MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1301

H.P. 924

House of Representatives, February 16, 1999

An Act to Conform State Law to Federal Nuclear Power Plant Requirements for Off-site Emergency Planning.

Reference to the Committee on Utilities and Energy suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative BERRY of Belmont. Cosponsored by Representatives: CROSS of Dover-Foxcroft, MACK of Standish, TRAHAN of Waldoboro, USHER of Westbrook, WESTON of Montville.

R۵	it	enacted	hy the	People	of the	State of	Maine:	as follows:
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Sec. 1. 5 MRSA §12004-I, sub-§48, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 2. 22 MRSA §661, as amended by PL 1997, c. 686, §2, is further amended to read:

§661. Public policy

In the interests of the public health and welfare of the people of this State, it is the declared public policy of this State that a facility licensed by the United States Nuclear Regulatory Commission and situated in the State must be accomplished in a manner consistent with protection of the public health and safety and in compliance with the environmental protection policies of this State. It is the purpose of this chapter, in conjunction with sections 671 to 690; Title 25, sections 51 and 52; and Title 35-A, sections 4331 to 4393;-and Title-37-B,-chapter-17, to exercise the jurisdiction of the State to the maximum extent permitted by the United States Constitution and federal law and to establish in cooperation with the Federal Government a State Nuclear Safety Inspector Program for the on-site monitoring, regulatory review and oversight of a facility within the State that holds a license issued by the United States Nuclear Regulatory Commission. Nothing in this chapter may be construed as an attempt by the State to regulate radiological health and safety reserved to the Federal Government by reason of the United States Atomic Energy Act of 1954, as amended.

Sec. 3. 37-B MRSA c. 17, as amended, is repealed.

Sec. 4. 38 MRSA 1482, sub-§5, as enacted by PL 1991, c. 174, is repealed.

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SUMMARY

The Maine Nuclear Emergency Planning Act was enacted in 1983
to establish an off-site planning system in the event of a
nuclear accident at Maine Yankee. Maine Yankee has permanently
closed and is no longer using nuclear power. The United States
Nuclear Regulatory Commission has ruled that off-site emergency

planning is no longer necessary. This bill repeals the Maine Nuclear Emergency Planning Act.