

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **06/04/2003**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Merrifield**

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

Drafter: **mlief**

May Contact:

Addl. Drafters: **mkunkel
gmalaise**

Subject: **Education - libraries
Public Util. - misc.**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **darin.renner@legis.state.wi.us
tony.mason@legis.state.wi.us**

Pre Topic:

LFB:.....Merrifield -

Topic:

Universal service fund

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>
/?	mlief 06/04/2003			_____			
/1	mkunkel 06/06/2003	kgilfoy 06/06/2003	rschluet 06/06/2003	_____	mbarman 06/06/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mkunkel 06/06/2003	kgilfoy 06/06/2003	chaskett 06/06/2003	_____	lemery 06/06/2003		
/3	mkunkel 06/09/2003	kgilfoy 06/09/2003	chaskett 06/09/2003	_____	lemery 06/09/2003		

FE Sent For:

<END>

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Carbon copy (CC:) to: darin.renner@legis.state.wi.us

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LFB:.....Merrifield -

Topic:

Universal service fund

Instructions:

See Attached

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/?	mlief 06/04/2003		136/9 cp	206/40 6/5			
/1	mkunkel 06/06/2003	kgilfoy 06/06/2003	rschluet 06/06/2003		mbarman 06/06/2003		

13-6/9
Kmg

<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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*12-6/6
Kung*

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Drafter: mlief

May Contact:

Addl. Drafters: mkunkel
gmalaise

Subject: Education - libraries
Public Util. - misc.

Extra Copies:

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Carbon copy (CC:) to: darin.renner@legis.state.wi.us

Pre Topic:

LFB:.....Merrifield -


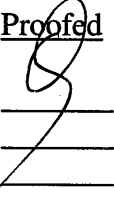
Topic:

Universal service fund

Instructions:

See Attached

Drafting History:

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1?	mlief 06/04/2003 mkunkel	11-6/6 King					

6-6-03

FE Sent For:

<END>

k. **Milwaukee Charter Schools.** Adopt the provisions of Assembly Bill 261, which would make the following modifications to the charter program: (1) allow pupils who reside outside MPS to attend Milwaukee charter schools; (2) delete the prior-year participation requirements for pupils entering the program; and (3) allow MPS to transport pupils attending charter schools.

PG
MJL
b0351

l. **Racine Charter School (LFB Paper #626).** Delete the limit on the number of pupils that can enroll in the Racine charter school, which is currently set by law at 400 pupils. Specify that related aid payments to the Racine Unified School District would be capped at a maximum of 400 pupils.

196.218
(3)(a) 3.b.
What are they who determines?

Administrative and Other Funding

m. **Universal Service Fund (LFB Paper #630).** Approve the Governor's recommendation to use USF monies for a portion of public library aids (Alternative A1). However, specify that the USF-funded supplemental public library appropriation would sunset as of June 30, 2005. Also, require telecommunications providers to itemize the total customer assessment relating to non-PSC programs for the state USF on customers' bills for telecommunications services. In addition, modify the Governor's recommendations to provide statutory language that would: (a) include the payment of supplemental public library system aid as an authorized use of the universal service fund; (b) enumerate the SEG appropriations funding supplemental public library system aid, telecommunications access grants to state schools and telecommunications access grants to secured juvenile correctional facilities under the listing of appropriations used by the PSC to set annual universal service fund assessments; and (c) insert correct references to DOA appropriations in various universal service fund-supported TEACH Board appropriations being transferred under the bill to DPI (Alternative B1).

MJL

255
(3)
(2m)

2003-04
(11)
(12)

b0306

n. **Federal Administrative Funding.** Require that DPI submit for approval under a 14-day passive review by the Joint Committee on Finance, its plans for any use of federal funding that would support DPI operations, effective for proposed use of these monies beginning in 2003-04.

MJL
0354

o. **National Teacher Certification Reestimate (LFB Paper #631).** Modify the Governor's recommendation to reestimate funding by -\$40,000 GPR in 2003-04 and -\$22,500 GPR in 2004-05 from the amounts provided in SB 44. [Alternative 2]

p. **Teacher Licensing Fee to Fund Mentoring.** Require DPI to increase fees for initial in-state and renewal teacher and administrator licenses from \$100 to \$150, effective July 1, 2004. Create a separate program revenue appropriation under DPI to receive all revenues generated by the \$50 increase and provide \$1,500,000 PR in 2004-05. Require DPI to distribute from this appropriation grants to all school districts to fund mentoring for initial educators, as required under chapter PI 34, Wisconsin Administrative Code. Require that the grants be distributed based on the number of teachers employed by each district.

PG

q. **DPI State Operations Funding.** Increase the Governor's base budget reductions from 10% to 15% for DPI state operations appropriations, except for residential schools. Decrease

20.155(1)(q)

(q) Universal telecommunications service. From the universal service fund, the amounts in the schedule for the promotion of universal telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4., 8. and 9.

20.255(3)(q)

(q) Periodical and reference information databases. From the universal service fund, the amounts in the schedule to contract for periodical and reference information databases under s. 115.28 (26).

