LRBa0751/1 MDK:wlj:rs

ASSEMBLY AMENDMENT 2, TO 2005 ASSEMBLY BILL 437

June 14, 2005 - Offered by Representative Montgomery.

1	At the	locations	indicated,	amend	the b	oill as	follows:
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- 2 **1.** Page 1, line 2: delete "a public utility" and substitute "electric utilities and cooperatives".
 - **2.** Page 2, line 2: delete that line and substitute:
- 5 "196.491 (3e) Conveyance of property to an electric utility. (ag) In this subsection, "electric utility" has the meaning given in s. 196.485 (1) (bs).
- 7 (am) Notwithstanding".

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- **3.** Page 2, line 3: delete "a public utility" and substitute "an electric utility".
- 9 **4.** Page 2, line 6: delete "public utility, or cooperative".
- **5.** Page 2, line 7: delete "association,".
- 11 **6.** Page 2, line 7: delete "public utility" and substitute "electric utility".
- **7.** Page 2, line 10: delete lines 10 to 15 and substitute:

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"(b) If the electric utility and owner of the land cannot agree on the fair market value of the interest in land sought by the electric utility within 90 days after the electric utility notifies the owner that the certificate of public convenience and necessity has been issued, the issue of the fair market value of the interest shall be determined by an arbitrator appointed by the circuit court of the county in which the land is located, except that the electric utility and owner of the land may agree to extend the 90-day period by an additional 90 days if necessary to reach an agreement concerning fair market value in lieu of arbitration. The interest in land shall be conveyed to the electric utility upon commencement of the arbitration proceeding. Any arbitration under this paragraph shall be conducted on an expedited basis to the extent that an expedited proceeding is available. The arbitrator and circuit court appointing the arbitrator shall have the powers and duties specified in ch. 788. The decision of an arbitrator concerning fair market value shall be binding on the parties, except as otherwise provided under ch. 788.".

15 (END)