



## INFORMATION REPORT ON

# State Legislation

OFFICE OF STATE PROGRAMS  
U. S. NUCLEAR REGULATORY COMMISSION  
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### SUMMARY OF LAWS ENACTED BY STATES DURING 1976

The following is a summary of laws relating to the nuclear regulatory program which were enacted by the States during the 1976 legislative session.

#### RADIATION CONTROL

GEORGIA HB-1907. Abolishes the Radiation Control Council and designates the Department of Human Resources as the state radiation control agency. (Signed by Governor 4/7/76)

IOWA HB-1281. Creates an Interagency Coordinating Council on Radiation Safety to develop a State radiation safety program plan. (Signed by Governor 5/13/76)

KENTUCKY HB-499. An amendatory act expanding the functions of the Department of Energy to include development of a process for regulating the siting of energy facilities, and directing the Department of Human Resources to 1) monitor radioactive waste material sites, and 2) "provide for the licensing of the possession or use of any radiation source and the transportation, handling, and disposal of radioactive wastes." (Signed by Governor 3/30/76)

MARYLAND HB-1634. Transfers to the Department of Health and Mental Hygiene the radiation control responsibilities formerly vested in the Board of Health. (Signed by Governor 5/17/76)

MISSISSIPPI SB-2229. Establishes a State-wide radiation protection program and designates the State Board of Health as the agency to administer it. (Signed by Governor 5/25/76)

RHODE ISLAND HB-7459. Designates the Department of Health as the State radiation control agency. Creates a State Radiation Advisory Commission as a separate division of the agency. (Signed by Governor 5/28/76)

TENNESSEE HB-1473. Authorizes the Commissioner of Public Health to require certain classes of licensees who use, store or handle radioactive materials to post a performance bond and to contribute to a perpetual care trust fund. (Signed by Governor 3/12/76)

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Radiation (cont.)

VIRGINIA HB-488. Provides for the posting of bond by certain licensees handling radioactive materials and the creation of a Radioactive Material Perpetual Care Trust Fund into which licensees would make payments on an annual basis. (Signed by Governor 4/10/76)

NUCLEAR STUDIES

CALIFORNIA AB-2820. No new nuclear power plant shall be permitted land use in California until the State Energy Resources Conservation and Development Commission makes a finding that the Federal Government "has identified and approved, and there exists a technology for the construction and operation of, nuclear reprocessing plants." (Signed by Governor 6/3/76)

CALIFORNIA AB-2821. No new nuclear power plant shall be permitted land use in California until the State Energy Commission completes a study of the necessity for and effectiveness and economic feasibility of undergrounding and berm containment of nuclear reactors. (Signed by Governor 6/3/76)

CALIFORNIA AB-2822. No new nuclear power plant shall be permitted land use in California until the State Energy Commission certifies that the Federal Government has approved and there exists a demonstrated technology or means for the disposal of high-level nuclear waste. (Signed by Governor 6/3/76)

IDAHO SCR-132. Authorizes the Legislative Council to appoint a committee to undertake a study of energy development in Idaho. (Adopted 3/18/76)

KENTUCKY HR-100. Directs the Legislative Research Commission to study the effects of radioactive waste disposal in Kentucky and publish its findings by October 1, 1977. (Adopted 3/30/76)

LOUISIANA SCR-18. Directs the Division of Radiation Control to study the facts and circumstances surrounding the construction and use of nuclear reactors within and in proximity of Louisiana and report its findings by 1/18/77. (Signed by Governor 7/30/76)

LOUISIANA SCR-56. Authorizes a Joint Legislative Committee to undertake an in-depth study of the feasibility and ramifications of underground salt dome storage of wastes and to report its findings by 3/18/77. (Adopted 7/26/76)

MASSACHUSETTS HB-3161. Extends through 1976 the existence of a special committee of the General Court which was established in 1974 to study the health and safety effects of nuclear power. (Adopted 2/3/76)

