

## 2007 BILL

1 **AN ACT** *to repeal* 196.493; and *to amend* 196.491 (3) (d) (intro.) of the statutes;  
2 **relating to:** repealing the limits on the construction of nuclear power plants.

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### *Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTE provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Nuclear Power. The bill repeals the limits in current law on the construction of nuclear power plants.

These limits are often referred to as Wisconsin's "nuclear moratorium" statute. Under this statute, s. 196.493, the Public Service Commission (PSC) may not authorize the construction of a nuclear power plant unless it finds that there is a facility with sufficient capacity to receive the spent fuel from all nuclear power plants in Wisconsin and that construction of the power plant is economically advantageous to ratepayers based on specified factors.

The repeal of these limits takes effect on the day after the act is published.

3 **SECTION 1.** 196.491 (3) (d) (intro.) of the statutes is amended to read:  
4 196.491 (3) (d) (intro.) Except as provided under par. (e) and ~~s. 196.493~~, the  
5 commission shall approve an application filed under par. (a) 1. for a certificate of

**BILL**

1 public convenience and necessity only if the commission determines all of the  
2 following:

3 **SECTION 2.** 196.493 of the statutes is repealed.

4 **(END)**