

2001 DRAFTING REQUEST

Bill

Received: **01/19/2001**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Holden**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Public Util. - energy
State Government - miscellaneous**

Extra Copies:

Pre Topic:

DOA:.....Holden -

Topic:

PSC energy assessments of state agency rule proposals

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd 01/22/2001						State
/1	nelsorp1 01/22/2001	jdye 01/23/2001	rschluet 01/23/2001		lrb_docadmin 01/23/2001		

FE Sent For:

<END>

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/?	kunkemd	<i>1/12/01 jld</i>	<i>[Signature] 1-23-01</i>	<i>[Signature] CJS 1-23-01</i>			

FE Sent For:

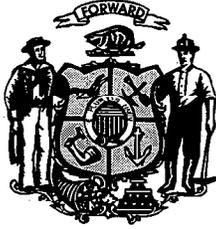
<END>

Drafting Instructions. Create §1.12(6) to provide that PSC *may*, on its own motion or by petition (see §227.12, Stats.), conduct an energy assessment of state agency rule proposals that potentially impact energy policies relating to electricity generation, including fuel choices, transmission or distribution. If, after such an assessment, the PSC concludes the initiative *may* have a significant impact on the state's energy policies, it *may* prepare an energy impact statement to fully evaluate the probable impacts and describe appropriate alternatives to the proposed action. The state agency proposing the rule must consider the findings and alternatives contained in any such impact statement prior to final rule adoption, and include the impact statement in its notice to the Legislature required under §227.19(2), Stats.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



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Date: January 18, 2001
To: Steve Miller, LRB
From: Kerry Holden, DOA *KH*
266-8593
Subject: PSC Energy Assessments

Please draft the attached for inclusion in the Governor's budget. Please call if you have any questions. Thank you.



5001 (1/22)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2155/1

RPN & A:....

JLD

DOA:.....Holden - PSC energy assessments of state agency rule proposals
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Don't gen

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

This bill gives the PSC the authority to conduct an energy assessment of any proposed state agency rule that may potentially impact state energy policies. If, after the assessment, the PSC concludes that the proposal may have a significant impact on the state's energy policies, the PSC may prepare an energy impact statement. ✓ The bill requires the state agency that is proposing the rule to consider the PSC's energy impact statement before final adoption of the rule. Under the bill, the state agency that is proposing the rule must include the energy impact statement in the notice when the agency submits its proposed rule in final form to the legislature and an explanation of any changes made in the rule in response to that statement.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 227.117 ✓ of the statutes is created to read:

1 **227.117 Review of rules impacting energy policies.** (1) The public service
 2 commission may conduct an energy assessment of any proposed rule submitted to the
 3 legislative council staff for review under s. 227.15 (1). The energy assessment shall
 4 evaluate the potential impact of the proposed rule on the energy policies of the state
 5 related to electricity generation, ~~including~~ ^{including} transmission or distribution of electricity
 6 ~~and~~ ^{or to} fuels used in generating electricity. If, after making such an assessment, the
 7 public service commission concludes that the proposed rule may have a significant
 8 impact on ~~the state's energy policies~~ ^{those} related to electricity generation, the public
 9 service commission may prepare an energy impact statement. An energy impact
 10 statement prepared under this subsection shall evaluate the probable impacts of the
 11 proposed rule on the state's energy policies ~~related to electricity generation~~ and
 12 describe appropriate alternatives to the proposed rule that will reduce any negative
 13 impacts on those policies.

14 (2) The public service commission shall submit a copy of any energy impact
 15 statement prepared under sub. (1) to the legislative council staff and to the agency
 16 that proposed the rule that resulted in the statement.

17 (3) An agency that receives an energy impact statement under sub. (2), shall
 18 consider the energy impact statement before submitting the notification and report
 19 to the legislature under s. 227.19 (2) and (3).

20 **SECTION 2.** 227.19 (3) (intro.) of the statutes is amended to read:

21 **227.19 (3) FORM OF REPORT.** (intro.) The report required under sub. (2) shall be
 22 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
 23 the material specified in s. 227.14 (2) to (4), a copy of any energy impact statement
 24 received from the public service commission under s. 227.117 (2), a copy of any

1 recommendations of the legislative council staff and an analysis. The analysis shall
2 include:

3 History: 1985 a. 182; 1987 a. 253; 1987 a. 403 s. 256; 1989 a. 175^X

3 SECTION 3. 227.19 (3) (f) of the statutes is created to read:

4 227.19 (3) (f) If an energy impact statement regarding the proposed rule was
5 submitted with the report, an explanation of what changes, if any, that were made
6 in the proposed rule in response to that statement.[✓]

7 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2155/1

RPN:jld:rs

DOA:.....Holden – PSC energy assessments of state agency rule proposals

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4 evaluate the potential impact of the proposed rule on the energy policies of the state
5 related to electricity generation, transmission, or distribution or to fuels used in
6 generating electricity. If, after making such an assessment, the public service
7 commission concludes that the proposed rule may have a significant impact on those
8 policies, the public service commission may prepare an energy impact statement. An
9 energy impact statement prepared under this subsection shall evaluate the probable
10 impacts of the proposed rule on the state's energy policies and describe appropriate
11 alternatives to the proposed rule that will reduce any negative impacts on those
12 policies.

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