

TITLE XIVA.

Regulation Of Trade.

CHAPTER 125

ENERGY CONSERVATION

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125.01 Definitions. In this chapter:

(1) "Energy resources" means coal and other forms of fuel other than electricity, natural gas and wood.

(2) "Energy supplier" means any person who produces, imports or sells, or acts as agent for any person who produces, imports or sells, any energy resources in this state.

History: 1973 c. 157

Note: Chap. 157, laws of 1973, which created this chapter of the statutes, provides that it is to be void whenever the governor by executive order declares that there is no longer an energy emergency or on July 1, 1975, whichever occurs first.

Chap. 333, laws of 1973, provides that the change made in 348.27 (9) by Chap. 157, laws of 1973, does not become void upon the ending of the emergency.

125.02 Goals and responsibilities. Upon declaration of an energy emergency as defined in s. 340.01 (15s), the governor or his designee may take such action and employ such staff of classified or unclassified employes as is deemed necessary to:

(1) Develop a comprehensive energy information system to ensure that adequate actions can be taken relative to the energy problem.

(2) Direct state participation under federal and state energy allocation and conservation programs.

(3) Respond to the energy problems experienced by citizens in their homes and communities by establishing a system through which citizens can make their needs and complaints immediately known.

(4) Act as state contact for those federal agencies dealing with energy problems.

(5) Make reports to inform and communicate to citizens and public officials the scope of energy problems and of actions taken by the governor or his designee.

(6) Propose whatever corrective actions are needed to the state agencies, the legislature and the general public.

(7) Encourage private and public efforts to conserve energy resources.

History: 1973 c. 157

125.021 Energy conservation advisory council. The governor or his designee shall establish an energy conservation advisory council to study and propose specific legislation on long-term energy conservation. The governor or his designee shall appoint to the council members of his staff and members of the general public with knowledge of energy conservation in the following areas: engineering, architecture, transportation, land use planning, agriculture, business and industry, and tourism and recreation. Two members shall also be appointed from each house of the legislature, including one member from the most predominant political party in each house and one member from the second most predominant political party in each house, to be appointed as are standing committees in the respective houses. The council shall

report its specific proposals for legislation to the legislature and governor by January 1, 1975.

History: 1973 c 157

125.026 Gasoline rationing restriction. In the event that the governor or his designee is called upon to administer a federal program for the rationing of gasoline, and they are granted discretion as to the uses to be made of such gasoline, they may not restrict usage solely to motor vehicles which are to be operated upon the highway.

History: 1973 c 157

125.03 Information. The governor or his designee may issue general or special orders as defined in s. 101.01 (1) (f) or emergency rules under ch. 227 to compel disclosure of information required for purposes of this section. An energy supplier subject to an emergency rule or general or special order of the governor or his designee within reasonable time limits specified therein shall file or furnish such reports, information, data, records, copies or extracts of originals as the governor or his designee deems necessary relating to existing and future energy supplies, including but not limited to:

(1) Record of sales in years beginning in 1970;

(2) Storage capacity;

(3) Supplies on hand and anticipated supplies; and

(4) Anticipated demand. To the extent that such reports and data requested by the governor or his designee are presently available from other state or federal agencies, the governor or his designee shall coordinate its data reporting requirements with such agencies to avoid duplication of reporting by energy suppliers.

History: 1973 c 157

125.04 Information to be confidential. All information furnished under s. 125.03 shall be considered a confidential trade secret and may be compiled and such compilations may be published only for purposes of general statistical comparison. Such information may be disclosed to agencies of the state or of the federal government, under the same or similar rules of confidentiality.

History: 1973 c 157

125.05 Penalties and judicial relief. (1) Any energy supplier failing to provide information requested by the governor or his designee at the time and in the manner specified by the governor or his designee shall forfeit an amount not to exceed \$1,000. Each day the violation of this section continues from the day notice has been received constitutes a separate offense.

(2) Upon request of the governor or his designee, the attorney general or the district attorney of the proper county may aid in any investigation, enforce any request of the governor or his designee for information under this chapter or seek forfeitures for violations of this chapter.

(3) Upon request of the governor or his designee, the attorney general or the district attorney of the proper county may apply to any court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any provision of this chapter. The remedies under this section shall not be exclusive.

History: 1973 c 157

125.06 Hearings; evidence; witness fees.

(1) The governor or his designee or any of their authorized agents may, in relation to any matter relating to this chapter, conduct hearings, administer oaths, issue subpoenas and take testimony.

(2) The witnesses and officers who subpoena them shall be entitled to the fees allowed in courts of record. Such fees shall be audited and paid by the state in the same manner as other expenses of the office are audited and paid. No witness subpoenaed at the instance of any party other than the governor or his designee shall be entitled to payment of fees by the state, unless the governor or his designee certifies that the testimony of such witness was material.

(3) Any person who unlawfully fails to attend as a witness or refuses to testify may be compelled to do so as provided in s. 885.12.

(4) A record of all hearings shall be kept by the governor or his designee. All hearings shall be public.

History: 1973 c 157

125.07 Prohibition on regulation of working hours. Notwithstanding any other provision of this chapter, the governor or his designee may not in any way regulate the working hours of persons employed at any level in the private sector of the economy.

History: 1973 c 157

125.08 Reporting and rule-making. (1) Any action or program to be undertaken by the governor or his designee under ch. 125 shall be reported regularly and not less than quarterly to the legislature.

(2) Notwithstanding the definition of "agency" under s. 227.01 (1), any rules promulgated by the governor, his designee or the highway commission under chapter 157, laws of 1973, may be suspended by the joint committee

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for review of administrative rules pursuant to s.
13.56.

History: 1973c 157.