

**45.850 Appropriations for capital construction, operating budget, regulating, and monitoring of nuclear waste disposal site.**

- (1) Appropriations for the capital construction and for the operating budget of a nuclear waste disposal site owned by the Commonwealth shall be set forth as a major program cost in the executive budget document for the Energy and Environment Cabinet.
- (2) Appropriations for the regulating and monitoring of a nuclear waste disposal site owned by the Commonwealth shall be set forth as a major program cost in the executive budget document for the Cabinet for Health and Family Services. Monitoring and water sampling and analyses shall be maintained and budgeted for at a level to provide frequent and continuing evidence of the safety of the site.
- (3) Operating costs associated with the daily maintenance of the site in excess of allocations budgeted to the Energy and Environment Cabinet, regulating and monitoring costs associated with normal surveillance of the site in excess of allocations budgeted to the Cabinet for Health and Family Services, and costs associated with an emergency at the site so declared by the Governor shall be deemed necessary governmental expenses.
- (4) In the event a request for funds is made pursuant to subsection (3) of this section, a copy of the request and the justification for additional funds shall be forwarded to the office of the Legislative Research Commission and to the Governor at the time the request is made but no later than fifteen (15) days prior to the actual expenditure of additional funds. The Legislative Research Commission or its designated subcommittee may request further explanation of the need for additional funds.
- (5) Subsections (3) and (4) of this section shall apply only to sites located in the Commonwealth prior to July 15, 1980.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 37, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 99, sec. 106, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 85, effective July 15, 1998. -- Created 1980 Ky. Acts ch. 17, sec. 5, effective July 15, 1980.