20.275(1)(q) ~~deleted~~

(q) Computer training. From the universal service fund, the amounts in the schedule for the grant to the Racine Unified School District under s. 44.72 (3).

20.275(1)(s)

(s) Telecommunications access; school districts; grant. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (1) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (is); prior to January 1, 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999-2000 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin Act 9, section 9148 (4w).

20.275(1)(t)

(t) Telecommunications access; private and technical colleges and libraries. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (2) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (is).

20.275(1)(tm)

(tm) Telecommunications access; private schools. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (3) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (is) and, prior to January 1, 2006, to make grants to private schools under s. 44.73 (6).

20.275(1)(tu) → RN 20.255 (4) (tu)

(tu) Telecommunications access; state schools. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (4) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (kL).

20.275(1)(tw) → RN 20.255 (4) (tw)

(tw) Telecommunications access; secured correctional facilities. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (1) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (ke).



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0364/1
MDK&MJL:/:....
King

D-NOTE

LFB:.....Merrifield - Universal service fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 343, line 11: after "§ 43.24." insert "No moneys may be encumbered
3 from this appropriation after June 30, 2005."

4 ✓ 2. Page 909, line 13: delete lines 13 and 14 and substitute:

5 "196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), 20.275
6 (1) and (qm) and (4) (s), (t) and (tm), (tu), and (tw) and 20.285 (1) (q)."

7 ✓ 3. Page 909, line 14: ¹⁵ after that line insert: → before

8 "SECTION 2311^{ok}. 196.218 (3) (e) of the statutes is amended to read:

9 196.218 (3) (e) ~~Except as provided in s. 196.196 (2) (d), a~~ ^{strike a space} A telecommunications
10 provider ~~or other person~~ may not establish a surcharge on customers' bills to collect
11 from customers the contributions required under this subsection to generate the

1 amount specified in par. (b) 3. a. A telecommunications provider shall establish a
 2 surcharge on customers' bills to collect from customers the contributions required to
 3 generate the amount specified in par. (b) 3. b. The commission shall provide
 4 telecommunications providers with the information necessary to comply with this
 5 paragraph."

History: 1993 a. 496; 1997 a. 27, 41, 237; 1999 a. 9, 29, 185; 2001 a. 16.

6 ✓ 4. Page 910, line 20: after that line insert:

7 "SECTION 2317^c. 196.218 (5) (a) 11. of the statutes is created to read:

8 196.218 (5) (a) 11. To provide for state aid to public library systems under s.

9 43.24."

10 (END)

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

LRBb0364/1dn

MDK:1:...



Layla Merrifield and Darin Renner:

This amendment makes the changes described in item m. of Motion #715, except for the changes described in item (c) of item m., which are made in LRBb0306/1.

Regarding s. 196.218 (3) (e), stats., note that I eliminated the exception regarding s. 196.196 (2) (d) because, unless I am mistaken, I don't think the exception has any significance. Also, I eliminated the reference to "or other person" because I think it is sufficient to impose the duties on telecommunications providers.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0364/1dn
MDK:kmg:rs

June 6, 2003

Layla Merrifield and Darin Renner:

This amendment makes the changes described in item M. of Motion #715, except for the changes described in item (c) of item M., which are made in LRBb0306/1.

Regarding s. 196.218 (3) (e), stats., note that I eliminated the exception regarding s. 196.196 (2) (d) because, unless I am mistaken, I don't think the exception has any significance. Also, I eliminated the reference to "or other person" because I think it is sufficient to impose the duties on telecommunications providers.

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D-NOTE

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LFB:.....Merrifield - Universal service fund

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

INSERT 1-3

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 343, line 11: after "43.24." insert "No moneys may be encumbered from
3 this appropriation after June 30, 2005."

4 **2.** Page 909, line 13: delete lines 13 and 14 and substitute:

5 "196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), 20.275
6 (1) and (qm) and (4) (s), (t) and (tm), (tu), and (tw) and 20.285 (1) (q)."

7 **3.** Page 909, line 15: before that line insert:

8 "SECTION 2311k. 196.218 (3) (e) of the statutes is amended to read:

9 196.218 (3) (e) Except as provided in s. 196.196 (2) (d), a telecommunications
10 provider or other person may not establish a surcharge on customers' bills to collect
11 from customers the contributions required under this subsection to generate the

~~1 amount specified in par. (b) 3. a. A telecommunications provider shall establish a
2 surcharge on customers' bills to collect from customers the contributions required to
3 generate the amount specified in par. (b) 3. b. The commission shall provide
4 telecommunications providers with the information necessary to comply with this
5 paragraph."~~

6 **4.** Page 910, line 20: after that line insert:

7 **"SECTION 2317c.** 196.218 (5) (a) 11. of the statutes is created to read:

8 196.218 (5) (a) 11. To provide for state aid to public library systems under s.
9 43.24."

