

MAINE STATE LEGISLATURE

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L.D. 2477

(Filing No. S-418)

STATE OF MAINE
SENATE
113TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 939, L.D. 2477,
Bill, "AN ACT Concerning the Storage, Use and
Transportation of Hazardous Chemicals."

Amend the bill by striking out everything after
the enacting clause and before the emergency clause
and inserting in its place the following:

'Sec. 1. 5 MRSA §12004, sub-§8, ¶A, sub-¶(9-B)
is enacted to read:

(9-B) Environ-	State Emergency	Not	22 MRSA
ment/	Response	Authorized	§1696-H
Natural	Commission		
Resources			

Sec. 2. 22 MRSA c. 271, sub-c. III is enacted
to read:

SUBCHAPTER III

EMERGENCY RESPONSE PLANNING

§1696-G. Findings; purpose

The Legislature finds that storage, use and
transportation of hazardous chemicals in the State
pose a risk of accidental release into the environment
and that these releases endanger public health and
safety. This subchapter establishes a comprehensive

1 program for emergency response to releases of
2 hazardous and toxic chemicals which threaten public
3 health and safety. This subchapter is intended to be
4 consistent with and facilitate implementation of the
5 provisions of the United States Emergency Planning and
6 Community Right-to-Know Act of 1986, Public Law 99-499.

7 §1696-H. State Emergency Response Commission

8 1. Commission established. The State Emergency
9 Response Commission, as established by Title 5,
10 section 12004, shall be responsible for overseeing the
11 implementation of a comprehensive program of planning
12 and training for effective emergency response to
13 releases of hazardous chemicals. The commission is
14 composed of 9 to 11 members as follows:

15 A. The Commissioner of Environmental Protection
16 or the commissioner's designee;

17 B. The Commissioner of Human Services or the
18 commissioner's designee;

19 C. The Director of the Division of Disease
20 Control, Department of Human Services;

21 D. The Commissioner of Transportation or the
22 commissioner's designee;

23 E. The Director of the Maine Emergency Management
24 Agency, who shall serve as chairman;

25 F. The Chief of the State Police;

26 G. A representative, appointed by the Governor,
27 of the Maine Fire Chiefs Association;

28 H. A representative, appointed by the Governor,
29 of municipal government; and

30 I. A representative, appointed by the Governor,
31 of private commerce and industry.

32 The Governor may appoint up to 2 additional members to
33 represent the general public. All members appointed
34 by the Governor to serve on the commission shall serve
35 for a term of 4 years.

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COMMITTEE AMENDMENT " A" to S.P. 939, L.D. 2477

- 1 2. Powers and duties. The general duties of the
2 commission are:
- 3 A. To designate emergency planning districts to
4 facilitate implementation of emergency response
5 plans;
- 6 B. To provide for the necessary appointment of
7 local emergency response planning committees;
- 8 C. To supervise and coordinate local emergency
9 response planning committee activities;
- 10 D. To review emergency response plans developed
11 by the local committees;
- 12 E. To receive chemical spill notifications
13 required pursuant to state law and the provisions
14 of the United States Emergency Planning and
15 Community Right-to-Know Act of 1986, Public Law
16 99-499;
- 17 F. To provide the public with information upon
18 request, consistent with the provisions of state
19 and federal law, on emergency response plans,
20 potential hazards and safety;
- 21 G. To monitor, observe, participate in and review
22 certain emergency drills and exercises;
- 23 H. To review and monitor hazardous materials
24 training programs in the State;
- 25 I. To conduct joint emergency operations from the
26 State Emergency Operations Center; and
- 27 J. To undertake any other actions necessary to
28 accomplish the purposes of this subchapter.
- 29 Sec. 3. 26 MRS
30 A §1715, sub-§2, as enacted by PL
31 1983, c. 823, §2, is amended to read:
- 32 2. Schedule for information and training
33 program. The information and training shall commence
34 prior to an employee's initial assignment. Additional
 instruction shall be provided whenever chemicals or

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COMMITTEE AMENDMENT " A " to S.P. 939, L.D. 2477

1 amendment slightly revises the study and reporting
2 provisions of the original bill to eliminate
3 unnecessary elements and to clarify the requirement
4 for recommendations to implement a program consistent
5 with federal law.

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Reported by Senator Usher for the Committee on Energy
and Natural Resources. Reproduced and Distributed
Pursuant to Senate Rule 12.
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