

1999 DRAFTING REQUEST

Senate Amendment (SA-SB248)

Received: 03/14/2000

Received By: **kunkemd**

Wanted: **Today**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **Jim**

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

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Public Util. - telco and cable**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Charges for intralata nonlocal calls

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>
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FE Sent For:

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D-NOTE

1999 - 2000 LEGISLATURE

SA to SB248

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LRB: ~~for~~
MDK:cmh&wlj:jf
RM
NOT
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1999 SENATE BILL 454

March 8, 2000 - Introduced by Senators LAZICH, A. LASEE and ROESSLER, cosponsored by Representatives ALBERS, STONE, HASENOHRL, MEYERHOFER and RYBA. Referred to Committee on Health, Utilities, Veterans and Military Affairs.

1 AN ACT to renumber 196.202 (5); to renumber and amend 196.198 (1); to
2 amend 196.198 (title) and 196.31 (1m); and to create 196.198 (1) (b), 196.198
3 (4) and 196.202(5) (b) of the statutes; relating to: requiring itemization of calls
4 charged by commercial mobile radio service providers and notice of charges for
5 certain intralata telephone calls.

Analysis by the Legislative Reference Bureau

Under this bill, if a customer places an intralata time charged call with a telecommunications provider, the telecommunications provider must advise the customer that the call is subject to a rate that is in addition to the customer's local monthly service rate and identify the rate that applies to the call. In addition, the telecommunications provider must give the customer the opportunity to terminate the call before charging the customer for the call. An "intralata time charged call" is defined as a call placed within the boundaries of a local access and transport area that is subject to a rate that is based on the length of time of the call and that is in addition to a monthly local service rate.

The bill also requires that a commercial mobile radio service provider provide a customer with periodic billing statements that itemize each call that is billed to the customer. A "commercial mobile radio service provider" is a telecommunications provider that is authorized by the Federal Communications Commission to provide commercial mobile service, such as cellular phone service. In addition, the bill prohibits a commercial mobile radio service provider from imposing an additional charge on a customer for itemizing the calls.

SENATE BILL 454

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

#. Page 2, line 1: before that line insert:

1 SECTION ^{1b} 196.198 (title) of the statutes is amended to read:

2 196.198 (title) **Local measured telecommunications service; intralata**
3 **time charged calls.**

4 SECTION ^{1f 3b} 196.198 (1) of the statutes is renumbered 196.198 (1) (intro.) and
5 amended to read:

6 196.198 (1) (intro.) In this section, "extended;

7 (a) "Extended community telephone service" means a telecommunications
8 service by which a customer in one exchange may call a customer in another
9 exchange or combination of exchanges under a discounted toll charge plan.

10 SECTION ^{1k 3b} 196.198 (1) (b) of the statutes is created to read:

11 196.198 (1) (b) "Intralata time charged call" means an intralata call that is
12 subject to a rate that is based on the length of time of the call and that is in addition
13 to a monthly local service rate

14 SECTION ^{1l 3b} 196.198 (4) of the statutes is created to read:

15 196.198 (4) If a customer places an intralata time charged call with a
16 telecommunications provider, the telecommunications provider shall advise the
17 customer that the call is subject to a rate that is in addition to the customer's monthly
18 local service rate, identify the rate that applies to the call and provide the customer
19 with the opportunity to terminate the call before the customer is charged for the call.
20 A telecommunications provider that violates this subsection shall forfeit \$5,000 for
21 each violation.

SENATE BILL 454

#, Page 2, line 1: delete

"SECTION 1" and substitute "SECTION 14"

1 SECTION ~~10~~¹⁵ 196.202 (5) of the statutes is renumbered 196.202 (5) (a). CS

2 SECTION ~~6~~^{1w} 196.202 (5) (b) of the statutes is created to read: B

3 196.202 (5) (b) The periodic billing statement that a commercial mobile radio
4 service provider provides to a customer shall include an itemization of each call billed
5 to the customer. A commercial mobile radio service provider may not impose an
6 additional charge on a customer for itemizing calls under this paragraph. ✓

7 SECTION ~~7~~^{4g} 196.31 (1m) of the statutes is amended to read:
#, Page 3, line 19: after that line insert:

8 196.31 (1m) The commission shall compensate any consumer group or
9 consumer representative for all reasonable costs of participating in a hearing under
10 s. 196.196 (1) (g) or 196.198 (3). ✓

11 SECTION ~~6~~^{4r 7B} Nonstatutory provisions.

12 (1) No later than the first day of the 3rd month beginning after the effective date
13 of this subsection, a telecommunications provider shall, except as provided in
14 subsection (2), submit a plan to the public service commission that describes the
15 steps the telecommunications provider will take to ensure that, no later than the first
16 day of the 6th month beginning after the effective date of this subsection, the
17 telecommunications provider will be in compliance with the requirements of section
18 196.198 (4) of the statutes, as created by this act.

19 (2) A telecommunications provider is not required to submit a plan to the public
20 service commission under subsection (1) if, no later than the first day of the 3rd
21 month beginning after the effective date of this subsection, the telecommunications
22 provider certifies to the public service commission that, on the first day of the 3rd
23 month beginning after the effective date of this subsection, the telecommunications
24 provider will be in compliance with the requirements of section 196.198 (4) of the
25 statutes, as created by this act. ✓

SENATE BILL 454

SECTION 9

Page 3, line 20: delete lines 20 to 22 and substitute:

1
2
3
4

SECTION 9. Effective dates. This act takes effect on the first day of the 6th

month beginning after publication, except as follows:

(1) SECTION 9 of this act takes effect on the day after publication.

(END)

INSERT 4-3

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1781/lins
MDK:.....

1

INSERT 4-3:

2

1. Page 3, line 20: delete lines 20 to 22 and substitute: ✓

3

"SECTION 5m. Effective dates. This act takes effect on the first day of the 3rd ✓
month beginning after publication, except as follows:

5

(1m) The treatment of sections 196.198 (title) ~~196.198 (1) (a) and 196.202~~ and

6

196.31 (1m) ✓ of the statutes and the creation of sections 196.198 (1) (b) and 196.202
7 (5) (b) of the statutes takes effect on the first day of the 6th month beginning after
8 publication.

9

(2m) SECTION 4r ✓ of this act takes effect on the day after publication." ✓

, the renumbering of , the renumbering and amendment of section
196.198 (1) of the statutes

section ~~196.198 (1)~~ ^{196.202 (5)} of the statutes

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1781/1dn
MDK.....

cmk

Senator Lazich: ✓ ✓

This amendment adds the provisions of Senate Bill 454 to Senate Bill 248.

Mark D. Kunkel
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1781/1dn
MDK:emh:km

March 14, 2000

Senator Lazich:

This amendment adds the provisions of Senate Bill 454 to Senate Bill 248.

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