

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 760, L.D. 1094, Bill, "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1992 and June 30, 1993"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 37-B MRSA §955, as enacted by PL 1983, c. 460, §3, is amended to read:

§955. Maine Nuclear Emergency Planning Fund

The Maine Nuclear Emergency Planning Fund is established to be used by the committee as a nonlapsing revolving fund for carrying out the purposes of this chapter. ~~The fund shall be limited to \$250,000.~~ All fees collected under this chapter shall ~~must~~ be credited to this fund. ~~Moneys~~ Money in the fund not needed to meet the current obligations of the committee in the exercise of its responsibilities under this chapter shall ~~must~~ be deposited with the Treasurer of State to the credit of the fund, and may be invested as provided for by statute. Interest received on the investment shall ~~must~~ be credited to the fund.

Sec. 2. 37-B MRSA §956, sub-§1, as amended by PL 1989, c. 364, §1, is further amended to read:

1. Fee. The license holder for any nuclear power reactor operating in this State shall ~~be~~ is assessed a fee of \$200,000 ~~\$167,000~~ for fiscal year ~~1988-89~~ 1991-92; ~~\$180,000~~ \$144,000 for fiscal year ~~1989-90~~ 1992-93; ~~\$130,000~~ ~~for fiscal year 1990-91,~~ and \$140,000 for fiscal year ~~1991-92~~ 1993-94 and annually thereafter. License fees shall ~~must~~ be paid to the committee and, upon receipt by it, credited to the fund. The committee may waive all or part of this fee if a reactor is shut down for extended periods of time.

2 **Sec. 3. 37-B MRSA §956, sub-§2, as enacted by PL 1989, c. 460, §3, is repealed.**

4 **Sec. 4. 37-B MRSA §957, as amended by PL 1989, c. 364, §3, is further amended to read:**

6 **§957. Disbursements from fund**

8 Money in the fund shall ~~may~~ be disbursed only for the preparation and implementation of emergency planning related to nuclear power plants and their fuel-cycle activities. Expenditures shall ~~may~~ be limited to support of state agency activities, grants to counties, municipalities, interjurisdictional or regional civil emergency preparedness agencies and contractual services necessary to carry out the purposes of this chapter. Except as provided in section 959, disbursements from the fund may not exceed ~~\$205,035~~ \$207,842 in fiscal year ~~1988-89~~ 1991-92; ~~\$222,000~~ \$187,574 in fiscal year ~~1989-90~~ 1992-93; ~~\$180,000 in fiscal year 1990-91~~; and \$140,000 ~~\$190,000~~ in fiscal year ~~1991-92~~ 1993-94 and annually thereafter.

22 **Sec. 5. 37-B MRSA §961, first ¶, as reallocated by PL 1983, c. 816, Pt. B, §15, is amended to read:**

24 The Radiological Emergency Preparedness Committee shall keep the Governor and the joint standing committee of the Legislature having jurisdiction over ~~public~~ public utilities matters fully and currently informed on the date of preparation of the Emergency Radiological Response Plan, ~~and the state of readiness under that plan and the balance in the Maine Nuclear Emergency Planning Fund.~~ Specifically, the Radiological Emergency Preparedness Committee shall report in a summary fashion suitable for the general public on:

34 **Sec. 6. 37-B MRSA §961, sub-§4, as reallocated by PL 1983, c. 816, Pt. B, §15, is amended to read:**

38 **4. Sunset.** When the Legislature finds that final approval of the plan has been given by the appropriate federal agencies, including the Federal Emergency Management Agency and the United States Nuclear Regulatory Commission, the specific reports required by subsections ~~1, 2 and~~ to 3 shall ~~must~~ be replaced by an annual report to the Legislature, due by February 1st, on the state of readiness of the Emergency Radiological Response Plan and any recommendations relating to it, including a statement of the balance in the Maine Nuclear Emergency Planning Fund.

48 **Sec. 7. Allocation of Maine Nuclear Emergency Planning Fund.** Income to the Maine Nuclear Emergency Planning Fund for fiscal years 1991-92 and 1992-93 must be segregated, apportioned and disbursed as designated in the following schedule.

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STATEMENT OF FACT

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6 This amendment replaces the bill and amends existing law by
8 establishing the annual fee for nuclear power reactor license
10 holders for the next 2 years. The amendment also eliminates the
12 cap on the Maine Nuclear Emergency Planning Fund. Increased
14 activity in emergency planning for nuclear power reactor
licensees is required by the Nuclear Regulatory Commission.
Therefore, the increased cost must be borne by the nuclear power
reactor license holder. The amendment also provides for an
allocation for money anticipated from Seabrook. The amendment
also requires the Radiological Emergency Preparedness Committee
to annually report the balance in the fund to the Legislature.

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Reported by the Committee on Appropriations and Financial Affairs
Reproduced and distributed under the direction of the Clerk of the
House

(5/20/91)

(Filing No. H-365)