

D-NOTE

2003 BILL

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1 AN ACT to amend 146.70 (7); and to create 20.155 (3), 25.17 (1) (yo), 25.98, 77.51
 2 (4) (b) 8., 77.51 (15) (b) 7. and 146.70 (3m) of the statutes; relating to: creating
 3 a wireless 911 fund; imposing a surcharge on wireless telephone customers;
 4 making grants for wireless 911 emergency telephone service; providing an
 5 exemption from emergency rule procedures; granting rule-making authority;
 6 and making appropriations.

nine months after

Analysis by the Legislative Reference Bureau

This bill requires the Public Service Commission (PSC) to make grants to wireless telecommunications providers (wireless providers) and cities, villages, towns, and counties (local governments) for reimbursement of certain costs related to providing wireless 911 emergency telephone service (wireless 911 service). The grants are funded by a surcharge paid by wireless customers.

A wireless provider is eligible for the grants if it is subject to orders of the Federal Communications Commission (FCC) regarding wireless 911 service. In addition, a wireless provider must apply for the grants no later than ~~the~~ months after the bill's effective date. An application must include an estimate of the costs that, during the three-year period beginning ~~on~~ the bill's effective date, the wireless provider has incurred or will incur to upgrade, purchase, lease, program, install, test, operate, or maintain all data, hardware, and software necessary to comply with the FCC orders. The application must also include supporting documentation for the estimate.

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For local governments, only ~~a~~ ^{the} local government that is specified in a resolution passed by a county ~~is~~ ^{are} eligible for the grants. A county has until ~~six~~ ^{nine} months after the bill's effective date to pass such a resolution. Like wireless providers, local governments must apply for the grants no later than ~~six~~ ^{nine} months after the bill's effective date. An application must include an estimate of the costs that, during the three-year period beginning ~~on~~ ^{the} the bill's effective date, the local government has directly and primarily incurred, or will directly and primarily incur, for leasing, purchasing, operating, or maintaining ~~a~~ ^{the} wireless ~~911~~ ^{public safety} answering facility. Such costs include costs for the following: 1) necessary network equipment, computer hardware and software, database equipment, and radio and telephone equipment, that are located within the facility; 2) training operators of the facility; and 3) network costs for delivery of calls to the facility. The application must also include supporting documentation for the estimate.

For both wireless providers and local governments, the PSC must ~~determine whether an estimate in an application is reasonable. If the PSC determines that an estimate is not reasonable, the PSC must give the applicant an opportunity to provide a reasonable estimate.~~

The bill requires the PSC to ~~make grants to wireless providers and local governments to reimburse the costs in the estimates, except that the PSC must limit the grants to amounts that are reasonable. In addition, for local governments, the grants may not be used to reimburse costs for any of the following: 1) specified costs related to dispatching emergency services; 2) vehicles and equipment in vehicles; 3) communications equipment and software; 4) real estate and improvements to real estate, other than improvements necessary to maintain the security of wireless 911 answering facilities; and 5) salaries and benefits of operators of such facilities.~~

The funding source for the grants is a monthly surcharge imposed by wireless providers for each customer telephone number that is billed to an address in this state. The PSC must promulgate rules that establish the amount of the surcharge, which must be sufficient for the PSC to administer and make grants under the bill. The PSC may promulgate rules to increase or decrease the surcharge, but may increase the surcharge only once per year, and any increase must be uniform statewide. ~~In addition, no surcharge may be imposed after three years after the bill's effective date.~~ Wireless providers must pay the surcharge to the PSC for deposit into a wireless 911 fund that is created in the bill. A wireless provider is not liable for surcharges that are not paid by customers. Instead, the bill ~~requires~~ ^{allows} the PSC to bring an action against a customer for an unpaid surcharge.

The bill creates other requirements for the grant program, including the following:

1. The PSC must promulgate rules for making supplemental grants to local governments that submit joint applications for estimated costs of jointly operating wireless 911 answering facilities. The rules must establish the supplemental grants in amounts that provide incentives for making joint applications. A joint application must specify the manner in which the estimated costs are apportioned between the local governments, and the PSC must make grants according to the apportionment.

nine months after

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12. The PSC must withhold from public inspection any information the PSC receives that would aid the competitor of a wireless provider.

