

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 255

01/31/2013 Authored by Atkins, Hortman, Garofalo, Beard, Masin and others
The bill was read for the first time and referred to the Committee on Energy Policy

1.1 A bill for an act
1.2 relating to energy; nuclear waste; directing the commissioner of commerce to
1.3 assess federal progress in developing a permanent repository for high-level
1.4 radioactive waste; requiring reports; specifying actions to be taken by the
1.5 commissioner of commerce and Public Utilities Commission in certain
1.6 circumstances.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **CESSATION OF NUCLEAR WASTE FUND PAYMENTS.**

1.9 Subdivision 1. **Determination; report.** The commissioner of commerce shall
1.10 monitor the activities of the federal government with respect to its charge under the
1.11 Nuclear Waste Policy Act, United States Code, title 42, section 10101 et seq., to develop
1.12 and construct a permanent repository for the deposit of high-level radioactive waste
1.13 generated from electric generating plants powered with nuclear fuel. No sooner than
1.14 September 30, 2014, but no later than December 1, 2014, the commissioner of commerce
1.15 shall make a determination as to whether adequate progress is being made to develop
1.16 such a permanent repository, and shall submit a report containing the determination and
1.17 evidence supporting it to the chairs and ranking minority members of the senate and house
1.18 committees with primary jurisdiction over energy policy and environmental policy and the
1.19 secretary of the Public Utilities Commission.

1.20 Subd. 2. **Cessation of fee collection; fee recovery.** (a) If the commissioner of
1.21 commerce determines that adequate progress is not being made to develop a permanent
1.22 repository, beginning January 1, 2015:

1.23 (1) the Public Utilities Commission shall direct persons in Minnesota that are
1.24 generating or holding title to high-level radioactive waste and that are subject to the fee

2.1 deposited in the Nuclear Waste Fund, as specified in United States Code, title 42, section
2.2 10222, to cease collecting the fee from Minnesota ratepayers; and

2.3 (2) the commissioner of commerce shall take appropriate action to recover all fees
2.4 deposited by Minnesota utilities into the Nuclear Waste Fund since its inception, plus
2.5 interest.

2.6 (b) By April 15, 2015, the commissioner of commerce shall describe the actions it
2.7 intends to take to fulfill its requirements under this subdivision in a report submitted to the
2.8 same parties as the report required under subdivision 1. The report shall be updated on
2.9 January 1, 2016, and each January 1 thereafter.

2.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.