PENNSYLVANIA SCR-238. Directs the Joint State Government Commission to study the entire issue of energy facility siting and report its findings, along with draft legislation, to the General Assembly by 5/1/77. (Adopted 6/29/76)

TENNESSEE SJR-162. Directs the legislative Joint Task Force on Energy to continue its study on the use, production and conservation of energy. (Adopted 3/28/76)

ENERGY AGENCIES

CONNECTICUT HB-5825, HB-5897, HB-5898. Amendatory laws expanding the activities and hearing requirements of the Power Facilities Evaluation Council. (Signed by Governor 6/4/76)

GEORGIA HB-1698. Establishes, within the Office of Planning and Budget, the Georgia Office of Energy Resources, which will absorb the functions of the former State Energy Office. (Signed by Governor 4/9/76)

IOWA HB-1371. Extends the life of the Energy Policy Council to June 30, 1979. (Signed by Governor 6/20/76)

NEW YORK SB-9715A. Creates a State Energy Office to administer all energy programs of the Federal Government, other than those conducted by NYSERDA. Abolishes the Atomic Energy Council and transfers its functions to the new Energy Office. (Signed by Governor 7/26/76)

NEW YORK SB-10719. Creates within the State Energy Office an Energy Advisory Council. (Signed by Governor 7/26/76)

PENNSYLVANIA SB-1219. Establishes within the PUC a Bureau of Conservation, Economics and Energy Planning to conduct energy-related studies and research. (Signed by Governor 7/9/76)

WASHINGTON SB-3172. Creates a State Energy Office to serve as the official state agency responsible for coordination of energy-related activities. Redesignates the Thermal Power Plant Site Evaluation Council as the Energy Facility Site Evaluation Council. (Signed by Governor 3/19/76)

JOINT AGREEMENTS

ARIZONA HB-2340. Authorizes districts to enter into joint agreements for the purpose of acquiring or assuring a supply of energy or energy resources including "uranium and nuclear materials." (Signed by Governor 6/7/76)

COLORADO SB-61. Authorizes Colorado municipalities to contract with municipalities of adjoining States to form power authorities. (Signed by Governor 5/7/76)

VIRGINIA SB-166. Authorizes political sub-divisions to join together in the creation of an electric authority for the purposes of providing for energy needs. (Signed by Governor 4/12/76)

WASHINGTON SB-3129. Permits rural electric cooperatives to participate in the development of nuclear and other power facilities. (Signed by Governor 3/4/76)

SITING

CALIFORNIA AB-2820,2821,2822. Imposes restrictions on siting. (see Nuclear Studies)

FLORIDA SB-659. The Department of Environmental Regulation is responsible for electric power plant site certifications. Certification by the board, consisting of the Governor and cabinet, constitutes the sole license of the state. (Signed by Governor 6/8/76)

GEORGIA SR-123. Creates a Power Plant Siting Study Committee to "develop proposed legislation to streamline the laws and regulations applicable to power plant siting in this State." (Adopted 1/21/76)

IOWA HB-1470. A single certificate from the Iowa State Commerce Commission is required for the siting and construction of electric power facilities. (Signed by Governor 5/20/76)

KANSAS SB-60. Requires a permit from the state Corporation Commission prior to commencing site preparation and construction of, or addition to, an electric generating facility. (Signed by Governor 3/31/76)

KENTUCKY SR-28. Memorializes the Congress and President to consider very carefully the total impact of nuclear power plant construction on the Ohio River. (Adopted 2/20/76)

KENTUCKY HB-499. The Department of Energy is to develop a process for regulating the siting of energy facilities. (Signed by Governor 3/30/76)

TRANSPORTATION

CONNECTICUT HB-5908. Prohibits the transport of radioactive materials into or through the State without a certificate of transport from the Commissioner of Transportation. (Signed by Governor 6/1/76)

ILLINOIS HB-1815. State Department of Transportation is to develop a legislative program regulating the transportation of hazardous materials through the State. (Signed by Governor 8/26/76)

