

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.

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

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

dential educational facilities, including Governor Baxter School for the Deaf and other similar facilities.

Sec. 5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1983-84 1984-85

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

State Protection and Advocacy Agency

Administration-Education

All Other \$29,471 \$39,294

Provides funds for 2 advocates in the State Protection and Advocacy Agency who shall provide advocacy services for school age children in state institutions and community residential settings.

Effective September 23, 1983.

CHAPTER 540

S.P. 513 - L.D. 1537

AN ACT to Provide for Citizen Participation in the Decision to Construct any Nuclear Power Plant.

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

35 MRSA c. 269, sub-c. V is enacted to read:

SUBCHAPTER V

CONSTRUCTION

§3381. Findings and purpose

The Legislature finds that construction of a

nuclear power plant is a major financial investment, which will have consequences for ratepayers for years to come. In the recent past, investments in nuclear power plants have caused severe financial strain on consumers and utilities alike.

The Legislature finds that there are many uncertain future costs associated with nuclear power plants, including the costs of low-level and high-level waste disposal, decommissioning and long-term care. These costs shall be borne by the consumers.

The purpose of this subchapter is to provide for citizen participation in any decision to construct a nuclear power plant within the State.

§3382. Referendum

After review of the proposed plant by the commission in accordance with section 13-A or 13-B, but prior to the construction of any nuclear power plant within the State, the question of approving that construction shall be submitted to the voters of the State in the manner prescribed by law for holding a statewide election. This question shall be submitted to the legal voters of the State at the next following statewide election. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of construction by voting on the following question:

"Do you approve construction of the nuclear power plant proposed for _____ (insert location)?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the words "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the return and, if it appears that a majority of the legal votes are in favor of construction, the Governor shall proclaim that fact without delay.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this subchapter necessary to carry out the purpose of this referendum.

§3383. Notice; effective date of certificate; prohibition

Upon issuance of a certificate of public convenience and necessity under section 13-A or 13-B for any nuclear power plant within this State, the commission shall notify the Secretary of State. No such certificate may be effective until 30 days after submission to the voters, as prescribed in section 3382. Construction shall not commence on any such plant without approval by the voters, as prescribed in section 3382.

Effective September 23, 1983.

CHAPTER 541

S.P. 391 - L.D. 1191

AN ACT to Enact a Program of Assistance to the Severely Physically Disabled to Enable them to Work.

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

Whereas, this program was enacted by the 109th Legislature to provide assistance to the severely physically disabled, helping them to resume work or continue to work; and

Whereas, this program was repealed under the provisions of Title 1, section 2502, which had called for a study of the program by the joint standing committee of the Legislature having jurisdiction over health and institutional services; and

Whereas, this study was not able to be undertaken because, due to delays in funding, the program was not implemented until a year later than the anticipated starting time; and

Whereas, the failure to submit legislation earlier has resulted in the loss of authority for the Department of Human Services to administer this program; and

Whereas, this program is vitally important to severely disabled individuals in the State; and

Whereas, in the judgment of the Legislature,