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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE NO. 894

February 16, 2009

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The bill was read for the first time and referred to the Energy Finance and Policy Division

March 2, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

March 24, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Ways and Means

1.1   A bill for an act  
1.2           relating to nuclear waste; requiring commissioner of commerce to collect and  
1.3           hold in escrow fees paid by Minnesota ratepayers for permanent repository for  
1.4           disposal of high-level radioactive waste; amending Laws 1997, chapter 201,  
1.5           section 1.

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

1.7           Section 1. Laws 1997, chapter 201, section 1, is amended to read:

1.8                   Section 1. **NUCLEAR WASTE ESCROW ACCOUNT.**

1.9                   Beginning July 1, ~~1997~~ 2009, the public utilities commission ~~may~~ shall direct  
1.10 persons in Minnesota that are generating or holding title to high-level radioactive waste  
1.11 or spent nuclear fuel and that are subject to the fee specified under United States Code,  
1.12 title 42, section 10222, to remit the proceeds of that fee to the commissioner of ~~public~~  
1.13 ~~service~~ commerce. The commissioner shall place all revenues collected from this fee into  
1.14 an interest-bearing escrow account. The commissioner shall release the funds in the  
1.15 escrow account to the secretary of the federal Department of Energy upon a showing by  
1.16 the secretary that a federal repository for the long-term storage and permanent disposal of  
1.17 spent nuclear fuel and high-level radioactive waste is operating and currently accepting  
1.18 such materials.

1.19                   This section is intended to enable the state of Minnesota to adopt or implement  
1.20 any appropriate relief granted by a court of competent jurisdiction for the United States  
1.21 Department of Energy breach of its obligations to dispose of commercial spent nuclear  
1.22 fuel not later than January 31, 1998.

1.23           Sec. 2. **REVISOR'S INSTRUCTION.**

1.24                   The revisor shall codify section 1 in the appropriate section of Minnesota Statutes.

- 2.1            **EFFECTIVE DATE.** Sections 1 and 2 are effective the day following federal  
2.2 action releasing any utility that owns or operates a nuclear power plant from its financial  
2.3 obligations under United States Code, title 42, section 10222.