

2003 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB113)

Received: 02/09/2004

Received By: rnelson2

Wanted: 02/09/2004

Identical to LRB:

For: Robert Cowles (608) 266-0484

By/Representing: Todd

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Administrative Law

Extra Copies:

Submit via email: YES

Requester's email: Sen.Cowles@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Energy impact policy review

Instructions:

See Attached 03s0339 with changes

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>
/?	rnelson2 02/09/2004	jdye 02/09/2004		_____			
/1			rschluet 02/09/2004	_____	Inorthro 02/09/2004	Inorthro 02/09/2004	
/2	rnelson2	wjackson	pgreensl	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/09/2004	02/09/2004	02/09/2004 _____		02/09/2004	02/09/2004	

FE Sent For:

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Handwritten notes: 2/9, ps, 1B

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*Take out P 2, lines 16 to P
3, line 1 + replace*

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/?	rnelson2	<i>1/2/9 jld</i>	<i>[Signature]</i>	<i>[Signature]</i>			
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FE Sent For:

<END>

now (1p 2/9)

2003 - 2004 LEGISLATURE

6/2/04
LRBs00001
RPN:jld:rs
Stays

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2003 SENATE BILL 113

Regen

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

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 policies. (1)**

7 DEFINITION. In this section, "commission" means the public service commission.

8 (1m) REQUEST BY LEGISLATOR. When any proposal that impacts energy policies
9 is introduced or offered in the legislature and referred to a standing committee of the
10 house in which it is introduced, the chairperson may request that the commission
11 prepare an energy impact report. If the proposal is not referred to a standing
12 committee, the speaker of the assembly, if the proposal is introduced or offered in the

1 assembly, or the presiding officer of the senate, if the proposal is introduced or offered
2 in the senate, may request that the commission prepare an energy impact report.

3 (2) REPORT BY THE COMMISSION. (a) When a proposal that impacts energy
4 policies is introduced or offered in the legislature and the chairperson of a standing
5 committee requests that the commission prepare an energy impact report, the
6 commission shall prepare an energy impact report on the proposal within 30 days
7 after the chairperson makes the request.

8 (b) If the proposal impacts energy policies, the commission shall describe the
9 impact contained in the proposal. The energy impact report shall include the
10 commission's findings under sub. (3) and its conclusions under sub. (4).

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

13 (3) FINDINGS OF THE COMMISSION ENERGY IMPACT REPORT. The commission's
14 energy impact report shall evaluate the potential impact of the proposal on ~~the~~

the energy policies of the state related to the cost and reliability of electricity generation, transmission, or distribution or to fuels used in generating electricity.

15 ~~(a) The generation, transmission, and distribution of electric power and~~
16 ~~natural gas and the reliability of the electric power and natural gas supply.~~

17 (b) The mix of fuels used for the generation of electric power.

18 (c) Energy conservation and the future availability of energy.

19 (d) Environmental impacts of the generation, transmission, distribution, and
20 use of energy.

21 (e) The development and availability of energy produced from renewable
22 resources.

23 (f) The demand for and use of transportation fuels.

24 (g) The mix of fuels used for transportation.
25

*LPS's
note
same
language
as
p 3, lines 9-11*

to fuels used in generating electricity.

1

~~(b) Any other information that the commission considers relevant.~~

2

(4) CONCLUSION OF THE COMMISSION REPORT. Based on its findings under sub. (3),

3

the commission shall include in its energy impact report its conclusion on whether

4

the proposal is consistent with existing energy policies.

5

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

6

227.117 Review of rules impacting energy policies. (1) The public service

7

commission may conduct an energy assessment of any proposed rule submitted to the

8

legislative council staff for review under s. 227.15 (1). The energy assessment shall

9

evaluate the potential impact of the proposed rule on the energy policies of the state

10

related to the cost and reliability of electricity generation, transmission, or

11

distribution or to fuels used in generating electricity. If, after making such an

12

assessment, the public service commission concludes that the proposed rule may

13

have a significant impact on those policies, the public service commission may

14

prepare an energy impact report. An energy impact report prepared under this

15

subsection shall evaluate the probable impacts of the proposed rule on the state's

16

energy policies and describe appropriate alternatives to the proposed rule that will

17

reduce any negative impacts on those policies.

