

2007 DRAFTING REQUEST

Senate Amendment (SA-SB99)

Received: 04/30/2007

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: Legislative Council - JLC

By/Representing: Dan Schmidt

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: dan.schmidt@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Separate directories

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>
/?	csundber 04/30/2007	lkunkel 05/01/2007		_____			
/1			pgreensl 05/01/2007	_____	lparisi 05/01/2007	lparisi 05/01/2007	

FE Sent For:

<END>

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/?	csundber	1/mk 5/1	5/1	5/1			
			P8	P81			

FE Sent For: **<END>**

Sundberg, Christopher

From: Schmidt, Dan
Sent: Monday, April 30, 2007 10:27 AM
To: Sundberg, Christopher
Subject: FW: amendment to SB99

Attachments: Amendment to SB 99.doc

Chris:

Another Committee amendment to SB 99. This one was done without my involvement. You can send it to me when it is completed. I will forward it to Mike Tierney. Thanks.

Dan

Daniel W. Schmidt
Senior Analyst
Wisconsin Legislative Council Staff
1 E. Main Street, Suite 401
P.O. Box 2536
Madison, WI 53701-2536
608-267-7251
dan.schmidt@legis.state.wi.us

From: Ross, Scot
Sent: Monday, April 30, 2007 10:15 AM
To: Schmidt, Dan
Cc: Tierney, Michael
Subject: RE: amendment to SB99

Dan – here's the amendment. Mike said they would like to introduce it as a committee amendment.

Thanks,
scot



Amendment to SB
99.doc (32 KB)...

From: Schmidt, Dan
Sent: Friday, April 27, 2007 10:48 AM
To: Ross, Scot
Subject: RE: amendment to SB99

Scot:

I have a committee amendment here as well. It simply adds the new section 100.54 into the enhanced penalty for elderly and disabled individuals. I mentioned it to Jon at the hearing. Sen. Wirch requested that the amendment be drafted as a committee amendment.

Dan

From: Ross, Scot
Sent: Friday, April 27, 2007 10:31 AM
To: Schmidt, Dan

Subject: amendment to SB99

Dan –

Mike T may have let you know that I'm going to be sending some text along for an amendment the committee is going to introduce which makes some adjustments to SB99. As soon as I have the final text, I will pass it along. If you have any questions or I can be of any help, please let me know. Mike said he was working with you to handle the technical amendment separately.

scot

Scot Ross
Office of Sen. Erpenbach
608-266-6670

Amendment to SB 99

Page 3, line 6, add: "applicable" before "nonsolicitation."

Page 3, delete lines 9-19 and replace with:

SECTION 4. 100.52 (2) (b) of the statutes is amended to read:

100.52 (2) (b) The department shall promulgate rules for establishing, maintaining and semiannually updating a two directories that includes listings of ~~residential~~ customers who do not wish to receive telephone solicitations made on behalf of telephone solicitors. The first directory shall only contain the listings of residential customers who do not wish to receive telephone solicitations and the second directory shall only contain the listings of small business customers who do not wish to receive telephone solicitations. The rules promulgated under this paragraph shall establish requirements and procedures for a ~~residential~~ customer to request a listing in the applicable directory. The rules shall also require a ~~residential~~ customer who requests a listing in the applicable directory to notify the department on a biennial basis if the ~~residential~~ customer wishes to continue to be included in the applicable directory. The department shall eliminate a ~~residential~~ customer from the applicable directory if the customer does not make the biennial notification.

Page 4, lines 1 and 7, replace "directory" with "directories".

Page 4, line 3 after "solicitations" add "and whether the telephone solicitor solicits residential customers, business customers or both."

Page 4, line 23, after "if" add "within the previous two years".

Page 7, line 21 add Section 26:

"Section 26. Effective Dates. This act takes effect one year after publication."

Sundberg, Christopher

From: Schmidt, Dan
Sent: Monday, April 30, 2007 1:10 PM
To: Sundberg, Christopher
Cc: Ross, Scot
Subject: RE: amendment to SB99

Yes. Please do so. I don't think this is contrary to the intent of the authors. Thanks again.

Dan

From: Sundberg, Christopher
Sent: Monday, April 30, 2007 11:40 AM
To: Schmidt, Dan
Subject: RE: amendment to SB99

It appears that the intention of the proposed amendment is to mandate two separate directories: one consisting of small businesses that are opting out, and a second consisting of individual customers, so that solicitors who don't call small businesses would only need to buy into the directory containing individual customers.