IOWA HB-736. Requires that the police be notified when an accident occurs involving the transportation of hazardous materials. (Signed by Governor 2/20/76)

MARYLAND HJR-23. State Departments of Transportation, Health and Mental Hygiene and Natural Resources are to formulate recommendations for consolidating into one agency the authority to regulate and supervise the transporting of hazardous materials through Maryland. (Signed by Governor 5/4/76)

NEW YORK AB-7761B Grants Department of Transportation authority to regulate the transportation of radioactive materials. (Signed by Governor 7/21/76)

DISPOSAL OF NUCLEAR WASTES

CALIFORNIA AB-2822. Energy Commission must certify that there exists a demonstrated technology or means for the disposal of nuclear wastes. (see Nuclear Studies)

HAWAII SR-68. Expresses concern over the proposed disposal of radioactive wastes in the Pacific Ocean 600 miles north of Hawaii. Requests the U.S. Environmental Protection Agency to halt any plans for undersea disposal until their safety is "proven beyond any shadow of doubt." (Adopted 4/5/76)

KENTUCKY HB-838. Levies an excise tax of ten cents per pound, to be paid by the processor, on all radioactive waste material delivered to Kentucky for processing, packaging, storage, disposal, or burial. (Signed by Governor 3/30/76)

NEW JERSEY SB-1493. Regulates the disposal of hazardous wastes by prohibiting any solid waste facility within two miles of a river flood hazard area or a major aquifer. (Signed by Governor 10/7/76)

COASTAL ZONE MANAGEMENT

ALABAMA SR-501. Creates a Coastal Area Board with responsibility and authority for developing, coordinating, and maintaining a coastal area program. (Signed by Governor 8/23/76)

ALASKA HCR-123. A House Concurrent Resolution directing the coordination of activities for the development of a comprehensive CZM program during the 1977 legislative session. (Adopted 5/22/76)

CALIFORNIA SB-1277 and AB-3544. Establishes, within the State Resources Agency, the California Coastal Commission and six regional Coastal Commissions. (Signed by Governor 9/30/76)

LOUISIANA HCR-38. A House Concurrent Resolution authorizing establishment of a joint legislative committee to analyze and recommend effective measures for establishing a CZM program. (Adopted 7/22/76)

LOUISIANA HB-1512. Creates a Louisiana Coastal Commission. (Signed by Governor 8/3/76)

MISCELLANEOUS

CALIFORNIA AB-4195. Requires that the State Energy Commission adopt standards, by July 1, 1978, for a program of electrical load management for each utility service area. (Signed by Governor, 9/23/76)

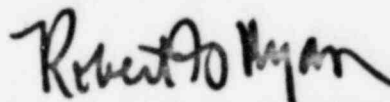
CALIFORNIA SJR-61. Memorializes the Congress to support all efforts to bring nuclear weapons under control, reduce their numbers, and stop their spread. (Adopted 8/30/76)

COLORADO HB-1088. Establishes a system for General Assembly periodic review of the regulatory agencies of Colorado to determine whether they should be terminated, continued, or reestablished. (Signed by Governor 4/21/76)

CONNECTICUT HB-5927. Permits certain commercial or financial proprietary information gathered by the Commissioner of Planning and Energy Policy to be exempt from the requirements of the Freedom of Information Act. (Signed by Governor 6/2/76)

FLORIDA SB-1156. Provides for periodic legislative review of State regulatory agencies to determine whether they should be terminated, modified or reestablished. (Signed by Governor 6/17/76)

LOUISIANA SB-28. Provides for the termination of all State agencies, departments, offices or divisions, on an annual schedule, from July 1, 1979 to 1982. (Signed by Governor 7/30/76)



Robert G. Ryan, Director  
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Legend

- AB - Assembly Bill
- HB - House Bill
- SB - Senate Bill
- HR - House Resolution
- SR - Senate Resolution
- HJR - House Joint Resolution
- HCR - House Concurrent Resolution
- SCR - Senate Concurrent Resolution
- SJR - Senate Joint Resolution