

MAINE STATE LEGISLATURE

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D. C. R.

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L.D. 1598

(Filing No. S- 175)

STATE OF MAINE
SENATE
111TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 547,
L.D. 1598, Bill, "AN ACT Relating to Emergency Plan-
ning for the Area Around Nuclear Power Plants."

Amend the Bill by inserting before the enacting
clause the following:

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, federal approval has not yet been given
for the Emergency Radiological Response Plan for the
area around Maine Yankee; and

Whereas, the addition of public members to the
oversight committee and the additional reporting re-
quirements in this bill are designed to help expedite
production of a workable federally-approved plan; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

Further amend the Bill by striking out all of
section 1 and inserting in its place the following:

'Sec. 1. 37-A MRSA §124, sub-§1, as enacted by
PL 1981, c. 444, §3, is repealed and the following
enacted in its place:

1. Created. There is created a Radiological
Emergency Preparedness Committee composed of 7 voting
members as listed in this subsection. The duties of

COMMITTEE AMENDMENT "A" to S.P. 547, L.D. 1598

1 the committee shall be purely advisory. Members from
2 state agencies shall serve ex officio:

3 A. The director of Civil Emergency Preparedness,
4 or his designee, who shall act as chairman;

5 B. The Director of Health Engineering, or his
6 designee;

7 C. The Commissioner of Public Safety, or his
8 designee;

9 D. Three public members, one designated by the
10 Governor, one designated by the President of the
11 Senate and one designated by the Speaker of the
12 House of Representatives; and

13 E. The license holder for a particular nuclear
14 power plant, or his designee, shall serve on the
15 committee for matters relating to emergency plan-
16 ning for that plant.

17 Sec. 2. 37-A MRSA §124, sub-§2, as enacted by PL
18 1981, c. 444, §3, is amended to read:

19 2. Annual review of plan. The committee shall,
20 in conjunction with all municipalities and state
21 agencies it requires to provide assistance, prepare
22 an Emergency Radiological Response Plan deemed neces-
23 sary to protect the public and property in the State
24 from hazards or dangers from radiation, radioactive
25 materials, nuclear materials or the occurrence of a
26 radiological incident as a result of the presence of,
27 release of or emissions from radioactive materials,
28 radioactivity or nuclear materials in this State. The
29 committee shall establish review and annually deter-
30 mine the adequacy of the plan. The plan shall
31 include, but not be limited to, evacuation plans and
32 the requirements for such programs as established by
33 the Federal Emergency Management Agency and the
34 United States Nuclear Regulatory Commission. Any
35 agency of state, county or local government may make

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COMMITTEE AMENDMENT "A" to S.P. 547, L.D. 1598

1 requests and recommendations under this program to
2 meet differing needs. This plan shall only apply to
3 those hazards or dangers which arise from the peace-
4 ful use of nuclear materials.

5 The committee shall recommend to the Legislature on
6 or before January 31, 1984, and annually thereafter,
7 any appropriate legislative action relative to the
8 plan. In the event of a division of opinions, all
9 reports shall be submitted to the Legislature.'

10 Further amend the Bill in section 2 by striking
11 out all of the first 2 lines (page 2, lines 7 and 8
12 in L.D.) and inserting in their place the following:

13 'Sec. 2. 37-A MRSA §124, sub-§§4 and 5 are
14 enacted to read:'

15 Further amend the Bill in section 2 by inserting
16 after subsection 4 the following:

17 '5. Compensation. Members, except state employ-
18 ees, shall receive per diem at a rate equal to legis-
19 lative per diem for meetings actually attended and
20 reimbursement for the necessary actual expenses
21 incurred in carrying out their duties.'

22 Further amend the Bill in section 3 in that part
23 designated "§130." in subsection 1 in the next to the
24 last line (page 2, line 29 in L.D.) by striking out
25 the underlined word "the" and inserting in its place
26 the underlined word 'any'

27 Further amend the Bill by renumbering the sec-
28 tions to read consecutively.

29 Further amend the Bill by adding at the end a new
30 section to read:

31 'Sec. 6. Legislative intent. If Title 37-A is
32 repealed as part of the recodification of the State
33 Military Laws, it is the intent of the Legislature

E. OF R.

(Filing No. S-175)

COMMITTEE AMENDMENT " A " to S.P. 547, L.D. 1598

1 that the provisions of this Act not be repealed and
2 that they continue in effect as part of the recodi-
3 fication.

4 Further amend the Bill by inserting at the end
5 before the statement of fact the following:

6 'Emergency clause. In view of the emergency
7 cited in the preamble, this Act shall take effect
8 when approved.'

9

STATEMENT OF FACT

10 This amendment gives the vote to the licensee
11 member of the Radiological Emergency Preparedness
12 Committee. It makes it clear that the duties of the
13 committee are purely advisory and it requires the
14 committee to recommend annually any appropriate
15 legislative action relative to the plan. It also
16 expresses legislative intent that the provisions of
17 this Act should continue in effect if Title 37-A is
18 repealed by the recodification of the State Military
19 Laws.

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Reported by the Committee on Public Utilities
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