

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE

**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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enacted in its place:

2. Legislative determination of municipal cost components. The Legislature shall consider the Governor's recommendations and, not later than May 1st of each year, enact legislation which shall determine the amounts of the municipal cost component for services provided by each county and the amount of all other portions of the municipal cost component. The Legislature shall promptly certify the amounts to the State Tax Assessor.

Effective September 23, 1983.

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## CHAPTER 472

S.P. 547 - L.D. 1598

### AN ACT Relating to Emergency Planning for the Area Around Nuclear Power Plants.

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

Whereas, federal approval has not yet been given for the Emergency Radiological Response Plan for the area around Maine Yankee; and

Whereas, the addition of public members to the oversight committee and the additional reporting requirements in this bill are designed to help expedite production of a workable federally-approved plan; 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:

Sec. 1. 37-A MRS §124, sub-§1, as enacted by PL 1981, c. 444, §3, is repealed and the following enacted in its place:

1. Created. There is created a Radiological Emergency Preparedness Committee composed of 7 voting members as listed in this subsection. The duties of

the committee shall be purely advisory. Members from state agencies shall serve ex officio:

A. The director of Civil Emergency Preparedness, or his designee, who shall act as chairman;

B. The Director of Health Engineering, or his designee;

C. The Commissioner of Public Safety, or his designee;

D. Three public members, one designated by the Governor, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives; and

E. The license holder for a particular nuclear power plant, or his designee, shall serve on the committee for matters relating to emergency planning for that plant.

Sec. 2. 37-A MRSA §124, sub-§2, as enacted by PL 1981, c. 444, §3, is amended to read:

2. Annual review of plan. The committee shall, in conjunction with all municipalities and state agencies it requires to provide assistance, prepare an Emergency Radiological Response Plan deemed necessary to protect the public and property in the State from hazards or dangers from radiation, radioactive materials, nuclear materials or the occurrence of a radiological incident as a result of the presence of, release of or emissions from radioactive materials, radioactivity or nuclear materials in this State. The committee shall ~~establish~~ review and annually determine the adequacy of the plan. The plan shall include, but not be limited to, evacuation plans and the requirements for such programs as established by the Federal Emergency Management Agency and the United States Nuclear Regulatory Commission. Any agency of state, county or local government may make requests and recommendations under this program to meet differing needs. This plan shall only apply to those hazards or dangers which arise from the peaceful use of nuclear materials.

The committee shall recommend to the Legislature on or before January 31, 1984, and annually thereafter, any appropriate legislative action relative to the plan. In the event of a division of opinions, all reports shall be submitted to the Legislature.

Sec. 3. 37-A MRSA §124, sub-§§4 and 5 are enacted to read:

4. Meetings. All meetings of the Radiological

Emergency Preparedness Committee shall be open to the public, in accordance with Title 1, chapter 13, subchapter I. Public notice shall be given of all scheduled meetings at least one week before the meeting. Public notice of any unscheduled meetings shall be given as early as possible before or after the meeting.

5. Compensation. Members, except state employees, shall receive per diem at a rate equal to legislative per diem for meetings actually attended and reimbursement for the necessary actual expenses incurred in carrying out their duties.

Sec. 4. 37-A MRS §130 is enacted to read:

§130. Emergency planning area

The emergency planning area is identified as follows.

1. Emergency Planning Zone. The Emergency Planning Zone shall be designated by the Bureau of Civil Emergency Preparedness by rule as the zone where specific evacuation plans are required to protect from exposure by the inhalation pathway. Unless changed by rule, the Emergency Planning Zone shall be the Emergency Planning Zone contained in the existing Emergency Radiological Preparedness Plan, with approximately a 10-mile radius around any nuclear power plant.

2. Ingestion Pathway Zone. The Ingestion Pathway Zone shall be designated by the Bureau of Civil Emergency Preparedness by rule as the zone beyond the Emergency Planning Zone where protective action plans are required relative to the food chain. Unless changed by rule, the Ingestion Pathway Zone shall be a circle of a 50-mile radius centered on any nuclear power plant.

Sec. 5. 37-A MRS §131 is enacted to read:

§131. Reporting

The Radiological Emergency Preparedness Committee shall keep the Governor and the joint standing committee of the Legislature having jurisdiction over public utilities fully and currently informed on the date of preparation of the Emergency Radiological Response Plan, and the state of readiness under that plan. Specifically, the Radiological Emergency Preparedness Committee shall report in a summary fashion suitable for the general public on:

1. Emergency Radiological Response Plan. Progress towards federal approval of the Emergency

Radiological Response Plan for the Emergency Planning Zone;

2. Exercise reports. Timely reports on any exercise of the plan, including:

A. A preliminary report within 2 months on the evaluation of the exercise;

B. A report within 4 months of the exercise on any planned corrective action; and

C. A progress report on that corrective action 4 months later;

3. Ingestion Pathway Zone. Development of protective action plans for the Ingestion Pathway Zone; and

4. Sunset. When the Legislature finds that final approval of the plan has been given by the appropriate federal agencies, including the Federal Emergency Management Agency and the United States Nuclear Regulatory Commission, the specific reports required by subsections 1, 2 and 3 shall be replaced by an annual report to the Legislature, due by February 1st, on the state of readiness of the Emergency Radiological Response Plan and any recommendations relating to it.

Sec. 6. Legislative intent. If Title 37-A is repealed as part of the recodification of the State Military Laws, it is the intent of the Legislature that the provisions of this Act not be repealed and that they continue in effect as part of the recodification.

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

Effective June 17, 1983.

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## CHAPTER 473

S.P. 602 - L.D. 1728

AN ACT to Limit Payments to Health Care Institutions which Engage Persons to Defeat the Organization of Collective Bargaining Units.

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