

MAINE STATE LEGISLATURE

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S.
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L.D. 1416
(Filing No. S-274)

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STATE OF MAINE
SENATE
113TH LEGISLATURE
FIRST REGULAR SESSION

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SENATE 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."

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Amend the amendment in section 1 in that part
designated "§664." by striking out all of subsection
5 and inserting in its place the following:

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'5. Fees. Each nuclear power plant licensee
whose operations are monitored under this chapter
shall pay a fee to the permanent fund established in
section 680, subsection 7. The amount of the fee for
each licensee shall be calculated by multiplying the
total allocation to the Department of Human Services
for the fiscal year from the fund established in sec-
tion 680, subsection 7, for the full cost of the on-
site inspection program, including the cost to the
State for personnel and fringe benefits, by the
licensee's proportion of the total electric generat-
ing capacity of all licensees subject to this chap-
ter.'

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Further amend the amendment in section 1 by
striking out all of section 667 and inserting in its
place the following:

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§667. Liability

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Notwithstanding the immunities set forth in Title
14, section 8103, the State shall be liable for the
negligent acts or omissions of the State Nuclear
Safety Inspector, or any personnel under his direct
supervision and control, which occur on the site of a
commercial nuclear power facility. All other provi-
sions of Title 14, chapter 741, including notice re-
quirements, defense and indemnification of employees

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1053,
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1 and limitations on damage amounts, shall apply.'

2 Further amend the amendment in section 10 in that
3 part designated "\$52." by striking out all of subsection
4 tion 3 and inserting in its place the following:

5 '3. Fees. In addition to the fee provided in
6 Title 22, section 664, each nuclear power plant li-
7 icensee whose operations are monitored under this
8 chapter shall pay a fee to the permanent fund estab-
9 lished in section 680, subsection 7. The amount of
10 the fee for each licensee shall be calculated by mul-
11 tiplying the total allocation to the State Planning
12 Office for the fiscal year from the fund established
13 in section 680, subsection 7, for the full cost of
14 the State Nuclear Safety Advisor, including the cost
15 to the State for personnel and fringe benefits, by
16 the licensee's proportion of the total electric gen-
17 erating capacity of all licensees subject to this
18 chapter.'

19 Further amend the amendment by striking out all
20 of section 12 and inserting in its place the follow-
21 ing:

22 'Sec. 12. Allocation. There is allocated from
23 the permanent fund established by the Maine Revised
24 Statutes, Title 22, section 680, subsection 7, the
25 following funds, to carry out the purposes of this
26 Act.

27 1987-88 1988-89

28 EXECUTIVE DEPARTMENT

29 State Planning Office

30	Positions	(1)	(1)
31	Personal Services	\$51,240	\$51,240
32	All Other	5,000	5,000
33	Capital Expenditures	1,500	

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2	Total	<u>\$57,740</u>	<u>\$56,240</u>
3	Provides funds for		
4	the State Nuclear		
5	Safety Advisor.		
6	<u>HUMAN SERVICES,</u>		
7	<u>DEPARTMENT OF</u>		
8	Bureau of Health Engineering		
9	Positions	(1)	(1)
10	Personal Services	\$ 56,240	\$56,240
11	All Other	22,800	22,800
12	Capital Expenditures	93,200	10,400
13			
14	Total	<u>\$172,240</u>	<u>\$89,440</u>
15	Provides funds for		
16	the State Nuclear		
17	Safety Inspector,		
18	part-time clerical		
19	support and the cap-		
20	ital items required		
21	by section 4 of this		
22	Act.'		

23 Further amend the amendment by striking out all
24 of the Fiscal Note and inserting in its place the
25 following:

26 'FISCAL NOTE

27 This bill allocates \$229,980 in fiscal year
28 1987-88 and \$145,680 in fiscal year 1988-89 from the
29 dedicated revenue account for nuclear monitoring es-
30 tablished by the Maine Revised Statutes, Title 22,
31 section 680. This account is funded by fees charged

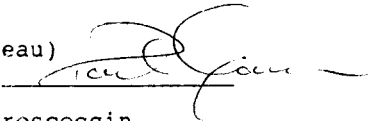
SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1053,
L.D. 1416

1 to nuclear power plants. In addition, there may be a
2 future cost to this dedicated account due to the al-
3 lowance for additional personnel that may be hired,
4 if necessary, at the Department of Human Services.
5 There is also a potential future cost to the General
6 Fund subject to the amount of additional planning
7 needed to develop action plans for the Secondary
8 Emergency Planning Zone.'

9 STATEMENT OF FACT

10 This amendment revises the language concerning
11 the fee requirement to provide some guidelines on ap-
12 portionment of costs and cross-references the immuni-
13 ty section to the Maine Tort Claims Act. In addi-
14 tion, it revises the allocation section and the fis-
15 cal note to reflect the emergency enactment previous-
16 ly enacted.

17 3658061787

18 (Sen. Gauvreau)
19 SPONSORED BY: 
20 COUNTY: Androscoggin

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