§ 19-0315. Small business stationary source compliance advisory panel.

1. There is hereby established a small business stationary source compliance advisory panel which shall have the responsibility to:

a. provide guidance to the department on the development of the small business stationary source technical and environmental compliance assistance program;

b. render advisory opinions concerning the effectiveness of the small business stationary source technical and environmental compliance assistance program, including the adequacy of funding available to the program, difficulties encountered, and degree and severity of enforcement;

c. make periodic reports to the commissioner and the administrator of the United States environmental protection agency concerning the compliance of the small business stationary source technical and environmental compliance assistance program with the requirements of the federal paperwork reduction act, 42 U.S.C. § 3501 et seq.; the regulatory flexibility act, 42 U.S.C. § 601 et seq.; and the equal access to justice act, 5 U.S.C. § 504;

d. review information for small business stationary sources to assure that such information is understandable by the layperson;

e. review and advise the department on the development of rules and regulations, the state implementation plan as it affects small business stationary sources, and other programs affecting small business stationary sources implemented by the department pursuant to the Act; and

f. make recommendations for the development of programs to further assist small business stationary sources, including technical and financial assistance programs.

2. The small business stationary source compliance advisory panel

shall consist of nine members who shall be appointed no later than November fifteenth, nineteen hundred ninety-three. The panel shall consist of:

a. two persons, who are not owners or representatives of owners of small business stationary sources, selected by the governor to represent the general public;

b. six persons who are owners or who represent owners of small business stationary sources, two selected by the president pro tem of the senate, two selected by the speaker of the assembly, one selected by the minority leader of the senate and one selected by the minority leader of the assembly; and

c. one person selected by the commissioner to represent the department.

3. The panel shall meet at least quarterly and shall designate one of its members, other than the commissioner's representative, to serve as chairperson. Members of the panel shall serve for terms of three years from the date of their appointment, except that the members appointed by the commissioner shall serve at the pleasure of the commissioner. Members shall serve without compensation, except that they shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section.

4. The department or its designee shall serve as the secretariat for the panel for development and dissemination of reports and advisory opinions.