

2009 DRAFTING REQUEST

Assembly Amendment (AA-SB185)

Received: **09/14/2009**

Received By: **emueller**

Wanted: **Today**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **emueller**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - counties**
Local Gov't - munis generally

Extra Copies: **MES, MDK**

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Code of conduct for wind developers.

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>
/?							
/1	emueller 09/15/2009	nmatzke 09/15/2009	phenry 09/15/2009	_____	lparisi 09/15/2009	lparisi 09/15/2009	

FE Sent For:

<END>

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/1	EJM 9/15/09		15 ph	15 ph			

FE Sent For: **<END>**

Mueller, Eric

From: Kunkel, Mark
Sent: Tuesday, September 15, 2009 4:22 PM
To: Bacher, Luke
Cc: Mueller, Eric
Subject: RE: Amendments to ASA2 to AB256

Okay, will do.

From: Bacher, Luke
Sent: Tuesday, September 15, 2009 4:20 PM
To: Kunkel, Mark
Subject: RE: Amendments to ASA2 to AB256

Mark -

Thanks for the e-mail, sorry I didn't e-mail you earlier.

Please draft all three amendments to the version of SB 185 (I think ASA 2?) that is appropriate. The Assembly will be taking up the Senate Bill.

-Luke

From: Kunkel, Mark
Sent: Tuesday, September 15, 2009 4:17 PM
To: Bacher, Luke
Subject: Amendments to ASA2 to AB256

Luke,

I drafted LRBa0678/1 for you as an amendment to ASA2 to AB-256.

However, it appears that tomorrow the Assembly may take up the Senate version of the wind energy bill, i.e., SB-185, instead of AB-256.

Do you want me to prepare an amendment identical to LRBa0678/1, but drafted to SB-185?

-- Mark

Mueller, Eric

From: Kunkel, Mark
Sent: Thursday, September 10, 2009 4:58 PM
To: Hanaman, Cathlene; Mueller, Eric
Subject: FW: AB 256 Amendment Draft Request

From: Bacher, Luke
Sent: Thursday, September 10, 2009 4:57 PM
To: Kunkel, Mark; Shovers, Marc
Cc: Bacher, Luke
Subject: AB 256 Amendment Draft Request

Mark & Marc -

I believe you both have been drafting amendments to AB 256. I believe the bill was amended, by a sub, so I'm guessing we'd like amendments to whatever version would be up on the floor.

Rep Davis would like amendments that do the following:

- 1) Grandfather all municipalities that have researched industrial wind turbines and have adopted an ordinance.
- 2) Code of conduct/rules of ethics must be established for wind developers who contact elected officials that are potential turbine hosts. GAB shall promulgate the specific rules.
- 3) Consumer Protections. The PSC would establish plans for the following:
 - a) a complaint resolution plan to handle noise issues (24hr hotline with return call in 24 hours)
 - b) a plan to resolve complaints about TV, radio, and cell phone service that has been interrupted or downgrades the installation and daily operation of the turbines. Service must be restored, not mitigated.
 - c) plan to allow MedFlight service to all residents and accident victims within the boundaries of a wind turbine facility.
 - d) a plan to identify all potential adverse impacts to the agricultural activity including limits to aerial application of crop enhancing chemicals (crop duster planes)

I believe the bill is scheduled to be on the floor on Weds, so having them by Monday would be best.

Thank you,

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Toll Free: 888-534-0080
Fax: 608-282-3680
luke.bacher@legis.wi.gov
<http://www.brettdavis.us>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0681
EVM: L... nwn

RMF

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 2,

TO 2009 SENATE BILL 185

to 9/15/09

Wed before 12 Noon

LPS: Please fix request sheet

bill as shown by senate

1 At the locations indicated, amend the substitute amendment² as follows:

2 **1.** Page 4, line 6: after that line insert:

3 "SECTION 1e. 19.48 (12) of the statutes is created to read:

4 19.48 (12) Prescribe, by rule, a code of ethics that contains standards of conduct

5 applicable to any person who seeks approval under s. 66.0401 and who attempts to

6 influence official action by any elective official of a political subdivision, as defined

7 in s. 66.0401 (1e) (c), concerning the decision of the political subdivision to approve

8 a wind energy system, as defined in s. 66.0401 (1e) (d).

9 SECTION 1m. 19.579 (1) of the statutes is amended to read:

10 19.579 (1) Except as provided in sub. (2), any person who violates this

11 subchapter may be required to forfeit not more than \$500 for each violation of s.

1 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other
2 provision of this subchapter. Any person who violates a rule promulgated under s.
3 19.48 (12) may be required to forfeit not more than \$5,000 for each violation. If the
4 court determines that the accused has realized economic gain as a result of the
5 violation, the court may, in addition, order the accused to forfeit the amount gained
6 as a result of the violation. In addition, if the court determines that a state public
7 official has violated s. 19.45 (13), the court may order the official to forfeit an amount
8 equal to the amount or value of any political contribution, service, or other thing of
9 value that was wrongfully obtained. If the court determines that a state public
10 official has violated s. 19.45 (13) and no political contribution, service or other thing
11 of value was obtained, the court may order the official to forfeit an amount equal to
12 the maximum contribution authorized under s. 11.26 (1) for the office held or sought
13 by the official, whichever amount is greater. The attorney general, when so
14 requested by the board, shall institute proceedings to recover any forfeiture incurred
15 under this section which is not paid by the person against whom it is assessed.

16 **SECTION 1s.** 19.58 (1) (a) of the statutes is amended to read:

17 19.58 (1) (a) Any person who intentionally violates any provision of this
18 subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or
19 established under s. 19.45 (11) (a) or (b) or 19.48 (12), shall be fined not less than \$100
20 nor more than \$5,000 or imprisoned not more than one year in the county jail or
21 both."

22 (END)