

2003 SENATE BILL 54

February 26, 2003 – Introduced by Senators S. FITZGERALD, M. MEYER, CARPENTER, KEDZIE, LEIBHAM, STEPP, WELCH and WIRCH, cosponsored by Representatives JENSEN, BIES, J. FITZGERALD, HINES, KRAWCZYK, MCCORMICK, MONTGOMERY, MUSSER, NASS, PETTIS, SCHOOFF, SUDER, TURNER and VAN ROY. Referred to Committee on Energy and Utilities.

1 **AN ACT** *to create* 66.0419 (3m) of the statutes; **relating to:** operation and costs
2 of municipal cable television systems.

Analysis by the Legislative Reference Bureau

This bill prohibits, with certain exceptions, a municipality that owns and operates a cable television system from passing on the cost of the system to nonsubscribers. There are two exceptions to this prohibition. First, the prohibition does not apply to a municipality that began operating a cable television system before the effective date of the bill. Second, a municipality that began operating a cable television system on or after the effective date of the bill may pass on the following costs to nonsubscribers: 1) the cost of public, educational, and governmental access channels; and 2) the cost of debt service on public improvement bonds for the construction, renovation, or expansion of the municipality's cable television system.

The bill also requires a municipality that owns and operates a cable television system to prepare and maintain records that include the following: 1) the cost of franchise fees, pole rentals, and all other expenses that the municipality would incur if it were a nonmunicipal cable television operator that had been granted a franchise by the municipality; and 2) the amount, source, and cost of working capital used for the municipality's cable television system. This requirement does not apply to a municipality that began operating a cable television system before the effective date of the bill.

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For further information see the *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:

1 **SECTION 1.** 66.0419 (3m) of the statutes is created to read:

2 66.0419 **(3m)** MUNICIPAL CABLE TELEVISION SYSTEM. (a) A municipality that
3 owns and operates a cable television system shall prepare and maintain records that
4 include all of the following:

5 1. The cost of franchise fees, pole rentals, and all other expenses that the
6 municipality would incur if it were a nonmunicipal cable television operator that had
7 been granted a franchise by the municipality.

8 2. The amount, source, and cost of working capital used for the municipal cable
9 television system.

10 (b) Except as provided in par. (c), a municipality that owns and operates a cable
11 television system may not pass on the cost of the cable television system to
12 nonsubscribers.

13 (c) A municipality may pass on the cost of all of the following to nonsubscribers:

14 1. Public, educational, and governmental access channels.

15 2. Debt service on bonds issued under s. 66.0619 to finance the construction,
16 renovation, or expansion of a municipal cable television system.

17 (d) This subsection does not apply to a municipality that began operating a
18 municipal cable television system before the effective date of this paragraph
19 [revisor inserts date].

20 **SECTION 2. Effective date.**

