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H.740

Introduced by Representatives Coffey of Guilford and Sibilio of Dover

Referred to Committee on

Date:

Subject: Energy; nuclear power; Nuclear Decommissioning Citizens Advisory
Panel

Statement of purpose of bill as introduced: This bill proposes to make changes
to the membership of the Nuclear Decommissioning Citizens Advisory Panel.

An act relating to changes to the Nuclear Decommissioning Citizens
Advisory Panel

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. 18 V.S.A. § 1700 is amended to read:~~

~~§ 1700. CREATION; MEMBERSHIP; OFFICERS; QUORUM~~

~~(a) There is created the Nuclear Decommissioning Citizens Advisory Panel
that shall consist of the following:~~

- ~~(1) The Secretary of Human Services, ex officio, or designee.~~
- ~~(2) The Secretary of Natural Resources, ex officio, or designee.~~
- ~~(3) The Commissioner of Public Service, ex officio, or designee.~~
- ~~(4) The Secretary of Commerce and Community Development, ex
officio, or designee.~~

1 ~~(5) One member of the House Committee on Energy and Technology,~~
2 chosen by the Speaker of the House.

3 (6) One member of the Senate Committee on Natural Resources and
4 Energy, chosen by the Committee on Committees.

5 (7) One representative of the Windham Regional Commission or
6 designee, selected by the Regional Commission.

7 (8) ~~One representative~~ Two representatives of the Town of Vernon or
8 ~~designee~~ designees, selected by the legislative body of that town.

9 (9) Six members of the public, two each selected by the Governor, the
10 Speaker of the House, and the President Pro Tempore of the Senate. Under
11 this subdivision, each appointing authority initially shall appoint a member for
12 a three-year term and a member for a four-year term. Subsequent
13 appointments under this subdivision shall be for terms of four years.

14 (10) Two representatives of the Vermont Yankee ~~Nuclear Power Station~~
15 ~~(VYNPS or Station)~~ site selected by the its owner of the Station, NorthStar.

16 (11) ~~A representative of the International Brotherhood of Electric~~
17 ~~Workers (IBEW) selected by the IBEW who shall be a present or former~~
18 ~~employee at the VYNPS.~~

19 (12) One optional member who will represent collectively the Town of
20 ~~Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, New Hampshire,~~

1 ~~be entitled to a per diem under this section for meetings while the General~~

2 ~~Assembly is in session.~~

3 * * *

4 Sec. 2. 18 V.S.A. § 1701 is amended to read:

5 § 1701. DUTIES

6 The Panel shall serve in an advisory capacity only and shall not have
7 authority to direct decommissioning of the ~~VYNPS~~ Vermont Yankee site. The
8 duties of the Panel shall be:

9 (1) To hold a minimum of ~~four~~ three public meetings each year for the
10 purpose of discussing issues relating to the decommissioning of ~~the VYNPS~~
11 Vermont Yankee. The Panel may hold additional meetings.

12 (2) To advise the Governor, the General Assembly, the agencies of the
13 State, and the public on issues related to the decommissioning of ~~the VYNPS~~
14 Vermont Yankee, with a written report being provided annually to the
15 Governor and to the energy committees of the General Assembly. The
16 provisions of 2 V.S.A. § 20(d) (expiration of reports) shall not apply to this
17 report.

18 (3) To serve as a conduit for public information and education on and to
19 encourage community involvement in matters related to the decommissioning
20 ~~of the VYNPS Vermont Yankee and to receive written reports and~~

1 ~~presentations on the decommissioning of the Station site at its regular~~
2 ~~meetings.~~

3 ~~(4) To periodically receive reports, including those required by the~~
4 ~~Public Utility Commission Docket No. 8880 Order, on the Decommissioning~~
5 ~~Trust Fund and other funds associated with decommissioning of or site~~
6 ~~restoration at the ~~V~~VYNPS Vermont Yankee, including fund balances,~~
7 ~~expenditures made, and reimbursements received.~~

8 ~~(5) To receive reports and presentations at regular meetings regarding~~
9 ~~the decommissioning progress and plans for the~~V~~VYNPS Vermont Yankee,~~
10 ~~including any site assessments and post-shutdown decommissioning~~
11 ~~assessment reports; provide a forum for receiving public comment on these~~
12 ~~plans and reports; and ~~to~~ provide comment on these plans and reports as the~~
13 ~~Panel may consider appropriate to State agencies and the owner of the ~~V~~VYNPS~~
14 ~~Vermont Yankee and in the annual report described in subdivision (2) of this~~
15 ~~subsection.~~

16 Sec. 3. 18 V.S.A. § 1702 is amended to read:

17 § 1702. ASSISTANCE

18 The Department of Public Service, the Agency of Human Services, and the
19 Agency of Natural Resources shall furnish administrative support to the Panel,
20 with assistance from the owners of the ~~V~~VYNPS Vermont Yankee as the
21 ~~Commissioner of Public Service may consider appropriate~~

1 ~~Sec. 4. EFFECTIVE DATE.~~

2 ~~This act shall take effect on July 1, 2020.~~

Sec. 1. 18 V.S.A. § 1700 is amended to read:

§ 1700. CREATION; MEMBERSHIP; OFFICERS; QUORUM

(a) There is created the Nuclear Decommissioning Citizens Advisory Panel that shall consist of the following:

(1) The Secretary of Human Services, ex officio, or designee.

(2) The Secretary of Natural Resources, ex officio, or designee.

(3) The Commissioner of Public Service, ex officio, or designee.

