



INFORMATION REPORT ON

State Legislation

OFFICE OF STATE PROGRAMS
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- I. The following is a compilation of the nuclear-related legislation that has been carried over from 1979 to 1980 legislative sessions.

ALASKA

Waste Disposal Ban S-269. Would ban the storage and disposal of nuclear waste in the State. (Introduced 4/18/79)

CALIFORNIA

Appeal of Court Decision on Nuclear Law ACR-41. Would request the Governor, the Attorney General, the Energy Commission and any other State agency not to appeal the District Court's decision in the case of Pacific Legal Foundation, et. al. vs State Energy Commission. The court held that the law which prohibits nuclear plant land use until the Energy Commission makes a finding that there exists an approved technology for the disposal of high-level radioactive waste, was preempted by Federal law. (Introduced 3/29/79)

Radioactive Emissions from Power Plants A-992. Would require the Energy Commission to establish emissions limitations for radioactive air pollutants for both existing and proposed nuclear power plants. In establishing the standards, the Commission would consider core melt accidents, population densities, economic feasibility, technological feasibility, impacts on system reliability and effect on public health. In addition would require utilities to submit a proposed plan for the sharing of electrical generating capacity. (Introduced 3/19/79)

Monitoring Reports A-1260. Existing State law requires the Health Department to administer a program of radiological monitoring. The results of the monitoring are to be made available to the news media monthly. This bill deletes such requirements for monthly reports. (Introduced 3/23/79)

Repeal of Nuclear Law A-1270 and S-799. Would repeal the existing provision that no nuclear plant could be sited until the Energy Commission finds that there has been developed and that the Federal government has approved and there exists a demonstrated technology or means for the disposal of high-level waste. (Introduced 3/23/79)

Resolution on Liability Limits SJR-16. Would memorialize the U.S. Congress to repeal the Price-Anderson liability limit for all facilities receiving NRC CP's or OL's after March 18, 1979. Would also ask Congress to legislate to the States the power to condition the construction or operation upon licensee's waiver of Price-Anderson. (Introduced 4/6/79)

Abolition of California Energy Commission S-778. Would abolish the California Energy Commission and transfer its powers and duties to a Department of Energy, created by the bill, except for functions dealing with certification of power plant sites and related facilities which would be transferred to the PUC. (Introduced 3/22/79)

Radiation Monitoring Devices S-1184. Would require all operators of nuclear power plants to establish a system of fixed off-site radiation monitoring. Numbers and locations would be established by the Office of Emergency Services and the Department of Health Services. The State government would specify maintenance activities and would make periodic inspections. (Introduced 4/18/79)

State Notification S-1185. Would require the Energy Commission to develop within six months a notification system whereby operators of nuclear plants would notify State and local governments if an off-site radiation release in excess of what is allowed during normal operations would occur. (Introduced 4/18/79)

DELAWARE

Waste Storage Restriction H-287. Would decrease from five years to one year the time in which radioactive waste can be held in storage in Delaware. (Introduced 4/4/79)

Nuclear Power Evaluation Committee H-339. Would create a nine-member Nuclear Power Evaluation Committee to research commercial uses of nuclear energy as it applies to Delaware, and make a report to the General Assembly. No due date is given. In addition, would prohibit construction of nuclear facilities (including disposal of spent fuel, reprocessing or fuel fabrication) until it can be demonstrated to the State that no significant hazard exists. After a two year ban generating plants could be constructed, provided they meet stringent requirements. (Introduced 4/25/79)

Siting Restriction H-378. Would prohibit the construction of any nuclear power plant in the State within 90 miles of any other nuclear plant that is existing, approved or under construction. (Introduced 5/2/79)

Hazardous Materials Transportation Act H-451. Would adopt the Federal Transportation regulations for hazardous materials to be enforced by various State agencies. Would preempt all local ordinances. (Introduced 5/17/79)

DELAWARE cont.

Ban on Nuclear Plant Construction -- S-4. Would prohibit any preliminary study, tentative plan or initial construction of any nuclear facility by the Delaware Public Service Commission until it had determined compliance with the following conditions: that home owners insurance for Delaware residents contain no nuclear exclusion costs; and that there is in operation a permanent Federal waste disposal system in which wastes have already undergone permanent disposal. The permanent disposal system would also have to be approved by the State of Delaware.

HAWAII

Nuclear Power Study HR-694. Would request the House Committee on Energy to study and determine whether Hawaiian Electric or any other company is planning for the construction of a nuclear plant, and whether further controls are needed in the State to control the commercial development of nuclear energy. The report would be due by December 28, 1979. (Introduced 4/5/79)

Monitoring of Radioactive Materials HR-751. Would direct the Office on Environmental Quality Control and the Departments of Health and Defense to prepare a State plan for regular and systematic monitoring of radioactive material in Hawaii, and a Statewide emergency plan in case of nuclear contamination. Both plans would have to be submitted by December 28, 1979. (Introduced 4/9/79)

Hazardous Waste Management Act H-1708. Would direct the State Dept. of Health to study hazardous waste management in the State. Would require a permit from the Dept. to generate, store, treat or dispose of hazardous wastes. In addition, the State Dept. of Transportation would issue the permit to transport the material. (Introduced 2/13/79)

State Department of Energy S-1088. Would create a Department of Energy to be responsible for research, planning, quality control, energy conservation and other energy related functions that now are under the purview of the departments of agriculture, planning and economic development and land and natural resources. (Introduced 2/13/79)

Radioactive Waste Guidelines S-1547. Would amend the Hawaii Statutes to include guidelines relating to the development and monitoring of nuclear power facilities and their related waste products. (Introduced 2/13/79)

ILLINOIS

Waste Disposal Ban H-475. Would ban the disposal or storage of nuclear waste generated outside the State. (Introduced 2/15/79)

Fees for Waste Disposal H-812. Would set the fees charged for radioactive waste disposal at not less than one dollar per cubic foot. (Introduced 3/8/79)

ILLINOIS Cont.

