

2005 DRAFTING REQUEST

Bill

Received: 12/02/2004

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **himself**

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

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Require rollover of cellular minutes

Instructions:

See Attached

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>
/?							
/P1	csundber 01/12/2005	wjackson 01/14/2005	rschluet 01/19/2005	_____	sbasford 01/19/2005		
/1	csundber 01/20/2005	wjackson 01/20/2005	rschluet 01/20/2005	_____	mbarman 01/20/2005	sbasford 01/20/2005	

FE Sent For: *none*

<END>

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Instructions:

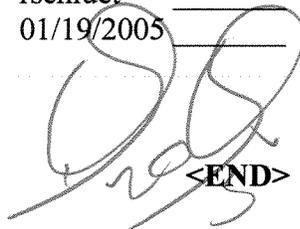
See Attached

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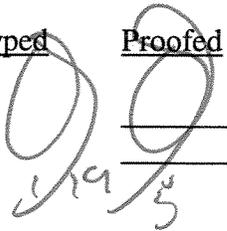
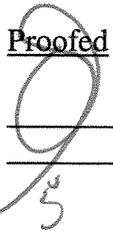
Topic:

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/?	csundber	/pl wj/1/14					

FE Sent For:

<END>

12/2/04

M. Schneider: require "rollover" in
cellular service contracts
- rollover for 12 months
- Cingular contract provides rollover?



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In: 1/12/05
TX note

Gen

1 AN ACT ...; relating to: contracts for commercial mobile telephone service. ✓

Analysis by the Legislative Reference Bureau

This bill regulates monthly service contracts for mobile telephone service, commonly known as cellular telephone service. The bill defines a monthly service contract as a contract that entitles a person, for a monthly fee, to a limited amount of access to mobile telephone service. Under the bill, a service provider may not enter into a monthly service contract if the contract provides that the access time that has accrued to the customer expires before approximately one year after the month in which the the access time accrued, or the expiration of the contract, whichever is sooner.

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

2 SECTION 1. 100.55 ✓ of the statutes is created to read:

3 100.55 Contracts for mobile telephone service. (1) In this section:

4 (a) "Access time" means a period of time in which a person is entitled to use
5 commercial mobile service provided by a mobile telephone service provider.

6 (b) "Commercial mobile service" has the meaning given in 47 U.S.C. 332 (d). gfg

SECTION 1

1 (c) "Mobile telephone service provider" means a person that is authorized by
2 the federal communications commission to provide commercial mobile service.

3 (d) "Monthly service contract" means a contract the terms of which entitle a
4 person, for a monthly fee, to a limited amount of access time.

5 (2) A mobile telephone service provider may not enter into a monthly service
6 contract under which the customer's right to use accrued access time expires before
7 the sooner of the following:

8 (a) The last day of the ^{12th} ~~twelfth~~ month beginning after the month in which the
9 customer's access time accrued.

10 (b) The expiration of the monthly service contract.

11 **SECTION 2. Initial applicability.**

12 (1) This act first applies to monthly service contracts entered into on the
13 effective date of this subsection.

14 **SECTION 3. Effective date.**

15 (1) This act takes effect on the first day of the ^{6th} ~~sixth~~ month beginning after
16 publication.

17 (END)

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

LRB-1091/P1dn

CTS: /:....

Wlj

Representative Schneider:

I have assumed that the ¹²twelve-month "rollover" requirement should not apply once the customer's service contract expires. The bill therefore requires that a customer be permitted to use accrued access time for ¹²twelve months after the month in which the customer accrued the access time, or until the customer's contract expires, whichever comes first. Is this okay? Also, I have included a delayed effective date to provide adequate notice to those who would be affected by these provisions. Please let me know if you have any questions or if you would like to make changes to the draft.

Christopher T. Sundberg
Legislative Attorney
Phone: (608) 266-9739
E-mail: christopher.sundberg@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1091/P1dn
CTS:wjl:rs

January 19, 2005

Representative Schneider:

I have assumed that the 12-month "rollover" requirement should not apply once the customer's service contract expires. The bill therefore requires that a customer be permitted to use accrued access time for 12 months after the month in which the customer accrued the access time, or until the customer's contract expires, whichever comes first. Is this okay? Also, I have included a delayed effective date to provide adequate notice to those who would be affected by these provisions. Please let me know if you have any questions or if you would like to make changes to the draft.

