



## WISCONSIN LEGISLATIVE COUNCIL

December 8, 2009

# Climate Change Legislation

## LRB-3883/1

### Topical Index

This document provides a topical index of the climate legislation, LRB-3883/1. For a detailed description of the legislation, see the companion report, *Description of Legislation*. For a brief overview, see the companion report, *Overview of Legislation*.

The subjects in this index are based on the headings in the report, *Description of Legislation*. These subjects are listed in this index in the same order as they are described in that report.

References in this index in the form s. \_\_, Stats., are to statutory sections affected by the bill; references in the form SEC. \_\_ are to sections of the bill.

These references are to the substantive provisions in the bill for the associated subject matter. The references do not include provisions that make technical or conforming changes. Also, in many instances to simplify these references, the citation is to a higher level provision in the statutes that includes the actual statute affected by the bill.

The index is organized under the following major headings:

- ***Goals; Program Coordination And Evaluation; Public Education***
- ***Public Service Commission***
- ***Vehicles; Fuels; Planning; Transportation Infrastructure***
- ***Energy Efficient Buildings and Equipment***
- ***State and Local Government***
- ***Bioenergy***
- ***Industrial Efficiency Incentives***
- ***Cap and Trade Program Report***

<b>SUBJECT</b>	<b>PROVISION IN LRB-3883/1</b>
<b><i>GOALS; PROGRAM COORDINATION AND EVALUATION; PUBLIC EDUCATION</i></b>	
<b>GOALS</b>	
Statewide Goals	
GHG emission reductions goals	ss. 299.03 (1), (2), and (4), Stats.
Energy Conservation Goals	ss. 299.03 (3m), Stats.
Electricity from Renewable Resources Goals	s. 196.378 (2) (a), Stats.
New Building Energy Use Goal	ss. 299.03 (1) and (3), Stats.
State Agency Goals	
GHG Emission Reductions Goals	s. 299.045 (3) (a), Stats.
Energy Conservation Goals	s. 16.954 (4), Stats.
Energy Derived from Biomass Goals	s. 16.954 (5), Stats.
<b>CLIMATE CHANGE COORDINATING COUNCIL</b>	
Membership	s. 15.347 (3), Stats.
Duties and Powers; Support	s. 299.035, Stats.
<b>PROGRAM EVALUATION</b>	
Information and Analyses	
Emissions and Sequestration Information	s. 299.03 (5) (a), Stats.
Comprehensive Accounting System	s. 299.03 (5) (b), Stats.
Inventories and Analyses	s. 299.03 (5) (c), Stats.
Emission Reporting Requirements	s. 299.03 (5) (d), Stats.
DNR Quadrennial Assessment	s. 299.03 (6), Stats.
Climate Change Coordinating Council Policy Review and Report	s. 299.03 (9), Stats.
Public Review	s. 299.03 (8), Stats.
Consultation and Assistance	s. 299.03 (7), Stats.
<b>PUBLIC EDUCATION AND INFORMATION</b>	ss. 299.03 (10) and 299.035 (2) (c) and (d), Stats.
<b><i>PUBLIC SERVICE COMMISSION</i></b>	
<b>ENERGY EFFICIENCY AND RENEWABLE RESOURCE PROGRAMS</b>	
Program Design and Administration	
Program Participants	s. 196.374 (2) (a), Stats.

