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**State of Montana
Office of the Governor**

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AUG 5 1993
OF MONTANA



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Executive Order No. 10-93

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EXECUTIVE ORDER CONTINUING THE MONTANA
STATE EMERGENCY RESPONSE COMMISSION

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WHEREAS, the federal Superfund Amendments and Reauthorization Act of 1986, hereinafter referred to as "the Act," requires that the Governor of each state shall appoint a State Emergency Response Commission; and

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WHEREAS, the following agencies and organizations have important activities relating to the many phases of hazardous materials inventory identification, planning and risk management; and

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WHEREAS, it is important that Montana address the important issues relating to hazardous materials.

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NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me by the Constitution and laws of the State of Montana, do hereby continue the Montana State Emergency Response Commission.

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I. COMPOSITION

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A. The Commission shall be composed of 15 members. The

1 names and addresses of members who are appointed by and
2 who shall serve at the pleasure of the Governor are filed
3 by separate letter with the Secretary of State and the
4 Departments of Health and Environmental Sciences,
5 Military Affairs, Justice, Transportation, and Fish,
6 Wildlife and Parks.

7 B. The representative from the Department of Health and
8 Environmental Sciences and the representative from the
9 Department of Military Affairs, Disaster and Emergency
10 Services Division, shall serve as co-chairpersons of the
11 Commission. The Department of Health and Environmental
12 Sciences and the Department of Military Affairs shall
13 serve as lead agencies for the State of Montana.

14 II. DUTIES

15 A. The duties of the Commission shall include those
16 enumerated in the Act.

17 B. In addition to the duties in the Act, the Commission
18 shall:

- 19 1. develop and make recommendations concerning
20 hazardous materials management and incident
21 response in Montana;
- 22 2. develop and make policy recommendations
23 regarding the implementation of the Act and related
24 issues;
- 25 3. oversee the disbursement of funds which become
26 available pursuant to the Act; and
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1 4. coordinate and assist the Statewide
2 Coordination Council for the transportation of
3 hazardous wastes and materials as set forth in
4 Executive Order 18-92.

5 C. The Commission may establish a special task force to
6 accomplish the specific tasks related to the duties of
7 the Commission upon the consent of the chief of staff.

8 D. The Commission may receive grants, donations or
9 gifts of money, equipment, supplies and services from any
10 public or private source to carry out its duties
11 hereunder.

12 III. TERMINATION OF PRIOR EXECUTIVE ORDER

13 Any provisions of prior Executive Orders relating to the
14 Montana State Emergency Response Commission are hereby
15 superseded by the provision of this Order.

16 IV. DURATION

17 This Advisory Council shall remain in existence for a
18 period of two years from the effective date of this order
19 unless extended or terminated by subsequent Executive Order.

20 This Order is effective immediately.

21 GIVEN under my hand and the
22 GREAT SEAL of the State of
23 Montana, this 21st day of
JULY in the
24 year of our LORD, One Thousand,
25 Nine Hundred and Ninety-Three.

26 Marc Racicot
27 MARC RACICOT, Governor

25 ATTEST:

26 Mike Cooney
27 MIKE COONEY, Secretary of State