28. Local governments and other state agencies are prohibited from requiring wireless telecommunications providers to collect or pay a surcharge or fee related to wireless 911 service.

34. Wireless providers must identify the surcharge on customer bills as "Wisconsin Wireless 911 Surcharge".

INSERT 3.1

48. Wireless providers are immune from liability to any person who ~~uses a wireless 911 service~~ for which a grant is made under the bill.

6. The bill's requirements regarding the surcharge and grant program do not apply after three years, after the bill's effective date. and nine months

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

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:

1 SECTION 1. 20.155 (3) of the statutes is created to read:

2 20.155 (3) WIRELESS 911 GRANTS. (q) *General program operations and grants.*

3 From the wireless 911 fund, all moneys received under s. 146.70 (3m) (e) 1. to

4 administer and make grants to wireless providers and local governments under s.

5 146.70 (3m) ~~(b) and (c)~~ and supplemental grants to local governments described in

6 s. 146.70 (3m) ~~(d)~~ (e) ✓

7 SECTION 2. 25.17 (1) (yo) of the statutes is created to read:

8 25.17 (1) (yo) Wireless 911 fund (s. 25.98);

9 SECTION 3. 25.98 of the statutes is created to read:

10 25.98 Wireless 911 fund. There is established a separate nonlapsible trust

11 fund designated as the wireless 911 fund, consisting of deposits by the public service

12 commission under s. 146.70 (3m) (e) 1. ✓

13 SECTION 4. 77.51 (4) (b) 8. of the statutes is created to read:

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1 77.51 (4) (b) 8. The surcharge established in rules of the public service
 2 commission under s. 146.70 (3m) ^{of} (e) for customers of wireless providers, as defined
 3 in s. 146.70 (3m) (a) 5.

SECTION 5. 77.51 (15) (b) 7. of the statutes is created to read:

5 77.51 (15) (b) 7. The surcharge established in rules of the public service
 6 commission under s. 146.70 (3m) ^f (e) for customers of wireless providers, as defined
 7 in s. 146.70 (3m) (a) 5.

SECTION 6. 146.70 (3m) of the statutes is created to read:

146.70 (3m) WIRELESS PROVIDERS. (a) *Definitions.* In this subsection:

- 10 1. "Commission" means the public service commission.
- 11 2. "Federal wireless orders" means the orders of the federal communications
 12 commission regarding 911 emergency services for wireless telephone users in FCC
 13 docket no. 94-102.

- 14 3. "Local government" means a city, village, town, or county.
- 15 4. "Reimbursement period" means the period of time between the effective date
 16 of this subdivision [revisor inserts date], and the first day of the ~~30~~th month after
 17 the effective date of this subdivision [revisor inserts date].

18 5. "Wireless provider" means a commercial mobile radio service provider, as
 19 defined in s. 196.01 (2g), that is subject to the federal wireless orders.

20 6. "Wireless public safety answering point" means a facility to which a call on
 21 a wireless provider's system is initially routed for response, and on which a public
 22 agency directly dispatches the appropriate emergency service provider, relays a
 23 message to the appropriate emergency service provider, or transfers the call to the
 24 appropriate emergency services provider.

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first day of the 10th month beginning after the

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par. (d)

ital

applications

1 (b) *Grants wireless providers.* A wireless provider may not receive a grant
 2 under ~~subd. 1.~~ unless, no later than the first day of the ¹⁰th month after the effective
 3 date of this ~~subdivision~~ ^{paragraph} ... [revisor inserts date], the wireless provider applies to the
 4 commission with an estimate, and supporting documentation, of the costs that it has
 5 incurred or will incur during the reimbursement period to upgrade, purchase, lease,
 6 program, install, test, operate, or maintain all data, hardware, and software
 7 necessary to comply with the federal wireless orders.

