§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 permanent designee; [PL 1989, c. 464, §3 (NEW).]

B. The Commissioner of Health and Human Services or the commissioner's permanent designee; [PL 1989, c. 464, §3 (NEW); PL 2003, c. 689, Pt. B, §7 (REV).]

C. The Director of Maine Emergency Medical Services, Department of Public Safety, or the director's permanent designee; [RR 1995, c. 2, §96 (COR).]

D. The Commissioner of Labor or the commissioner's permanent designee; [PL 1989, c. 464, §3 (NEW).]

E. The Commissioner of Transportation or the commissioner's permanent designee; [PL 1989, c. 464, §3 (NEW).]

F. The Director of the Maine Emergency Management Agency, who shall serve as chair; [PL 1989, c. 464, §3 (NEW).]

G. The Chief of the State Police or the chief's permanent designee; [PL 1989, c. 464, §3 (NEW).]

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. [RR 1995, c. 2, §96 (COR); PL 2003, c. 689, Pt. B, §7 (REV).]

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).]


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).]

3. Voting. All votes require a quorum with at least 8 members present.

SECTION HISTORY


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