

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB446)**

Received: 1/9/2014 Received By: jkreye  
Wanted: As time permits Same as LRB:  
For: Frank Lasee (608) 266-3512 By/Representing: Tyler  
May Contact: Drafter: jkreye  
Subject: Public Util. - energy Addl. Drafters: mkunkel  
Shared Revenue  
Extra Copies: EVM

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

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

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**Instructions:**

No specific instructions given

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**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>
/?	jkreye 1/9/2014	jdyer 1/9/2014		_____			
/1			rschluet 1/9/2014	_____	sbasford 1/9/2014	sbasford 1/9/2014	

FE Sent For:

<END>

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FE Sent For:

<END>

## Kreye, Joseph

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**From:** Sivret, Tyler  
**Sent:** Thursday, January 09, 2014 12:05 PM  
**To:** Kreye, Joseph; Kunkel, Mark  
**Subject:** LRB 13s0215

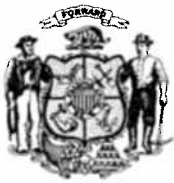
Good Afternoon,

Could you send a stripped copy of the substitute amendment to Senator Lasee's office for the Senate version of AB 513?  
(SB 446)

Thank you,  
Tyler

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Tyler Sivret  
Legislative Assistant  
1st Assembly District  
Office Phone: 608-266-5350



State of Wisconsin  
2013 - 2014 LEGISLATURE



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MDK&JK/ld/jm

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SENATE  
ASSEMBLY SUBSTITUTE AMENDMENT,  
TO ASSEMBLY BILL 513 446  
SENATE

Today 1-9

Regen

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1 AN ACT *to amend* 79.04 (4) (a), 79.04 (4) (b), 196.491 (3) (d) (intro.) and 196.493  
2 (title); and *to create* 196.493 (3) of the statutes; **relating to:** nuclear power  
3 plant dry cask storage, shared revenue payments for spent nuclear fuel storage,  
4 and granting rule-making authority.

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

5 SECTION 1. 79.04 (4) (a) of the statutes is amended to read:

6 79.04 (4) (a) Annually, in addition to the amounts distributed under subs. (1),  
7 (5), (6), and (7), the department of administration shall distribute \$50,000 to ~~a~~ each  
8 municipality if where spent nuclear fuel is stored ~~within the municipality~~ on  
9 December 31 of the preceding year. If an amount equal to \$50,000 for each facility  
10 in the municipality where spent nuclear fuel is stored, except that if a spent nuclear  
11 fuel storage facility is located within one mile of a municipality, that municipality

1 shall receive \$10,000 annually and the municipality where that storage facility is  
2 located shall receive \$40,000 annually.

3 **SECTION 2.** 79.04 (4) (b) of the statutes is amended to read:

4 79.04 (4) (b) Annually, in addition to the amounts distributed under subs. (2),  
5 (5), (6), and (7), the department of administration shall distribute ~~\$50,000~~ \$100,000  
6 to a county if spent nuclear fuel is stored within the county on December 31 of the  
7 preceding year. If a spent nuclear fuel storage facility is located at a production plant  
8 located in more than one county, the payment shall be apportioned according to the  
9 formula under sub. (1) (c) 2., except that the formula, as it applies to municipalities  
10 in that subdivision, applies to counties in this paragraph. The payment under this  
11 paragraph may not be less than \$10,000 annually.

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

13 196.491 (3) (d) (intro.) Except as provided under par. (e) and s. 196.493 (2), the  
14 commission shall approve an application filed under par. (a) 1. for a certificate of  
15 public convenience and necessity only if the commission determines all of the  
16 following:

17 **SECTION 4.** 196.493 (title) of the statutes is amended to read:

18 **196.493 (title) ~~Construction of nuclear~~ Nuclear power plants limited.**

19 **SECTION 5.** 196.493 (3) of the statutes is created to read:

20 196.493 (3) SPENT FUEL OR RADIOACTIVE MATERIAL STORAGE. (a) A public utility  
21 or other person that stores spent fuel or radioactive material from a nuclear power  
22 plant, whether or not the plant is in operation or decommissioned, and uses dry cask  
23 storage for the spent fuel or radioactive material shall do all of the following:

24 1. Pay to the municipality in which the spent fuel or radioactive material is  
25 stored \$250,000, or the amount specified in rules promulgated under par. (b), for each

1 year or portion of a year that the spent fuel or radioactive material is stored and pay  
2 to the municipality \$5,000, or the amount specified in rules promulgated under par.  
3 (b), for each dry cask for each year or portion of a year that the fuel or material is  
4 stored in a dry cask in the municipality.

5 2. Pay to the county in which the spent fuel or radioactive material is stored  
6 \$150,000, or the amount specified in rules promulgated under par. (b), for each year  
7 or portion of a year that the spent fuel or radioactive material is stored in the county.

8 (b) The commission shall promulgate rules to implement this subsection and  
9 to adjust the amounts specified in par. (a) every 5 years to account for inflation.

10 **SECTION 6. Initial applicability.**

11 (1) The treatment of section 79.04 (4) (a) and (b) of the statutes first applies to  
12 payments made in 2014.

13 (END)