Waste Site Approval H-1227. No high or low-level nuclear waste could be disposed of in the State except when the sites have been approved by joint resolution of the General Assembly. (Introduced 3/28/79)

Nuclear Power Evaluation Act H-1262 and H-1263. Would create an 11-member Nuclear Power Evaluation Committee to evaluate and determine the extent to which LWR's impact on the health and safety of the citizens and the environment in the State. In reaching recommendations the Committee would have to consider: liability limits, safety systems, security systems, desirability of undergrounding or berm containments, the effects of thermal emissions, the adequacy of evacuation plans, state of the art of waste disposal, availability and costs of fuel, intergenerational questions, among other things. The report would be due by 1/1/82. In addition would order a moratorium on new reactor construction for five years from the effective date of the act. (Introduced 3/28/79)

Notice of Investigations H-1534. Would require the Department of Health to give adequate public notice of any investigation made or receipt of information concerning violation of the State's Radiation Protection Act. (Introduced 4/4/79)

Rail Transportation of Hazardous Materials H-1624. Would require that emergency response information be carried on trains carrying hazardous materials. The response information would be supplied by the Illinois Commerce Commission. The Commission could exempt railroads if it finds that their safety programs are adequate. Would set notification procedures in case of accident. The Commission and the Emergency Services and Disaster Agency would jointly establish emergency response procedures involving rail transport of hazardous materials. (Introduced 4/4/79)

Nuclear Plant Siting H-1748. Would require that in the Environmental Feasibility Report required by the State that three alternative sites be described. Additionally, would require, after January 1, 1980, that the Governor approve the permit before it is granted. (Introduced 4/5/79)

Radiation Disaster H-2490. Would require the County Hospitals Governing Commission to suggest to hospitals programs to meet the medical needs of the county in the event of a threat of radiation disaster. (Introduced 4/16/79)

Waste Disposal Site Approval H-2517. Would require the approval of the Director of Public Health, the Governor and the General Assembly in the selection of a site for disposal of radioactive waste. (Introduced 4/10/79)

Nuclear Power Plant Moratorium H-2520. "There shall be a moratorium on the construction of new nuclear power plants in this State until the Federal government has provided a permanent waste site in an unpopulated area for the burying of nuclear waste, and an acceptable reconditioning or recycling process as determined by the Illinois Energy Resources Commission." (Introduced 4/10/79)

ILINOIS Cont.

Spent Fuel Storage Restriction H-2584. Would ban the disposal, storage, or transportation of spent fuel in the State which was used in a power generating facility located outside the State. (Introduced 4/10/79)

Spent Fuel Disposal Ban S-262. Would ban the disposal or storage of spent fuel which was used outside the State. (Introduced 3/14/79)

Illinois Nuclear Power Evaluation Act S-548. Would create a Nuclear Power Evaluation Committee to evaluate and determine the extent to which LWR's imperil the health and safety of the citizens. A report would be due by January 1, 1982. The report would have to consider Price-Anderson Act, reliability of safety systems, security systems, underground or berm containments, thermal emissions, evacuation plans, waste disposal, availability of fuel, among other things. In addition, would impose a five-year moratorium on the siting permits for the plants. (Introduced 4/5/79)

Radiation Protection Amendments S-645. Would increase licensing fees for private users of radioactive materials from \$50 to \$100; manufacturers and/or distributors from \$100 to \$200. Would set fees for operation of radiation machines. (Introduced 4/9/79)

Radioactive Waste Site S-660. Would require the approval of the General Assembly and Governor before radioactive waste could be concentrated, stored, or dispersed of in the State. (Introduced 4/9/79)

Waste Disposal Study - S-965. Would appropriate \$400,000 to the Illinois Commission on Atomic Energy to develop a long range plan for disposal of radioactive wastes generated within the State. (Introduced 4/12/79)

Local Referendum on Nuclear Plant Site S-1093. Would require the voters in the county in which a nuclear power plant would be constructed to approve the construction of the facility by referendum. (Introduced 4/12/79)

Nuclear Facilities Siting S-1240. Would require the approval of the General Assembly before sites could be used for the concentration, storage or disposal of radioactive waste, including spent fuel. The General Assembly would also have to approve all permits for the construction or operation of new nuclear power plants or fuel reprocessing plants or additions to existing plants. (Introduced 4/12/79)

IOWA

Nuclear Plant Construction Halt HR-32. A House Resolution that would encourage the Governor, the Commerce Commission, the Department of Health, the U.S. EPA and Iowa's Congressional delegation to exercise their joint efforts to halt construction of any new, or expansion of any existing nuclear generating facility. (Introduced 4/5/79)

IOWA Cont.

