

1999 DRAFTING REQUEST

Bill

Received: **10/1/98**

Received By: **fasttn**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Etzler**

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

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies: **DOT**

Topic:

DOA:.....Etzler - Public safety radio system services

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>
/?	fasttn 10/13/98 nilsepe 10/22/98			_____			
/P1	nilsepe 12/23/98 nilsepe 01/6/99	gilfokm 01/6/99	jfrantze 10/22/98	_____	lrb_docadmin 10/22/98		
/P2	nilsepe 01/7/99	gilfokm 01/9/99	lpaasch 01/7/99	_____	lrb_docadmin 01/7/99		
/P3			lpaasch 01/11/99	_____	lrb_docadmin 01/11/99		

1/11/99 4:11:36 PM
Page 2

FE Sent For:

<END>

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/P1	nilsepe 12/23/98 nilsepe 01/6/99	gilfokm 01/6/99	jfrantze 10/22/98	_____	lrb_docadmin 10/22/98		
/P2		<i>/P3-1999 Kmg</i>	lpaasch 01/7/99	_____	lrb_docadmin 01/7/99		
FE Sent For:			<i>1/11LP</i>	<i>1/11LP</i> <i>hnh</i>			<END>

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Subject: Transportation - miscellaneous

Extra Copies: ~~WOT~~
ISR, TNP

Topic:

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Instructions:

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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>
/?	fasttn 10/13/98 nilsepe 10/22/98	/pa-1-6-99 fmg		_____			
/P1			jfrantze 10/22/98	_____	lrb_docadmin 10/22/98		

FE Sent For:

1-76.P
1-76.P
~~SP~~
<END>

1999 DRAFTING REQUEST

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By/Representing: Etzler

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Subject: Transportation - miscellaneous

Extra Copies: DOT

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See Attached

Drafting History:

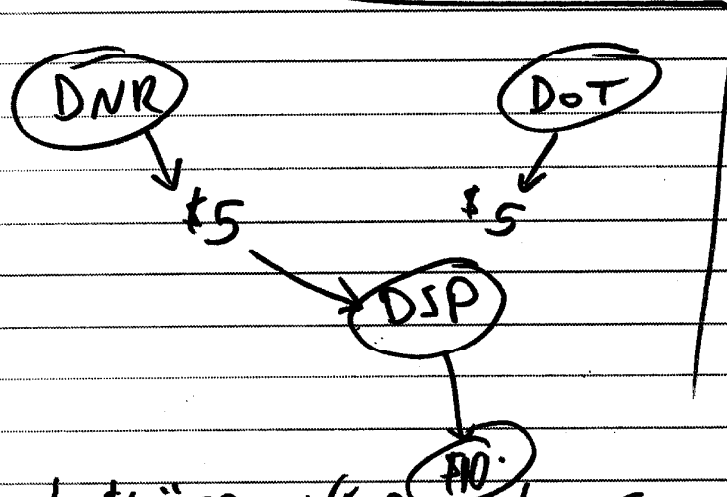
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	fasttn 10/13/98 nilsepe	1/1-10-21 KMG	8/10/22	10/22 KM			

FE Sent For:

<END>

Attn: Josh Peacock

Josh - Attached is language that would allow State Patrol to receive funds for radio and expend those funds for that purpose. I would leave the existing PR-5 appropriation alone because of s. 20.001(2)(c), STATS, and the "double-counting" problem that is ~~avoided~~ avoided by using PR-5 appropriations. Simple program authorization might read, "DOT may contract with local govts. to provide



services under this section."

- Paul Nilsen
261-6926
paul.nilsen@legis.state.wi.us

only \$10 "spent" providing services, but without PR-5 it looks like 3 agencies spent \$20..

Section #. 20.395 (5) ^(dg) of the statutes is ~~amended~~ ^{created} to read:

20.395 (5) ^(dg) ~~Public safety radio management, ~~state~~ funds.~~ From the general fund, all moneys received by the department ~~from the department and from other state agencies~~ for purposes related to the statewide public safety radio management program under s. 85.12, for that purpose.

~~History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.~~

, other than moneys credited to the appropriation account under s. 20.195 (5) (dk),

Section #. 85.12 of the statutes is amended to read:

85.12 Statewide public safety radio management program. (1) The department shall administer a statewide public safety radio management program. From the appropriations under s. 20.395 (5) ^{(dg),} (dk) and (dq), the department may provide statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management.