18

(2) The public service commission shall submit a copy of any energy impact

19

report prepared under sub. (1) to the legislative council staff and to the agency that

20

proposed the rule that resulted in the report.

21

(3) An agency that receives an energy impact report under sub. (2), shall

22

consider the energy impact report before submitting the notification and report to

23

the legislature under s. 227.19 (2) and (3).

24

SECTION 3. 227.19 (3) (intro.) of the statutes, as affected by 2003 Wisconsin Act

25

118, is amended to read:



Today 11/9
State of Wisconsin
2003 - 2004 LEGISLATURE

LRBs0342/1

RPN:jld:rs

EWLj

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

REGEN

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

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 policies. (1)**

7 DEFINITION. In this section, "commission" means the public service commission.

8 **(1m) REQUEST BY LEGISLATOR.** When any proposal that impacts energy policies
9 is introduced or offered in the legislature and referred to a standing committee of the
10 house in which it is introduced, the chairperson may request that the commission
11 prepare an energy impact report. If the proposal is not referred to a standing

1 committee, the speaker of the assembly, if the proposal is introduced or offered in the
2 assembly, or the presiding officer of the senate, if the proposal is introduced or offered
3 in the senate, may request that the commission prepare an energy impact report.

4 (2) REPORT BY THE COMMISSION. (a) When a proposal that impacts energy
5 policies is introduced or offered in the legislature and ~~the chairperson of a standing~~
6 ~~committee requests that~~ ^{is requested to} the commission prepare an energy impact report, the
7 commission shall prepare ~~an~~ ^{the} energy impact report on the proposal within 30 days
8 after ~~the chairperson makes~~ ^{is submitted to the commission} the request.

9 (b) If the proposal impacts energy policies, the commission shall describe the
10 impact contained in the proposal. The energy impact report shall include the
11 commission's findings under sub. (3) and its conclusions under sub. (4).

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

14 (3) FINDINGS OF THE COMMISSION ENERGY IMPACT REPORT. The commission's
15 energy impact report shall evaluate the potential impact of the proposal on the
16 energy policies of the state related to the cost and reliability of electricity generation,
17 transmission, or distribution or to fuels used in generating electricity.

18 (4) CONCLUSION OF THE COMMISSION REPORT. Based on its findings under sub. (3),
19 the commission shall include in its energy impact report its conclusion on whether
20 the proposal is consistent with existing energy policies.

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

22 227.117 Review of rules impacting energy policies. (1) The public service
23 commission may conduct an energy assessment of any proposed rule submitted to the
24 legislative council staff for review under s. 227.15 (1) ^{if the legislative council staff determines that the rule will} The energy assessment shall
25 evaluate the potential impact of the proposed rule on the energy policies of the state ^{impact energy policy}

1 related to the cost and reliability of electricity generation, transmission, or
2 distribution or to fuels used in generating electricity. If, after making such an
3 assessment, the public service commission concludes that the proposed rule may
4 have a significant impact on those policies, the public service commission may
5 prepare an energy impact report. An energy impact report prepared under this
6 subsection shall evaluate the probable impacts of the proposed rule on the state's
7 energy policies and describe appropriate alternatives to the proposed rule that will
8 reduce any negative impacts on those policies.

9 (2) The public service commission shall submit a copy of any energy impact
10 report prepared under sub. (1) to the legislative council staff and to the agency that
11 proposed the rule that resulted in the report.

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

15 **SECTION 3.** 227.19 (3) (intro.) of the statutes, as affected by 2003 Wisconsin Act
16 118, is amended to read:

17 227.19 (3) FORM OF REPORT. (intro.) The report required under sub. (2) shall be
18 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
19 the material specified in s. 227.14 (2) to (4), a copy of any economic impact report
20 prepared by the agency under s. 227.137, a copy of any report prepared by the
21 department of administration under s. 227.138, a copy of any energy impact report
22 received by the public service commission under s. 227.117 (3), a copy of any
23 recommendations of the legislative council staff, and an analysis. The analysis shall
24 include:

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

