fund local first responder trainings, equipment, planning activities and outreach in order to help facilities prepare for and respond to hazardous material incidents. Without the increased fee, the Commission may have to cut back on funding these critical hazardous materials response teams and first responders, potentially reducing the State's ability to prepare for and respond to hazardous materials incidents.*

Basis Statement: *The final rule is identical to the proposed rule that was submitted. This new rule increases the fees paid by facility owners and operators for registration, inventories, and releases of hazardous materials in the State of Maine as reported to the State Emergency Response Commission (SERC) pursuant to the Superfund Amendments and Reauthorization Act of 1986 and 37-B Sec. 801 M.R.S., Chapter 13. This rule authorizes the Director of Maine Emergency Management Agency, with the advice of the State Emergency Response Commission, to change the current fee amount and fee schedule. The fee set by the Commission has not changed since it was implemented in 2002. However, the inventory fee was changed under rulemaking in*

2021. Due to cost of inflation, the Commission struggles to maintain an adequate level of funding for County Emergency Management Agencies, State-funded Hazardous Materials Response Teams, and local trainings for first responders. This increase in the current fee schedule allows the State Emergency Response Commission to fund local first responder trainings, equipment, planning activities and outreach in order to help facilities prepare for and respond to hazardous material incidents. Without the increased fee, the Commission may have to cut back on funding these critical hazardous materials response teams and first responders, potentially reducing the State's ability to prepare for and respond to hazardous materials incidents.

15-215 Defense, Veterans, and Emergency Management

2024-265: Chapter 4, Expanded Burial Eligibility in the Maine Veterans' Memorial Cemetery System

Statutory Authority:	37-B M.R.S. § 504(4)(B-1)(2024)
Type:	Routine Technical
Emergency?:	No
Fiscal Impact:	<i>\$90,000 in annual state budget to supplement headstone and plot allowance.</i>
Principal purpose:	<i>This rule governs expanded burial eligibility in the Maine Veterans Memorial Cemetery, pursuant to 37-B M.R.S. § 504(4)(B-1)(2024).</i>
Basis Statement:	<i>The Maine Veterans Memorial Cemetery System is updating its burial eligibility rules, expanding the interment criteria. Previously, only Veterans or Service Members of the National Guard and Reserves who met certain criteria were allowed to be buried in the cemetery system. However, under the proposed rules, National Guard and Reserve Service Members, Veterans, and their family members would be eligible for burial. The rules specify the eligibility criteria, including members or former members of the National Guard, State Military Forces, and the Reserve Components of the US Armed Forces, and those who died while serving in the Active Guard Reserve, along with their spouses and minor children. Additionally, the rules outline the military service requirements for eligibility and the State's operational expenses for headstones and markers. This eligibility expansion follows the federal 'Burial Equity for Guards and Reserves Act of 2021,' which authorizes National Guard and Reserve Service Members to be buried in state veterans' cemeteries at the discretion of individual states, even if they did not meet the qualifying service period. LD 619, also known as 'An Act Regarding Eligibility for the Maine Veterans' Memorial Cemetery System,' granted National Guard and Reserve Service Members the right to be interred in the Maine Veterans' Memorial Cemetery System at the state level and gave the department authority to develop necessary implementation rules.</i>