

2013 DRAFTING REQUEST

Bill

Received: 10/23/2013 Received By: mkunkel
Wanted: As time permits Same as LRB: -2954
For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach
May Contact: Drafter: mkunkel
Subject: Public Util. - energy Addl. Drafters:
Extra Copies: EVM

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:

A pub. util. must pay muni. \$250,000 per year plus \$40,000 per cask if the pub. util. stores spent nuclear fuel rods in the muni. Also, must pay county \$150,000 per year (no per cask amt. to county). Adjust amts. for inflation every 5 years.

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>
/1	mkunkel 10/23/2013	jdyer 10/23/2013	jmurphy 10/23/2013	_____	mbarman 10/23/2013	mbarman 10/23/2013	Local

FE Sent For:

*at
intro*

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/23/2013 Received By: mkunkel
Wanted: As time permits Same as LRB: -2954
For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach
May Contact: Drafter: mkunkel
Subject: Public Util. - energy Addl. Drafters:
Extra Copies: EVM

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:

A pub. util. must pay muni. \$250,000 per year plus \$40,000 per cask if the pub. util. stores spent nuclear fuel rods in the muni. Also, must pay county \$150,000 per year (no per cask amt. to county). Adjust amts. for inflation every 5 years.

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>
/1	mkunkel 10/23/2013	jdyer 10/23/2013	jmurphy 10/23/2013	_____	mbarman 10/23/2013		Local

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/23/2013 Received By: mkunkel
Wanted: As time permits Same as LRB: -2954
For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach
May Contact: Drafter: mkunkel
Subject: Public Util. - energy Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Sen.Lasee@legis.wisconsin.gov
Carbon copy (CC) to:

PA:
Please jacket
for Senate.
-MDK

Pre Topic:

No specific pre topic given

Topic:

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

Instructions:

A pub. util. must pay muni. \$250,000 per year plus \$40,000 per cask if the pub. util. stores spent nuclear fuel rods in the muni. Also, must pay county \$150,000 per year (no per cask amt. to county). Adjust amts. for inflation every 5 years.

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>
/1	mkunkel	10/23 jld		Jim self 10/23			Local

FE Sent For:

<END>

- 3500

Kunkel, Mark

From: Parisi, Lori
Sent: Wednesday, October 23, 2013 10:47 AM
To: Kunkel, Mark
Subject: FW: Co-Sponsorship, LRB 2954/2 – Dry Cask Storage of Spent Nuclear Fuel

Mark, Did you receive this e-mail yesterday? Just double checking to make sure this was taken care of before I delete it.

Thanks much.
Lori

From: Kovach, Robert
Sent: Tuesday, October 22, 2013 11:19 AM
To: LRB.Legal
Subject: FW: Co-Sponsorship, LRB 2954/2 – Dry Cask Storage of Spent Nuclear Fuel

Dear LRB Legal team,

Please draft a senate version of this bill and jacket it for Senator Lasee.

Thank you,

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512

From: Rep.Bies
Sent: Tuesday, October 22, 2013 11:14 AM
To: *Legislative All Assembly; *Legislative All Senate
Subject: Co-Sponsorship, LRB 2954/2 – Dry Cask Storage of Spent Nuclear Fuel

Memorandum

To: All Legislators
From: Rep. Garey Bies, Sen. Frank Lasee
Date: October 30th, 2013
Re: Co-Sponsorship, LRB 2954/2 – Dry Cask Storage of Spent Nuclear Fuel

I am circulating for co-sponsorship LRB 2954, relating to the dry cask storage of spent fuel from nuclear power plants. I'm introducing this at the request of the Town of Carlton in Kewaunee County, which is the location of the nuclear plant that was shut down in May of this year.

For years rate payers have paid millions of dollars to create a national storage for nuclear waste at Yucca Mountain. Now a shift in policy says Yucca is out and dry cask storage is fine at the site of the nuclear plants. Carlton does not want the waste in their town and was never expecting to be the final storage location for nuclear waste. The town apparently does not have a say in the storage arrangement and is seeking compensation for the storage of the waste as long as it is stored at the site. Under this bill, a public utility or other person would pay a municipality \$250,000 for each year or portion of the year the utility or person uses dry cask storage to store spent fuel. In addition, the utility or person would pay \$150,000 to each county.

The on-site storage affects the value of the town and creates extra costs in emergency preparedness. If towns are forced to have the dry cask storage within their boundaries, they should be compensated.

If you would like to cosponsor this bill, please contact Representative Bies's office at 266-5350 or rep.bies@legis.wisconsin.gov Wed, October 30th, 2013.

A draft copy of this legislation is attached to this email.



13-2954_2.pdf



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2954/2
MDK/ldjff

O-NOTE

Keep

2013 BILL

3500/1

SOON

10-23

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. The bill's requirements apply whether or not a nuclear power plant is in operation or decommissioned. 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 \$5,000 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, whether or not the plant is in operation or
11 decommissioned, and uses dry cask storage for the spent fuel shall do all of the
12 following:

13 1. Pay to the municipality in which the spent fuel is stored \$250,000, or the
14 amount specified in rules promulgated under par. (b), for each year or portion of a
15 year that the spent fuel is stored and pay to the municipality \$5,000, or the amount
16 specified in rules promulgated under par. (b), for each dry cask for each year or
17 portion of a year that the fuel is stored in a dry cask in the municipality.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3500/1dn

MDK:.....

date

Jld

Sen. Lasee:

2013
This bill is a companion to LRB-2954/2.

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-3500/1dn
MDK:jld:jm

Oct 23, 2013

Sen. Lasee:

This bill is a companion to 2013 LRB-2954/2.

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

Barman, Mike

From: LRB.Legal
To: Sen.Lasee
Subject: Draft review: LRB -3500/1 Topic: Payments to local governments by public utilities for spent nuclear fuel storage
Attachments: 13-3500/1; DraftersNote1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Mark D. Kunkel, Senior Attorney, at (608) 266-0131, at mark.kunkel@legis.wisconsin.gov, or at One East Main Street, Suite 200.

Per instructions from the drafting attorney (MDK) ... we will jacket this draft for the Senate and send it (by page) to your office this afternoon.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.