S T A T E O F N E W Y O R K

5193--B

Cal. No. 364

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. BRODSKY, GALEF, LATIMER, COLTON, ROSENTHAL, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. JAFFEE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the executive law, in relation to the maximum amount of the annual fee that licensed nuclear electric generating facilities are liable for in order to support state and local governmental responsibilities under accepted radiological emergency preparedness plans related to the facility operated by such licensee

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (b) of subdivision 2 of section 29-c of the executive law, as amended by section 1 of part R of chapter 56 of the laws of 2009, is amended to read as follows:

(b) The amount of such fee shall be [one million dollars] DETERMINED ANNUALLY BY THE COMMISSION TAKING INTO ACCOUNT THE COSTS OF SUCH RESPONSIBILITIES NOT OTHERWISE PROVIDED FOR AND UNEXPENDED AMOUNT OF PREVIOUS FEES PAID BY ANY SUCH LICENSEE. Such fee, which shall be payable to the commission on or before [December] APRIL first, shall be expended or distributed only by appropriation. THE MAXIMUM AMOUNT OF SUCH ANNUAL FEE REQUIRED BY THIS SECTION FOR EACH FACILITY SHALL BE IN ACCORDANCE WITH THE FOLLOWING TABLE:

FOR THE FISCAL YEARS	LIMITATION
2010-2011	$1,000,000
2011-2012 AND 2012-2013	$2,000,000
FISCAL YEARS THEREAFTER	SHALL INCREASE ANNUALLY IN EACH FISCAL YEAR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD08197-04-0

FROM THE PRIOR LIMITATION BY THE GREATER OF THE INCREASE IN THE LATEST AVERAGE ANNUAL CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), AS DETERMINED BY THE U.S. DEPARTMENT OF LABOR, OR THREE PERCENT.

S 2. This act shall take effect immediately.