

**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 100**

June 21, 2005 – Offered by Representatives F. LASEE and ZIEGELBAUER.

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

2 **1.** Page 30, line 16: after that line insert:

3 “**SECTION 87Lb.** 16.957 (2) (a) (intro.) of the statutes is amended to read:

4 16.957 (2) (a) *Low-income programs.* (intro.) After holding a hearing,
5 establish programs to be administered by the department for awarding grants from
6 the appropriation under s. 20.505 (3) (r) to provide low-income assistance. ~~In~~ Except
7 as provided under sub. (4m), in each fiscal year, the amount awarded under this
8 paragraph shall be sufficient to ensure that an amount equal to 47% of the sum of
9 the following is spent for weatherization and other energy conservation services:

10 **SECTION 87Le.** 16.957 (2) (a) 4. of the statutes is amended to read:

11 16.957 (2) (a) 4. ~~Fifty~~ One-hundred percent of the moneys collected in public
12 benefits fees under sub. (5).

1 **SECTION 87Lh.** 16.957 (4) (a) of the statutes is amended to read:

2 16.957 (4) (a) *Requirement to charge public benefits fees.* Each electric utility,
3 except for a municipal utility, shall, except as provided in sub. (4m), charge each
4 customer a public benefits fee in an amount established in rules promulgated by the
5 department under par. (b). An electric utility, except for a municipal utility, shall
6 collect and pay the fees to the department in accordance with the rules promulgated
7 under par. (b). The public benefits fees collected by an electric utility shall be
8 considered trust funds of the department and not income of the electric utility.

9 **SECTION 87LL.** 16.957 (4) (b) (intro.) of the statutes is amended to read:

10 16.957 (4) (b) *Rules.* (intro.) In consultation with the council, the department
11 shall promulgate rules that, except as provided in sub. (4m), establish the amount
12 of a public benefits fee under par. (a). Fees established in rules under this paragraph
13 may vary by class of customer, but shall be uniform within each class, and shall
14 satisfy each of the following:

15 **SECTION 87Lo.** 16.957 (4) (c) (intro.) of the statutes is amended to read:

16 16.957 (4) (c) *Amount of public benefits fees.* (intro.) ~~A~~ Except as provided in
17 sub. (4m), a fee established in rules promulgated under par. (b) shall satisfy each of
18 the following:

19 **SECTION 87Lr.** 16.957 (4) (c) 1. a. of the statutes is amended to read:

20 16.957 (4) (c) 1. a. Fifty One hundred percent of the estimated public benefits
21 fees charged by municipal utilities and retail electric cooperatives under sub. (5) (a)
22 for that fiscal year.

23 **SECTION 87Lu.** 16.957 (4m) of the statutes is created to read:

24 16.957 (4m) FEE REDUCTION. Beginning on the first day of the 3rd month
25 beginning after the effective date of this subsection [revisor inserts date], electric

1 utilities, except for municipal electric utilities, shall charge customers a public
2 benefits fee in an amount equal to 50% of the fee that is required to be charged under
3 rules promulgated under sub. (4) (b) that are in effect on the effective date of this
4 subsection [revisor inserts date]. Beginning on the first day of the 3rd month
5 beginning after the effective date of this subsection [revisor inserts date], the
6 department shall ensure that grants for each type of program funded by the utility
7 public benefits fund are reduced by 50%.

8 **SECTION 87Ly.** 16.957 (5) (a) of the statutes is amended to read:

9 16.957 (5) (a) *Requirement to charge public benefits fees.* Each retail electric
10 cooperative and municipal utility shall charge a monthly public benefits fee to each
11 customer or member in an amount that is sufficient for the retail electric cooperative
12 or municipal utility to collect an annual average of \$16 ~~\$8~~ per meter. A retail electric
13 cooperative or municipal utility may determine the amount that a particular class
14 of customers or members is required to pay under this paragraph and may charge
15 different fees to different classes of customers or members.”.

16 **2.** Page 1042, line 8: after that line insert:

17 “(1gv) UTILITY PUBLIC BENEFITS FEES; MUNICIPAL UTILITIES AND COOPERATIVES. The
18 treatment of section 16.957 (5) (a) of the statutes takes effect on the first day of the
19 3rd month beginning after publication.”.

20 (END)