SUBJECT	PROVISION IN LRB-3883/1
Statewide Programs	s. 196.374 (2) (a), and (3) (c) 1., Stats.
Utility- and Customer-Administered Programs	s. 196.374 (2) (b) and (c), and (3) (c) 2., Stats.
Programs of Municipal Utilities and Cooperatives	s. 196.374 (1) (b) and (7), Stats.
Quadrennial Planning Process	s. 196.374 (3) (bc), Stats.
Assessment of Potential Energy Savings	s. 196.374 (3) (bg), Stats.
Program Goals	s. 196.374 (3) (bn), Stats.
Program Budgets	s. 196.374 (3) (br), Stats.
Program Funding	s. 196.374 (3) (bw) and (7) (am), Stats.
Program Outcomes	
Audits and Reports	s. 196.374 (3) (d), (dm), and (e) and (7) (e), Stats.
Compliance and Enforcement	ss. 196.374 (8), 196.65, and 196.66, Stats.
Utility Earnings on Investments in Energy Conservation	s. 196.374 (9), Stats.
Other Provisions	
Program Costs and Benefits; Equitable Sharing	s. 196.374 (5m), Stats.
Utility Cost Recovery	s. 196.374 (7) (cm), Stats.
PSC Cost Recovery	ss. 196.374 (3) (d) and 196.85 (1m) (e), Stats.
Large Energy Customer Rules	SEC. 9141 (4)
<b>ENHANCED RENEWABLE PORTFOLIO STANDARD (RPS)</b>	
Legislative Findings	s. 196.378 (1g), Stats.
The Standard	s. 196.378 (2) (a), Stats.
Energy Sources Deemed “Renewable”	
Hydroelectric Energy	s. 196.378 (2) (b) 1r., Stats.
Solid Waste	s. 196.378 (1r) (fg) 2. and 3., Stats.
Nonelectric Energy	s. 196.378 (1r) (dm) and (3m), Stats., and SEC. 9141 (3)
Renewable Resource Credits	ss. 196.378 (3) and 196.379 (6), Stats.
Other Provisions	
Calculations Related to Co-Fired or Cogeneration Facilities	s. 196.378 (2) (bm), Stats.
Delayed Compliance	s. 196.378 (2) (e) (intro.) and (h), Stats.
Wholesale Suppliers	s. 196.378 (2) (b) 2., and (c) 1., Stats.

SUBJECT	PROVISION IN LRB-3883/1
<b>RENEWABLE (“FEED-IN”) TARIFFS</b>	
Purpose	s. 196.379 (2), Stats.
Requirement	s. 196.379 (1), (3) (a) and (b) and (4), Stats.
Terms and Conditions	ss. 196.378 (3) (a) 1. and 196.379 (3) (c) to (e), and (6), Stats.
Reviews	s. 196.379 (5), Stats.
<b>NEW NUCLEAR POWER PLANTS</b>	
Applicability; Delayed Effective Date	ss. 196.491 (1) (j) and 196.493 (3), Stats.
Construction of Nuclear Power Plants (Nuclear Moratorium Law)	
PSC Review and Approval	s. 196.493 (2), Stats.
Legislative Findings	s. 196.493 (1g), Stats. and SEC. 313
Decommissioning	s. 196.493 (4), Stats.
Certificate of Public Convenience and Necessity	s. 196.491 (3) and (3m), Stats.
Certificate of Authority	s. 196.49, Stats.
Other Regulations	ss. 196.25, 196.491 (5), 196.65, 196.66, and 196.80, Stats.
Nonseverability Clause	SEC. 9141 (1)
Reconciliation of the Treatment of Wholesale Merchant Plants	ss. 76.28 (1), 79.04 (6), 101.80, s. 196.795 (6m), and 196.85 (1m), Stats.
<b>OTHER PROVISIONS AFFECTING THE PSC AND OTHER AGENCIES</b>	
General Directive to Reduce Energy Use and Demand	s. 196.025 (1) (e), Stats.
PSC Authority to Order Additional Programs	
Energy Conservation and Efficiency Programs	s. 196.025 (1) (b) 1. and 2., Stats.
Renewable Resource Programs	s. 196.025 (1) (c), 196.374 (2) (a) 3., and 196.378 (4m) (a), Stats.
PSC Review of Proposed Renewable Energy Facilities	
Consideration of Alternative Sites for Large Wind Projects	s. 196.025 (2m) (c) and 196.491 (3) (d) 3., Stats.
Action Deadline for Small Renewable Projects	s. 196.49 (5m), Stats.
Priority for Renewable Energy Projects in Scheduling PSC Business	s. 196.025 (1) (c) 3., Stats.
Statewide Energy Conservation Goals Assessment	s. 196.025 (7), Stats.
PSC Study to Ensure the Ability of Electric Providers to Comply with the RPS	SEC. 9141 (2)

