

**§708. Homeland Security Advisory Council**

The Homeland Security Advisory Council, as established in Title 5, section 12004-I, subsection 91 and referred to in this section as "the council," shall advise the Governor on the coordination of homeland security activities of state agencies and the most effective use of grant funds. [PL 2005, c. 634, §12 (NEW).]

**1. Membership.** The council is composed of the following 9 members:

- A. The director; [PL 2005, c. 634, §12 (NEW).]
- B. The Commissioner of Defense, Veterans and Emergency Management; [PL 2005, c. 634, §12 (NEW).]
- C. The Commissioner of Public Safety; [PL 2005, c. 634, §12 (NEW).]
- D. The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services; [PL 2011, c. 529, §1 (AMD).]
- E. The Chief of the State Police within the Department of Public Safety; [PL 2011, c. 529, §1 (AMD).]
- F. A representative of the Governor; [PL 2011, c. 529, §1 (AMD).]
- G. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee; [PL 2011, c. 529, §1 (NEW).]
- H. The Commissioner of Marine Resources or the commissioner's designee; and [PL 2011, c. 529, §1 (NEW).]
- I. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee. [PL 2011, c. 529, §1 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

The director is the chair of the council. The Commissioner of Defense, Veterans and Emergency Management is the advisor of the council. Commissioner designees must be uniformed law enforcement personnel.

[PL 2011, c. 529, §1 (AMD); PL 2011, c. 657, Pt. W, §6 (REV).]

**2. Duties of council.** The council shall:

- A. Advise the Governor with regard to the vulnerability of the State to terrorist activity; [PL 2005, c. 634, §12 (NEW).]
- B. Advise the Governor with regard to the adequacy of the plans to enhance homeland security; [PL 2005, c. 634, §12 (NEW).]
- C. Ensure that the homeland security activities of state agencies are coordinated; [PL 2005, c. 634, §12 (NEW).]
- 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; [PL 2005, c. 634, §12 (NEW).]
- E. Advise the Governor with regard to the appropriateness of the federal homeland security threat advisory level for the State, based upon intelligence gathered in the State and from federal sources; [PL 2005, c. 634, §12 (NEW).]
- F. Advise the Governor with regard to the appropriate response to any terrorist threat; [PL 2007, c. 462, §2 (AMD).]
- G. Periodically advise an emergency response team with pertinent information that could assist in the team's response to an event ; and [PL 2007, c. 462, §3 (AMD).]

H. Beginning January 15, 2008 and annually thereafter, report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding homeland security training and communications exercises and other homeland security initiatives and issues. [PL 2007, c. 462, §4 (NEW).]

[PL 2007, c. 462, §§2-4 (AMD).]

**3. Procedures.** The council shall meet:

A. 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 as described in subsection 2; [PL 2005, c. 634, §12 (NEW).]

B. Either in person 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 for the State and actions to be taken in the State; and [PL 2005, c. 634, §12 (NEW).]

C. At the call of the chair or at the call of the Governor at any time the Governor requires the advice of the council. [PL 2005, c. 634, §12 (NEW).]

The state response to any suspected terrorist event must be coordinated through the State Emergency Operations Center, in accordance with a state emergency operations plan as described in subsection 4, paragraph A. Meetings of the council are not public proceedings for purposes of Title 1, 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 for the purposes of Title 1, chapter 13.

[PL 2005, c. 634, §12 (NEW).]

**4. Resources and support.** The agency shall provide staff and administrative support to the council from existing resources. The agency is the coordinating agency within State Government for homeland security operational preparedness, response, recovery and mitigation. As the coordinating agency, the agency shall:

A. Develop and maintain a state emergency operations plan, which must incorporate by reference any internal operational plans developed by other state agencies for emergency response; [PL 2005, c. 634, §12 (NEW).]

B. Coordinate the State Emergency Operations Center with the council; [PL 2005, c. 634, §12 (NEW).]

C. Coordinate with other state agencies in the development of their emergency response plans; [PL 2005, c. 634, §12 (NEW).]

D. Administer the review and approval of all grant applications developed by local and state agencies for homeland security funds; and [PL 2005, c. 634, §12 (NEW).]

E. Administer homeland security grant funds. [PL 2005, c. 634, §12 (NEW).]

[PL 2005, c. 634, §12 (NEW).]

#### SECTION HISTORY

PL 2005, c. 634, §12 (NEW). PL 2007, c. 462, §§2-4 (AMD). PL 2011, c. 529, §1 (AMD). PL 2011, c. 657, Pt. W, §6 (REV).

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