

1999 DRAFTING REQUEST

Assembly Amendment (AA-AA(LRBa0521/2)-AB389)

Received: 06/23/99

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Lorraine Seratti (608) 266-3780**

By/Representing: **Tim**

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

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

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

Extra Copies:

JLG

Pre Topic:

No specific pre topic given

Topic:

Enforcement and audit of separation requirements

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	kunkemd 06/23/99	wjackson 06/23/99	ismith 06/23/99	_____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	

FE Sent For:

<END>

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/?	kunkemd	/1 WLJ 6/23	IS 6/23	IS/df 6/23			

FE Sent For:

<END>

Kunkel, Mark

From: Fiocchi, Timothy
Sent: Wednesday, June 23, 1999 1:55 PM
To: Kunkel, Mark
Subject: RE: Report amendment

Mark,

Here are the two additional changes to LRBa0518/1:

Language to the effect that:

The utilities must structurally separate or divest the services and/or product division if an independent audit shows cross subsidization.

The Department of Justice shall provide assistance, monitoring and advocacy in protecting the interest of small business under the provisions of this act.

utilities & affiliated interest

-----Original Message-----

From: Kunkel, Mark
Sent: Wednesday, June 23, 1999 12:22 PM
To: Fiocchi, Timothy
Subject: Report amendment

<< File: 99a0518/1 >>

Mark Kunkel
Legislative Attorney
State of Wisconsin
Legislative Reference Bureau

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(608) 266-0131

*Public
Utility
Holding Company
Act*

Kunkel, Mark

From: Fiocchi, Timothy
Sent: Wednesday, June 23, 1999 1:51 PM
To: Kunkel, Mark
Subject: RE: Report amendment CHANGE!

Importance: High

Mark,

Please add the following language, or language to the effect of the following, to LRBa0518/1 amendment to AB 389.

"Mandate that an audit be done of competitive services and product offerings."

If you have any questions please call Tim @ 6-3780.

offerings of services and products

-----Original Message-----

From: Kunkel, Mark
Sent: Wednesday, June 23, 1999 12:22 PM
To: Fiocchi, Timothy
Subject: Report amendment

<< File: 99a0518/1 >>

Mark Kunkel
Legislative Attorney
State of Wisconsin
Legislative Reference Bureau

mark.kunkel@legis.state.wi.us
(608) 266-0131



Now

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT (LRBa0521/2),
TO 1999 ASSEMBLY BILL 389**

1 At the locations indicated, amend the amendment as follows:

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

3 **1g.** Page 7, line 1: before that line insert:

4 **"SECTION 1g.** 13.94 (1) (p) of the statutes is created to read:

5 13.94 (1) (p) Perform an audit of a public utility or affiliated interest as directed
6 under s. 196.035 (6g).

7 1r. Page 7, line 1: delete "1" and substitute "1m".

8 **2.** Page 11, line 3: after that line insert:

9 **"(6g) AUDIT.** The joint legislative audit committee may direct the legislative
10 audit bureau to perform an audit of services and products offered by a public utility
11 or affiliated interest to determine whether the public utility or affiliated interest has
12 complied with this section. If an audit performed under this subsection shows that

1 a public utility or affiliated interest has not complied with a requirement under this
2 section, the public utility or affiliated interest shall take any measure that is
3 necessary to comply ^{with} the requirement.

4 (6r) SMALL BUSINESS PROTECTION. (a) In this subsection, "small business"
5 means a business ~~which~~ ^{STET that} has had less than \$5,000,000 in gross annual sales in the
6 most recent calendar year or fiscal year and ~~which~~ ^{STET that} has less than 150 employees.

7 (b) The department of justice shall provide assistance, monitoring and
8 advocacy in protecting small business interests under this section in any action or
9 proceedings ^{STET} before the commission."

10 ✓ 3. Page 17, line 12: delete "87m" and substitute "87g".

11 ✓ 4. Page 17, line 22: delete ""."

12 ✓ 5. Page 17, line 23: before that line insert:

13 SECTION 87r. 196.795 (10m) of the statutes is amended to read:

14 196.795 (10m) SMALL BUSINESS PROTECTION. In this subsection, "small business"
15 means a business which has had less than \$5,000,000 in gross annual sales in the
16 most recent calendar year or fiscal year and which has less than 150 employees. The
17 ~~commission~~ department of justice shall provide assistance, monitoring and advocacy
18 in protecting small business interests under s. 196.795 [✓] in any action or proceedings
19 before the commission."

History: 1985 a. 79; 1985 a. 297 ss. 67, 68, 76; 1985 a. 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 303; 1991 a. 269; 1993 a. 213; 1997 a. 140, 204.

20 6. Page 18, line 19: after "sections" insert "13.95⁴(1) (p)",

21 7. Page 18, line 21: delete "and (9m)" and substitute ", (9m) and (10m)".

22 (END)