(2) The department shall maintain any existing communications equipment at state patrol towers and stations that is used by emergency medical services programs under s. 146.55 unless the cost of maintaining the equipment exceeds the benefits that will result from such maintenance.

History: 1993 a. 16.

Sec. #. CR; 25.40 (1) (a) 18.

25.40 (1) (a) Money received under S. 85.12

that are deposited in the general

fund and credited to the appropriation

account under S. 20.395 (5) (d).

(END)

TNF

7030

WISCONSIN DEPARTMENT OF TRANSPORTATION
LEGISLATIVE PROPOSAL FORM
BUDGET / NON-BUDGET

RECEIVED

JUL 27 1998

WISCONSIN DOT
OFFICE OF GENERAL COUNSEL

SHORT TITLE OF ISSUE: Enterprise Public Safety Communications Services

DIVISION(S): State Patrol	DIVISION ADMINISTRATOR'S SIGNATURE:
DATE: June 18, 1998	
CONTACT PERSON: Joshua Peacock	TELEPHONE #: 264-8715
LEAD DIVISION CONTACT PERSON: David Hewitt	TELEPHONE #: 266-0184
GC CONTACT PERSON:	TELEPHONE #:

DEFINE PROBLEM PRECISELY

The State Patrol currently has statutory authority (ss.85.12) to administer a statewide public safety radio management program including statewide tower management, public safety frequency management, public safety database administration, and planning services related to statewide public safety radio management. Funding for these tasks is partially provided under ss.20.395(5)(dk) which permits payments only from state agencies to financially support the statewide public safety radio program. Receipt of revenues from non-state sources is not included in the existing authority.

Because the enterprise system is not completely available to non-state agencies, those agencies who desire a similar system, would be forced to administer their own programs, build or lease space on communications towers, provide their own technical support, and develop their own interconnectability within individual agencies. All services available under the statewide Mobile Data Communications Network (MDCN) and Very High Frequency (VHF) Linking would not be available to non-state agencies.

PROPOSED SOLUTION

The State Patrol needs additional statutory authority to enable it to provide statewide public safety radio system services to non-state agencies. Additional statutory authority would permit the State Patrol to 1) **expend funds** to provide managerial, support, technical, and maintenance services to non-state agencies, 2) **levy fees** to provide for those services, and 3) **collect fees** pay for the services provided. This additional authority provides two major benefits: 1) the most effective administration of the statewide public safety radio program, and 2) the capability for the program to develop into an independent enterprise system in the near future.

LEGISLATIVE BACKGROUND

§s.16.99 identifies the authority for statewide long-range telecommunications planning and programming.

§s.85.12 gives the DOT / DSP authority to administer a statewide public safety radio management program.

§s.20.395(5)(dk) permits payments from state agencies to financially support the statewide public safety radio program.

1999

Date (time) needed _____

LRB - 0169, P1

DOA BUDGET DRAFT

PEN: King

Use the appropriate components and routines developed for bills.

>>FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget.

WFO: IN PEN'S
[Inbox - 10/21/98]
[5:30 p.m.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: create → anal: → title: → head

For the subheading [old =S], execute: create → anal: → title: → sub

For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

Anal: head: TRANSPORTATION
Anal: sub: OTHER TRANSPORTATION
2

(insert) →

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

SECTION #.



Section #. 20.395 (5) ~~(dk)~~ of the statutes is ~~amended~~ ^{created} to read:

20.395 (5) ~~(dk)~~ ^(dj) Public safety radio management, ~~from the~~ ^{state} funds. From the general fund, all moneys received by the department ~~from the department and from other state agencies~~ for purposes related to the statewide public safety radio management program under s. 85.12, for that purpose.

~~History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.~~

, other than moneys credited to the appropriation account under ~~s. 20.395 (5) (dk)~~,

→ NOTE: Bud ← par.

Sec. #. CR; 25.40 (1) (a) 18.

¶ 25.40 (1) (a) 18. Moneys received under s. 85.12

that are deposited in the general

fund and credited to the appropriation

account under s. 20.395 (5) (d_j).

2

Section #. 85.12⁽¹⁾ of the statutes is amended to read:

No ③
~~85.12 Statewide public safety radio management program~~ (1) The department shall administer a statewide public safety radio management program. From the appropriations under s. 20.395 (5) (dk) and (dq), the department may provide statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management.

