

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

9. JOR
R. of S.

L.D. 1541

(Filing No. H-609)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1141, L.D. 1541, Bill, "An Act Authorizing a Referendum to Ratify the Texas Low-Level Radioactive Waste Disposal Compact with Maine and Vermont and Approving the Compact's Terms"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 38 MRSA §1494, as amended by PL 1987, c. 769, Pt. B, §10, is further amended to read:

§1494. Low-level radioactive waste compact referendum

The State of Maine shall ~~may~~ not enter into any compact or agreement with any other state or states or with the Federal Government concerning the disposal or storage of low-level radioactive waste either within or without the State unless the compact or agreement has been approved by a majority of the voters voting thereon on the compact in a statewide election. ~~Such~~ The election shall must be held in the manner prescribed by law for holding a statewide election and in accordance with the procedures ~~set--forth~~ under in Title 35-A, section 4302. The voters shall ~~be--asked--to~~ vote on the acceptance or rejection of the compact or agreement by voting on the following question:

"Do you approve of the (insert compact or agreement) to be made with (insert name of state or states or "the Federal Government") for the (insert disposal or storage) of the State's low-level radioactive waste ~~proposed to be made with (insert name of state or states or "the Federal Government")~~ at a proposed facility in (insert name of state or other location)?"

COMMITTEE AMENDMENT

2 This question shall must be submitted to the legal voters of
4 the State at the next following statewide election after any such
compact or agreement is recommended by the Governor pursuant to
6 section 1474 or any other provision of law.'

8 Further amend the bill in section 1 in that part designated
"§1520-A." in the first paragraph in the 6th line (page 2, line
45 in L.D.) by inserting after the following: "plant" the
10 following: 'and passed on through wholesale rates to retail
utilities' and in the 3rd line from the end (page 2, line 48 in
12 L.D.) by inserting after the following: "proceedings" the
following: ', except that refunds received by the nuclear power
14 plant under subsection 6 must be credited against costs
recoverable under this paragraph'

16 Further amend the bill in section 1 in that part designated
18 "§1520-A." in subsection 2 in the 3rd line (page 3, line 14 in
L.D.) by inserting after the following: "assessment" the
20 following: 'in accordance with section 4.05, subsection (5) of
the compact'

22 Further amend the bill in section 1 in that part designated
24 "§1520-A." in subsection 6 in the 4th and 5th lines from the end
(page 4, lines 11 and 12 in L.D.) by striking out the following:
26 "Upon commencement of operations of the compact facility, the"
and inserting in its place the following: 'The'

28 Further amend the bill in section 1 in that part designated
30 "§1520-C." in the first line (page 4, line 30 in L.D.) by
striking out the following: "An existing" and inserting in its
32 place the following: 'A' and in the 2nd line (page 4, line 31 in
L.D.) by inserting after the following: "State" the following:
34 'that existed on the effective date of this subchapter'

36 Further amend the bill in section 3 in ARTICLE III in Sec.
3.01 in the 3rd line (page 6, line 47 in L.D.) by striking out
38 the following: "members" and inserting in its place the
following: 'member'

40 Further amend the bill in section 3 in ARTICLE III in Sec.
42 3.04 in subsection (11) in the 2nd line (page 8, line 11 in L.D.)
by striking out the following: "Article III, Section 3.01" and
44 inserting in its place the following: 'Section 3.01 of this
article'

46 Further amend the bill in section 3 in ARTICLE IV in Sec.
48 4.02 in the last line (page 9, line 48 in L.D.) by striking out
the following: "3.105(7)" and inserting in its place the
50 following: '3.05(7)'

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1141, L.D. 1541

2 Further amend the bill in section 3 in ARTICLE IV in Sec.
4.03 in the first line (page 9, line 50 in L.D.) by striking out
the following: "party"

4
6 Further amend the bill in section 3 in ARTICLE IV in Sec.
4.05 in subsection (5) in the 4th line from the end (page 11,
line 28 in L.D.) by striking out the following: "Congress" and
8 inserting in its place the following: 'congress'

10 Further amend the bill in section 3 in ARTICLE IV in Sec.
4.05 in subsection (7) in the 5th line from the end (page 11,
12 line 49 in L.D.) by striking out the following: "1-16" and
inserting in its place the following: '1 to 16'

14
16 Further amend the bill in section 3 in ARTICLE V in Sec.
5.02 in the last line (page 12, line 45 in L.D.) by inserting
after the following: "5.01" the following: 'of this article'

18
20 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.01 in the 2nd line from the end (page 13, line 33 in L.D.) by
striking out the following: "Article" and inserting in its place
22 the following: 'article'

24
26 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.02 in the 2nd line (page 13, line 37 in L.D.) by inserting
after the following: "7.01" the following: 'of this article'

28
30 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.03 in 2nd line from the end (page 14, line 3 in L.D.) by
striking out the following: "rights" and inserting in its place
the following: 'right'

32
34 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.04 in the 5th and 6th lines from the end (page 14, lines 14 and
36 15 in L.D.) by striking out the following: "Article IV, Sections
4.05(5) and (6)," and inserting in its place the following:
'Sections 4.05(5) and (6) of Article IV'

38
40 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.06 in the 4th line (page 14, line 34 in L.D.) by striking out
the following: "seven-eighths" and inserting in its place the
42 following: 'seven-eighths'

44
46 Further amend the bill in section 3 in ARTICLE VII in Sec.
7.09 in the 2nd line (page 15, line 23 in L.D.) by striking out
the following: "Governor" and inserting in its place the
48 following: 'governor' and in the 3rd line from the end (page 15,
line 25 in L.D.) by inserting after the following: "3.04(11)"
the following: 'of Article III' and in the 2nd line from the end
50 (page 15; line 26 in L.D.) by inserting after the following:
"402.219(c)(1)," the following: 'Texas'

52

COMMITTEE AMENDMENT

R. of S.
COMMITTEE AMENDMENT "A" to H.P. 1141, L.D. 1541

2 Further amend the bill in section 3 in ARTICLE VIII in Sec.
8.04 in the 2nd line (page 16, line 7 in L.D.) by striking out
4 the following: "Article Vii" and inserting in its place the
following: 'Article VII'

6 Further amend the bill by renumbering the sections to read
consecutively.

8
10 Further amend the bill by inserting at the end before the
statement of fact the following:

12
14 **'FISCAL NOTE**

16 The estimated cost of sending this question out to
18 referendum will vary according to the total number of referenda
enacted during the First Regular Session of the 116th
Legislature. The estimated cost to the Secretary of State if one
20 to 6 referenda are enacted is \$95,000. Each additional
referendum costs an additional \$7,000.'

22
24 **STATEMENT OF FACT**

26 This amendment makes technical changes to the bill,
clarifies that assessments against nuclear power plants are
28 recoverable in retail rates only if the assessment is passed on
to the retail utility in the wholesale rates and adds a provision
30 that any assessments refunded by other generators of low-level
radioactive waste must be credited against costs recoverable in
the retail rates.

32
34 The amendment also clarifies a reference to host county
assessments and clarifies when the Low-level Radioactive Waste
36 Authority may adopt rules to calculate a surcharge on waste
disposed of by generators. The amendment clarifies that the
38 nondiscrimination provision relates to generators in existence on
the effective date of the Maine Revised Statutes, Title 38,
chapter 14-B, subchapter II-A, enacted in this bill and amends
40 language relating to the referendum question to make the language
in the bill consistent with the language required by law.

Reported by the Committee on Energy and Natural Resources
Reproduced and distributed under the direction of the Clerk of the
House
6/4/93

(Filing No. H-609)