

MAINE STATE LEGISLATURE

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L.D. 1416
(Filing No. H-343)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "^A" to COMMITTEE AMENDMENT "A"
to H.P. 1053, L.D. 1416, Bill, "AN ACT to Establish
a State Nuclear Safety Program for Commercial Nuclear
Power Facilities in the State."

Amend the amendment by inserting after the 2nd
paragraph after the title the following:

'Amend the Bill by inserting after the title 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, this Bill requires rulemaking to be ini-
tiated in time for a report to be submitted to the
Legislature by January 1987; and

Whereas, immediate action is necessary in order
to allow sufficient time for rulemaking to take
place; 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 amendment in section 4, in par-
agraph K, in the 12th line (page 8, line 12 in amend-
ment) by striking out the following: "place" and in-
serting in its place the following: 'procure'

Further amend the amendment in section 4, in par-
agraph K, in the 13th line (page 8, line 13 in amend-

1 ment) by inserting after the following: "Devices" the
2 following: 'and place 16 of them'

3 Further amend the amendment in section 4, in par-
4 agraph K, in the 15th line (page 8, line 15 in amend-
5 ment) by inserting after the following: "program."
6 the following: 'The 4 additional devices shall be
7 maintained by the department in reserve.'

8 Further amend the amendment in section 11, in
9 that part designated "§960." in subsection 1-A, by
10 striking out all of the last 4 lines (page 13, lines
11 12 to 15 in amendment) and inserting in their place
12 the following:

13 'The Secondary Emergency Planning Zone shall extend
14 from the Primary Emergency Planning Zone to a desig-
15 ated area, determined by rule, around any nuclear
16 power plant, including the area within this State
17 which lies within the designated area from nuclear
18 power plants in adjacent states or provinces.'

19 Further amend the amendment in section 11, in
20 that part designated "§960." by striking out all of
21 subsection 2 and inserting in its place the follow-
22 ing:

23 '2. Ingestion Pathway Zone. The Ingestion
24 Pathway Zone shall be designated by the Bureau of
25 Civil Emergency Preparedness, by rule, as the zone
26 beyond the Emergency Planning Zone where protective
27 action plans are required relative to the food chain.
28 Unless changed by rule, the Ingestion Pathway Zone
29 shall be a circle of a radius not less than 50 miles
30 centered on any nuclear power plant, whether located
31 within this State or in any adjacent state or prov-
32 ince .'

33 Further amend the amendment by inserting after
34 section 11 the following:

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1053
L.D. 1416

1 **'Sec. 12. Mandatory rulemaking; report to Legis-**
2 **lature.** The Bureau of Civil Emergency Preparedness
3 shall commence rulemaking to designate a Secondary
4 Emergency Planning Zone as required by the Maine Re-
5 vised Statutes, Title 37-B, section 960, subsection
6 1-A, within 30 days of the effective date of this
7 Act. The Bureau of Civil Emergency Preparedness
8 shall submit a report to the Joint Standing Committee
9 on Human Resources, no later than January 15, 1988.
10 That report shall contain the progress made on adopt-
11 ing rules which designate a Secondary Emergency Plan-
12 ning Zone, including the rules which were adopted or
13 which have been proposed, and a discussion of the ba-
14 sis for the rules or proposed rules.'

15 Further amend the amendment by renumbering the
16 sections to read consecutively.

17 Further amend the amendment by inserting before
18 the fiscal note the following:

19 '**Emergency clause.** In view of the emergency
20 cited in the preamble, this Act shall take effect
21 when approved.'

22 STATEMENT OF FACT

23 This amendment amends the Secondary Emergency
24 Planning Zone established by the committee amendment
25 by deleting the 19-mile radius and requiring the Bu-
26 reau of Civil Emergency Preparedness to designate, by
27 rule, the area encompassed by that zone. It requires
28 the bureau to report to the Joint Standing Committee
29 on Human Resources on that rulemaking. It also al-
30 lows the bureau to expand the 50-mile Ingestion
31 Pathway Zone by rule. It also makes it clear that
32 the zone may include areas within the state boundary
33 that are located close enough to nuclear plants out-
34 side the State.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1053
L.D. 1416

1 Finally, the amendment corrects the bill by spec-
2 ifying that only 16 of the Gamma Scintillation Detec-
3 tion Devices are placed in homes and 4 held in re-
4 serve.

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Filed by Rep. Manning of Portland
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House
6/15/87 (Filing No. H-343)