

5789

2011-2012 Regular Sessions

I N A S S E M B L Y

March 1, 2011

Introduced by M. of A. BRENNAN, GALEF, LATIMER, COLTON, ROSENTHAL,
ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. JAFFEE -- read once and
referred to the Committee on Corporations, Authorities and Commissions

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (b) of subdivision 2 of section 29-c of the exec-
2 utive law, as amended by section 1 of part R of chapter 56 of the laws
3 of 2009, is amended to read as follows:
4 (b) The amount of such fee shall be [one million dollars] DETERMINED
5 ANNUALLY BY THE COMMISSION TAKING INTO ACCOUNT THE COSTS OF SUCH RESPON-
6 SIBILITIES NOT OTHERWISE PROVIDED FOR AND UNEXPENDED AMOUNT OF PREVIOUS
7 FEES PAID BY ANY SUCH LICENSEE. Such fee, which shall be payable to the
8 commission on or before [December] APRIL first, shall be expended or
9 distributed only by appropriation. THE MAXIMUM AMOUNT OF SUCH ANNUAL
10 FEE REQUIRED BY THIS SECTION FOR EACH FACILITY SHALL BE IN ACCORDANCE
11 WITH THE FOLLOWING TABLE:

| | |
|----------------------------------------------------|---------------------------------------------|
| 12 FOR THE FISCAL YEARS | LIMITATION |
| 13 2011-2012 | \$1,000,000 |
| 14 2012-2013 AND 2013-2014 | \$2,000,000 |
| 15 FISCAL YEARS THEREAFTER | SHALL INCREASE ANNUALLY IN EACH FISCAL YEAR |
| 16 | FROM THE PRIOR LIMITATION BY THE GREATER OF |
| 17 | THE INCREASE IN THE LATEST AVERAGE ANNUAL |
| 18 | CONSUMER PRICE INDEX FOR ALL URBAN |
| 19 | CONSUMERS (CPI-U), AS DETERMINED BY THE |
| 20 | U.S. DEPARTMENT OF LABOR, OR THREE PERCENT. |
| 21 S 2. This act shall take effect immediately. | |

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

LBD09596-01-1