

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2249

6
7 S.P. 894

In Senate, March 21, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

10 Referred to the Committee on Energy and Natural Resources and ordered
printed. Sent down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Andrews of Cumberland.

11 Cosponsored by Senator Diamond of Cumberland, Representative
Hichborn of Lagrange and Representative Carroll of Gray.

12 STATE OF MAINE
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14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT Regarding High-level Radioactive
18 Waste.
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20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 35 MRSA §§3364 and 3365 are enacted to
23 read:

24 §3364. Declaration of findings

25 The people of the State of Maine declare:

26 1. Lack of acceptable means of disposal of
27 high-level nuclear waste. That there currently ex-
28 ists no acceptable means to dispose of high-level nu-
29 clear waste;

30 2. Opposition to location of disposal or storage
31 site in Maine. That the people of the State are
32 inalterably opposed to the consideration of any loca-
33 tion in the State for the disposal or long-term stor-
34 age of high-level nuclear waste; and

1 3. Continued production of high-level nuclear
2 waste. That it is irresponsible to continue the pro-
3 duction of high-level nuclear waste in light of the
4 findings set out in this section.

5 §3365. Production of high-level nuclear waste

6 After July 1, 1989, the production of high-level
7 nuclear waste through the generation of electric pow-
8 er is prohibited.

9 Sec. 2. Statutory referendum procedure; submis-
10 sion at general election; form of question; effective
11 date. This Act shall be submitted to the legal vot-
12 ers of the State of Maine at the next general elec-
13 tion in the month of November following passage of
14 this Act. The city aldermen, town selectmen and
15 plantation assessors of this State shall notify the
16 inhabitants of their respective cities, towns and
17 plantations to meet, in the manner prescribed by law
18 for holding a statewide election, to vote on the ac-
19 ceptance or rejection of this Act by voting on the
20 following question:

21 "Shall the production of high-level nuclear waste
22 from the generation of electric power be prohib-
23 ited in Maine after July 1, 1989?"

24 The legal voters of each city, town and plantation
25 shall vote by ballot on this question, and shall des-
26 ignate their choice by a cross or check mark placed
27 within a corresponding square below the word "Yes" or
28 "No." The ballots shall be received, sorted, counted
29 and declared in open ward, town and plantation meet-
30 ings and returns made to the Secretary of State in
31 the same manner as votes for members of the Legisla-
32 ture. The Governor shall review the returns and, if
33 it appears that a majority of the legal voters are in
34 favor of the Act, the Governor shall proclaim that
35 fact without delay, and the Act shall become effec-
36 tive 30 days after the date of the proclamation.

37 The Secretary of State shall prepare and furnish to
38 each city, town and plantation all ballots, returns
39 and copies of this Act necessary to carry out the
40 purpose of this referendum.

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STATEMENT OF FACT

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The purpose of this bill is to provide a mechanism by which the voters of this State may express their will on the continued generation of electric power which results in the production of high-level radioactive waste within the State.

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Section 1 of the bill makes a declaration of findings concerning the inconsistency in the continued production of high-level nuclear waste in light of the Federal Government's failed program to dispose of it. Section 1 of the bill also prohibits, subject to voter approval, the production of high-level radioactive waste after July 1, 1989, by electricity-generating nuclear power plants operating in the State.

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Section 2 of the bill establishes the procedure for submitting the bill to the voters for approval at a referendum in November. Enactment and popular approval of this bill is an exercise of traditional state authority to regulate the generation, sale and transmission of electric power for purposes other than protection against radiation hazards.

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The prohibition on the generation of high-level radioactive waste after July 1, 1989, which this bill proposes to present to the voters is based on the following:

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1. It is irresponsible to continue the production of high-level nuclear waste when there is clearly no acceptable method of disposal.

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2. Most of the high-level radioactive waste produced in Maine is produced by the generation of electric power. The Federal Government has failed to provide a reasonable method to dispose of that waste, despite years of study and assurances that disposal facilities are feasible and, indeed, forthcoming. Although there is widespread public opposition to the location of a high-level disposal site in Maine, Maine is, nevertheless, under active consideration for such a site. Maine will make the strongest and most responsible argument to be dropped from consid-

1 eration by the Federal Government as a site by dis-
2 continuing the production of high-level nuclear waste
3 within its borders.

4 3. There are unacceptably high, economic costs
5 associated with the generation, isolation,
6 transportation and ultimate disposal of high-level ra-
7 dioactive waste produced by the generation of elec-
8 tric power.

9 4. Much of the low-level radioactive waste pro-
10 duced in Maine is also the result of the generation
11 of electric power. Maine is currently faced with the
12 problem of finding a disposal site for its low-level
13 radioactive waste. Ceasing the production of
14 high-level radioactive waste will result in
15 curtailing the production of low-level radioactive
16 waste which will make it easier for Maine to meet the
17 responsibility imposed by federal law to dispose of
18 its low-level radioactive waste.

19 5. By delaying the prohibition imposed by this
20 bill to July 1, 1989, a reasonable time is provided
21 to allow for the orderly transition to other methods
22 of electrical generation.

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