

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB100)**

Received: **06/21/2005**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Lasee (608) 266-9870**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Lasee@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Cut utility public benefits fee by 50%

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**Instructions:**

See Attached

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**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>
/?	mkunkel 06/21/2005	lkunkel 06/21/2005					
/1			jfrantze 06/21/2005		mbarman 06/21/2005	mbarman 06/21/2005	

FE Sent For:

<END>

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**Topic:**

Cut utility public benefits fee by 50% ✓

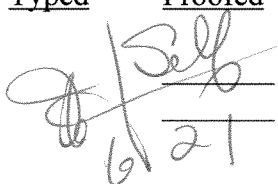
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**Instructions:**

See Attached

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/?	mkunkel	1/mk 6/21		Self			

FE Sent For:

<END>

D-note

↑  
keep

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

60588/1

RM  
NOT RUN

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 1015, line 23: delete lines 23 to 25. ✓

17 **3.** Page 1042, line 8: after that line insert:

18 “(1gv) UTILITY PUBLIC BENEFITS FEES; MUNICIPAL UTILITIES AND COOPERATIVES. The  
19 treatment of section 16.957 (5) (a) of the statutes takes effect on the first day of the  
20 3rd month beginning after publication.”

21

(END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0476/Idn

MDK:lmk:jf

lmk

June 20, 2005

(date)

b0588/Idn

Case  
Rep. Ziegelbauer:

~~This amendment 1) eliminates the transfer to the general fund from the utility public benefits fund and 2) reduces public benefits fees by 50%. (The instructions require cutting the tax by 50%. I assumed you meant to refer to the public benefits fees.) Please note the following about the amendment:~~

1. The amendment reduces the grants made from the utility public benefits fund by 50%, which seems appropriate given that the fees are reduced by 50%.
2. Fees for municipal utilities and cooperatives are reduced by 50% (i.e., from \$16 per meter to \$8 per meter). Note that certain calculations under s. 16.957 refer to 50% of the fees paid by municipal utility customers and cooperative members. Because I did not want to affect these calculations, I amended them to refer to 100% of the fees. (However, I did not affect the calculations for previous fiscal years that are no longer relevant.)
3. I delayed the reduction in fees by approximately 2 months (i.e., the first day of the 3rd month beginning after the effective date of the bill). This delay gives DOA time to implement the amendment's requirements. If you want to specify a different delay, please let me know.

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

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0588/1dn  
MDK:lmk:jf

June 21, 2005

Rep. Lasee:

This amendment reduces public benefits fees by 50%. Please note the following about the amendment:

1. The amendment reduces the grants made from the utility public benefits fund by 50%, which seems appropriate given that the fees are reduced by 50%.
2. Fees for municipal utilities and cooperatives are reduced by 50% (i.e., from \$16 per meter to \$8 per meter). Note that certain calculations under s. 16.957 refer to 50% of the fees paid by municipal utility customers and cooperative members. Because I did not want to affect these calculations, I amended them to refer to 100% of the fees. (However, I did not affect the calculations for previous fiscal years that are no longer relevant.)
3. I delayed the reduction in fees by approximately 2 months (i.e., the first day of the 3rd month beginning after the effective date of the bill). This delay gives DOA time to implement the amendment's requirements. If you want to specify a different delay, please let me know.

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