(4) The Secretary of Commerce and Community Development, ex officio, or designee.

(5) One member of the House Committee on Energy and Technology, chosen by the Speaker of the House.

(6) One member of the Senate Committee on Natural Resources and Energy, chosen by the Committee on Committees.

(7) One representative of the Windham Regional Commission or designee, selected by the Regional Commission.

(8) ~~One representative~~ Two representatives of the Town of Vernon or designee designees, selected by the legislative body of that town.

(9) Six members of the public, two each selected by the Governor, the Speaker of the House, and the President Pro Tempore of the Senate. Under this subdivision, each appointing authority initially shall appoint a member for a three-year term and a member for a four-year term. Subsequent appointments under this subdivision shall be for terms of four years.

(10) ~~Two representatives of the owners of the Vermont Yankee Nuclear Power Station (VYNPS or Station) selected by the owner of the Station site.~~

(11) ~~A representative of the International Brotherhood of Electric Workers (IBEW) selected by the IBEW who shall be a present or former employee at the VYNPS.~~

(12) One optional member who will represent collectively the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, New Hampshire, when selected by the Governor of New Hampshire at the invitation of the Commissioner of Public Service.

~~(13)~~(12) *One optional member who will represent collectively the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, when selected by the Governor of Massachusetts at the invitation of the Commissioner of Public Service.*

(b) Ex officio members shall serve for the duration of their time in office or until a successor has been appointed. Members of the General Assembly shall be appointed for two years or until their successors are appointed, beginning on or before January 15 in the first year of the biennium. Representatives designated by ex officio members shall serve at the direction of the designating authority.

* * *

(f) Members of the panel who are not ex officio members, employees of the State of Vermont, representatives of the ~~VY~~NPS owners of the Vermont Yankee site, or members representing towns outside Vermont, and who are not otherwise compensated or reimbursed for their attendance, shall be entitled to \$50.00 per diem and their necessary and actual expenses. Funds for this purpose shall come from the monies collected under 30 V.S.A. § 22 for the purpose of maintaining the Department of Public Service. Legislative members shall not be entitled to a per diem under this section for meetings while the General Assembly is in session.

(g) The Commissioner of Public Service shall:

* * *

(6) hire experts, contract for services, and provide for materials and other reasonable and necessary expenses of the Panel as the Commissioner may consider appropriate on request of the Panel from time to time. Funds for this purpose shall come from the monies collected under 30 V.S.A. § 22 for the purpose of maintaining the Department of Public Service and such other sources as may be or become available owners of the Vermont Yankee site as the Commissioner of Public Service may consider appropriate, not to exceed \$35,000 annually. The obligation to support the Panel's activities shall cease upon the submission of the application for Partial License Termination by the owners of the Vermont Yankee site to the Nuclear Regulatory Commission. On or before June 30 annually, the Commissioner of Public Service shall render to the owners of the Vermont Yankee site a statement detailing the amount of money expended or contracted for under this subdivision (6), which shall be paid within 30 days by the owners of the Vermont Yankee site into the special fund established pursuant to 30 V.S.A. § 22 for the purpose of maintaining the Department of Public Service and Public Utility Commission. The funds paid into the special fund by the owners of the Vermont Yankee site shall be paid

solely to the Department. Within 30 days of receiving the statement of funds due, the owners of the Vermont Yankee site may petition the Public Utility Commission for a hearing to review and determine the necessity and reasonableness of such expenses. Following the review, the Public Utility Commission may amend or revise the cost assessments as it deems appropriate.

Sec. 2. 18 V.S.A. § 1701 is amended to read:

§ 1701. DUTIES

The Panel shall serve in an advisory capacity only and shall not have authority to direct decommissioning of the ~~VYNPS~~ Vermont Yankee site. The duties of the Panel shall be:

(1) To hold a minimum of ~~four~~ three public meetings each year for the purpose of discussing issues relating to the decommissioning of the ~~VYNPS~~ Vermont Yankee. The Panel may hold additional meetings.

(2) To advise the Governor, the General Assembly, the agencies of the State, and the public on issues related to the decommissioning of the ~~VYNPS~~ Vermont Yankee, with a written report being provided annually to the Governor and to the energy committees of the General Assembly. The provisions of 2 V.S.A. § 20(d) (expiration of reports) shall not apply to this report.

(3) To serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning of the ~~VYNPS~~ Vermont Yankee and to receive written reports and presentations on the decommissioning of the ~~Station~~ site at its regular meetings.

(4) To periodically receive reports, including those required by the Public Utility Commission Docket No. 8880 Order, on the Decommissioning Trust Fund and other funds associated with decommissioning of or site restoration at the ~~VYNPS~~ Vermont Yankee, including fund balances, expenditures made, and reimbursements received.

(5) To receive reports and presentations at regular meetings regarding the decommissioning progress and plans for the ~~VYNPS~~ Vermont Yankee, including any site assessments and post-shutdown decommissioning assessment reports; provide a forum for receiving public comment on these plans and reports; and ~~to~~ provide comment on these plans and reports as the Panel may consider appropriate to State agencies and the owner of the ~~VYNPS~~ Vermont Yankee and in the annual report described in subdivision (2) of this subsection.

Sec. 3. 18 V.S.A. § 1702 is amended to read:

§ 1702. ASSISTANCE

The Department of Public Service, the Agency of Human Services, and the Agency of Natural Resources shall furnish administrative support to the Panel, with assistance from the owners of the ~~V~~NPS Vermont Yankee site as the Commissioner of Public Service may consider appropriate.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2020.