The commission shall determine whether the estimate is reasonable. If the commission determines that the estimate is unreasonable, the commission shall provide the wireless provider with the reasons for the determination and give the wireless provider an opportunity to provide a reasonable estimate.

2. From the appropriation under s. 20.155 (3) (q), the commission shall make grants to reimburse an eligible wireless provider for the costs estimated under subd. 1., except that the commission shall limit the grants to an amount that the commission determines is reasonable.

applications (ital)

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16 (c) *Grants local governments.* 1. A local government may not receive a grant
 17 under ~~subd. 1.~~ unless the requirements under subd. 3. ^{s. 1} are satisfied and, no later than
 18 the first day of the ¹⁰th month after the effective date of this subdivision ... [revisor
 19 inserts date], ~~the local government~~ ^{INSERT 5-19} applies to the commission with an estimate, and
 20 supporting documentation, of the costs that ~~it~~ ^{INSERT 5-20} directly and primarily incurred or
 21 will directly and primarily incur during the reimbursement period for leasing,
 22 purchasing, operating, or maintaining a wireless public safety answering point,
 23 including costs for all of the following: the

par. (d)

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INSERT 6-9

1 a. Necessary network equipment, computer hardware and software, database
2 equipment, and radio and telephone equipment, that are located within the wireless
3 public safety answering point.

4 b. Training operators of a wireless public safety answering point.

5 c. Network costs for delivery of calls from a wireless provider to a wireless
6 public safety answering point.

7 2. ~~Local governments that jointly operate, or intend to jointly operate, a~~
8 ~~wireless public safety answering point may submit a joint application under subd.~~
9 ~~1. A joint application shall specify the manner in which the estimated costs under~~
10 ~~subd. 1 are apportioned among the local governments that have made the joint~~
11 ~~application.~~ INSERT 6-11

12 3. A city, village, or town in a county, the county itself, or a combination of cities,
13 villages, towns, or counties that submit a joint application under subd. 1., is eligible
14 for grants under subd. 5. only if, no later than the first day of the 7th month beginning
15 after the effective date of this subdivision [revisor inserts date], the county has
16 passed, or, in the case of a joint application, the counties in which the jointly applying
17 local governments are located have passed, a resolution specifying that the city,
18 village, or town, the county itself, or the combination of cities, villages, towns, or
19 counties, is eligible for the grants. Only one city, village, or town in a county, or the
20 county itself, may receive grants under subd. 5., except that, if the resolution
21 specifies a combination of cities, villages, towns, or counties that submit a joint
22 application under subd. 1., the specified cities, villages, towns, or counties may
23 receive the grants.

24 4. If the commission determines that the estimate of a local government under
25 subd. 1. is unreasonable, the commission shall provide the local government with the

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wireless providers and

1 reasons for the determination and give the local government an opportunity to
2 provide a reasonable estimate.

3 2. From the appropriation under s. 20.155 (3) (q), the commission shall make
4 grants to reimburse ~~eligible~~ ^{approved} local government for ~~the~~ ^{its} costs ~~incurred~~ ^{approved} under subd.
5 ~~1~~ ^{INSERT 7-5} applicable, the costs apportioned to the local government under subd. 2,
6 except that the commission shall limit the grants to an amount that the commission
7 determines is reasonable and except that grants may not be used to reimburse costs
8 for any of the following:

- 9 a. Emergency service dispatch, including personnel, training, equipment,
- 10 software, records management, radio communications, and mobile data network
- 11 systems.
- 12 b. Vehicles and equipment in vehicles.
- 13 c. Communications equipment and software used to communicate with
- 14 vehicles.
- 15 d. Real estate and improvements to real estate, other than improvements
- 16 necessary to maintain the security of a wireless public safety answering point.
- 17 e. Salaries and benefits of operators of a wireless public safety answering point.