Moratorium on Nuclear Plants H-502. Would prohibit the construction of a nuclear power plant in the State for a five-year period from the effective date of the Act. Would exempt any plants already licensed by the NRC. (Introduced 2/22/79)

KANSAS

Study on Transport of Radioactive Materials HCR-5056. A concurrent resolution that would direct the legislative council to study the current State regulations governing the transport of radioactive and other hazardous wastes and to determine if further regulation is necessary. The report would be due December 1, 1979. (Introduced 4/3/79)

Decommissioning Cost Study -- S-87. Would direct the State Corporation Commission to study the costs of decommissioning a nuclear reactor from the viewpoint of the costs borne by ratepayers. The report would be due to the governor and legislature by 1/1/80. (Introduced 1/11/79)

On-Site Waste Prohibition -- S-97. Would prohibit on-site storage of waste at reactors for a period exceeding 5 years, unless a permit for a time extension has been granted by the Secretary of Health and Environment. The permit would only be issued for one year. (Introduced 1/16/79)

High-Level Waste Disposal Ban S-362. Would ban the containment, disposal or deposit of high-level nuclear waste or the reprocessing of the waste unless prior approval had been granted by the Legislature. (Introduced 2/14/79)

Nuclear Safety Study SCR-1645. Would direct the legislative council to study the following: the safety of nuclear power plants, the safety of the Wolf Creek plant, the effect of a nuclear accident on Kansas citizens. The report would be due December 1, 1979. (Introduced 4/3/79)

MICHIGAN

Crime to Construct Atomic Weapons H-4452. Would make it a felony to possess uranium, plutonium or other radioactive material for the purpose of designing or constructing an atomic weapon; schools or colleges could not offer such instruction. (Introduced 4/11/79)

Nuclear Power Plant Siting H-4528. Would place a 5 year moratorium on the construction of new nuclear power plants. Would set conditions under which construction could begin: a certificate of reliability that the plant is no threat to public health and safety, there is a need for the plant, that the plant is cost effective, that the wastes can be disposed of safely, that the ECCS will function as required, that there are adequate transportation safeguards. The legislature would have to approve the certificate by 2/3 vote in each house. (Introduced 5/3/79)

MICHIGAN Cont.

Power Plant Siting Act H-4769. Would provide for an inventory of power plant sites; would require 15 year long range forecasts by utilities; would require a certificate of public need before construction could begin. The Energy Agency would act on the certificate after public hearings. Also required is a certificate of environmental compatibility. Would set a process by which a utility could site and construct an electric generating plant in the State. (Introduced 7/5/79)

Michigan Energy Act S-411. Would authorize the Department of Energy to regulate power generating facility siting and utility rates, among other things. Would have exclusive jurisdiction over power plant siting, including the responsibility to independently locate and evaluate possible power plant sites. (Introduced 5/15/79)

Michigan Energy Act S-749. Would create a Department of Energy to promote energy planning, research, conservation, and development, to be the sole agency to regulate power plant siting, energy producing utilities and utility rates, and to provide for energy impact statements. (Introduced 10/23/79)

MINNESOTA

Nuclear Waste Management and Disposal Feasibility Act H-378. No nuclear plant could be issued a certificate of need without issuance of a certificate of economic and technological feasibility by the Minnesota Energy Agency. Other State Agencies which issue permits would present their position on the economic and technology feasibility permit. In order to grant a permit, the following conditions would have to be met: 1) at the time of the application there exists a demonstrated technology and facility for the disposal of radioactive wastes; 2) that the technology and facility are economically feasible for the taxpayer and applicant; and 3) that the Federal government has approved it. The certificate would have to be ratified by the Legislature. (Introduced 2/12/79)

Radioactive Materials Transport Act H-648. Would require a registration statement from the State Department of Transportation before radioactive material could be transported in or through Minnesota. Registration would be required 72 hours prior to shipment. (Introduced 3/1/79)

Nuclear Waste Storage H-649. Would require a license to construct a facility for the management of radioactive wastes; expansion of present facilities would be considered construction of a new facility. The Environmental Quality Board would base its decision on the following criteria: the site is suitable for management of wastes, it is necessary, there is no economically viable alternative inside or outside the State, and the wastes can be perpetually stored at the site or can be retrieved at all time in the future. (Introduced 3/1/79)

MINNESOTA Cont.

Energy Emergencies H-990 and S-1236. Would empower the Governor to propose procedures for the annual review by State and local officials of the evacuation plan of each nuclear power plant in the State. Opportunity for full public participation would have to be provided. Copies of the plan would have to be made available to the general public. Would provide for public hearings in the energy facility siting process, among other measures dealing with energy shortages and conservation. (Introduced 4/9/79)

Emergency Plans H-1284. Would direct the Division of Emergency Services to do a comprehensive study of the safety of all operating nuclear plants in the State. Also would direct the division to update a plan for public evacuation from the vicinity around each nuclear plant. Both would be due three months from the effective date of the Act. The plans would have to be updated biennially. (Introduced 4/9/79)

Commission on Nuclear Power H-1331. Would create a 19 member Commission on nuclear power to research into matters relating to nuclear power. A report would be due to the legislature by January 15, 1980. Pending enactment of a State policy on nuclear power, no new nuclear power facilities could be constructed. (Introduced 4/11/79)

Resolution on Reprocessing H-1538. Would urge the President, Congress, DOE and NRC to adopt and implement programs for the reprocessing and permanent storage of spent fuel. (Introduced 4/26/79)

NEW HAMPSHIRE

Local Approval for Nuclear Plant Siting H-671. Would require the approval of a majority of voters in a town or city in order to site a nuclear plant within their borders.

