HOUSE DOCKET, NO. 1159 FILED ON: 1/14/2015

HOUSE . . . . . No. 1899

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Cantwell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to amend Section 5K(E) of Chapter 111.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Cantwell	*4th Plymouth*
Thomas J. Calter	*12th Plymouth*
Josh S. Cutler	*6th Plymouth*
Chris Walsh	*6th Middlesex*
Brian R. Mannal	*2nd Barnstable*

HOUSE DOCKET, NO. 1159 FILED ON: 1/14/2015

HOUSE . . . . . No. 1899

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 1899) of James M. Cantwell and others for legislation to authorize the Department of Public Health to make assessments against power plants. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1907* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to amend Section 5K(E) of Chapter 111.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 4: Said section 5K(E) of said chapter 111, as so appearing, hereby amended by adding the following paragraph:-

The department is hereby authorized to make assessments against (i) the operator of each existing and proposed nuclear power plant in the commonwealth and (ii) electric companies in the commonwealth which own, in whole or in part, or purchase power from the Seabrook nuclear power plant and/or Vermont Yankee nuclear power plant to defray costs incurred by the department's radiation control program in the performance of its duties under this section. With respect to the fiscal year in which this section becomes effective, the department is authorized to make assessments in the amount of not less than $400,000 with respect to each of such nuclear power plants. With respect to subsequent fiscal years, the department is authorized to make

assessments in amounts that, in the aggregate, are equal to the costs incurred in the prior fiscal year by the department's radiation control program in the performance of its duties under this section. The department is hereby further authorized to make a collection, based on such assessments, of monies from said operators of nuclear power plants to defray the cost of such activities. The department shall send notice of its assessment to the individual company against which an assessment is made, and said company shall pay such assessment within 30 days of the notice of the assessment; provided, however, that such company shall have a reasonable opportunity to submit objections concerning said assessment to the department for review. If, after completion of such review, the department determines the assessment is valid, the department shall issue a demand for such assessment, and the company against which such assessment is made shall pay such assessment immediately. If a company subject to assessment under this section fails to pay the assessment within 30 days of the notice of the assessment, or fails to pay the demand for assessment upon completion of the final review, whichever occurs later, the department may refer such matter to the department of revenue for the collection of the assessment in accordance with applicable enforcement provisions pursuant to chapter 62C. The amount so collected shall be deposited into the General Fund and credited to the department.