10 (END)

1 INSERT 1-3: ✓

2 ✓ 1. Page 909, line 15: before that line insert:

3 "SECTION 2311g. 196.218 (3) (a) 4. of the statutes is amended to read:

4 196.218 (3) (a) 4. In calculating contribution amounts that must be paid into
5 the universal service fund by ~~telecommunications utilities that provide local~~
6 ~~exchange service~~, the commission shall determine the portion of the contributions
7 that ~~are~~ ^{is} used for the purposes specified in sub. (5) (a) 5. to 7. ~~11.~~ ^{11.}

8 History: 1993 a. 496; 1997 a. 27, 41, 237; 1999 a. 9, 29, 185; 2001 a. 16.

9 SECTION 2311r. 196.218 (3) (f) of the statutes is amended to read:

10 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)
11 and (6), 196.213 and 196.215, a telecommunications utility that provides local
12 exchange service may make adjustments to local exchange service rates for the
13 purpose of recovering the portion of its contributions to the universal service fund
14 that is determined by the commission under par. (a) 4. Any telecommunications
15 provider that adjusts rates for the purpose of recovering all or any amount of the
16 portion of its contributions to the universal service fund that is determined by the
17 commission under par. (a) 4. shall identify on customer bills a single amount that is
18 the total amount of the adjustment. The commission shall provide
19 telecommunications providers with the information necessary to make such an
identification."

History: 1993 a. 496; 1997 a. 27, 41, 237; 1999 a. 9, 29, 185; 2001 a. 16.

Strike

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

LRBb0364/2dn

MDK:f:....

mg

Darin Renner and Layla Merrifield:

This version is reconciled with LRBb0306/2 which contains the treatment of s. 196.218 (3) (a) 3, b.

Note that LRBb0306/2

Note that I discovered that it is necessary to amend s. 196.218 (3) (a) 4. to change the cross-reference to the "non-PSC" uses of the universal service fund. Also, the PSC must be required to determine the amount of such contributions for any telecommunications provider, not just telecommunications utilities that provide local exchange service.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0364/2dn
MDK:kmg:cph

June 6, 2003

Darin Renner and Layla Merrifield:

This version is reconciled with LRBb0306/2. Note that LRBb0306/2 contains the treatment of s. 196.218 (3) (a) 3. b.

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3

O-NOTE

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LFB:.....Merrifield - Universal service fund

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO 2003 SENATE BILL 44**

1 At the locations indicated, amend the bill as follows:

2 1. Page 343, line 11: after "43.24." insert "No moneys may be encumbered from
3 this appropriation after June 30, 2005."

4 ✓ 2. Page 909, line 15: before that line insert:

5 "SECTION 2311^e 196.218 (3) (a) 4. of the statutes is amended to read:

6 196.218 (3) (a) 4. In calculating contribution amounts that must be paid into
7 the universal service fund by telecommunications utilities that provide local
8 exchange service, the commission shall determine the portion of the contributions
9 that ~~are~~ ^{is} used for the purposes specified in sub. (5) (a) 5. to 7. 11.

10 SECTION 2311^g 196.218 (3) (f) of the statutes is amended to read:

plain

INSERT 1-9

plain

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 4 purpose of recovering the portion of its contributions to the universal service fund
 5 that is determined by the commission under par. (a) 4. ~~Any~~ ^{utility} telecommunications
 6 ~~provider~~ that adjusts rates for the purpose of recovering all or any amount of ~~the~~ ^{that}
 7 ~~portion of its contributions to the universal service fund that is determined by the~~
 8 ~~commission under par. (a) 4~~ shall identify on customer bills a single amount that is
 9 the total amount of the adjustment. ²² The commission shall provide
 10 telecommunications providers with the information necessary to make such an
 11 identification.

12 3. Page 910, line 20: after that line insert:

13 "SECTION 2317c. 196.218 (5) (a) 11. of the statutes is created to read:

14 196.218 (5) (a) 11. To provide for state aid to public library systems under s.
 15 43.24."

16 (END)

**2003-2004 DRAFTING INSERT
FROM THE
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LRBb0364/3ins
MDK:.....

1

INSERT 1-9: ✓

2

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3

196.218 (3) (e) Except as provided in par. (f) and s. 196.196 (2) (d), a

4

telecommunications provider or other person may not establish a surcharge on

5

customers' bills to collect from customers contributions required under this

6

subsection.

History: 1993 a. 496; 1997 a. 27, 41, 237; 1999 a. 9, 29, 185; 2001 a. 16.

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

LRBb0364/3dn

MDK:.....

KMG

Tony Mason, Darin Renner, and Layla Merrifield:

This version makes changes that were discussed with Tony Mason. See also LRBb0306/2 for other changes regarding the transfer of TEACH board duties to DOA and fixing cross-references in s. 196.218 (3) (a) 3. b.

^

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FROM THE
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LRBb0364/3dn
MDK:kmg:cph

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0364/3
MDK&MJL:kmg:cph

LFB:.....Merrifield – Universal service fund

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9 that are is used for the purposes specified in sub. (5) (a) 5. to ~~7.~~ 11.

10 **SECTION 2311m.** 196.218 (3) (e) of the statutes is amended to read:

