



**ASSEMBLY AMENDMENT 5,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 649**

April 20, 2010 – Offered by Representatives HUEBSCH, MONTGOMERY and GUNDERSON.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 4, line 20: delete the material beginning with “energy” and ending with
“programs;” on line 21.
- 3 **2.** Page 6, line 11: delete lines 11 to 13 and substitute:
4 “16.75 (12) (a) 4. “Renewable resource” has the meaning given in s. 196.378 (1)
5 (h) 1. or 2. and includes a resource, as defined in s. 196.378 (1) (j), that derives
6 electricity from hydroelectric power (1r) (h).”.
- 7 **3.** Page 8, line 16: delete “196.374 (1) (am)” and substitute “196.378 (1r) (ar)”.
- 8 **4.** Page 12, line 16: delete lines 16 to 21.
- 9 **5.** Page 17, line 19: delete lines 19 and 20 and substitute:
10 “77.54 (30) (a) 1m. Biomass, as defined in s. 196.378 (1) (1r) (ar), that is used
11 for fuel sold for residential use.”.

1 **6.** Page 17, line 22: delete lines 22 to 24 and substitute:

2 “79.005 (1b) “Alternative energy resource” means a renewable resource, as
3 defined in s. 196.378 (1) (1r) (h); garbage, as defined in s. 289.01 (9); or
4 nonvegetation–based industrial, commercial, or household waste.”.

5 **7.** Page 28, line 14: delete that line and substitute:

6 “(b) “Biomass” has the meaning given in s. 196.378 (1r) (ar).”.

7 **8.** Page 39, line 8: delete the material beginning with that line and ending with
page 40, line 19.

8 **9.** Page 41, line 2: delete the material beginning with “This subdivision” and
ending with “196.374.” on line 3.

9 **10.** Page 42, line 3: delete lines 3 to 7.

10 **11.** Page 42, line 14: delete the material beginning with that line and ending
with page 73, line 10.

11 **12.** Page 74, line 2: delete “has the meaning given in s. 196.374 (1) (am)” and
substitute “means plant material, including wood, or residue; biological waste;
biogas; or landfill gases. “Biomass” does not include garbage, as defined in s. 289.01
(9), or nonbiological industrial, nonbiological commercial, or nonbiological household
waste”.

12 **13.** Page 75, line 3: delete lines 3 to 7 and substitute:

13 “**SECTION 173b.** 196.378 (1) (h) (intro.) of the statutes is renumbered 196.378
14 (1r) (h) (intro.) and amended to read:

15 196.378 (1r) (h) (intro.) “Renewable resource” means any of the following: a
16 resource that derives energy from any source other than coal, petroleum products,

1 nuclear power, natural gas, or nonbiological industrial, nonbiological commercial, or
2 nonbiological household waste. “Renewable resource” includes resources deriving
3 energy from any of the following:

4 **SECTION 173e.** 196.378 (1) (h) 1. a. of the statutes is renumbered 196.378 (1r)
5 (h) 7. and amended to read:

6 196.378 (1r) (h) 7. ~~A fuel~~ Fuel cell technology that uses, as determined by the
7 commission, a renewable fuel.

8 **SECTION 173h.** 196.378 (1) (h) 1. b. of the statutes is renumbered 196.378 (1r)
9 (h) 6.

10 **SECTION 173L** 196.378 (1) (h) 1. c. of the statutes is renumbered 196.378 (1r)
11 (h) 2m. and amended to read:

12 196.378 (1r) (h) 2m. Solar ~~thermal electric or photovoltaic~~ energy.

13 **SECTION 173o.** 196.378 (1) (h) 1. d. of the statutes is renumbered 196.378 (1r)
14 (h) 3g.

15 **SECTION 173r.** 196.378 (1) (h) 1. e. of the statutes is renumbered 196.378 (1r)
16 (h) 5.

17 **SECTION 173u.** 196.378 (1) (h) 1. g. of the statutes is renumbered 196.378 (1r)
18 (h) 4.

19 **SECTION 173w.** 196.378 (1) (h) 1m. and 2. of the statutes are repealed.”.

20 **14.** Page 90, line 21: delete lines 21 to 23 and substitute:

21 “3. “Supplemental utility program” means a program under s. 196.374 (2) (b)

22 2.

23 4. “Utility-administered program” means a program under s. 196.374 (2) (b)

24 1.”.

1 **15.** Page 107, line 4: delete lines 4 to 13 and substitute:

2 “196.493 (3) REGISTER PUBLICATION. (a) The commission shall determine the
3 effective dates of all rules promulgated by the commission, and all orders issued by
4 the commission, that are necessary to initially implement the changes to s. 196.378
5 by 2009 Wisconsin Act (this act), and other related statutory changes made by that
6 act.”.

7 **16.** Page 108, line 17: delete lines 17 to 22 and substitute:

8 “196.65 (1g) In this section, “public utility” includes the owner or operator of
9 a nuclear power plant, as defined in s. 196.491 (1) (j), for which the commission has
10 issued a certificate of public convenience and necessity under s. 196.491 (3) on or
11 after the date specified in the notice published under s. 196.493 (3) (b).”.

12 **17.** Page 109, line 5: delete lines 5 to 11 and substitute:

13 “196.66 (1g) DEFINITION. In this section, “public utility” includes the owner or
14 operator of a nuclear power plant, as defined in s. 196.491 (1) (j), for which the
15 commission has issued a certificate of public convenience and necessity under s.
16 196.491 (3) on or after the date specified in the notice published under s. 196.493 (3)
17 (b).”.

18 **18.** Page 111, line 18: delete lines 18 to 22.

19 **19.** Page 115, line 13: delete “196.374 (1) (j)” and substitute “196.378 (1r) (h)”.

20 **20.** Page 116, line 9: delete the material beginning with that line and ending
with page 117, line 5.

21 **21.** Page 125, line 17: delete “196.374 (1) (am)” and substitute “196.378 (1r)
(ar)”.

- 1 **22.** Page 134, line 13: delete “196.374 (1) (j)” and substitute “196.378 (1r) (h)”.
- 2 **23.** Page 140, line 8: delete “~~196.378 (1) (h)~~ 196.374 (1) (j)” and substitute
“196.378 (~~1~~) (1r) (h)”.
- 3 **24.** Page 145, line 18: delete lines 18 to 25.
- 4 **25.** Page 146, line 6: delete “AND CAPITAL INVESTMENT”.
- 5 **26.** Page 147, line 5: delete the material beginning with that line and ending
with page 148, line 18.
- 6 **27.** Page 149, line 17: delete lines 17 to 22.
- 7 **28.** Page 150, line 9: delete lines 9 to 11.
- 8 **(END)**