

MAINE STATE LEGISLATURE

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L.D. 1960

DATE: March 20, 1998

(Filing No. S-578)

UTILITIES AND ENERGY

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 714, L.D. 1960, Bill, "An Act to Amend and Clarify Laws Concerning Nuclear Safety"

Amend the bill by inserting before the enacting clause the following:

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

Whereas, there is an immediate need for adequate funding for state activities related to the decommissioning of the Maine Yankee Nuclear Power Plant; and

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

Further amend the bill by inserting after the enacting clause the following:

'Sec. 1. 22 MRSA §565-A, as enacted by PL 1993, c. 664, §5, is amended to read:

§565-A. Coordination with State Radiation Control Agency

The Health and Environmental Testing Laboratory shall provide laboratory services for environmental testing and analysis as necessary to implement the radiation protection

A. S.

COMMITTEE AMENDMENT "A" to S.P. 714, L.D. 1960

2 services of the department conducted pursuant to section 680,
3 subsection 2, paragraph D. Each ~~nuclear-power-plant~~ facility, as
4 defined in section 662, shall pay a fee to the Health and
5 Environmental Testing Laboratory to the special revenue account
6 established in section 568 to carry out the purposes of this
7 section. The fee is \$90,000 annually except that for fiscal year
8 1997-98 the fee is \$122,000.'

9 Further amend the bill by inserting at the end before the
10 summary the following:

11 'Sec. 9. 22 MRSA §680, sub-§1, as amended by PL 1997, c. 395,
12 Pt. F, §2, is repealed and the following enacted in its place:

13 1. Facilities. The registration fee for a facility for:

14 A. Fiscal year 1997-98 is \$100,000; and

15 B. Fiscal year 1998-99 is \$25,000.

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19 **Sec. 10. Allocation.** The following funds are allocated from
20 Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
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ENVIRONMENTAL PROTECTION,
DEPARTMENT OF

Maine Environmental Protection Fund

All Other \$70,000 \$100,000

32 Allocates funds for
33 departmental regulatory
34 functions in the closure of
35 the Maine Yankee Nuclear
36 Power Plant in Wiscasset.
37 Notwithstanding any other
38 provision of law, the
39 department may transfer funds
40 by financial order to
41 establish no more than 3
42 project positions or for the
43 journaling of appropriate
44 costs from authorized
45 positions in other accounts.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

2 TOTAL \$70,000 \$100,000

4 HUMAN SERVICES, DEPARTMENT OF

6 Bureau of Health

8 Capital Expenditures \$32,000

10 Allocates funds for capital
12 equipment in the Health and
14 Environmental Testing
16 Laboratory to be used in
activities related to the
closure of the Maine Yankee
Nuclear Power Plant in
Wiscasset.

18 Bureau of Health

20 All Other (\$75,000)

22 Deallocates funds to reflect
24 a loss of revenue to the
Radiation Control Program.

26 DEPARTMENT OF HUMAN SERVICES

28 TOTAL \$32,000 (\$75,000)

30 TOTAL ALLOCATIONS \$102,000 \$25,000

32 **Sec. 11. Reimbursement.** Maine Yankee Atomic Power Company
shall reimburse the Department of Environmental Protection for
34 actual costs incurred in conducting activities related to
decommissioning by the department's regular or project staff or
36 by the department's contractors. Reimbursement charges may not
exceed \$70,000 in fiscal year 1997-98 or \$100,000 in fiscal year
1998-99.

38 **Emergency clause.** In view of the emergency cited in the
40 preamble, this Act takes effect when approved.'

42 Further amend the bill by relettering or renumbering any
44 nonconsecutive Part letter or section number to read
consecutively.

46 Further amend the bill by inserting at the end before the
48 summary the following:

FISCAL NOTE

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1997-98 1998-99

APPROPRIATIONS/ALLOCATIONS

Other Funds \$102,000 \$25,000

REVENUES

Other Funds \$102,000 \$25,000

This bill includes Other Special Revenue allocations of \$70,000 and \$100,000 in fiscal years 1997-98 and 1998-99, respectively, for the Department of Environmental Protection to perform necessary regulatory functions in the closure of the Maine Yankee Nuclear Power Plant. Authorizing the department to be reimbursed for these additional costs by the Maine Yankee Atomic Power Company will increase dedicated revenues collected by the department for the Maine Environmental Protection Fund by amounts which are equal to the final expenditure for each fiscal year.

This bill also increases the facility fee paid to the Department of Human Services' Health and Environmental Testing Laboratory by \$32,000 in fiscal year 1997-98 only. That additional dedicated revenue is allocated to purchase equipment associated with decommissioning. The bill also reduces dedicated revenue by \$75,000 in fiscal year 1998-99 and \$100,000 annually thereafter by reducing and then eliminating another facility fee. A deallocation of \$75,000 in fiscal year 1998-99 is included to reflect that loss of revenue.'

SUMMARY

This amendment:

1. Decreases the annual registration fee for a nuclear power plant from \$100,000 to \$25,000 in fiscal year 1998-99 and eliminates the fee thereafter;

2. Increases the annual fee paid by a nuclear power plant to the Health and Environmental Testing Laboratory from \$90,000 to \$122,000 in fiscal year 1997-98. These funds will cover costs incurred in the purchase of equipment related to the decommissioning;

3. Requires the Maine Yankee Atomic Power Company to reimburse the Department of Environmental Protection for costs

COMMITTEE AMENDMENT "A" to S.P. 714, L.D. 1960

2 incurred by the department related to the decommissioning of the
plant, but caps the reimbursement at \$70,000 in fiscal year
1997-98 and \$100,000 in fiscal year 1998-99; and

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6 4. Adds an emergency preamble, emergency clause,
allocations and fiscal note to the bill.

COMMITTEE AMENDMENT