

# MAINE STATE LEGISLATURE

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L.D. 1865

(Filing No. H-396 )

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

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HOUSE AMENDMENT "**B**" to S.P. 639, L.D. 1865,  
Bill, "AN ACT Creating the Maine Low-level Radioac-  
tive Waste Authority."

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Amend the bill in section 3, in that part desig-  
nated "§1454." by striking out all of subsection 4  
and inserting in its place the following:

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'4. Fee assessment; ceiling. The Commissioner of Environmental Protection shall annually on June 30th, beginning in 1987, assess a service fee calculated in accordance with subsection 2, in an amount equal to \$250,000 less any balance carried forward under subsection 6. The commissioner shall assess each generator for its service fee. Each generator shall pay the service fee within 30 days, except that any generator may choose to make quarterly payments instead. In the event that the balance in the fund at the beginning of the fiscal year exceeds the ceiling, the excess shall be remitted to the generators within 30 days, in proportion to their payments during the previous fiscal year. Upon dissolution of the commission, any unexpended funds shall be promptly remitted to the generators in proportion to their payments in the previous fiscal year.'

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Further amend the bill, in section 4, in that part designated "§1534-A," in subsection 1, by inserting after the first sentence (page 19, line 1, in L.D.) the following: 'The authority shall annually on June 30th, beginning in 1988, assess a service fee calculated in accordance with this subsection in an amount equal to \$200,000 less any balance carried forward under section 1534, subsection 3. Each generator shall pay the service fee within 30 days, except that any generator may choose to make quarterly payments instead.'

HOUSE AMENDMENT "B" to H.P. 639, L.D. 1865

1 Further amend the bill, in section 4, in that  
2 part designated "§1535." in subsection 1, by striking  
3 out all of the 2nd sentence (page 19, lines 28 to 30  
4 in L.D.) and inserting in its place the following:  
5 'The assessment shall not exceed \$10,000,000 and  
6 shall be assessed as follows: \$1,500,000 on March 1,  
7 1988; \$2,500,000 on March 1, 1989; \$2,000,000 on  
8 March 1, 1991; \$2,000,000 on March 1, 1992. The  
9 amount assessed shall be paid within 30 days of as-  
10 essment.'

11 Further amend the bill, in section 4, in that  
12 part designated "§1536." by striking out all of sub-  
13 section 1, (page 20 lines 17 to 27 in L.D.) and in-  
14 sserting in its place the following:

15 '1. User fees. All users of a low-level radio-  
16 active waste disposal facility shall be assessed a  
17 user fee calculated in accordance with subsections 2  
18 and 3. User fees established under this section  
19 shall be designed to raise \$1,000,000 per year. Fees  
20 shall not be collected in excess of that amount or,  
21 if collected, shall be returned to the users within  
22 15 days of receipt. The authority shall establish,  
23 by rule, a schedule of fees to be paid by all users  
24 of a low-level radioactive waste disposal facility.'

HOUSE AMENDMENT "B" to H.P. 639, L.D. 1865

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STATEMENT OF FACT

2           This amendment clarifies the process for assess-  
3 ment of fees on generators of low-level radioactive  
4 waste to be paid into the Radioactive Waste Evalua-  
5 tion Fund and on generators and users of a low-level  
6 radioactive waste facility to be paid into the  
7 Low-level Radioactive Waste Facility Fund. The as-  
8 sessment to raise funds for the planning, siting and  
9 construction costs of a low-level radioactive waste  
10 disposal authority is intended to provide needed mon-  
11 ey to accomplish those tasks, should they be neces-  
12 sary, and to provide sufficient lead time of a sound  
13 procurement and fiscal management practices. The as-  
14 sements on users to raise funds for the operation  
15 of a facility, if one is necessary, are designed to  
16 be sufficient to cover the annual operation and main-  
17 tenance costs and the closure and post-closure costs,  
18 including reasonable reserves for unforeseen contin-  
19 gencies, of such a facility.

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Filed by Rep. Coles of Harpswell  
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