(dj) 1

~~(2) The department shall maintain any existing communications equipment at state patrol towers and stations that is used by emergency medical services programs under s. 146.55 unless the cost of maintaining the equipment exceeds the benefits that will result from such maintenance.
History: 1993 a. 16.~~

Sec. #. CR 85.12 (3)

85.12 (3) The department may contract with any local governmental unit, as defined in s. 16.97 (7), to provide that local governmental unit with services under this section.

(END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1069/P1ins
PEN.....

typed and proofed -
Not in system folder when draft was done.

Under current law, the department of transportation (DOT) administers a statewide public safety radio management program, under which DOT provides statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management. This bill expressly authorizes DOT to contract with political subdivisions of this state and other local governmental units to provide public safety radio management services and authorizes the expenditure of program receipts on those services.

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

(end insert)

Handwritten initials "PO" in a circle.

DOA:.....Etzler - Public safety radio system services

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 *Don't General.*
AN ACT **relating to:** the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the department of transportation (DOT) administers a statewide public safety radio management program, under which DOT provides statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management. This bill expressly authorizes DOT to contract with political subdivisions of this state and other local governmental units to provide public safety radio management services ~~and authorizes the expenditure of program receipts on those services.~~

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

2 **SECTION 1.** 20.395 (5) (dj) of the statutes is created to read:
3 20.395 (5) (dj) ~~Public safety radio management, state funds.~~ From the general
4 fund, all moneys received by the department, other than moneys credited to the

1 ~~appropriation account under par. (dk), for purposes related to the statewide public~~
2 ~~safety radio management program under s. 85.12, for that purpose.~~

~~****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.~~

3 ~~SECTION 2. 25.40 (1) (a) 18. of the statutes is created to read:~~

4 ~~25.40 (1) (a) 18. Moneys received under s. 85.12 that are deposited in the~~
5 ~~general fund and credited to the appropriation account under s. 20.395 (5) (dj)~~

6 ~~SECTION 3. 85.12 (1) of the statutes is amended to read:~~

7 ~~85.12 (1) The department shall administer a statewide public safety radio~~
8 ~~management program. From the appropriations under s. 20.395 (5) (dj), (dk) and~~
9 ~~(dq), the department may provide statewide tower site management, public safety~~
10 ~~frequency management, public safety data base administration and planning~~
11 ~~services related to statewide public safety radio management.~~

12 SECTION 4. 85.12 (3) of the statutes is created to read:

13 85.12 (3) The department may contract with any local governmental unit, as
14 defined in s. 16.97 (7), to provide that local governmental unit with services under
15 this section.

16 (END)

P3

DOA:.....Etzler - Public safety radio system services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

d-note

1 AN ACT <sup>Don't
cancel.</sup> relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the department of transportation (DOT) administers a statewide public safety radio management program, under which DOT provides statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management. This bill expressly authorizes DOT to contract with political subdivisions of this state and other local governmental units to provide public safety radio management services.

insert
1-2

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

2

SECTION 1. 85.12 (3) of the statutes is created to read:

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0169/P3ins
PEN.....

ihS
1-2

1 SECTION 1. 20.395 (5) (dL) of the statutes is created to read:
2 20.395 (5) (dL) *Public safety radio management, state funds.* From the general
3 fund, all moneys received for purposes related to the statewide public safety radio
4 management program under s. 85.12, other than moneys credited to the
5 appropriation account under par. (dk), for that purpose.



ins
1-2
(cont)

1 ~~appropriation account under par. (dk), for purposes related to the statewide public~~
2 ~~safety radio management program under s. 85.12, for that purpose.~~

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

3 ~~SECTION 2. 25.40 (1) (a) 18^v of the statutes is created to read:~~

4 ~~25.40 (1) (a) 18. Moneys received under s. 85.12 that are deposited in the~~
5 ~~general fund and credited to the appropriation ~~account~~ under s. 20.395 (5) ~~law~~.~~ ^{account} (dk) or (dl)

6 ~~SECTION 3. 85.12 (1) of the statutes is amended to read:~~

7 ~~85.12 (1) The department shall administer a statewide public safety radio~~
8 ~~management program. From the appropriations under s. 20.395 (5) ~~(dq)~~, (dk) and~~
9 ~~(dq), the department may provide statewide tower site management, public safety~~
10 ~~frequency management, public safety data base administration and planning~~
11 ~~services related to statewide public safety radio management.~~