Christopher T. Sundberg
Legislative Attorney
Phone: (608) 266-9739
E-mail: christopher.sundberg@legis.state.wi.us

Sundberg, Christopher

From: Basford, Sarah
Sent: Thursday, January 20, 2005 1:42 PM
To: Sundberg, Christopher
Subject: FW: Draft review: LRB 05-1091/P1 Topic: Require rollover of cellular minutes

-----Original Message-----

From: Schneider, Marlin
Sent: Thursday, January 20, 2005 1:41 PM
To: Basford, Sarah
Subject: RE: Draft review: LRB 05-1091/P1 Topic: Require rollover of cellular minutes

I do not know who the drafter is. Could you please forward? Thanks. - Marlin

From: Basford, Sarah
Sent: Thursday, January 20, 2005 7:52 AM
To: Schneider, Marlin
Subject: RE: Draft review: LRB 05-1091/P1 Topic: Require rollover of cellular minutes

Preliminary drafts cannot be jacketed. Please contact the drafter to re-draft it to a /1 so we can then get it jacketed for you. Thanks.

-----Original Message-----

From: Schneider, Marlin
Sent: Thursday, January 20, 2005 6:36 AM
To: Basford, Sarah
Subject: RE: Draft review: LRB 05-1091/P1 Topic: Require rollover of cellular minutes

Yes. I hadn't thought of that. I'm glad you did. The draft is fine. Please jacket for Assembly. Thank you. - Marlin

-----Original Message-----

From: Basford, Sarah
Sent: Wednesday, January 19, 2005 12:44 PM
To: Rep.Schneider
Subject: Draft review: LRB 05-1091/P1 Topic: Require rollover of cellular minutes

Following is the PDF version of draft LRB 05-1091/P1 and drafter's note.



State of Wisconsin
2005 - 2006 LEGISLATURE

11 RMR
LRB-1091
CTS:wlj:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2005 Bill

So TODAY
Please

Regen

1 AN ACT *to create* 100.55 of the statutes; **relating to:** contracts for commercial
2 mobile telephone service.

Analysis by the Legislative Reference Bureau

This bill regulates monthly service contracts for mobile telephone service, commonly known as cellular telephone service. The bill defines a monthly service contract as a contract that entitles a person, for a monthly fee, to a limited amount of access to mobile telephone service. Under the bill, a service provider may not enter into a monthly service contract if the contract provides that the access time that has accrued to the customer expires before approximately one year after the month in which the access time accrued, or the expiration of the contract, whichever is sooner.

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

- 3 SECTION 1. 100.55 of the statutes is created to read:
- 4 **100.55 Contracts for mobile telephone service.** (1) In this section:
- 5 (a) "Access time" means a period of time in which a person is entitled to use
6 commercial mobile service provided by a mobile telephone service provider.
- 7 (b) "Commercial mobile service" has the meaning given in 47 USC 332 (d).

1 (c) "Mobile telephone service provider" means a person that is authorized by
2 the federal communications commission to provide commercial mobile service.

3 (d) "Monthly service contract" means a contract the terms of which entitle a
4 person, for a monthly fee, to a limited amount of access time.

5 (2) A mobile telephone service provider may not enter into a monthly service
6 contract under which the customer's right to use accrued access time expires before
7 the sooner of the following:

8 (a) The last day of the 12th month beginning after the month in which the
9 customer's access time accrued.

10 (b) The expiration of the monthly service contract.

11 **SECTION 2. Initial applicability.**

12 (1) This act first applies to monthly service contracts entered into on the
13 effective date of this subsection.

14 **SECTION 3. Effective date.**

15 (1) This act takes effect on the first day of the 6th month beginning after
16 publication.

17 (END)

Northrop, Lori

From: Schneider, Marlin
Sent: Thursday, January 20, 2005 2:48 PM
To: LRB.Legal
Subject: Draft review: LRB 05-1091/1 Topic: Require rollover of cellular minutes

It has been requested by <Schneider, Marlin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-1091/1 Topic: Require rollover of cellular minutes