

SENATE BILL 113 (LRB -0788)

An Act to amend 227.19 (3) (intro.); and to create 13.0975, 227.117, 227.19 (3) (f), 227.19 (3p) and 227.19 (4) (b) 2m. of the statutes; relating to: review of legislative proposals and proposed state agency rules impacting energy policies. (FE)

2003

05-02.	S.	Introduced by Senators Cowles, Panzer, Schultz, Hansen and Wirch ; cosponsored by Representatives Van Roy, Black, Berceau and Pocan .	
04-09.	S.	Read first time and referred to committee on Energy and Utilities	141
04-25.	S.	Fiscal estimate received.	
04-30.	S.	Public hearing held.	
05-02.	S.	Executive action taken.	
05-05.	S.	Report passage recommended by committee on Energy and Utilities, Ayes 5, Noes 0	164
05-05.	S.	Available for scheduling.	
05-29.	S.	Placed on calendar 6-3-2003 by committee on Senate Organization.	
06-03.	S.	Senate amendment 1 offered by Senator Leibham (LRB a0582)	205
06-04.	S.	Read a second time	211
06-04.	S.	Senate amendment 1 adopted	211
06-04.	S.	Ordered to a third reading	211
06-04.	S.	Rules suspended	211
06-04.	S.	Read a third time and passed	211
06-04.	S.	Ordered immediately messaged	213
06-05.	A.	Received from Senate	241
06-05.	A.	Read first time and referred to committee on Energy and Utilities	242

2004

02-10.	A.	Assembly substitute amendment 1 offered by Representative Jensen (LRB s0342)	698
02-10.	A.	Public hearing held.	
02-16.	A.	Assembly substitute amendment 2 offered by Representative Jensen (LRB s0352)	701
02-17.	A.	Public hearing held.	
02-17.	A.	Executive action taken.	
02-19.	A.	Report Assembly Substitute Amendment 2 adoption recommended by committee on Energy and Utilities, Ayes 12, Noes 0	707
02-19.	A.	Report concurrence as amended recommended by committee on Energy and Utilities, Ayes 12, Noes 0	707
02-19.	A.	Referred to committee on Rules	707
02-25.	A.	Placed on calendar 3-2-2004 by committee on Rules.	
03-02.	A.	Read a second time	775
03-02.	A.	Assembly substitute amendment 2 adopted	775
03-02.	A.	Ordered to a third reading	775
03-02.	A.	Rules suspended	775
03-02.	A.	Read a third time and concurred in as amended, Ayes 96, Noes 0	775
03-02.	A.	Ordered immediately messaged	776
03-03.	S.	Received from Assembly amended and concurred in as amended, Assembly substitute amendment 2 adopted	660
03-03.	S.	Available for scheduling.	
03-03.	S.	Placed on calendar 3-4-2004 by committee on Senate Organization.	
03-04.	S.	Assembly substitute amendment 2 concurred in	667
03-04.	S.	Action ordered immediately messaged	670

**2003
ENROLLED BILL**

03en S B-113

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 2

03S03521

Amendments to above (if none, write "NONE"):

None

Corrections - show date (if none, write "NONE"):

None

Topic

Relay

3/6/04

Date

[Signature]

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**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2003 SENATE BILL 113**

February 16, 2004 – Offered by Representative JENSEN.

1 **AN ACT to amend** 227.19 (3) (intro.); and **to create** 13.0975, 227.117, 227.19 (3)
2 (f) and 227.19 (4) (b) 2m. of the statutes; **relating to:** review of legislative
3 proposals and proposed state agency rules that impact the cost or reliability of
4 energy.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 13.0975 of the statutes is created to read:

6 **13.0975 Review of legislative proposals impacting energy availability.**

7 (1) **DEFINITION.** In this section, “commission” means the public service commission.

8 (1m) **REQUEST BY LEGISLATOR.** When any proposal that will probably impact the
9 cost or reliability of electricity generation, transmission, or distribution or of fuels
10 used in generating electricity is introduced or offered in the legislature and referred
11 to a standing committee of the house in which it is introduced, the chairperson or
12 ranking minority member may request that the commission prepare an energy

1 impact report. If the proposal is not referred to a standing committee, the speaker
2 of the assembly, if the proposal is introduced or offered in the assembly, or the
3 presiding officer of the senate, if the proposal is introduced or offered in the senate,
4 may request that the commission prepare an energy impact report.