Energy Facility Siting Amendment H-779. Would require the approval of the Governor and legislature before a siting permit could be issued by the Energy Facility Evaluation Committee. (Introduced 4/5/79)

Decommissioning H-805. Would create a nuclear decommissioning financing committee for each nuclear plant in the State to determine the amount and monitor a decommissioning fund which would be held by the State. The utility would pay into the fund monthly. The charge would be passed on to the rate payer as a separate item on his bill. (Introduced 4/5/79)

Low-Level Radiation HBI-2002. This bill was introduced to promote the investigation of the dangers of low-level radiation due to normal operation of a nuclear power plant with special emphasis on Seabrook. The committee to which the bill is assigned would hold hearings to gather information. (Introduced 2/1/79)

NEW YORK

Siting Certificate Suspension A-2657 & S-1920. Would suspend the power of the State Board on Electric Generation Siting to issue certificates until the legislature by joint resolution concurs in the governor's finding "that an environmentally sound and economically feasible national system of nuclear fuel reprocessing and waste disposal under the auspices of the federal government is and will continue to be available and operable with respect to existing and new producers of nuclear fuel wastes located in this state." (Introduced 2/5/79)

Ban on New Reactors in New York City A-2734 and S-1967. Would ban the construction or operation or increase to operating capacity of any reactor which has not been licensed and in operation prior to the effective date of the act in New York City. (Introduced 2/6/79)

Waste Repository Ban A-3584. Would prohibit the siting, construction or operation of a permanent nuclear waste repository unless the governor and legislature approve it by statute. (Introduced 2/21/79)

Funds for Decommissioning S-3869. Would require the Public Service Commission to establish a sinking fund for decontamination and decommissioning of nuclear generating facilities. (Introduced 3/13/79)

Economic Impact of Utility Rates on Consumers A-3911 and S-2946. Would amend the public service law to require utilities in determining rates to consider the economic impact of the charges on consumers. Economic impact would include unemployment data, median income information, the number of persons on welfare, the average utility bill for the affected customers, and the latest Bureau of Labor Statistics Consumer Price Index. (Introduced 2/27/79)

Prohibition of Americium 241 A-5418, S-4180 and S-4367. Would prohibit the manufacture or operation of any device containing americium 241 within the State unless the product has been inspected and found free of ionizing radiation by the State's Health Department. (Introduced 3/6/79)

Decommissioning Fund A-5566. Would require that the PUC establish sinking funds to provide for the decontamination and decommissioning of nuclear facilities. The PUC would determine the preferred method of decommissioning. Cost determinations would be reviewed every five years. A report would be due to the legislature and governor by April 1, 1980 reporting decommissioning costs estimates and the impact they would have on rates. A plan for phasing in costs to current rates would have to be identified. (Introduced 3/6/79)

Radioactive Waste Reports A-6564. Would require the Department of Environmental Services to report quarterly to the Legislature on the amount of waste stored in or passing through the State. (Introduced 3/27/79)

Nuclear Plant Ban A-6666. Would ban the siting of nuclear plants in the State (Introduced 3/27/79)

NEW YORK Cont.

Temporary Waste Disposal Ban A-7164. Would ban the temporary storage of radioactive waste within the State unless the Governor and Legislature approve by statute. (Introduced 4/2/79)

Construction of Power Plants-A-7256. Would authorize the Power Authority to construct and/or acquire power plants. New construction, except by the Power Authority, would be prohibited. (Introduced 4/2/79)

Northeast Regional Energy Board S-5599. Would create a regional energy compact similar to that of the Southern States Energy Board or the Western Interstate Energy Board. (Introduced 5/9/79)

Emergency Planning SLR-349. Would urge the Governor and New York State officials to continue monitoring and emergency planning around nuclear facilities. (Introduced 4/4/79)

Nuclear Material Facility Ban S-2741. Would ban any facility for deposit, storage, reprocessing or disposal of spent fuel or high-level waste in New York unless the legislature approves by resolution. The approval would be for materials produced in New York State. (Introduced 2/22/79)

Ban on Nuclear Waste A-7189. Would ban the import of nuclear waste into the State until the legislature finds "that the evidence clearly establishes that the methods for handling and disposing of nuclear waste have removed the danger and peril to the health of the general public. (Introduced 4/2/79)

Nuclear Plant Safety Officer S-4995. Would direct the PUC to provide nuclear plant safety officers for each operational nuclear plant in the State. An officer would have to be present at all times in the control room when the plant is in operation. The officer would have absolute authority to order the plant down if he determines that continued operation constitutes a threat to public health and safety. (Introduced 4/9/79)

Investigation of Radiation Effects S-5073. Would require the Department of Health to investigate the effects of radiation exposure on persons engaged in the nuclear energy industry. (Introduced 4/18/79)

Siting Permit Suspension S-5299. Would suspend the power of the State Board on Electric Generation Siting to certify nuclear power plants. The suspension would be in effect until 90 days after NRC and FEMA issue final reports on the accident at TMI. (Introduced 5/1/79)

Radioactive Materials Transportation Act S-5981. Would require a permit from the Commissioner of Transportation before radioactive materials would be shipped into or through the State. Would restrict transport to routes selected by the commissioner from 9:00 am to 4:00 pm, Monday through Friday. After approval, notice would be given to local police agencies within whose jurisdiction the shipment would pass. An additional restriction would read, "No radioactive material shall be transported over routes through heavily populated areas, which shall mean an area within twenty-five miles of either side of the highway containing a population of more than fourteen hundred persons per square mile..." (Introduced 5/15/79)

NEW YORK Cont.

