

**116C.712 POWERS AND DUTIES.**

Subdivision 1. **Duty.** The council's duty is to monitor the federal high-level radioactive waste disposal program under the Nuclear Waste Policy Act, Public Law 97-425 and advise the governor and the legislature on all policy issues relating to the federal high-level radioactive waste disposal program.

Subd. 2. **Expiration date.** The council terminates when the Department of Energy eliminates Minnesota from further siting consideration for disposal of high-level radioactive waste.

Subd. 3. **Council staff.** Staff support for council activities must be provided by the Office of Strategic and Long-Range Planning. State departments and agencies must cooperate with the council in the performance of its duties. Upon the request of the chair of the council, the governor may, by order, require a state department or agency to furnish assistance necessary to carry out the council's functions under this chapter.

Subd. 4. **Federal and other funds.** The chair of the council may apply for, receive, and expend money made available from federal sources or other sources for the purpose of carrying out the council's responsibilities under this chapter.

Subd. 5. **Assessment.** (a) A person, firm, corporation, or association in the business of owning or operating a nuclear fission electrical generating plant in this state shall pay an assessment to cover the cost of:

(1) monitoring the federal high-level radioactive waste program under the Nuclear Waste Policy Act, United States Code, title 42, sections 10101 to 10226;

(2) advising the governor and the legislature on policy issues relating to the federal high-level radioactive waste disposal program;

(3) surveying existing literature and activity relating to radioactive waste management, including storage, transportation, and disposal, in the state;

(4) an advisory task force on low-level radioactive waste deregulation, created by a law enacted in 1990 until July 1, 1996; and

(5) other general studies necessary to carry out the purposes of this subdivision.

The assessment must not be more than the appropriation to the Office of Strategic and Long-Range Planning for these purposes.

(b) The office shall bill the owner or operator of the plant for the assessment at least 30 days before the start of each quarter. The assessment for the second quarter of each fiscal year must be adjusted to compensate for the amount by which actual expenditures by the office for the preceding year were more or less than the estimated expenditures previously assessed. The billing may be made as an addition to the assessments made under section 216E.18. The owner or operator of the plant must pay the assessment within 30 days after receipt of the bill. The assessment must be deposited in the state treasury and credited to the special revenue fund.

(c) The authority for this assessment terminates when the Department of Energy eliminates Minnesota from further siting consideration for high-level radioactive waste by starting construction of a high-level radioactive waste disposal site in another state. The assessment required for any quarter must be reduced by the amount of federal grant money received by the Office of Strategic and Long-Range Planning for the purposes listed in this section.

(d) The director of the Office of Strategic and Long-Range Planning must report annually by July 1 to the environment and natural resources committees of the senate and house of representatives, the Finance Division of the senate Committee on Environment and Natural Resources, and the house of representatives Committee on Environment and Natural Resources Finance on activities assessed under paragraph (a).

**History:** *1Sp1985 c 13 s 243; 1986 c 444; 1987 c 404 s 147; 1988 c 686 art 1 s 62; 1990 c 600 s 3; 1991 c 345 art 2 s 23,24; 1996 c 470 s 27*