

BILL ANALYSIS

Senate Research Center

C.S.S.B. 347
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Natural Resources
3/5/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 347 is intended to streamline the funding mechanism for the Texas Low-Level Radioactive Waste Disposal Compact Commission (compact commission). Under this legislation, on the first day of the fiscal year, the comptroller of public accounts (comptroller) will transfer the amount appropriated to the compact commission from the low-level radioactive waste fund (Fund 88) to the compact commission account (Fund 5151). S.B. 1605, 82nd Legislature, Regular Session, 2011, established the compact commission as an independent entity from the Texas Commission on Environmental Quality, and in doing so, set up Fund 5151 to support the operations of the compact commission. Currently, Fund 5151 is populated by disposal fees, over which the compact commission has no control. By fully funding the compact commission at the beginning of the fiscal year, the compact commission can focus on its statutory role, regulating import and export of low-level radioactive waste to and from the Texas-Vermont compact disposal facility in Andrews, Texas. C.S.S.B. 347 also directs the comptroller to move any unencumbered funds back to Fund 88 at the end of each fiscal year, thus not allowing for an accumulation of funds.

C.S.S.B. 347 amends current law relating to funding for the operations of the Texas Low-Level Radioactive Waste Disposal Compact Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 401.249, Health and Safety Code, by adding Subsection (f), as follows:

(f) Requires the Texas Commission on Environmental Quality (TCEQ) to deposit in the radiation and perpetual care account the portion of the fee collected under Section 401.245 (Party State Compact Waste Disposal Fees) that is calculated to support the activities of the Texas Low-Level Radioactive Waste Disposal Compact Commission (compact commission) as required by Article 4.04(4) (relating to establishing reasonable fees for disposal at the facility of low-level radioactive waste generated in the party states based on certain disposal fee criteria), Section 403.006 (Text of Compact). Requires that the fee be assessed for party state compact waste and nonparty compact waste.

SECTION 2. Amends Section 401.251, Health and Safety Code, by amending Subsections (b) and (c), as follows:

(b) Requires the comptroller of public accounts (comptroller), on the first day of each state fiscal year, to transfer from the low-level radioactive waste fund to the compact commission account an amount equal to the amount appropriated for that state fiscal year. Requires the comptroller, on September 30 of each fiscal year, to transfer the unexpended and unencumbered money from the previous fiscal year in the compact commission account to the low-level radioactive waste fund. Deletes existing text requiring TCEQ to deposit in the account the portion of the fee collected under Section 401.245 that is

calculated to support the activities of the compact commission as required by Article 4.04(4), Section 403.006.

(c) Authorizes money in the compact commission account to be used, rather than appropriated, only to support the operations of the compact commission.

SECTION 2. Effective date: September 1, 2013.