

2011 DRAFTING REQUEST

Bill

Received: 09/19/2011

Received By: mkunkel

Wanted: As time permits

Companion to LRB:

For: Frank Lasee (608) 266-3512

By/Representing:

May Contact:

Drafter: mkunkel

Subject: Public Util. - energy

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Lasee@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Payments to local governments by public utilities for spent nuclear fuel storage

Instructions:

Prepare companion to LRB-2323/1

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|------------------------|------------------------|----------------|------------------------|-----------------------|-----------------|
| /? | mkunkel 09/19/2011 | jdyer 09/20/2011 | | _____ | | | Local |
| /1 | pgrant 10/04/2011 | csicilia 10/04/2011 | jfrantze 09/20/2011 | _____ | sbasford 09/20/2011 | mbarman 10/04/2011 | Local |
| /2 | | | rschluet 10/04/2011 | _____ | mbarman 10/04/2011 | mbarman 10/04/2011 | |

FE Sent For:

↳ At Intro.

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| /? | mkunkel 09/19/2011 | jdyer 09/20/2011 | | _____ | | | Local |
| /1 | | 1/2 ys 10/4/11 | jfrantze 09/20/2011 | _____ | sbasford 09/20/2011 | mbarman 10/04/2011 | |

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10/4/11
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|--------------|----------------|-------------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | mkunkel | 1 <i>9/20 jld</i> | <i>jt</i> | <i>9/20</i> | | | |

FE Sent For:

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2023/1

MDK:wjllmd

O-NOTE

Keep ↑

-2941/1

RM NOT RUN

SOON

2011 BILL

LX

Regen

1 AN ACT *to amend* 196.491 (3) (d) (intro.) and 196.493 (title); and *to create*
2 196.493 (3) of the statutes; **relating to:** dry cask storage of spent fuel from
3 nuclear power plants and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires a public utility or other person that uses dry cask storage to store spent fuel from a nuclear power plant to make annual payments to the city, village, or town (municipality), and to the county, in which the spent fuel is stored. As defined under current law, a "nuclear power plant" is a nuclear-fired electric generating facility with a nominal operating capacity of 100 megawatts or more. Dry cask storage is a method of storage that the United States Nuclear Regulatory Commission allows a nuclear power plant to use after the plant reaches its capacity for on-site storage in water pools. The bill requires a public utility or other person to pay a municipality \$250,000 for each year or portion of the year the public utility or person uses dry cask storage to store spent fuel in the municipality. Also, the public utility or person must pay a county \$150,000 for each year or portion of a year that the public utility or person uses dry cask storage to store spent fuel in the county.

In addition, a public utility or person must pay a municipality \$40,000 for each dry cask for each year or portion of a year that spent fuel is stored in a dry cask in the municipality. Finally, the bill requires the Public Service Commission to promulgate rules implementing the bill's requirements and adjusting the payment amounts described above every five years to account for inflation.

BILL

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 196.491 (3) (d) (intro.) of the statutes is amended to read:

2 196.491 **(3)** (d) (intro.) Except as provided under par. (e) and s. 196.493 (2), the
3 commission shall approve an application filed under par. (a) 1. for a certificate of
4 public convenience and necessity only if the commission determines all of the
5 following:

6 **SECTION 2.** 196.493 (title) of the statutes is amended to read:

7 **196.493** (title) ~~Construction of nuclear~~ **Nuclear power plants limited.**

8 **SECTION 3.** 196.493 (3) of the statutes is created to read:

9 196.493 **(3)** SPENT FUEL STORAGE. (a) A public utility or other person that stores
10 spent fuel from a nuclear power plant and uses dry cask storage for the spent fuel
11 shall do all of the following:

12 1. Pay to the municipality in which the spent fuel is stored \$250,000, or the
13 amount specified in rules promulgated under par. (b), for each year or portion of a
14 year that the spent fuel is stored and pay to the municipality \$40,000, or the amount
15 specified in rules promulgated under par. (b), for each dry cask for each year or
16 portion of a year that the fuel is stored in a dry cask in the municipality.

17 2. Pay to the county in which the spent fuel is stored \$150,000, or the amount
18 specified in rules promulgated under par. (b), for each year or portion of a year that
19 the spent fuel is stored in the county.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2941/1dn

MDK: [^].....

date

JLD

Sen. Lasee:

This bill is a companion to LRB-2323/1. ✓

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2941/1dn
MDK:jld:jf

September 20, 2011

Sen. Lasee:

This bill is a companion to LRB-2323/1.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Barman, Mike

From: Kovach, Robert

Sent: Tuesday, October 04, 2011 10:55 AM

To: LRB.Legal

Subject: Please Jacket LRB-2941/2

Please Jacket LRB-2941/2 For Senator Lasee's office.

Thank you.

Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512

10/4/2011

Basford, Sarah

From: Kovach, Robert
Sent: Tuesday, October 04, 2011 1:25 PM
To: LRB.Legal
Subject: FW: Please Jacket LRB-2941/2

The assembly version of LRB-2941 is LRB-2323/2 revision #2. I just received a jacket for 2941/1 Can I please get LRB-2941 brought up to revision #2 right away. It's going to be turned in today.

Thanks,

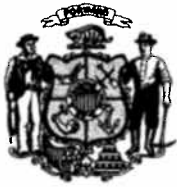
Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512

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Sent: Tuesday, October 04, 2011 10:55 AM
To: LRB.Legal
Subject: Please Jacket LRB-2941/2

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Thank you.

Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512



State of Wisconsin
2011 - 2012 LEGISLATURE

NOW



LRB-2941/1
MDK:wlj:jf

2

Stays

2011 BILL

SAZ

Core Cat

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In addition, a public utility or person must pay a municipality \$40,000 for each dry cask for each year or portion of a year that spent fuel is stored in a dry cask in the municipality. Finally, the bill requires the Public Service Commission to promulgate rules implementing the bill's requirements and adjusting the payment amounts described above every five years to account for inflation.

\$5,000

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2011 SENATE BILL 216

Before
changes

October 5, 2011 – Introduced by Senator LASEE, cosponsored by Representatives ENDSLEY and BIES. Referred to Committee on Natural Resources and Environment.

- 1 AN ACT *to amend* 196.491 (3) (d) (intro.) and 196.493 (title); and *to create*
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10-07-2011

~~scribble~~

By Bies
+ Endsley

reprint

~~scribble~~

CEB
2941
SB 216

Liz SCC
6-2517
Sen Casee

changing cosponsorship
in committee

SENATE

INTRODUCTION AND REFERRAL OF PROPOSALS

(October 05, 2011)

SENATE BILL 216 (LRB -2941)

Relating to: dry cask storage of spent fuel from nuclear power plants and granting rule-making authority.
By Senator Lasee; cosponsored by Representatives Bies and Endsley.

Referred to Committee on NATURAL RESOURCES AND ENVIRONMENT.

10-07-2011
Per Elizabeth
(SCC Office)
Sponsor order
changed
Needs
"Corrected Copy"
JMB



10-07-2011

2011 SENATE BILL 216

October 5, 2011 - Introduced by Senator LASEE, cosponsored by Representatives BIES and ENDSLEY. Referred to Committee on Natural Resources and Environment.

- 1 **AN ACT to amend** 196.491 (3) (d) (intro.) and 196.493 (title); and **to create**
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Barman, Mike

From: Barman, Mike
Sent: Friday, October 07, 2011 10:07 AM
To: Fitch, Dan; Martin, Dick
Subject: "Corrected Copy" version of SB 216 published

"Corrected Copy" version of SB 216 published.

Mike Barman (Lead Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov