

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

Chapter 209

AN ACT Amending Law on Inspection of Records of Clerks of Courts.

Emergency preamble. Whereas, section 109 of chapter 89 of the Revised Statutes as it now exists serves no public or useful purpose; and

Whereas, the operation of said section causes or may cause wasteful and unnecessary use of public funds; and

Whereas, time is important where the saving of public funds is concerned; 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,

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 89, § 109, amended. Section 109 of chapter 89 of the Revised Statutes is hereby amended to read as follows:

'Sec. 109. **Examination and correction of records.** The ~~superior court shall~~ Chief Justice of the Supreme Judicial Court may cause the records of each clerk to be examined ~~at least as often as there is a change of clerk,~~ and when found deficient, direct them to be immediately made or corrected, and when such order is not obeyed, the fact of such deficiency shall be certified to the Treasurer of State, who shall cause the clerk's bond to be sued.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective May 2, 1957

Chapter 210

AN ACT Revising the Law Relating to Peaceful Uses of Atomic Energy.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 52-A, § 1, 1st sub-§ II, amended. The 1st subsection II of section 1 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended to read as follows:

'II. To the extent that the regulation of special nuclear materials, source materials and by-product materials, of production facilities and utilization facilities, and of other forms of radiation, and of persons operating such facilities may be within the jurisdiction of the State, to provide for the exercise of the State's regulatory authority so as to conform, as nearly as may be, to the Atomic Energy Act of 1954 and regulations issued thereunder, to the end that there may, in effect, be a single harmonious system of regulation within the State.'

Sec. 2. R. S., c. 52-A, § 1, amended. The 2nd paragraph of section 1 of chapter 52-A, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended to read as follows:

“The State of Maine recognizes that the development of industries producing or utilizing atomic energy and other forms of radiation may result in new conditions calling for changes in the laws of the State and in regulations issued thereunder with respect to health and safety, working conditions, workmen’s compensation, transportation, public utilities, life, health, accident, fire and casualty insurance, the conservation of natural resources, including wildlife, and the protection of streams, rivers and airspace from pollution, and therefore declares the policy of the State to be:

- I. To adapt its laws and regulations to meet the new conditions in ways that will encourage the healthy development of industries producing or utilizing atomic energy while at the same time protecting the public interest; and
- II. To initiate continuing studies of the need for changes in the relevant laws and regulations of the State by the respective departments and agencies of the State which are responsible for their administration; and
- III. To assure the coordination of the studies thus undertaken, particularly with other atomic industrial development activities of the State and with the development and regulatory activities of other states and of the Government of the United States.’

Sec. 3. R. S., c. 52-A, § 2, amended. Section 2 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended by adding thereto a new paragraph following the 4th paragraph, to read as follows:

“The term “source material” means uranium, thorium or any other material which the Governor declares by order to be source material after the United States Atomic Energy Commission has determined the material to be such; or ores containing one or more of the foregoing materials, in such concentration as the Governor declares by order after the United States Atomic Energy Commission has by regulation so determined.’

Sec. 4. R. S., c. 52-A, § 3, amended. Section 3 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended to read as follows:

‘Sec. 3. United States licenses or permits required. No person shall manufacture, construct, produce, transfer, acquire or possess any special nuclear material, source material, by-product material, production facility or utilization facility, or act as an operator of a production or utilization facility wholly within this State unless he shall have first obtained a license or permit for the activity in which he proposes to engage from the United States Atomic Energy Commission if, pursuant to the Atomic Energy Act of 1954, the Commission requires a license or permit to be obtained by persons proposing to engage in activities of the same type over which it has jurisdiction.’

Sec. 5. R. S., c. 52-A, § 4, amended. The 1st paragraph of section 4 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended to read as follows:

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'Each of the following departments and agencies of the State Government is directed to initiate and to pursue continuing studies as to the need, if any, for changes in the laws and regulations administered by it that would arise from the presence within the State of special nuclear materials, source materials, and by-product materials and radioactive materials, from the operation herein of production or utilization facilities, and, on the basis of such studies, to make such recommendations for the enactment of laws or amendments to law administered by it, and such proposals for amendments to the regulations issued by it, as may appear necessary and appropriate.'

Sec. 6. R. S., c. 52-A, § 4, sub-§ § IV-V, amended. Subsections IV and V of section 4 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, are hereby amended to read as follows:

IV. The State Highway Commission, particularly as to the transportation of special nuclear materials, source materials, and by-product and radioactive materials on highways of the State.

V. The Public Utilities Commission, particularly as to the transportation of special nuclear materials, source materials, and by-product and radioactive materials by common carriers not in interstate commerce and as to the participation by public utilities subject to its jurisdiction in projects looking to the development of production or utilization facilities for industrial or commercial use.'

Sec. 7. R. S., c. 52-A, § 5, amended. The 1st paragraph of section 5 of chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended to read as follows:

'The Governor and Council shall appoint a citizen of this State to serve as adviser to the Governor with respect to atomic industrial development within the State; as coordinator of the development and regulatory activities of the State relating to the industrial and commercial uses of atomic energy and other forms of radiation; and as deputy of the Governor in matters relating to atomic energy and other forms of radiation, including participation in the activities of any committee formed by the New England states to represent their interest in such matters and also cooperation with other states and with the Government of the United States. The person so appointed shall have the title of Coordinator of Atomic Development Activities.'

Sec. 8. R. S., c. 52-A, § 7, additional. Chapter 52-A of the Revised Statutes, as enacted by section 1 of chapter 105 of the public laws of 1955, is hereby amended by adding thereto a new section to be numbered 7, to read as follows:

'Sec. 7. Agreements and cooperative arrangements authorized. Any appropriate department or agency may cooperate with the Federal Government in performing functions on behalf of the Federal Government relating to atomic energy, and in the administration of this chapter or any matter pertaining thereto, and for that purpose may, with the approval of the coordinator, enter into agreements or cooperative arrangements with the Federal Government.

Such department or agency may receive, administer and disburse any funds or contributions received from the Federal Government for the purposes mentioned herein.'