Ban on reactor in NYC S-5593. Would ban atomic facilities in cities having a population of one million or more. (Introduced 5/9/79)

Siting Requirements S-5595. Before new nuclear power plants could be built in the State, the following requirements would have to be met: documentation of the reliability and safety of the emergency core cooling system, certification by NRC and DOE that a waste repository is available, proof that liability limits have been waived, that there is an adequate source of fuel, and an emergency preparedness plan for the 40 mile radius surrounding the plant. (Introduced 5/9/79)

NORTH CAROLINA

Referendum on Nuclear Plants H-1193. Would require a Statewide referendum to be held to decide whether nuclear power plants can be built and operated in North Carolina. If the voters opposed the nuclear plants, then the North Carolina Utilities Commission would issue an injunction against existing plants and issue an order making it illegal to own, operate, or possess any type of nuclear reactor in the State. (Introduced 4/16/79)

Taxation of Special Nuclear Materials H-1337 and S-739. SNM in any form held by a manufacturer, fabricator, or processor (whether or not he is the owner) would be classified as a special class of property; and would be taxed in each local taxing unit at 50% of the rate levied for real property. (Introduced 4/30/79)

Toxic Substances Task Force and Incident Response Procedures S-769. Would create a Toxic Substances Task Force to coordinate the initial response of State agencies to incidents involving toxic substances. Would make it unlawful to dump toxic substances which include radioactive material except where disposal is conducted by Federal or State permit. (Introduced 4/30/79)

OHIO

Hazardous Waste Study HJR-27. Would direct a legislative committee to study the kinds of hazardous waste, including nuclear that are generated in the State, the present disposal procedures, determine which entities regulate the disposal procedures and recommend any needed changes. (Introduced 3/14/79)

Radiation Control Amendments H-498. Would generally amend the State code to include the licensing and regulation of the production, use, storage, possession, transfer, installation, repair or disposal of radioactive material. The rules would have to require any person who transports the material to notify at least 24 hours before the transport into or within the State the Adjutant General (AG) and the PUC. Would authorize the director of health to develop policies and programs for the transportation and repair of radioactive materials, to conduct radiological monitoring around nuclear plants and report results to the AG, NRC and utility. The Department of Health could issue emergency orders to shut the plant down if the power plant is "emitting improper radiation." (Introduced 4/3/79)

OHIO Cont.

Siting Restrictions H-502. Would allow a siting certificate from the power siting commission if the following conditions had been met: there is a demonstrated means for the transportation of spent fuel and the Federal government has approved it; there is a demonstrated technology or means for the permanent disposal of high-level waste that has been approved by the Federal government; and the General Assembly approves the findings. If the spent fuel can be reprocessed, the following conditions, would have to be met; the technology exists for the construction and operation of a reprocessing plant and the Federal government has approved it; the General Assembly approves the finding; and at the time the fuel from the facility requires reprocessing that a reprocessing plant or storage facility is in operation and the Federal government approves of the reprocessing or storage capacity for the plant. (Introduced 4/3/79)

Siting Requirements H-527. Would amend the current power plant siting process for nuclear power plants to include the following requirements: there is an identified and approved technology and facility for the permanent disposal of high-level waste and that the facility will be in operation to enable disposal of the wastes generated by the plant; there is an approved technology and facility for the reprocessing or storage of spent fuel and that the facility will be in operation; if the Siting Commission finds that berm containment or undergrounding are necessary for public safety, then they are included in the plans for the reactor, there is unlimited liability insurance; and the General Assembly approves the Commission's findings. (Introduced 4/12/79)

Emergency Planning H-600. Would require each county within a 10 mile radius of a nuclear plant to have an emergency evacuation plan. Would require the chief operating officer of the nuclear plant to notify the Department of Environmental Protection and each agency responsible for implementation of an evacuation plan of any radioactive releases in excess of what is permitted under law. (Introduced 5/9/79)

Local Accident Response H-633. Would require utilities to pay for the execution or preparation of the county nuclear accident response plan. (Introduced 5/17/79)

County Siting Approval H-672. Would authorize boards of county commissioners and the electorate of a county to approve or disapprove the certificate for a nuclear power plant. (Introduced 5/21/79)

Permit for Radioactive Materials Transport H-768. Would require a permit from the Department of Environmental Protection, the application for which must be made at least 48 hours before transport into or within the State. The department may issue the permit for a different route if it deems the proposed route unacceptable. The information would not be disclosed to the public before the shipment is completed. (Introduced 7/19/79)

OHIO Cont.

