

MAINE STATE LEGISLATURE

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D. OF R.

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L.D. 642

(Filing No. S-107)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 247, L.D. 642,
Bill, "AN ACT to Create the Advisory Commission on
Radioactive Waste to Replace the Low-level Waste Com-
mission."

Amend the bill by striking out all of the emer-
gency preamble.

Further amend the bill in section 4 by striking
out everything after the amending clause and insert-
ing in its place the following:

'(4) Environment Radioactive Waste Expenses 18 MRSA §1454
Advisory Commission all mem-
bers, Pub-
lic and
legisla-
tive mem-
bers-\$25/
day

Further amend the bill in section 6, in that part
designated "§1454." by striking out all of subsection
5 and inserting in its place the following:

'5. Compensation. Members of the commission
shall be compensated in accordance with the provi-
sions of Title 5, chapter 379.'

Further amend the bill in section 6, in that part
designated "§1455." by striking out all of subsection
2 and inserting in its place the following:

'2. Service fee. Until the ceiling established
in subsection 4 is reached, a service fee of \$10 per
cubic foot shall be levied on all low-level radioac-
tive waste generated in this State which is shipped

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1 to commercial disposal facilities or stored awaiting
2 disposal at a low-level radioactive waste disposal
3 facility or stored for any purpose for more than one
4 year. The service fee shall not apply to low-level
5 radioactive waste which is authorized by the United
6 States Nuclear Regulatory Commission to be stored for
7 decay on the site of generation for less than one
8 year or disposed of without regard to radioactivity.
9 The Board of Environmental Protection shall identify,
10 by rule adopted in accordance with the Maine Adminis-
11 trative Procedure Act, Title 5, chapter 375, those
12 wastes which are exempt from the service fee, con-
13 sistent with the intent of this section. The service
14 fee shall be paid only once on any particular waste.
15 The revenue from this service fee shall be credited
16 to the fund established in subsection 1 and used to
17 carry out the purposes of this subchapter.

18 3. Fee limitation. Whenever the balance in the
19 fund established by this section has reached the lim-
20 it provided in subsection 4, the service fee shall be
21 temporarily suspended. Thereafter, any license hold-
22 er shall be assessed an annual pro rata fee, at the
23 end of each fiscal year sufficient to reimburse the
24 fund for any of the expenditures which have been made
25 for the purposes authorized by this subchapter during
26 that fiscal year. The pro rata fee shall be based on
27 the volume of waste generated by each generator which
28 is shipped to commercial disposal facilities or
29 stored awaiting disposal at a low-level radioactive
30 waste disposal facility following suspension of the
31 service fee during that fiscal year.

32 4. Ceiling. Except for moneys received from
33 federal sources, the fund established by this section
34 shall not exceed a balance of \$100,000 during the
35 fiscal year 1985-1986 or \$150,000 at any time after
36 July 1, 1986. Any amounts collected in excess of
37 that amount shall be remitted to the contributors
38 within 10 days. Upon dissolution of the commission,
39 any unexpended funds shall be promptly remitted to
40 the contributors on a pro rata basis.'

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1 Further amend the bill in section 6, in that part
2 designated "§1455." in subsection 3, by inserting at
3 the end the following:

4 'The commission may receive and expend federal grants
5 and payments for the purpose of carrying out its du-
6 ties. The moneys received by the commission from
7 federal sources shall not be counted toward the ceil-
8 ing established in subsection 4.'

9 Further amend the bill, in section 6 by renumber-
10 ing the subsections to read consecutively.

11 Further amend the bill by striking out all of
12 section 7 and inserting in its place the following:

13 'Sec. 7. 38 MRSA §1476, as amended by PL 1983,
14 c. 812, §§296 and 297, is repealed.

15 Sec. 8. 38 MRSA §1477, as reallocated by PL
16 1983, c. 381, §6, is repealed.

17 Sec. 9. Transition provisions. The Low-level
18 Waste Siting Commission and the Low-level Waste
19 Siting Fund shall continue in effect until the Advis-
20 ory Commission on Radioactive Waste is convened for
21 its first meeting. The chairman of the Low-level
22 Waste Siting Commission shall call the first meeting
23 of the Radioactive Waste Commission. Section 6 of
24 this Act shall take effect 90 days after adjournment
25 of the First Regular Session of the 112th Legisla-
26 ture; all other sections of this Act shall take ef-
27 fect on the date of the first meeting of the Advisory
28 Commission on Radioactive Waste.

29 The Radioactive Waste Evaluation Fund is the suc-
30 cessor to the Low-level Waste Siting Fund. Upon es-
31 tablishment, the Radioactive Waste Evaluation Fund
32 shall receive any unexpended balance from the
33 Low-level Waste Siting Fund, which balance shall be
34 allocated as provided by law.'

COMMITTEE AMENDMENT " A " to S.P. 247, L.D. 642

1 Further amend the bill by striking out all the
2 emergency clause.

3 STATEMENT OF FACT

4 The purposes of this amendment are to:

5 1. Remove the emergency preamble and emergency
6 clause;

7 2. Limit the \$25 per diem to public and legisla-
8 tive members;

9 3. Provide for a cap on the Radioactive Waste
10 Evaluation Fund of \$100,000 in 1985-86 and \$150,000
11 thereafter;

12 4. Authorize the commission to accept and spend
13 federal funds; and

14 5. Provide for a smooth transition from the cur-
15 rent Low-level Waste Siting Commission and Low-level
16 Waste Siting Fund to the new commission and fund.

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Reported by the Majority for the Committee on Energy and Natural
Resources.

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(5/22/85)

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