

Huggins

26-LS1197\K.10
Kane
2/20/10

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 220(RES), Draft Version "K"

1 Page 1, line 5, following "loan fund,":

2 Insert "to nuclear waste material, to nuclear energy production and facilities, to
3 the definition of 'power project' or 'project' as it relates to rural and statewide energy
4 programs and the Alaska Energy Authority, to the definition of 'alternative energy
5 system,'"

6

7 Page 3, line 18:

8 Delete "sec. 15"

9 Insert "sec. 20"

10

11 Page 3, following line 20:

12 Insert new bill sections to read:

13 "* Sec. 4. AS 18.45.020 is amended to read:

14 **Sec. 18.45.020. United States licenses or permits required.** A person may
15 not manufacture, construct, produce, transfer, acquire, or possess a special nuclear
16 material, by-product material, **special nuclear material facility, by-product material**
17 **facility**, production facility, or utilization facility, or act as an operator of a production
18 **facility** or utilization facility, wholly within the state without first obtaining a license
19 or permit for the activity in which the person proposes to engage from the Nuclear
20 Regulatory Commission if the commission requires a license or permit to be obtained
21 by persons proposing to engage in the activities.

22 * Sec. 5. AS 18.45.025(a) is amended to read:

23 (a) A person may not construct a nuclear fuel production facility, **nuclear**

utilization facility, utilization facility, reprocessing facility, or nuclear waste disposal facility in the state without first obtaining a permit from the Department of Environmental Conservation to construct the facility on land designated by the legislature under (b) of this section.

* **Sec. 6.** AS 18.45.025(b) is amended to read:

(b) The legislature shall designate by law the land in the state on which a nuclear fuel production **facility**, nuclear utilization **facility, utilization facility**, nuclear reprocessing **facility**, or nuclear waste disposal facility may be located. In designating the land in the state on which

(1) a nuclear utilization facility or utilization facility may be located, the legislature shall act in the interest of regulating the economics of nuclear energy;

(2) a nuclear fuel production **facility**, [NUCLEAR UTILIZATION,] nuclear reprocessing **facility**, or nuclear waste disposal facility may be located, the legislature shall act to protect the public health and safety.

* **Sec. 7.** AS 18.45.025(c) is repealed and reenacted to read:

(c) The Department of Environmental Conservation shall adopt regulations governing the issuance of permits required by (a) of this section. However, a permit may not be issued until the municipality with jurisdiction over the proposed facility site has approved the permit."

Renumber the following bill sections accordingly.

Page 7, following line 28:

Insert a new bill section to read:

"* **Sec. 15.** AS 42.45.990(4) is amended to read:

(4) "power project" or "project" means a plant, works, system, or facility, together with related or necessary facilities and appurtenances, including a divided or undivided interest in or a right to the capacity of a power project or project, that is used or is useful for the purpose of

(A) electrical or thermal energy production [OTHER THAN

1 NUCLEAR ENERGY PRODUCTION];

2 (B) waste energy utilization and energy conservation; or

3 (C) transmission, purchase, sale, exchange, and interchange of
4 electrical or thermal energy, including district heating or interties;"

5
6 Renumber the following bill sections accordingly.

7
8 Page 12, following line 2:

9 Insert a new bill section to read:

10 **"* Sec. 22.** AS 44.83.990(6) is amended to read:

11 (6) "power project" or "project" means a plant, works, system, or
12 facility, together with related or necessary facilities and appurtenances, including a
13 divided or undivided interest in or a right to the capacity of a power project or project,
14 that is used or is useful for the purpose of

15 (A) electrical or thermal energy production [OTHER THAN
16 NUCLEAR ENERGY PRODUCTION];

17 (B) waste energy utilization and energy conservation; or

18 (C) transmission, purchase, sale, exchange, and interchange of
19 electrical or thermal energy, including district heating or interties;"

20
21 Renumber the following bill sections accordingly.

22
23 Page 13, following line 18:

24 Insert a new bill section to read:

25 **"* Sec. 27.** AS 46.11.900(1) is amended to read:

26 (1) "alternative energy system"

27 (A) means a source of thermal, mechanical, or electrical energy
28 that is not dependent on oil or gas [OR A NUCLEAR FUEL] for the supply of
29 energy for space heating and cooling, refrigeration and cold storage, electrical
30 power, mechanical power, or the heating of water;

31 (B) includes

(i) an alternative energy property as defined by 26 U.S.C. 48(a)(3)(A); and

(ii) a method of architectural design and construction that provides for the collection, storage, and use of direct radiation from the sun;"

Renumber the following bill sections accordingly.

Page 13, line 19:

Delete "AS 45.88.010(c)"

Insert "AS 18.45.027; AS 45.88.010(c)"

Page 13, line 20:

Delete "sec. 15"

Insert "sec. 20"

Page 13, line 21:

Delete "sec. 11"

Insert "sec. 16"

Page 13, lines 21 - 22:

Delete "sec. 12"

Insert "sec. 17"

Page 13, line 27:

Delete "sec. 13"

Insert "sec. 18"