

2001 DRAFTING REQUEST

Bill

Received: 09/14/2000

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Himself

This file may be shown to any legislator: NO

Drafter: kunkemd

May Contact:

Alt. Drafters:

Subject: Public Util. - teleco

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Repeal telecommunications utility exemption from PSC merger or consolidation approval

Instructions:

Redraft 1999 AB 39 as amended by AA1

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 09/14/2000	wjackson 09/20/2000		_____			S&L
/1			jfrantze 09/22/2000	_____	gretski 09/22/2000	lrb_docadmin 09/27/2000	

FE Sent For:

<END>

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/?	kunkemd	1/ WJ 9/20	pg 9/20	pg/jf 9/22			

FE Sent For:

<END>

State Representative Spencer Black



State Capitol
P.O. Box 8952
Madison, WI 53708
(608) 266-7521

WJ/K
TO: ~~Peter Dykman~~, Chief of Legislative Reference Bureau
FROM: Representative Spencer Black
DATE: September 12, 2000 → *see 9/13 MEMO*
RE: Redrafts of 1999 Assembly Bill for the upcoming 2001-2002 legislative session.

Please redraft the following 1999 Assembly Bill (as is) for the upcoming session:

AB 39 (*99-0853/2*)

State Representative Spencer Black

MDK
2



State Capitol
P.O. Box 8952
Madison, WI 53708
(608) 266-7521

TO: Peter Dykman, Chief of Legislative Reference Bureau
FROM: Representative Spencer Black
DATE: September 13, 2000
RE: Redrafts of 1999 Assembly Bill for the upcoming 2001-2002 legislative session.

Yesterday, I sent you a memo asking you to redraft AB 39. When I sent the memo, I neglected to tell you that AB39 should be drafted with amendment 1.

Please redraft the following 1999 Assembly Bill (with amendment 1) for the upcoming session:

AB 39 with amendment 1

(99-0853/2)
(99a 0108)

NOTE

stays

-0301/1

1999 ASSEMBLY BILL 39

2001 BILL

January 19, 1999 - Introduced by Representatives BLACK, MILLER, BOCK, CARPENTER, CULLEN, TURNER and LASSA, cosponsored by Senators BAUMGART, GEORGE, RISSER and CLAUSING. Referred to Joint committee on Information Policy.

REGEN

1 AN ACT to repeal 196.80 (1g) of the statutes; relating to: requiring public service
2 commission approval of mergers, consolidations and certain other transactions
3 involving telecommunications utilities.

Analysis by the Legislative Reference Bureau

Under current law, the following transactions involving public utilities, except for telecommunications utilities, require the prior written approval of the public service commission (PSC): mergers, consolidations, or stock acquisitions or sales, acquisitions, leases, or rentals of certain types of plant or property. PSC approval is not required if the transaction involves a telecommunications utility. same 91

Under this bill, transactions involving telecommunications utilities require the same prior PSC approval that is required for transactions involving other public utilities under current law.

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:

4 SECTION 1. 196.80 (1g) of the statutes is repealed.

5 SECTION 2. Initial applicability.

INSERT 1A

INSERT 2-4

ASSEMBLY BILL 39

SECTION 2

takings, holdings

1

(1) This act first applies to mergers, consolidations, acquisitions, sales, leases,

2

or rentals that have not been approved by the federal communications commission

3

on the effective date of this subsection.

4

(END)

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0301/lins

MDK:...

Wlj

1

INSERT 1A:

Also under current law, a person may not acquire more than 10% of the outstanding voting securities of certain public utility holding companies unless the PSC has determined that the acquisition is in the best interests of utility consumers, investors and the public. This prohibition does not apply to public utility holding companies that hold telecommunications utilities and no other public utilities. This bill repeals this exception to the prohibition.

**ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 39**

February 25, 1999 - Offered by Representative BLACK.

INSERT 2-4:

At the locations indicated, amend the bill as follows:

1. Page 1, line 4: before that line insert:

SECTION 196.795 (1) (h) 2. of the statutes is amended to read:

196.795 (1) (h) 2. "Holding company ^{SET} except for purposes of s. 196.795 (3) and

(11) (b), does not mean any company ^{that} which owns, operates, manages, or controls a

telecommunications utility, unless such company also owns, operates, manages, or

controls a public utility ^{that} which is not a telecommunications utility.

2. Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1"

3. Page 2, line 1: before "acquisitions" insert "takings, holdings,".

(END)

END OF
INSERT 2-4

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0301/1dn

MDK: /.....

WLS

Representative Black:

This bill is identical to 1999 Assembly Bill 39, as amended by Assembly Amendment
1.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0301/1dn
MDK:wlj:pg

September 20, 2000

Representative Black:

This bill is identical to 1999 Assembly Bill 39, as amended by Assembly Amendment 1.

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



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

September 22, 2000

MEMORANDUM

To: Representative Black

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-0301 Repeal telecommunications utility exemption from PSC merger or consolidation approval

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.