5 (2) REPORT BY THE COMMISSION. (a) When the commission is requested to
6 prepare an energy impact report under sub. (1m), the commission shall submit the
7 energy impact report on the proposal within 30 days after the written request is
8 submitted to the commission.

9 (b) If the proposal impacts the cost or reliability of electricity generation,
10 transmission, or distribution or of fuels used in generating electricity, the
11 commission shall describe the impact contained in the proposal. The energy impact
12 report shall include the commission's findings under sub. (3) and its conclusions
13 under sub. (4).

14 (c) An energy impact report shall be printed as an appendix to the proposal and
15 shall be distributed in the same manner as amendments.

16 (3) FINDINGS OF THE COMMISSION ENERGY IMPACT REPORT. The commission's
17 energy impact report shall evaluate the probable impact of the proposal on the cost
18 or reliability of electricity generation, transmission, or distribution or of fuels used
19 in generating electricity.

20 (4) CONCLUSION OF THE COMMISSION REPORT. Based on its findings under sub. (3),
21 the commission shall include in its energy impact report its conclusion on whether
22 the proposal adversely impacts the cost or reliability of electricity generation,
23 transmission, or distribution or of fuels used in generating electricity.

24 SECTION 2. 227.117 of the statutes is created to read:

1 **227.117 Review of rules impacting energy availability.** (1) The public
2 service commission shall prepare an energy impact report on any proposed rule if,
3 not later than 30 days after the public hearing under s. 227.18, the chairperson or
4 ranking minority member of a standing committee, the speaker of the assembly, or
5 the presiding officer of the senate requests in writing that the commission determine
6 the rule's impact on the cost or reliability of electricity generation, transmission, or
7 distribution or of fuels used in generating electricity. The energy impact report shall
8 include an evaluation and related findings and conclusions on the probable impact
9 of the proposed rule on the cost or reliability of electricity generation, transmission,
10 or distribution or of fuels used in generating electricity.

11 (2) Within 30 days after the written request is submitted to the public service
12 commission, the commission shall submit a copy of any energy impact report
13 prepared under sub. (1) to the agency that proposed the rule that resulted in the
14 report.

15 (3) An agency that receives an energy impact report under sub. (2), shall
16 consider the energy impact report before submitting the notification and report to
17 the legislature under s. 227.19 (2) and (3).

18 **SECTION 3.** 227.19 (3) (intro.) of the statutes, as affected by 2003 Wisconsin Act
19 118, is amended to read:

20 **227.19 (3) FORM OF REPORT.** (intro.) The report required under sub. (2) shall be
21 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
22 the material specified in s. 227.14 (2) to (4), a copy of any economic impact report
23 prepared by the agency under s. 227.137, a copy of any report prepared by the
24 department of administration under s. 227.138, a copy of any energy impact report
25 received from the public service commission under s. 227.117 (2), a copy of any

1 recommendations of the legislative council staff, and an analysis. The analysis shall
2 include:

3 **SECTION 4.** 227.19 (3) (f) of the statutes is created to read:

4 227.19 (3) (f) If an energy impact report regarding the proposed rule was
5 submitted with the report required under sub. (2), an explanation of the changes, if
6 any, that were made in the proposed rule in response to that report.

7 **SECTION 5.** 227.19 (4) (b) 2m. of the statutes is created to read:

8 227.19 (4) (b) 2m. If a committee requests in writing that the public service
9 commission determine the rule's impact on the cost or reliability of electricity
10 generation, transmission, or distribution or of fuels used in generating electricity, the
11 commission shall prepare an energy impact report in the manner provided under s.
12 227.117 (1). The commission shall submit a copy of the report to the committee and
13 to the agency that proposed the rule within 30 days after the written request is
14 submitted to the commission. The review period for both committees is extended to
15 the 10th working day following receipt by the committees of the report, to the
16 expiration of the review period under subd. 1., or to the expiration of the review
17 period under subd. 2., whichever is later.

18 (END)