Waste Disposal Ban S-11. Would ban the disposal or storage, on or below ground, of radioactive waste within the State. Storage of spent fuel would be permitted for a 10 year period at the reactor where it had been used. (Introduced 1/17/79)

Consultation and Concurrence SJR-17. Would urge the Federal Government to adopt a policy of consultation and concurrence with the States on the development of nuclear waste disposal procedures and sites, while also respecting the various rights of the States in this matter. (Introduced 6/29/79)

Notification of Shipments S-208. Would require 48-hour advance notification to the Disaster Services Agency before shipment of certain quantities of radioactive materials could be made into or through the State. The agency would then notify the directors of highway safety and environmental protection, the chairman of the PUC and sheriff of each county along the route. The information would not be made public prior to completion of shipment. (Introduced 5/18/79)

OKLAHOMA

Utility Efficiency Act Amendment S-272. Would amend the Utility Efficiency Act to allow the Corporation Commission to regulate the "construction and operation of electricity generation facilities, including their sites, methods of generation or conversion of power, contributions to public convenience and necessity and effect on the utility rate structure." (Introduced 2/20/79)

Radioactive Deposits S-281. "No person may deposit, place, throw, or permit to be deposited, placed or thrown, any radioactive or potentially radioactive substance into any waters used for human consumption or recreational purposes." (Introduced 2/21/79)

Waste Disposal Ban S-294. Would include radioactive material in the definition of "controlled industrial waste." Would prohibit the disposal of any radioactive material in the State. (Introduced 2/22/79)

PENNSYLVANIA

Electric Facilities Certification and Siting Act H-42. Would require permits from the Department of Environmental Resources and the PUC before electric generating facilities could be sited in the State. The purposes as stated in the bill are to provide for open advance planning and early site review. (Introduced 2/5/79)

PENNSYLVANIA Cont.

Resolution on Costs at TMI HR-55. Would direct the PUC to prevent the costs of the accident at TMI to be shifted to the rate payer or tax payer; would direct that replacement electricity be purchased at the seller's cost. (Introduced 4/24/79)

Resolution on Missing Uranium HR-77. Would urge the Governor and Attorney General to conduct a thorough investigation into the loss of uranium at the Apollo facility. (Introduced 5/21/79)

Resolution on Rate Increase HR-98. Would direct the PUC to delay a rate increase for 30 days from the adoption of the resolution. (Introduced 6/12/79)

Resolution on TMI Cleanup HR-108. Would petition the U.S. Congress and President to assist Pennsylvania citizens in paying for the cleanup at TMI and for replacement fuel. (Introduced 6/28/79)

Coal Conversion HR-113. A resolution that would ask the House of Representatives to require Pennsylvania Power and Light Company to present to the General Assembly in layman's terms, a plan to convert to coal the Berwick Nuclear Plant. (Introduced 7/10/79)

Legislative Oversight on TMI Cleanup HR-149. Would extend the life of the legislative oversight committee and direct it to oversee the decisions made and actions taken on the cleanup at TMI. (Introduced 11/14/79)

Nuclear Energy Reviews H-593. Would create a Joint State Nuclear Energy Committee to examine nuclear power safety issues and the feasibility of additional construction of reactors in Pennsylvania. Would create a Nuclear Energy Review Commission to issue permits, and inspect existing reactors and those under construction. Conditions to be met prior to issuance of a permit are: proven effective safety systems, removal, storage or disposal of the waste with no reasonable chance of radioactive emission into the environment, and the construction would not adversely affect the environment. A binding referendum of the affected areas would be required. The disposal of radioactive waste within the State would be prohibited. (Introduced 3/7/79)

Transportation Accident Response H-710. Would direct the State Civil Defense Council to make training available to local emergency personnel to prepare them to handle situations involving the use, storage or transportation of hazardous substances. Would provide for emergency telephone communications. Would require immediate notification of incidents to local officials. (Introduced 3/13/79)

Waste Repository Restriction H-915. Would ban the construction or establishment of a facility for the storage or disposal of spent fuel or high-level waste unless approved by the General Assembly. Prior to making a decision, the Department of Environmental Resources would have to hold hearings in the county in which the facility would be sited, and report the findings to the Legislature. (Introduced 3/28/79)

PENNSYLVANIA Cont.

Siting and Operation Restriction H-990. Would direct the Department of Environmental Resources to impose a moratorium on nuclear facility operation when health of the residents is in jeopardy. The moratorium could be lifted when the Department and NRC have certified the plant for operation. The department would have the authority to ban new nuclear plant construction until the waste disposal issue is solved, and NRC has adopted standardized plans for reactor design and construction. The plans would have to assure the State that operation of the reactor is reasonably safe and poses no danger to the citizens of the State. (Introduced 4/23/79)

Power Plant Siting Commission H-1043. Would create a Power Plant Siting Commission to certify power plant sites in the State. Would issue a certificate of public need and environmental compatibility after following a specific public hearing process. (Introduced 4/23/79)

Halt to TMI Operation H-1080. "The nuclear generating station situate[d] at Three Mile Island in Londonderry Township, Dauphin County, Pennsylvania, shall terminate operation for all time." (Introduced 4/25/79)

Facility Inspection H-1130. Would require utilities to allow State inspections and monitoring devices. The utility would also agree to notify the State immediately following a serious accident, and to present in writing a report of the accident. (Introduced 5/1/79)

Prohibition on Pass Through H-1228. Would prohibit passing through the costs of the TMI accident to the ratepayers. (Introduced 5/8/79)

Waste Disposal Ban H-1358. "No land within the Commonwealth shall be used as a burial ground for the disposal of radioactive waste material." (Introduced 5/23/79)

Charges in Rate Base H-1359. No additional charges could be included in any utility rate base which would include costs as a result of a nuclear accident. (Introduced 5/22/79)

Nuclear Engineers H-1522. A nuclear engineer would commit a felony if he gives false information to the public, press, governmental agency or commission after a nuclear accident. (Introduced 6/20/79)

Stock for TMI Ratepayers H-1791. Every consumer who is required to pay for the cost incurred as a result of the accident at TMI would become a stockholder in Consumers Power. (Introduced 10/2/79)

Ban on Uranium Milling H-1918. Would ban the exploration, mining or milling for uranium in the State. (Introduced 10/29/79)

Resolution on Congressional TMI Investigation SR-38. Would request the U.S. Congress to conduct a thorough investigation into the accident at TMI. If there would be potential danger to the continuing operation of TMI, then Congress should provide aid to convert the facility to another form of generating facility. (Introduced 4/23/79)

PENNSYLVANIA Cont.

