

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 303

H. P. 270

House of Representatives, January 20, 1981

Referred to the Committee on Energy and Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Huber of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Establish the Department of Public Safety as the Lead Agency
Regarding Accidental Spills of Hazardous Waste Matter.**

Be it enacted by the People of the State of Maine, as follows:

38 MRSA § 1318-B, sub-§§ 1 and 2, as enacted by PL 1979, c. 730, § 2, are amended to read:

1. **Reporting.** The responsible party or the person causing the discharge shall report a discharge immediately ~~to the local public safety agency or~~ to the Department of Public Safety, which shall immediately notify the Department of Environmental Protection ~~and the public safety agency of the municipality in which the discharge takes place.~~

2. **Preservation of public order.** ~~The local public safety agency or the~~ Department of Public Safety shall exercise authority for preservation of public order and safety, and shall coordinate the response to the spill.

STATEMENT OF FACT

The purpose of this bill is to provide a state-wide response capability to

hazardous matter incidents by requiring discharges to be reported first to the Department of Public Safety and directing the Department of Public Safety to notify other agencies, state and local. This clarification will serve to establish a clear chain of command in the event of an incident so as to minimize confusion during an emergency.