

CHAPTER 18**(SJR 79)**

A JOINT RESOLUTION establishing the Nuclear Energy Development Working Group.

WHEREAS, with the passage of Senate Bill 11 in 2017, the General Assembly lifted the moratorium on the construction of new nuclear power facilities in the Commonwealth that had been in place for decades; and

WHEREAS, because of the long-standing moratorium on the construction of new nuclear power facilities, there are currently no nuclear power generating facilities in Kentucky, and the Commonwealth has fallen behind neighboring states, including Illinois, Tennessee, and Virginia, in the development and deployment of nuclear power generation resources; and

WHEREAS, promising new nuclear technologies, including small modular reactors, may make the deployment of nuclear power generation resources in the Commonwealth less expensive and more reliable than ever before; and

WHEREAS, nuclear power could be a part of the Commonwealth's all-of-the-above energy approach, and the addition of nuclear power to Kentucky's electricity generation portfolio could result in more resilient, reliable, and affordable electric service in the Commonwealth; and

WHEREAS, Kentucky also recognizes the potential benefits of the broader nuclear economy in terms of supporting existing manufacturing sectors, economic growth, job creation, energy security, and science, technology, engineering, and mathematics (STEM) education; and

WHEREAS, it is necessary to convene a working group of state officials and representatives of the utility and nuclear industries to advise the General Assembly on the establishment of a permanent nuclear energy commission in state government to provide for the education, coordination of resources, and professional expertise necessary to foster the development of the nuclear power industry in the Commonwealth;

NOW, THEREFORE,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. (1) The Nuclear Energy Development Working Group is hereby established and shall be attached to the Energy and Environment Cabinet for administrative purposes and staff support.

(2) The Nuclear Energy Development Working Group shall have the following twenty-three members or their designees, four of whom shall be ex officio nonvoting members:

- (a) The executive director of the Office of Energy Policy, who shall serve as chair;
- (b) The executive director of the Public Service Commission;
- (c) The director of the University of Kentucky Center for Applied Energy Research;
- (d) A representative from each of the four investor-owned electric utilities operating in the Commonwealth, to be designated by the president of each investor-owned electric utility;
- (e) The chief operating officer of the Kentucky Association of Electric Cooperatives;
- (f) The executive director of the Kentucky Municipal Utilities Association;
- (g) The executive director of Kentucky Industrial Utility Customers;
- (h) The chief nuclear officer of the Tennessee Valley Authority;
- (i) The executive director of the United States Nuclear Industry Council;
- (j) The executive director of the Kentucky Conservation Committee;
- (k) A representative from a national nuclear educational nonprofit organization;
- (l) A representative from a United States Department of Energy National Laboratory with expertise in nuclear energy policy issues;
- (m) The director of business services for the Four Rivers Nuclear Partnership;

(n) A representative from each of the two cooperative electric generation and transmission utilities operating in the Commonwealth, to be designated by the president of each cooperative electric generation and transmission utility;

(o) A representative of the Nuclear Energy Institute, to be designated by the president of the Nuclear Energy Institute;

(p) Two members of the Senate, who shall serve as ex officio nonvoting members and who shall be designated by the President of the Senate; and

(q) Two members of the House of Representatives, who shall serve as ex officio nonvoting members and who shall be designated by the Speaker of the House of Representatives.

(3) The first meeting of the Nuclear Energy Development Working Group shall be no later than September 1, 2023, and the working group shall meet at least three times prior to the submission of the report required under subsection (5) of this section.

(4) The Nuclear Energy Development Working Group shall:

(a) Identify the barriers in place to the deployment of nuclear power generation resources and other related technologies in the Commonwealth, including but not limited to regulatory, statutory, financial, social, environmental, workforce, and educational barriers that may exist;

(b) Develop recommendations for how a permanent nuclear energy commission could address the barriers to the deployment of nuclear power generation resources and other related technologies in the Commonwealth;

(c) Consult with any federal, state, or local agencies, nonprofit organizations, private industry, or other impacted stakeholders on what the role of the permanent nuclear energy commission should be; and

(d) Develop recommendations for the report required under subsection (5) of this section.

(5) The Nuclear Energy Development Working Group shall submit a report to the Governor and to the Legislative Research Commission on or before December 1, 2023, detailing all working group activity since its establishment and providing recommendations for the creation of a permanent nuclear energy commission in state government, including recommendations regarding the placement of the commission in the organization of state government, the staffing needs of the commission, the mission statement and the short-term and long-term goals of the commission, and the role the commission can play in fostering the development of the nuclear power industry in the Commonwealth.

Signed by Governor March 17, 2023.