

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 615

6
7 Initiated Bill 1

House of Representatives, February 20, 1985

8 Transmitted to the Clerk of the House of the 112th Maine Legislature by
9 the Secretary of State on February 19, 1985 and 2,200 ordered printed.

10 EDWIN H. PERT, Clerk

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Require Voter Approval of the
18 Disposal of Low-level Radioactive
19 Waste.
20

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

23 38 MRSA c. 14-A, sub-c. IV is enacted to read:

24 SUBCHAPTER IV

25 WASTE DISPOSAL

26 §1491. Title

27 This subchapter shall be known and may be cited
28 as "An Act to Require Voter Approval of the Disposal
29 of Low-level Radioactive Waste."

30 §1492. Purpose

1 The purpose of this Act is to require approval by
2 the voters of Maine as a precondition for the con-
3 struction or operation within the State of Maine of
4 any low-level radioactive waste disposal or storage
5 facility and to require approval by the voters of
6 Maine as a precondition for the participation by the
7 State of Maine in any compact or agreement with any
8 other state or states or the Federal Government con-
9 cerning low-level radioactive waste disposal or stor-
10 age.

11 §1493. Low-level radioactive waste disposal referen-
12 dum

13 No low-level radioactive waste disposal or stor-
14 age facility may be constructed or operated within
15 the State of Maine unless such construction and oper-
16 ation are approved by a majority of the voters voting
17 thereon in a statewide election. Such election shall
18 be held in the manner prescribed by law for holding a
19 statewide election and in accordance with the proce-
20 dures set forth in Title 35, section 3382. The vot-
21 ers shall be asked to vote on the acceptance or re-
22 jection of construction or operation by voting on the
23 following question:

24 "Do you approve (insert con-
25 struct or operation) of a low-level radioactive
26 waste (insert disposal or storage)
27 facility as proposed for (insert
28 location)?"

29 This question shall be submitted to the legal
30 voters of the State at the next following statewide
31 election after review and issuance of an order recom-
32 mending permission for construction or operation of
33 the facility by the Board of Environmental Protection
34 pursuant to section 1478, provided that no construc-
35 tion or operation of any facility may commence prior
36 to such election.

37 §1494. Low-level radioactive waste compact referen-
38 dum

39 The State of Maine shall not enter into any com-
40 compact agreement with any other state or states or with
41 the Federal Government concerning the disposal or

1 storage of low-level radioactive waste either within
2 or without the State unless the compact or agreement
3 has been approved by a majority of the voters voting
4 thereon in statewide election. Such election shall
5 be held in the manner prescribed by law for holding a
6 statewide election and in accordance with the proce-
7 dures set forth in Title 35, section 3382. The vot-
8 ers shall be asked to vote on the acceptance or re-
9 jection of the compact or agreement by voting on the
10 following question:

11 "Do you approve the _____ (insert com-
12 pact or agreement) for the _____ (in-
13 sert disposal or storage) of low-level radioac-
14 tive waste proposed to be made with
15 _____ (insert name of state or states or
16 "the Federal Government")?"

17 This question shall be submitted to the legal
18 voters of the State at the next following statewide
19 election after any such compact or agreement is rec-
20 ommended by the Governor pursuant to section 1474 or
21 any other provision of law.

22 §1495. Limiting provisions

23 The provisions of this Act shall not apply:

24 1. Power plant waste facilities having all li-
25 censes, permits, approvals, etc., for construction
26 and operation. To any nuclear power plant or facili-
27 ty for the disposal or storage of low-level radioac-
28 tive wastes if, prior to May 1, 1984, such power
29 plant or waste facility has obtained all federal,
30 state and local licenses, permits, certificates, var-
31 iances and other approvals necessary for the con-
32 struction and operation thereof; or

33 2. Facilities used to store or dispose of wastes
34 generated through medical or bioresearch applica-
35 tions. To any facility solely for the disposal or
36 storage of low-level radioactive wastes generated
37 within the State of Maine through medical or
38 bioresearch application.

39 §1496. Nullifying previous compacts or agreements