If I am correct about the intent, the proposed amendment has a problem: the bill creates a definition of "customers," which includes both individuals and small businesses. The proposed amendment, however, refers to one directory for "customers" and another for "small business customers." If it's OK, I can revise the proposed amendment to unlink small businesses and individuals.

CS

From: Schmidt, Dan
Sent: Monday, April 30, 2007 10:27 AM
To: Sundberg, Christopher
Subject: FW: amendment to SB99

Chris:

Another Committee amendment to SB 99. This one was done without my involvement. You can send it to me when it is completed. I will forward it to Mike Tierney. Thanks.

Dan

Daniel W. Schmidt
Senior Analyst
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scot

Scot Ross
Office of Sen. Erpenbach
608-266-6670



In: 4/30/07 wanted: Wed Am Tues PM
State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0449/Z

CTS:.....

lmk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT,
TO 2007 SENATE BILL 99

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 4: delete the material beginning with that and ending with page
3 3, line 3. line

4 2. Page 2, line 4: delete the material beginning with that line and ending with
5 page 3, line 3, and substitute:

6 "SECTION 2g. 100.52 (1) (f) of the statutes is amended to read:

7 100.52 (1) (f) "Residential customer" means an individual who is furnished
8 with basic local exchange telecommunications service by a telecommunications
9 utility, but does not include an individual who operates a business at his or her
10 residence.

11 SECTION 2r. 100.52 (1) (fm) of the statutes is created to read:

1 100.52 (1) (fm) "Small business customer" means a small business, as defined
2 in s. 227.114 (1), that is furnished with telecommunications service." ✓

3 ~~3.~~ Page 3, line 5: delete lines 5 to 8 and substitute:

4 "100.52 (2) (a) Upon a request by a residential customer or small business
5 customer, the department shall include in the appropriate nonsolicitation directory
6 a listing indicating that the residential customer or small business customer does not
7 want to receive any telephone solicitation made on behalf of a telephone solicitor." ✓

8 ~~4.~~ Page 3, line 10: delete lines ~~9~~¹⁰ to 19 and substitute:

9 "100.52 (2) (b) The department shall promulgate rules for establishing,
10 maintaining, and semiannually updating a directory that includes only listings of
11 residential customers who do not wish to receive telephone solicitations made on
12 behalf of telephone solicitors and a second, separate directory that includes only
13 listings of small business customers who do not wish to receive telephone
14 solicitations made on behalf of telephone solicitors. ✓ The rules promulgated under
15 this paragraph shall establish requirements and procedures for a residential
16 customer or small business customer to request a listing in the appropriate directory.
17 The rules shall also require a residential customer or small business customer who
18 requests a listing in the appropriate directory to notify the department on a biennial
19 basis if the residential customer or small business customer wishes to continue to be
20 included in the appropriate directory. ✓ The department shall eliminate a residential
21 customer or small business customer from the appropriate directory if the customer
22 does not make the biennial notification." ✓

23 ~~5.~~ Page 3, line 23: delete "residential customer" and substitute "residential
24 customer or small business customer". ✓

- 1 ~~6.~~ Page 4, line 1: delete "directory" and substitute "directory directories". ✓
- 2 ~~7.~~ Page 4, line 3: after "solicitations" insert "and whether the telephone
3 solicitor solicits residential customers, small business customers, or both". ✓
- 4 ~~8.~~ Page 4, line 7: delete "directory" and substitute "directory directories". ✓
- 5 ~~9.~~ Page 4, line 18: delete lines 18 to 20 ✓ and substitute:
6 "100.52 (4) (a) 2. Make a telephone solicitation to a residential customer or
7 small business customer if the a nonsolicitation directory that is provided or made
8 available to the telephone solicitor under sub. (2) (d) includes a listing for the
9 residential customer or small business customer". ✓
- 10 ~~10.~~ Page 4, line 23: after "if" insert "within the 2-year period immediately
11 preceding the telephone solicitation". ✓
- 12 ~~11.~~ Page 5, line 6: before "customer shall" insert "residential customer or
13 small business". ✓
- 14 ~~12.~~ Page 5, line 12: before "customer shall" insert "residential customer or
15 small business". ✓
- 16 ~~13.~~ Page 7, line 20: after that line insert:
17 "**SECTION 25m. Effective date.**
18 (1) This act takes effect on the first day of the 12th month beginning after
19 publication." ✓

20

(END)