

2003 DRAFTING REQUEST

Bill

Received: 01/14/2003

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Scott Fitzgerald (608) 266-5660

By/Representing: Judi Rhodes-Engels

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject: Munis - miscellaneous

Extra Copies: MES, RJM

Submit via email: YES

Requester's email: Sen.Fitzgerald@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Operation and costs of municipal cable television systems

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>
/?	mkunkel 01/14/2003	kfollett 01/14/2003		_____			Local
/1			chaskett 01/14/2003	_____	amentkow 01/14/2003	lemery 01/16/2003	
				_____	lemery 01/15/2003		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

\_\_\_\_\_  
\_\_\_\_\_  
lemery  
01/16/2003

FE Sent For:

*At intro.*

<END>

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\_\_\_\_\_  
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*resubmitted  
for jacketing  
button.*

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					lemery 01/15/2003		

re-submitted - did not receive email

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Extra Copies: **MES, RJM**

*email*

Submit via email: **YES**

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#### Topic:

Operation and costs of municipal cable television systems

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#### Instructions:

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1?	mkunkel	11 KJF 1/14	Cph T 1/14	SELF 1/14			

FE Sent For:

<END>

KSF

D-NOTE

-148111

RM NOT  
RUN

By  
1/21

2001 SENATE BILL 23

January 23, 2001 - Introduced by Senators MOEN, BRESKE, M. MEYER, FARROW, WIRCH and S. FITZGERALD, cosponsored by Representatives HOVEN, SCHNEIDER, UNDERHEIM, PLALE, OTT, HUEBSCH, PETTIS, TURNER, VRAKAS, MONTGOMERY, POWERS, LASSA and SCHOOFF. Referred to Committee on Health, Utilities, Veterans and Military Affairs.

Regen

- 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.

**SENATE BILL 23**

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

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

1           **SECTION 1.** 66.0419<sup>✓</sup> (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<sup>✓</sup> 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,<sup>✓</sup> source, and cost of working capital used for the municipal cable  
9 television system.

10           (b) Except as provided in par.<sup>✓</sup> (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,<sup>✓</sup> educational, and governmental access channels.

15           2. Debt service on bonds issued under s. 66.0619<sup>✓</sup> 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.**



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1481/1dn

MDK: *kgf*

*Date*

Senator Fitzgerald:

This bill is identical to 2001 Senate Bill 23. ✓

Note that, like 2001 Senate Bill 23, this bill's requirements do not apply to a municipality that began operating a cable television system before the bill's effective date.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1481/1dn  
MDK:kjf:cph

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Note that, like 2001 Senate Bill 23, this bill's requirements do not apply to a municipality that began operating a cable television system before the bill's effective date.

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E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)

**Emery, Lynn**

---

**From:** Rhodes-Engels, Judi  
**Sent:** Thursday, January 16, 2003 2:58 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-1481/1 Topic: Operation and costs of municipal cable television systems

It has been requested by <Rhodes-Engels, Judi> that the following draft be jacketed for the SENATE:

Draft review: LRB-1481/1 Topic: Operation and costs of municipal cable television systems

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Monday, February 10, 2003 10:12 AM  
**To:** Sen.Fitzgerald  
**Subject:** LRB-1481/1 (attached - requested by Judi)



03-1481/1

*Mike Barman*

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703