

2005 DRAFTING REQUEST

Bill

Received: **07/11/2005**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Julie Lassa (608) 266-3123**

By/Representing: **Jessica Ford Kelly**

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - misc.**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lassa@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Employment restrictions on PSC commissioners

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>
/?	mkunkel 07/11/2005	kfollett 07/21/2005		_____			S&L Crime
/1			rschluet 07/22/2005	_____	sbasford 07/22/2005	lnorthro 07/26/2005	

FE Sent For:

<END>

↳ At Intro.

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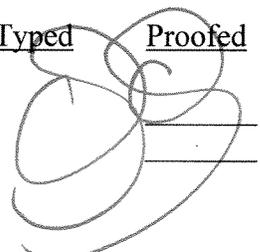
Employment restrictions on PSC commissioners

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/?	mkunkel	1/1/05 7/29					
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FE Sent For:

7225 <END>

- 334211

Kunkel, Mark

From: Kelly, Jessica
Sent: Tuesday, June 28, 2005 8:54 AM
To: Kunkel, Mark
Subject: FW: AB 304 companion

Mark - can you get a Senate Companion to AB 304 drafted for Senator Lassa, please? Thanks.

Jessica Ford Kelly
Office of Senator Julie Lassa
State Capitol, Room 109 - South
P.O. Box 7882
Madison, WI 53708-7882
608-266-3123
1-800-925-7491 toll-free
608-267-6797

From: Zimmerman, Terri
Sent: Tuesday, June 28, 2005 8:32 AM
To: Kelly, Jessica
Subject: RE: AB 304 companion

That would be good.

From: Kelly, Jessica
Sent: Monday, June 27, 2005 10:33 AM
To: Zimmerman, Terri
Subject: AB 304 companion

I seem to remember you asking if Julie wanted to do a companion to AB 304. She does, if it's not too late of a notice.

Jessica Ford Kelly
Office of Senator Julie Lassa
State Capitol, Room 109 - South
P.O. Box 7882
Madison, WI 53708-7882
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608-267-6797

SOON

O-NOTE

stays

2005 ASSEMBLY BILL 304

- 3342/1

RM NOT
PWW

April 12, 2005 - Introduced by Representatives BLACK, BOYLE, ZEPNICK, BERCEAU, CULLEN, POCAN, SHERIDAN, LEHMAN and MOLEPSKE, cosponsored by Senators LASSA, MILLER, CARPENTER and COGGS. Referred to Committee on Energy and Utilities.

Regen

1 AN ACT *to renumber* 19.579; *to amend* 19.579 (title) and 19.58 (1) (a); and *to*
 2 *create* 19.45 (14), 19.579 (2) and 19.58 (1) (c) of the statutes; **relating to:**
 3 restrictions on employment of former commissioners and certain staff of the
 4 Public Service Commission and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the commissioners of the Public Service Commission (PSC) are nominated by the governor and, with the advice and consent of the senate, appointed for six-year terms. The PSC regulates public utilities and also regulates, to varying degrees, nonutilities that provide certain telecommunications services. Current law prohibits a commissioner from having a financial interest in a public utility.

This bill provides that, for 12 months after an individual ceases to be a commissioner of the PSC, he or she may not be employed by, serve as a director of, render services to, or assist or participate in the affairs of, any of the following: 1) a person that has been subject to any regulation by the PSC, a subsidiary or affiliate of such a person, or a foundation organized or operated by such a person; or 2) a person that represents the interests of the foregoing persons. Under the bill, an executive assistant or division administrator employed by the PSC is subject to the same prohibitions during the 12-month period after he or she ceases to be employed by the PSC.

The bill's prohibitions are created in the Code of Ethics for State Public Officials and Employees (code). As a result, the Ethics Board may investigate an allegation

ASSEMBLY BILL 304

that an individual has violated a prohibition and may order compliance. In addition, the bill provides that an individual who violates the bill's prohibitions is subject to a forfeiture (civil penalty) of not more than \$50,000, and is also subject to the following criminal penalties: 1) a fine of between \$20,000 and \$50,000; 2) imprisonment for not more than one year; or 3) both a fine and imprisonment.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* 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:

1 **SECTION 1.** 19.45 (14) of the statutes is created to read:

2 19.45 (14) No commissioner of the public service commission or executive
3 assistant or division administrator employed by the commission may, for 12 months
4 following the date on which he or she ceases to be a commissioner or to be employed
5 as an executive assistant or division administrator, be employed by, serve as a
6 director of, render services to, or assist or participate in the affairs of, any of the
7 following:

8 (a) A person that has been subject to any regulation by the public service
9 commission, a subsidiary or affiliate of such a person, or a foundation organized or
10 operated by such a person.

11 (b) Any person that represents the interests of a person described in par. (a).

12 **SECTION 2.** 19.579 (title) of the statutes is amended to read:

13 **19.579 (title) Civil penalty penalties.**

14 **SECTION 3.** 19.579 of the statutes is renumbered 19.579 (1).

15 **SECTION 4.** 19.579 (2) of the statutes is created to read:

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3342/1dn

MDK: *kyf*

Date

Sen. Lassa:

This is a companion bill to AB 304.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3342/1dn
MDK:kjf:rs

July 22, 2005

Sen. Lassa:

This is a companion bill to AB 304.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

Northrop, Lori

From: Kelly, Jessica
Sent: Tuesday, July 26, 2005 9:50 AM
To: LRB.Legal
Subject: Draft review: LRB 05-3342/1 Topic: Employment restrictions on PSC commissioners

It has been requested by <Kelly, Jessica> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-3342/1 Topic: Employment restrictions on PSC commissioners