

2007 BILL

1 AN ACT *to renumber* 196.497 (14); *to renumber and amend* 196.497 (3); *to*
2 *amend* 196.497 (6); *to repeal and recreate* 196.497 (14) (title); and *to create*
3 196.497 (3) (b), 196.497 (14) (a) (title) and 196.497 (14) (b) of the statutes;
4 **relating to:** requiring the Public Service Commission to advocate on matters
5 related to the centralized interim storage of, and any license application for, a
6 federal repository for high-level radioactive waste and transuranic waste and
7 requiring nuclear power plant owners and operators to provide information
8 required by the Public Service Commission.

Analysis by the Legislative Reference Bureau

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

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 amends s. 196.497,

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stats., which establishes a number of duties of the Public Service Commission (PSC) with regard to the long-term disposal of high-level radioactive waste. Section 196.497 was initially enacted in response to investigations of northern Wisconsin as a potential site for a nuclear waste repository, but the wording of the statute is broader than that limited context.

The bill expands the duties of the PSC under s. 196.497 to also advocate on matters relating to the centralized interim storage of high-level radioactive waste and transuranic waste and any license application submitted to the Nuclear Regulatory Commission for a license to operate a federal repository for the long-term disposal of these wastes. The bill specifies alternative forms of participation that the PSC's advocacy may take.

The bill clarifies that the radioactive wastes addressed in s. 196.497 (3) are limited to "high-level radioactive waste," making the applicability of this subsection consistent with the applicability of other provisions in s. 196.497.

Current s. 196.497 (14) requires state agencies to cooperate with the PSC in fulfilling its duties under s. 196.497. The bill requires owners and operators of nuclear power plants to assist the PSC and provide data or other information required by the PSC in fulfilling its duties under this section.

1 **SECTION 1.** 196.497 (3) of the statutes is renumbered 196.497 (3) (a) and
2 amended to read:

3 196.497 **(3)** (a) The commission shall serve as an advocate on behalf of the
4 citizens of this state before the federal department of energy and other federal
5 agencies on matters related to the centralized interim storage or long-term disposal
6 of high-level radioactive waste and transuranic waste, including any license
7 application submitted to the nuclear regulatory commission for a license to operate
8 a federal repository for the long-term disposal of high-level radioactive waste and
9 transuranic waste.

10 **SECTION 2.** 196.497 (3) (b) of the statutes is created to read:

11 196.497 **(3)** (b) The commission's advocacy under par. (a) may take the form of
12 participation under s. 196.02 (12), a request to the attorney general to intervene
13 under sub. (7), participation in the intervention or advocacy of other states or of an
14 interstate organization, or any other form of advocacy the commission determines is
15 appropriate.

