

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. \_\_\_\_\_  
DATE \_\_\_\_\_

21 FY 04/05  
21 FY 04705

July 8, 2004

**AN ORDER TO ESTABLISH A HOMELAND SECURITY ADVISORY COUNCIL AND  
TO DEFINE STATE AGENCY ROLES IN HOMELAND SECURITY**

**WHEREAS**, the events of September 11, 2001 and subsequent acts of terrorism around the world have brought new emphasis to the necessity of emergency preparedness and enhanced homeland security efforts at every level; and

**WHEREAS**, it is critical that the homeland security programs in state agencies be carried out in a coordinated manner so as to maximize the effectiveness of state efforts and federal support; and

**WHEREAS**, a number of agencies in Maine State Government play a role in emergency preparedness and response, including terrorism preparedness and response; and

**WHEREAS**, the Maine Emergency Management Agency ("MEMA") is designated by statute as having responsibility within Maine State Government for coordinating emergency preparedness, response, recovery and mitigation activities; and

**NOW, THEREFORE**, I, John Elias Baldacci, under the power vested in me as the Governor of the State of Maine, do hereby:

A. Establish the Homeland Security Advisory Council (the "Council").

1. Composition of the Council

The Council shall be composed of:

- a) The Director of the Maine Emergency Management Agency
- b) The Commissioner of Defense, Veterans and Emergency Management
- c) The Commissioner of Public Safety
- d) The Director of the Bureau of Health
- e) The Chief of the Maine State Police
- f) A representative of the Governor

The chair of the Council shall be the Director of MEMA.

## 2. Duties of the Council

The Council shall:

- a) Advise the Governor with regard to the vulnerability of the State of Maine to terrorist activity;
- b) Advise the Governor with regard to the adequacy of the plans to enhance homeland security;
- c) Ensure the homeland security activities of state agencies are coordinated;
- d) Advise the Governor with regard to the implementation of state programs using federal funds and administration of federal grants for homeland security, in order to ensure coordination among agencies and the most effective use of grant funds;
- e) Advise the Governor with regard to the appropriate level of Homeland Security Threat Advisory in the State of Maine, based upon intelligence gathered in the state and from federal sources;
- f) Advise the Governor with regard to the appropriate response to any terrorist threat; and
- g) Periodically advise the Emergency Response Team of pertinent information that could assist in their response to an event.

## 3. Procedures

The Council shall:

- a) Meet at times and places as determined by the Chair or the Governor and with assistance from state agencies as necessary and appropriate for the Council's execution of its responsibilities described herein;
- b) Meet, either physically or via telecommunication, as determined by the Chair, immediately upon notification that the Federal Homeland Security Threat Advisory Level will be changed, in order to develop a recommendation to the Governor of the appropriate Threat Advisory Level and action steps for Maine; and
- c) Meet at the call of the Chair or the Governor at any time the Governor requires the advice of the Council.

Meetings of the Council are not "public proceedings" for purposes of Title 1, M.R.S.A., Chapter 13, but may be open to the public at the discretion of the Chair. Documents collected or produced by the Council are not public records.

## 4. Resources and Support

The Maine Emergency Management Agency will provide staff and administrative support to the Council from existing resources.

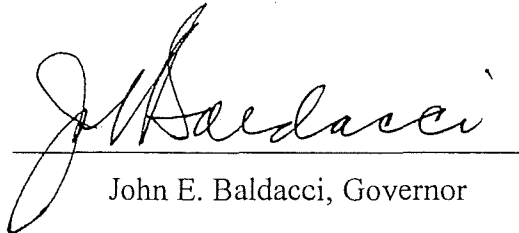
- B. Direct that state response to any suspected terrorist event will be coordinated through the State Emergency Operations Center, in accordance with the State Emergency Operations Plan.
- C. Designate the Maine Emergency Management Agency as the coordinating agency within state government for homeland security operational preparedness, response, recovery and mitigation.

As the coordinating agency, MEMA shall:

1. Develop and maintain the State Emergency Operations Plan, which will incorporate by reference any internal operational plans developed by other state agencies for emergency response;
2. Coordinate the State Emergency Operations Center;
3. Coordinate with other state agencies in the development of their emergency response plans;
4. Coordinate the review and approval of all grant applications developed by local and state agencies for homeland security funds; and
5. Administer homeland security grant funds.

**Effective Date**

The effective date of this Executive Order is July 8, 2004.



John E. Baldacci, Governor