18 (d) Grants: rule making. 4. The commission shall promulgate rules
19 establishing requirements and procedures for making grants under ~~par. (c)~~

INSERT 7-19

20 The commission shall ~~also~~ ^{also} promulgate rules for making supplemental grants from
21 the appropriation under s. 20.155 (3) (q) to ~~local governments~~ ^{counties} that submit joint
22 applications ^{required} under par. (c) ⁴. The rules shall establish the supplemental grants in
23 amounts that provide an incentive for ~~local governments~~ ^{counties} to submit joint applications.

INSERT 7-21

24 The rules may not impose any limits on the use of a supplemental grant ~~by a local~~
25 ~~government.~~

(e) Supplemental grants. (ital.)

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1 2. The rules under subd. 1. shall allow the commission to make any grant in
2 installments:

3 (f) (e) Wireless surcharge. 1. The commission shall promulgate rules requiring
4 each wireless provider to impose a monthly surcharge for each telephone number of
5 a customer that has a billable address in this state and pay the surcharge to the
6 commission for deposit in the wireless 911 fund. The rules may not require the
7 surcharge to be imposed ^(INSERT 8-7) after the first day of the ~~31~~⁴⁶th month beginning after the
8 effective date of this subdivision [revisor inserts date]. The amount of the
9 surcharge shall be sufficient for the commission to administer and make the grants
10 under ~~par. (d)~~ ^{par. (d)} and the supplemental grants ~~described in par. (e)~~ ^{under par. (e)} ✓

11 2. The commission may promulgate rules that increase or decrease the
12 surcharge, except that the commission may not increase the surcharge more than
13 once per year and any increase must be uniform statewide.

14 3. A wireless provider shall identify the surcharge on a customer's bill on a
15 separate line that consists of the words "Wisconsin Wireless 911 Surcharge."

16 4. A wireless provider may not prorate the surcharge and shall collect the entire
17 amount of the surcharge for a month of partial service.

18 4-B. The commission ~~may~~ ^{may} bring an action to collect a surcharge that is not paid
19 by a customer and the customer's wireless provider is not liable for the unpaid
20 surcharge.

21 (f) Confidentiality of information. The commission shall withhold from public
22 inspection any information received under this subsection that would aid a
23 competitor of a wireless provider in competition with the wireless provider.

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INSERT 9-11

1 (h)

(g) *Other charges prohibited.* No local government or state agency, as defined in s. 16.375 (1), except the commission, may require a wireless provider to collect or pay a surcharge or fee related to wireless emergency telephone service.

4 (i)

(h) *Sunset.* This subsection does not apply after the first day of the 46th month beginning after the effective date of this paragraph [revisor inserts date].

SECTION 7. 146.70 (7) of the statutes is amended to read:

146.70 (7) TELECOMMUNICATIONS UTILITY AND WIRELESS PROVIDERS NOT LIABLE. A telecommunications utility shall not be liable to any person who uses an emergency number system created under this section and a wireless provider, as defined in sub. (3m) (a) 5., shall not be liable to any person who uses an emergency telephone number system for which a grant is made under sub. (3m) ~~shall not be liable to any person who uses an emergency telephone number system~~

SECTION 8. Nonstatutory provisions.

(1) WIRELESS 911 SURCHARGE RULES.

(d)

(a) *Emergency rules.* The public service commission may, using the procedure under section 227.24 of the statutes, promulgate the rules under section 146.70 (3m)

16 (e)

1. of the statutes, as created by this act, for the period before permanent rules become effective, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the commission is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(b) *Proposed rules.* The public service commission shall submit in proposed form the rules required under section 146.70 (3m) (e) 1. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no

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later than the first day of the ¹²10th month beginning after the effective date of this paragraph.

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(2) WIRELESS 911 GRANT RULES.

4. and (e)

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(a) *Emergency rules.* The public service commission ~~may~~ shall, using the procedure under section 227.24 of the statutes, promulgate the rules under section 146.70 (3m)

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(d) of the statutes, as created by this act, for the period before permanent rules become effective, but not to exceed the period authorized under section 227.24 (1) (c)

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and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the commission is not required to provide evidence that promulgating a rule

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under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of

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emergency for a rule promulgated under this paragraph.