Environmental Impact Applications S-119. Would amend the State's radiation control law to require in the case of an application for the construction or operation of a nuclear plant in the State to require an "Application of Environmental Impact" which would contain information on the effect the proposed plant would have on waterways, streams, water allocations, air, land use, highway construction, condensation, thermal pollution, and any other possible adverse conditions. The Dept. of Environmental Resources would have exclusive license granting authority for the construction and operation of nuclear plants. The PUC would also issue a certificate of necessity. (Introduced 2/5/79)

Hazardous Substances Transportation Act S-326. Would amend current State law to provide that in the event of an accident, the local director of public safety would have responsibility for organizing and directing the incident response. (Introduced 2/27/79)

Construction and Operation Restrictions S-600. Would appoint a resident nuclear engineer at each reactor in the State to report to the Department of Environmental Resources, the Governor, the NRC and the President. He would have authority, after consultation with the aforementioned, to shut the facility down. The resident engineer would also maintain radioactive monitoring devices within a 20 mile radius of the plant. Expenses would be paid by the licensee until NRC provides the services. Also would impose some restrictions as H-990. (Introduced 4/23/79)

Rate Changes After Nuclear Accidents S-632. Would prohibit passing through the costs resulting from a lack of generating capacity at a reactor including the purchase of replacement electricity, repairs to the facility, liability in excess of that paid by insurers unless a finding is made by a jury that the utility was not at fault. The jury would be convened in the county in which the reactor is located. (Introduced 4/23/79)

Emergency Response Procedure S-683. Would require any person licensed to operate a nuclear power plant to notify the Pennsylvania Emergency Management Agency, the Department of Environmental Resources, and all county offices of Emergency Preparedness within a 10 mile radius of the facility by telephone or telegraph of any incident involving the malfunction of any system or component which could result in the release of radioactivity to the environment. (Introduced 4/24/79)

Siting Restriction S-823. "A nuclear plant for the production of energy shall not be constructed within 20 miles of a political subdivision having a population density of 300 or more persons." (Introduced 6/12/79)

Energy Facility Siting S-832. Would create an Energy Facility Siting Interagency Committee to issue certificates of public need, social, economic and environmental compatibility before construction or operation of a bulk power facility can begin. Would set criteria on which the commission is to make its decisions. (Introduced 6/18/79)

RHODE ISLAND

Reactor Licensing -- H-5102. "Every city or town shall have the power to regulate the keeping of nuclear reactors by granting licenses therefore upon such compensation for the benefit of the municipality as they shall see fit to impose or by refusing to grant them." (Introduced 1/3/79)

Nuclear Plant Siting Restriction H-5672. No nuclear plant could be sited until the PUC made a finding that the U.S. Government had approved a demonstrated technology or means for the disposal of nuclear waste. Would set a process for legislative review of the findings. (Introduced 2/16/79)

Energy Facility Siting Act H-5861. Would establish a State Siting Board to license the siting, construction and alternation of any major energy facility. A major energy facility would be defined to include electric generation of 100 Mwe or more, facilities for the processing, enrichment, storage or disposal of nuclear fuel or byproducts, among other things. Would prescribe a licensing process and conditions under which a license could be issued. Final approval for a nuclear plant or oil refineries would rest with the legislature. (Introduced 3/6/79)

SOUTH CAROLINA

Resolution on Waste Management H-2930. Would memorialize Congress to appropriate funds to solidify the waste at the Savannah River Plant so that it can be moved to a repository. (Introduced 5/2/79)

Transport of Nuclear Waste H-3147. Would make it unlawful for any person to transport through or into South Carolina any nuclear waste created outside the State. (Introduced 7/26/79)

High-Level Waste Transport S-465. Would make it unlawful to transport high-level waste into or through the State without first obtaining a permit from the Department of Health and Environmental Control. At least two weeks prior to transport, the route would have to be advertised in newspapers in communities where the waste would pass through or near. (Introduced 4/19/79)

Radiation Control Regulations S-637. Would approve the regulations of the Department of Health and Environmental Control relating to radioactive materials. (Introduced 6/28/79)

TENNESSEE

Response Capability HJR-322. Would create a special joint committee to study the capability of State, local and private response to an accident at the Hartsville plant. Would be due by March 1, 1980. (Introduced 4/16/79)

TENNESSEE Cont.

