

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1331

7 H.P. 1006

House of Representatives, March 25, 1983

8 Referred to the Committee on Aging, Retirement and Veterans. Sent up
9 for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Andrews of Portland.

Cosponsors: Representative Ainsworth of Yarmouth, Senator Gill of
Cumberland and Representative Foster of Ellsworth.

12 STATE OF MAINE
13

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

17 AN ACT to Assure Public Awareness of
18 Nuclear Civil Protection Plans for Maine.
19

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

22 Sec. 1. 37-A MRSA §62, 3rd ¶, as amended by PL
23 1977, c. 694, §743, is further amended to read:

24 The state director, for purposes of civil emer-
25 gency preparedness, and subject to the approval of
26 the Governor, may convey equipment, supplies, mate-
27 rials or funds by way of sale, lease or grant to any
28 political subdivision of the State, ~~such that convey-~~
29 ~~ance to be subject to the terms of the offer and the~~
30 ~~rules and regulations, if any, imposed by the State.~~
31 ~~These rules and regulations are not rules within the~~
32 ~~meaning of the Maine Administrative Procedure Act,~~
33 ~~Title 5, section 8002, subsection 9. The state~~
34 ~~director shall not require the participation of any~~

1 political subdivision in any program of nuclear civil
2 protection as a condition of receipt of any funds or
3 materials made available pursuant to this paragraph.

4 Sec. 2. 37-A MRSA §73 is enacted to read:

5 §73. Nuclear civil protection

6 Any nuclear civil protection program in the State
7 that is a program to protect the civilian population
8 from the effects of nuclear weapons shall be subject
9 to this section.

10 1. Public hearings. Prior to December 31, 1984,
11 2 public hearings shall be conducted in each of the
12 following 8 designated risk areas in the State:

13 A. Category I (areas associated with
14 counterforce military installations): Limestone
15 (Loring Air Force Base) Risk Area; York
16 (Kittery-Portsmouth Naval Shipyard) Risk Area;

17 B. Category II (location of installations of
18 high military value): Cutler; Brunswick-Bath;

19 C. Category III (urban-industrial areas): Port-
20 land; Bangor; Lewiston-Auburn; and

21 D. Category IV (center of government): Augusta.

22 The first public hearing shall be designed to provide
23 information on: The nuclear civil protection plan,
24 including both the crisis-relocation plan and the
25 in-place shelter plan; the rationale for the plan;
26 alternatives to the plan; the process of accepting,
27 implementing and funding the plan; the immediate and
28 long range effects (including social, economic, medi-
29 cal and psychological effects) of a nuclear attack on
30 the target area and on the State. Written informa-
31 tional materials shall be available at the hearing.

32 The 2nd public hearing shall be designed to hear the
33 views of citizens on the nuclear civil protection
34 plan. It shall be held within 30 days of the first
35 hearing. At the end of the 2nd hearing a nonbinding
36 poll shall be taken of the citizens present as to
37 whether they agree or disagree with the proposed
38 nuclear civil protection plan.

1 The hearings shall be held in a convenient, central
2 location at a convenient time in the evening.
3 Reasonable notice shall be given, including, but not
4 limited to, publication in local and general circula-
5 tion newspapers in target and host communities at
6 least 20 but not more than 30 days prior to each
7 hearing.

8 2. Citizens' commission. The Citizens' Commis-
9 sion to Evaluate Nuclear Civil Protection is estab-
10 lished. The commission shall consist of 14 members,
11 to be evenly divided between men and women, as fol-
12 lows: Ten members by the Governor, 2 members by the
13 President of the Senate and 2 members by the Speaker
14 of the House of Representatives. The Governor's
15 appointees shall include: An educator, a youth repre-
16 sentative, a physician, a social worker, a mental
17 health worker, a nurse, a staff person from the
18 Bureau of Civil Emergency Preparedness and 3 members
19 of bona fide civic organizations active in the public
20 discussion of this issue. Two members appointed by
21 the Speaker of the House of Representatives shall be
22 members of the House of Representatives. Two members
23 appointed by the President of the Senate shall be
24 members of the Senate.

25 The commission shall conduct the public hearings re-
26 quired by subsection 1; approve the informational
27 materials required for the hearing to assure all
28 points of view are represented; publicize the hear-
29 ings; review the material presented at the hearings;
30 including public comments and the polling results;
31 and report to the Governor, the Legislature and each
32 community within the target zone its findings and
33 recommendations following each series of hearings and
34 at other times as appropriate.

35 Committee members shall be compensated for travel
36 expenses to and from all commission meetings and
37 hearings at the same rate as state employees.

38 3. Approval. Any nuclear civil protection plan,
39 which has not been approved by the State, county or
40 municipality prior to January 1, 1983, shall not be
41 approved until after the public hearings and the
42 report of the commission on that area. Any nuclear
43 civil protection plan, which has been approved prior