SUBJECT	PROVISION IN LRB-3883/1
Department of Transportation (DOT) Report on Transport of Wind Turbine Components	SEC. 9150 (1)
<b><i>VEHICLES; FUELS; PLANNING; TRANSPORTATION INFRASTRUCTURE</i></b>	
CALIFORNIA VEHICLE EMISSION STANDARDS	ss. 110.20, 285.30, and 285.305, Stats.
ENGINE IDLE REDUCTION Freight Truck Idling Study of Other Engine Idling	ss. 346.94 (21) and 346.95 (11), Stats., and SEC. 9450 (1) SEC. 9137 (1)
LOW CARBON FUEL STANDARD	s. 285.795, Stats.
CARBON-AUDITED TRANSPORTATION INVESTMENTS Environmental Review of Transportation Projects DOT's 2030 Plan	s. 85.021 (1) (d), (2), and (4), Stats., and SEC. 9150 (2) and (4) s. 85.021 (3), Stats., and Sec. 9150 (3)
PLANNING GRANTS FOR COMPACT DEVELOPMENT	s. 16.965, Stats.
MODEL PARKING ORDINANCE	s. 36.605, Stats.
SURFACE TRANSPORTATION PLANNING GHG Emission Reduction Goals Development of Strategies and Planning Methods and Procedures Use of Strategies and Planning Methods and Procedures Reports and Assessments Financial Assistance to MPOs Conformance with Federal Law	ss. 66.0309 (17) (b) and 85.0215 (2), Stats. s. 85.0215 (3), Stats. ss. 66.0309 (17) (c) and 85.0215 (4), Stats. ss. 66.0309 (17) (d) and 85.0215 (5), Stats. s. 85.0215 (6), Stats. s. 85.0215 (7), Stats.
GROWTH ACCOMMODATION INCENTIVES	ss. 84.185, 292.75, 560.081, 560.13, 560.302, and 560.305, Stats.
<b><i>ENERGY EFFICIENT BUILDINGS AND EQUIPMENT</i></b>	
ENERGY EFFICIENCY OF BUILDINGS Mandatory Building Codes	s. 101.027 (1g) to (3) and 101.63 (1) and (1m), Stats.
Voluntary Commercial Green Building Code	s. 101.027 (4), Stats.

<b>SUBJECT</b>	<b>PROVISION IN LRB-3883/1</b>
Agricultural Energy Conservation Code	s. 101.028, Stats., and SEC. 9110 (1)
Design Standards for State Buildings	s. 16.856, Stats., and SEC. 9401 (1)
New Building Energy Use Goal Assessment	s. 101.02 (23), Stats.
<b>APPLIANCE EFFICIENCY STANDARDS</b>	s. 100.215, Stats., and SEC. 9403 (1)
<b>INDUSTRIAL BOILER EFFICIENCY</b>	s. 101.173, Stats.
<b><i>STATE AND LOCAL GOVERNMENT</i></b>	
<b>STATE GOVERNMENT AS LEADER</b>	
State Agency GHG Emissions	
Duties of Individual Agencies	s. 299.045, Stats., and SEC. 9157 (2)
Duties of DOA, OEI, and DNR	ss. 16.954 and 16.956 (3) (f) and (j), Stats., and SECS. 9101 (1) and (2) and 9157 (1).
<b>LOCAL GOVERNMENT</b>	
Municipal Levy Limit	s. 66.0602 (3) (e) 9., Stats., and SECS. 9101 (3) and 9333 (1)
Public School Districts	s. 16.956 (3) (g) to (i), Stats.
<b><i>BIOENERGY</i></b>	
<b>ENERGY CROP RESERVE PROGRAM</b>	
Contracts	s. 93.47 (3), Stats.
Payments	s. 93.47 (4) and (8) (a) 3. to 7., Stats.
Eligibility	s. 93.47 (5) to (7) and (8) (a) 2., Stats.
Other Requirements of Participants	s. 93.47 (3) (d), Stats.
Program Outcomes and Reports	s. 93.47 (9), Stats.
DATCP Rules	s. 93.47 (8), Stats.
Effective Date and Delayed Funding	SEC. 9403 (2)
<b>SUSTAINABLE FOREST MANAGEMENT AND CARBON SEQUESTRATION</b>	
Private Forest Landowner Grant Program	s. 26.38, Stats., and SEC. 9137 (3)
GHG Emission reduction Credits for Forestry Activities	s. 26.42 (2) and (3), Stats.
Outreach to Private Forest Owners	s. 26.42 (4), Stats.
<b>BIOENERGY FEEDSTOCK PRODUCTION INCENTIVE STUDY</b>	s. 93.475, Stats.

<b>SUBJECT</b>	<b>PROVISION IN LRB-3883/1</b>
<b><i>INDUSTRIAL EFFICIENCY INCENTIVES</i></b>	
AIR PERMITTING STREAMLINING	s. 285.60 (11), Stats., and SEC. 9137 (2)
INDUSTRIAL DEVELOPMENT REVENUE BOND ALLOCATION	s. 560.032, Stats.
<b><i>CAP AND TRADE PROGRAM REPORT</i></b>	s. 299.04, Stats.

This topical index was prepared by *John Stolzenberg, Chief of Research Services*, and *David L. Lovell, Senior Analyst*.

JES:DLL:ty