Nuclear Waste Transportation Ban -- S-76. Would ban the transport of nuclear waste on the roads of Tennessee. Nuclear waste is defined as that material which is not a source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended. (Introduced 1/9/79)

VERMONT

Restriction on Uranium Exploration H-327. Would ban uranium exploration unless the General Assembly approves through a bill or joint resolution. (Introduced 2/20/79)

Decommissioning Nuclear Facilities H-363. Would create a Nuclear Decommissioning Board to establish regulations governing a radiation protection fund which requires licensees to file bonds with it to cover expenses related to emergency responses to accidents, default or inability of licensee to meet the requirements of the Board; and would create a perpetual care fund to provide monies for maintenance and surveillance if the licensed activity ceases. The intent is to prevent the State from assuming financial responsibility for decontaminating and decommissioning nuclear facilities. The bill would also require the Board to establish security requirements for each class of licensee within the State. (Introduced 2/27/79)

WISCONSIN

Nuclear Plant Siting Restriction A-180. Would prohibit any utility from constructing, installing or operating a nuclear power plant until the Public Service Commission determines that there are adequate methods for the disposal of nuclear waste and the method has been approved by the Federal government. (Introduced 2/16/79)

Broaden Powers of Radiation Protection Council A-209. Would broaden and restructure the State's Radiation Protection Council to require the council to monitor the development and implementation of all private, State and Federal radiation-related policies and programs. (Introduced 2/27/79)

Requirements for Radioactive Waste Transport A-210. Would require all persons transporting nuclear waste to be licensed by the Dept. of Natural Resources. Would require the shipper to notify the State Dept. of Transportation of the route to be taken and the State DOT to notify the local governments. (Introduced 2/27/79)

Decommissioning Plan A-211. Would direct the PSC to establish by rule acceptable methods of decommissioning nuclear facilities, would require a discussion of the wastes generated and their associated disposal costs in the utilities advance plans, would establish that the advance plan and certificate of public convenience and necessity is conditioned upon conformance with acceptable methods of decommissioning, and would direct the PSC to include anticipated costs and methods of decommissioning in its biennial reports. (Introduced 2/27/79)

WISCONSIN Cont.

Radioactive Waste Disposal Licensing Procedure A-212. Would direct the Attorney General to intervene in any NRC proceeding on the construction or operating license for a radioactive waste disposal facility in Wisconsin. Would require a Certificate of Compatibility from the PSC before construction could begin. The procedure used by the PSC to evaluate an application would be 1) to prepare an EIS, 2) to conduct hearings, 3) to find that the facility won't result in adverse economic impacts on surrounding areas, 4) that the State transportation system is adequate, 5) that State and local emergency plans are adequate, 6) that the facility would comply with air, water, solid and hazardous waste pollution requirements, 7) that geological characteristics do not preclude adequate surface restoration, 8) that the unique features of the land won't be destroyed, 9) that the applicant accepts full liability for damages. The PUC's approval is conditional upon the legislature not voiding it. (Introduced 2/21/79)

Nuclear Plant Construction Ban A-888 & S-346. Would prohibit the construction of nuclear power plants and would require the PSC to investigate, conduct a hearing and report to the legislature on the effect construction and operation of nuclear power plants have upon the economics of electric power generation. The ban would remain in effect until 7/1/83. (Introduced 9/26/79)

1980 LEGISLATIVE CALENDAR

II.

Forty-two State legislatures and the U. S. Congress are slated to convene in regular session in 1980. Most sessions will convene in January. However, some are scheduled to convene as late as April (Florida and Louisiana).

The following chart gives starting dates and regular session time limits (calendar or legislative days) for the coming year's sessions in all of the convening States. Many time limits are subject to extension.

State	Date	Limit	State	Date	Limit
Ala.	Feb. 5	30*	Minn.	Jan. 22	120 ¹
Alas.	Jan. 7	None	Miss.	Jan. 8	125
Ariz.	Jan. 14	None	Mo.	Jan. 9	May 15
Cal.	Jan. 7	None	Neb.	Jan. 9	60
Colo.	Jan. 2	None	N.J.	Jan. 8	None
Conn.	Feb. 6	May 7	N.M.	Jan. 15	30
Del.	Jan. 8	June 30	N.Y.	Jan. 9	None
Fla.	Apr. 8	60	Ohio	Jan. 7	None
Ga.	Jan. 14	40*	Okla.	Jan. 8	90
Hawaii	Jan. 16	60*	Pa.	Jan. 1	None
Ida.	Jan. 7	None	R.I.	Jan. 1	None
Ill.	Jan. 9	None	S.C.	Jan. 8	None
Ind.	Jan. 7	30	S.D.	Jan. 8	30*
Iowa	Jan. 14	None	Tenn.	Jan. 8 ²	None
Kan.	Jan. 14	90	Utah	Jan. 14	20
Ky.	Jan. 8	60	Vt.	Jan. 8	None
La.	Apr. 21	60**	Va.	Jan. 9	60
Me.	Jan. 2	50*	Wash.	Jan. 14	60
Md.	Jan. 9	90	W. Va.	Jan. 9	60
Mass.	Jan. 2	None	Wis.	Jan. 29	None
Mich.	Jan. 9	None	Wyo.	Feb. 12	20 ³

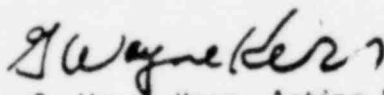
*Limit of legislative days.

**Limit of legislative days during a period of 85 calendar days.

¹Limit of legislative days during a two-year period.

²Organizational session convenes second week of January. Thereafter, General Assembly meets on first Tuesday next following conclusion, unless both houses set earlier date.

³Limit of legislative days in one calendar year. Limited to 60 legislative days during a two-year period.



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