

CHAPTER 5**RADIATION****§50. Radiation hazards**

Whenever there are actual or potential hazards or dangers to property or to the public 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, which hazards or dangers arise from the peaceful use of nuclear or atomic materials, the Governor, after consultation with and advice of the Department of Health and Welfare, shall by proclamation declare the fact and that an emergency exists in any or all areas of the State. A copy of such proclamation shall be filed with the Secretary of State and published in such newspapers of the State as the Governor deems appropriate. In such event, the Governor shall have general direction and control of the Bureau of State Police, the Department of Health and Welfare, the National Guard and of any other state department or agency. [PL 1971, c. 592, §37 (AMD).]

The Governor is authorized and empowered to do all things necessary to protect the public and prevent damage to property. The Governor may order the State Police or National Guard to evacuate any area designated by the Governor and to carry out any other orders the Governor determines necessary, and in such event the State Police and National Guard have full authority to carry out the Governor's orders. The Governor may delegate any authority vested in the Governor under this provision. [PL 2019, c. 475, §50 (AMD).]

Whenever the Governor is temporarily absent from the State or is otherwise unavailable, the next person who would act as Governor, if the office of Governor were vacant, shall have all the authority, powers, duties and responsibilities of the Governor under this chapter. [PL 1971, c. 423, §2 (NEW).]

Any person who shall violate any lawful order of the Governor or the person acting in that capacity or any person to whom authority has been delegated or any lawful order of the Maine State Police or National Guard shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100 nor more than \$500. [PL 1971, c. 423, §2 (NEW).]

SECTION HISTORY

PL 1971, c. 423, §2 (NEW). PL 1971, c. 592, §37 (AMD). PL 2019, c. 475, §50 (AMD).

§51. Agreements

The Governor, the Department of Health and Human Services and other state agencies designated in Title 22, section 676 may enter into agreements, understandings or arrangements with any other department or agency of this State, any federal agency, state, political subdivision or person to provide for mutual aid plans, emergency plans, evacuation plans and their implementation, memoranda of understanding and any other agreements deemed necessary to protect public and property in this 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 hazards or dangers referred to in this section are only those arising from the peaceful use, transportation or storage of nuclear or atomic materials. [PL 2007, c. 539, Pt. KK, §11 (AMD).]

SECTION HISTORY

PL 1971, c. 423, §2 (NEW). PL 1971, c. 592, §37 (AMD). PL 1987, c. 519, §9 (AMD). PL 2003, c. 689, §B6 (REV). PL 2007, c. 539, Pt. KK, §11 (AMD).

§52. State Nuclear Safety Advisor

(REPEALED)

SECTION HISTORY

PL 1987, c. 519, §10 (NEW). PL 2003, c. 673, §S1 (AMD). PL 2005, c. 254, §B11 (AMD). PL 2007, c. 539, Pt. KK, §12 (RP).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.