

§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).

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