12 ~~SECTION 4. 85.12 (3) of the statutes is created to read:~~

13 ~~85.12 (3) The department may contract with any local governmental unit, as~~
14 ~~defined in s. 16.97 (7), to provide that local governmental unit with services under~~
15 ~~this section.~~

16 (END)

(end insert)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0169/P3dⁿ ←
PEN.....
King

January 9, 1999

John Etzler:

management

This draft creates a program revenue (PR type) appropriation for the statewide public safety radio program. Program revenue-service moneys must be credited to a program revenue-service (PR-S type) appropriation. See ss. 20.001 (2) (b) and (c) and 20.003 (3) (c) 2. and 3., stats.

(A) I understand that s. 110.065, stats., directs all state patrol academy tuition payments including tuition payments received by DOT from other state agencies into a PR type appropriation. However, since academy tuition payments paid to DOT by other state agencies are PR-S moneys under law, s. 110.065, stats., is incorrectly drafted. Academy tuition payments received by DOT from other state agencies *should* be directed to a PR-S type appropriation. I cannot look to this incorrectly drafted example as a reason to knowingly draft something contrary to law. Specifically, I cannot renumber the appropriation account under s. 20.395 (5) (dk), stats., to be a PR type appropriation as you requested, if moneys paid to DOT by other state agencies will be credited to that appropriation.

Paul E. Nilsen
Legislative Attorney
261-6926

*If the governor insists on depositing
all monies recei-*

Nilsen, Paul

From: Etzler, John [John.Etzler@doa.state.wi.us]
Sent: Thursday, January 07, 1999 1:55 PM
To: Nilsen, Paul
Subject: LRB 0169/P2

Paul -- I have been told to make this a PR instead of a PR-S appropriation. In light of this, 20.395 (5) (dk) is to be amended and renumbered to create an appropriation that would receive revenues from all expenditures made relating to the statewide public safety radio program. Thanks.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0169/P3dn
PEN:kmg:lp

January 9, 1999

John Etzler:

This draft creates a program revenue (PR type) appropriation for the statewide public safety radio management program. Program revenue-service moneys must be credited to a program revenue-service (PR-S type) appropriation. See ss. 20.001 (2) (b) and (c) and 20.003 (3) (c) 2. and 3., stats.

I understand that s. 110.065, stats., directs all state patrol academy tuition payments — including tuition payments received by DOT from other state agencies — into a PR type appropriation. However, since academy tuition payments paid to DOT by other state agencies are PR-S moneys under law, s. 110.065, stats., is incorrectly drafted. Academy tuition payments received by DOT from other state agencies *should* be directed to a PR-S type appropriation. I cannot look to this incorrectly drafted example as a reason to knowingly draft something contrary to law. Specifically, I cannot renumber the appropriation account under s. 20.395 (5) (dk), stats., to be a PR type appropriation as you requested, if moneys paid to DOT by other state agencies will be credited to that appropriation.

Paul E. Nilsen
Legislative Attorney
261-6926



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0169/P3

PEN:kmg:lp

DOA:.....Etzler – Public safety radio system services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the department of transportation (DOT) administers a statewide public safety radio management program, under which DOT provides statewide tower site management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management. This bill expressly authorizes DOT to contract with political subdivisions of this state and other local governmental units to provide public safety radio management services.

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

2 **SECTION 1.** 20.395 (5) (dL) of the statutes is created to read:

3 20.395 (5) (dL) *Public safety radio management, state funds.* From the general

4 fund, all moneys received for purposes related to the statewide public safety radio

1 management program under s. 85.12, other than moneys credited to the
2 appropriation account under par. (dk), for that purpose.

3 **SECTION 2.** 25.40 (1) (a) 18. of the statutes is created to read:

4 25.40 (1) (a) 18. Moneys received under s. 85.12 that are deposited in the
5 general fund and credited to the appropriation account under s. 20.395 (5) (dk) or
6 (dL).

7 **SECTION 3.** 85.12 (3) of the statutes is created to read:

8 85.12 (3) The department may contract with any local governmental unit, as
9 defined in s. 16.97 (7), to provide that local governmental unit with services under
10 this section.

11 (END)

NOTE TO DRAFTING FILE for LRB-0169:

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

DOA:.....Etzler - Public safety radio system services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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10 this section.

11 (END)