2013 DRAFTING REQUEST

Bill

Received:	**3/18/2013**	Received By:	**rkite**
Wanted:	**As time permits**	Same as LRB:	
For:	**Daniel LeMahieu (608) 266-9175**	By/Representing:	**Jason Rostan**
May Contact:		Drafter:	**rkite**
Subject:	**Nat. Res. - miscellaneous**	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
Requester's email: **Rep.LeMahieu@legis.wisconsin.gov**
Carbon copy (CC) to: **Scott.grosz@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Suspension of rule concerning leasing of DNR towers

Instructions:

Companion to LRB-1741

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rkite 3/18/2013	jdyer 3/18/2013	jmurphy 3/18/2013	_____ _____			
/1				_____ _____	lparisi 3/18/2013	lparisi 3/18/2013	

FE Sent For:

Not Needed

<END>

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rkite	/1 3/18 jld	JM 3/18	scf			

FE Sent For:

<END>

Wanted Wed. 3/20

Run not run 1922/1

State of Wisconsin
2013 – 2014 LEGISLATURE

LRB-1741/P4
RNK:jld:rs

Keep

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

2013 BILL

Regen

AN ACT *to create* 23.145 of the statutes; **relating to:** telecommunications systems installed on tower sites under the management and control of the Department of Natural Resources and the suspension of portions of a rule of the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

This bill authorizes the Department of Natural Resources (DNR) to enter into a lease of a DNR radio tower or a lookout tower site (tower site) with a private person or a governmental entity for the purpose of installing a commercial or noncommercial telecommunications system. The bill provides that the lease may allow the owner or operator of the telecommunications system to provide telecommunications services to persons other than employees of a governmental entity.

The bill also provides that, if the owner of the telecommunications system is this state, then DNR may not charge a fee to lease the tower site. If the owner of the telecommunications system is another governmental entity, then DNR may charge a fee but the fee may not exceed $25 per month.

The suspended rule prohibits DNR from considering a request to install a telecommunications system at a tower site unless the telecommunications system is owned by a governmental entity and is used either to provide noncommercial broadcast services to the public or to provide necessary communications between employees of governmental entities.

This bill is introduced as required by s. 227.26 (2) (f), stats., in support of the action of the Joint Committee for Review of Administrative Rules in suspending portions of NR 1.483, Wis. Adm. Code, a rule of DNR on February 26, 2013.

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

1 **SECTION 1.** 23.145 of the statutes is created to read:

2 **23.145 Installation of telecommunications systems. (1)** In this section,
3 "tower site" means a site on land under the management and control of the
4 department and on which the department operates a radio tower or lookout tower.

5 **(2)** The department may enter into a lease of a tower site with a private person
6 or a governmental entity for the purpose of installing a commercial or noncommercial
7 telecommunications system. The lease may allow the owner or operator of the
8 telecommunications system to provide telecommunications services to persons other
9 than employees of a governmental entity.

10 **(3)** (a) The department may not charge a fee to lease a tower site if the purpose
11 of the lease is to install a telecommunications system that is owned by this state.

12 (b) The department may not charge a fee that exceeds $25 per month to lease
13 a tower site if the purpose of the lease is to install a telecommunications system that
14 is owned by a governmental entity other than this state.

15 **(END)**

Parisi, Lori

From: Grothman, Jeffrey
Sent: Monday, March 18, 2013 1:33 PM
To: LRB.Legal
Subject: Draft Review: LRB -1922/1 Topic: Suspension of rule concerning leasing of DNR towers

Please Jacket LRB -1922/1 for the ASSEMBLY.