

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 496

H.P. 365

House of Representatives, March 1, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

*Ed Pert*

EDWIN H. PERT, Clerk

Presented by Representative HIGGINS of Scarborough.

Cosponsored by Representative CARTER of Winslow, Senator PEARSON of Penobscot and Senator PERKINS of Hancock.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act to Make Allocations from the Maine Nuclear Emergency  
Planning Fund for the Fiscal Years Ending June 30, 1990, and June  
30, 1991.

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(EMERGENCY)



1           **Emergency preamble.** Whereas, Acts of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted  
3 as emergencies; and

5           Whereas, the 90-day period may not terminate until after the  
6 beginning of the next fiscal year; and

7  
8           Whereas, certain obligations and expenses incident to the  
9 operation of the department will become due and payable on or  
10 immediately after July 1, 1989; and

11  
12           Whereas, in the judgment of the Legislature, these facts  
13 create an emergency within the meaning of the Constitution of  
14 Maine and require the following legislation as immediately  
15 necessary for the preservation of the public peace, health and  
16 safety; now, therefore,

17  
18 **Be it enacted by the People of the State of Maine as follows:**

19           **Sec. 1. 37-B MRSA §956, sub-§1,** as repealed and replaced by PL  
20 1987, c. 816, Pt. KK, §25, is amended to read:

21  
22           **1. Fee.** The license holder for any nuclear power reactor  
23 operating in this State shall be assessed a fee of \$200,000 for  
24 fiscal year 1988-89; ~~\$110,000~~ \$180,000 for fiscal year 1989-90;  
25 ~~\$120,000~~ \$130,000 for fiscal year 1990-91; and \$140,000 for  
26 fiscal year 1991-92 and annually thereafter. License fees shall  
27 be paid to the committee and, upon receipt by it, credited to the  
28 fund. The committee may waive all or part of this fee if a  
29 reactor is shut down for extended periods of time.

30  
31           **Sec. 2. 37-B MRSA §957,** as repealed and replaced by PL 1987,  
32 c. 816, Pt. KK, §26, is amended to read:

33  
34 **§957. Disbursements from fund**

35  
36           Money in the fund shall be disbursed only for the  
37 preparation and implementation of emergency planning related to  
38 nuclear power plants and their fuel-cycle activities. Expenditures  
39 shall be limited to support of state agency activities, grants to  
40 counties, municipalities, interjurisdictional or regional civil  
41 emergency preparedness agencies and contractual services necessary to carry out the  
42 purposes of this chapter. Except as provided in section 959,  
43 disbursements from the fund may not exceed \$200,000 in fiscal  
44 year 1988-89; ~~\$110,000~~ \$180,000 in fiscal year 1989-90; ~~\$120,000~~  
45 \$130,000 in fiscal year 1990-91; and \$140,000 in fiscal year  
46 1991-92 and annually thereafter.

47  
48           **Sec. 3. Allocation of Maine Nuclear Emergency Planning Fund.**  
49 Income to the Maine Nuclear Emergency Planning Fund for the next  
50 2 fiscal years from July 1, 1989, to June 30, 1990, and

1 from July 1, 1990, to June 30, 1991, shall be segregated,  
2 apportioned and disbursed as designated in the following schedule.

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	1989-90	1990-91
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**DEFENSE AND VETERANS' SERVICES,  
DEPARTMENT OF**

**Radiological Emergency Preparedness  
Committee**

All Other	\$ 89,900	\$ 93,700
Capital Expenditures	20,100	26,300
<b>TOTAL</b>	<b>\$110,000</b>	<b>\$120,000</b>

**Sec. 4. Supplemental Allocation of Maine Nuclear Emergency  
Planning Fund.** Additional income to the Maine Nuclear Emergency  
Planning Fund for the fiscal years ending June 30, 1990, and June  
30, 1991, as authorized by sections 1 and 2 of this Act, shall be  
segregated, apportioned and disbursed as designated in the  
following schedule.

	1989-90	1990-91
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**DEFENSE AND VETERANS' SERVICES,  
DEPARTMENT OF**

**Radiological Emergency Preparedness  
Committee**

Positions	(1.0)	(1.0)
Personal Services	\$17,140	\$18,611
All Other	27,960	(8,611)
Capital Expenditures	24,900	
<b>TOTAL</b>	<b>\$70,000</b>	<b>\$10,000</b>

Provides funds for 75% of the  
costs of a Planning and  
Research Associate I position  
to conduct Maine Yankee  
emergency planning.

**Emergency clause.** In view of the emergency cited in the  
preamble, this Act shall take effect on July 1, 1989.

**STATEMENT OF FACT**

3 Sections 1 and 2 amend the Maine Revised Statutes, Title  
5 37-B, sections 956 and 957 to increase income to the Maine  
5 Nuclear Emergency Planning Fund.

7 Section 3 allocates income to the Maine Nuclear Emergency  
9 Planning Fund as provided by current law for the fiscal years  
9 ending June 30, 1990, and June 30, 1991.

11 Section 4 allocates increased income to the Maine Nuclear  
Emergency Planning Fund as authorized by sections 1 and 2.