

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Kennebec Journal  
Augusta, Maine  
1979

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**PRIVATE AND  
SPECIAL LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
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**ONE HUNDRED AND NINTH LEGISLATURE**  
1979

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1979-80

EXECUTIVE DEPARTMENT

Office of Energy Resources  
All Other

\$20,000

Establishes a fund to identify environmental and economic effects of tidal power development at Half Moon Cove in accordance with the Maine Revised Statutes, Title 5, section 5005, subsection 1, paragraph G.

Effective September 14, 1979

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## CHAPTER 59

H. P. 632 — L. D. 783

### AN ACT to Require the Public Utilities Commission to Study the Safe and Proper Decommissioning of Nuclear Generating Facilities in Maine.

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

**Sec. 1. Purpose and findings.** The Legislature finds that the general welfare and the safety of the public of the State of Maine requires the safe and proper decommissioning of nuclear energy generating facilities located within the State at the ends of the useful life or licensing period of these facilities. The Legislature further finds measures required for the safe and proper decommissioning of these facilities may be substantial and the cost of these measures may also be substantial. Additional costs may be incurred subsequent to the useful life of the facilities when the facilities are no longer capable of producing revenue to defray those costs. Unless suitable and proper arrangement for the defrayal of these costs are made during the useful life of these facilities, there is substantial risk that these substantial costs will be borne by persons rather than beneficiaries served by these facilities.

#### **Sec. 2. Investigation of decommissioning methods and costs**

There is hereby created the Joint Select Committee on Decommissioning of Nuclear Generating Facilities to consist of 17 members, including the Joint Standing Committee on Public Utilities; a representative of the Public Utilities Commission, appointed by the Chairman of the Public Utilities Commission; a

representative from a nuclear power generating facility, selected by the Governor; and 2 members to represent the general public, appointed by the Governor. The Joint Select Committee on Decommissioning of Nuclear Generating Facilities shall investigate and study the subject matter of the safe and proper decommissioning of nuclear powered generating facilities located within the State and subject to the jurisdiction of the State and the Public Utilities Commission. This study shall include the following subject matters:

- A. Need for decommissioning of nuclear powered generating facilities located within the State, including the number and size of those facilities, the time within which they need to be decommissioned and the risk if they are not promptly decommissioned;
- B. The procedures available to effect the decommissioning, including alternative procedures, techniques, technology, resources needed and affect upon the environment;
- C. Overall cost of the decommissioning, including capital investment associated with the decommissioning, expenses, inflation and interest factors, soundness of estimates and other relevant data;
- D. Method of funding the decommissioning expense, including determination of class of customer upon whom the burden should fall, methods of allocating cost burden between shareholders and ratepayers, capitalization versus expense charges, development of fund during estimated useful life of facility to provide part or all of cost upon decommissioning, financial responsibility for decommissioning, including appropriate bonding options and the like; and
- E. Such other matters and considerations as the Public Utilities Commission shall deem appropriate in providing to the Legislature a full and accurate picture of the subject matter of decommissioning of these facilities, the attendant costs and appropriate methods to recover the costs.

**Sec. 3. Report on findings and recommendation.** The Joint Select Committee on Decommissioning of Nuclear Generating Facilities shall complete the study and report its findings and recommendations and any necessary implementing legislation on or before January 5, 1981, to the 110th Legislature. This report shall address each of the matters set forth above and shall include proposed legislation in proper draft form and regulations to be enacted by the Legislature and adopted by the commission, respectively, to effectuate such course of action as the commission may recommend in that report.