



2013 ASSEMBLY BILL 214

1 **AN ACT** *to renumber and amend* 227.50 (1) (c), 227.50 (1) (d) and 227.50 (1) (e);
2 *to consolidate, renumber and amend* 227.50 (1) (a) 1. and (b); *to amend*
3 227.50 (1) (a) (intro.); and *to create* 227.50 (1) (am) 4. of the statutes; **relating**
4 **to:** ex parte communications in contested cases before the Public Service
5 Commission.

Analysis by the Legislative Reference Bureau

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

6 **SECTION 1.** 227.50 (1) (a) (intro.) of the statutes is amended to read:
7 227.50 (1) (a) (intro.) In Except as provided in par. (am), in a contested case,
8 no ex parte communication relative to the merits or a threat or offer of reward shall
9 be made, before a decision is rendered, to the hearing examiner or any other official
10 or employee of the agency who is involved in the decision-making process, by any of
11 the following:

ASSEMBLY BILL 214**SECTION 2**

1 **SECTION 2.** 227.50 (1) (a) 1. and (b) of the statutes are consolidated, renumbered
2 227.50 (1) (a) 1m. and amended to read:

3 227.50 (1) (a) 1m. An official of the agency or any other public employee or
4 official engaged in prosecution or advocacy in connection with the matter under
5 consideration or a factually related matter; ~~or (b) Paragraph (a) 1.~~ This subdivision
6 does not apply to an advisory staff which does not participate in the proceeding.

7 **SECTION 3.** 227.50 (1) (am) 4. of the statutes is created to read:

8 227.50 (1) (am) 4. In a contested case before the public service commission, an
9 ex parte communication by or to any official or employee of the commission other
10 than the hearing examiner or a commissioner.

11 **SECTION 4.** 227.50 (1) (c) of the statutes is renumbered 227.50 (1) (am) (intro.)
12 and amended to read:

13 227.50 (1) (am) (intro.) ~~This subsection Paragraph (a)~~ does not apply to an any
14 of the following:

15 1. An ex parte communication which is authorized or required by statute.

16 **SECTION 5.** 227.50 (1) (d) of the statutes is renumbered 227.50 (1) (am) 2. and
17 amended to read:

18 227.50 (1) (am) 2. ~~This subsection does not apply to an~~ An ex parte
19 communication by an official or employee of an agency which is conducting a class
20 1 proceeding.

21 **SECTION 6.** 227.50 (1) (e) of the statutes is renumbered 227.50 (1) (am) 3. and
22 amended to read:

23 227.50 (1) (am) 3. ~~This subsection does not apply to any~~ Any communication
24 made to an agency in response to a request by the agency for information required
25 in the ordinary course of its regulatory functions by rule of the agency.