4. and (e)

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(b) *Proposed rules.* The public service commission shall submit in proposed form the rules required under section 146.70 (3m) (d) of the statutes, as created by

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this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 10th month beginning after the effective date of this

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paragraph.

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(END)

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2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1362/2ins
MDK:.....

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INSERT 1.1:

and operating facilities for routing wireless 911 telephone calls (wireless public safety answering points)

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operate a wireless public safety answering point

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INSERT 2.2:

Only one wireless public safety answering point in each county is eligible for the grants.

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INSERT 2.3:

wireless public safety answering point

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INSERT 2.4:

wireless public safety answering point

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wireless public safety answering point

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INSERT 2.6:

approve an application if the PSC determines that the estimated costs are reasonable and have been, or will be, incurred for the purpose of promoting an effective and efficient statewide system for responding to wireless 911 telephone calls. In addition, the bill prohibits grants to local governments from being used for specified costs, including certain costs for dispatching emergency services and salaries and benefits for operators of wireless public safety answering points. If the PSC does not approve an application, the PSC must provide the applicant with its reasons and provide an opportunity to resubmit the application.

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INSERT 2.7:

promulgate rules for making grants, including criteria for approving estimated costs and record-keeping requirements for ensuring that the grants are used for approved costs. The bill also requires the PSC to promulgate rules for making supplemental grants to counties for the joint operation of a wireless public safety answering point by different counties or local governments in different counties. To be eligible for supplemental grants, the resolution described above for each county must specify the same wireless public safety answering point, which is the only wireless public safety answering point for which local governments in the counties may receive the grants described above.

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INSERT 2.8:

The surcharge may be imposed only during the three^{hyph} year period beginning nine months after the bill's effective date.

every county which itself is one of the local governments or in which any of the local governments is located

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makes an emergency telephone call initially routed to a wireless public safety answering point

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5. The surcharge under the bill is exempt from the sales and use taxes. ✓

INSERT 4-14:

, or an entity formed by a contract under s. 66.0301 (2) by a city, village, town, or county

INSERT 5-16:

that operates a wireless public safety answering point, or local governments that jointly operate a wireless public safety answering point,

INSERT 5-19:

~~the county in which the local government or local governments are located, or the county itself if the county operates or jointly operates the wireless public safety answering point,~~

INSERT 5-20:

the local government or local governments have ✓

INSERT 6-9:

If an application under subd. 1. is for the joint operation of a wireless public safety answering point by local governments, the

INSERT 6-11:

3. A local government that operates a wireless public safety answering point, or local governments that jointly operate a wireless public safety answering point, are not eligible for grants under par. (d) unless, no later than the first day of the 10th month beginning after the effective date of this subdivision [revisor inserts date], ✓

~~the county in which the local government or local governments are located, or the~~

1 ~~county itself if the county operates or jointly operates the wireless public safety~~
 2 ~~answering point,~~ has passed a resolution specifying that the wireless public safety
 3 answering point is eligible for the grants. Except as provided in subd. 4., only one
 4 wireless public safety answering point in each county is eligible for local
 5 governments to receive grants under par. (d).

6 4. If a county or local government in a county jointly operates a wireless public
 7 safety answering point with another county or local government in another county,
 8 the resolution passed by each county under subd. 3. ~~must specify that~~ ^{shall} the same
 9 wireless public safety answering point, ^{shall} and the counties ~~must~~ submit a joint
 10 application under subd. 1. that complies with the requirement under subd. 2. In each
 11 county that submits a joint application, only the wireless public safety answering
 12 point specified in the resolutions is eligible for local governments to receive grants
 13 under par. (d).

14 (d) *Grants; commission approval and rules.* 1. The commission shall approve
 15 an application under par. (b) or (c) if the commission determines that the costs
 16 estimated in the application are reasonable and have been, or will be, incurred for
 17 the purpose of promoting an effective and efficient statewide system for responding
 18 to wireless emergency 911 telephone calls. If the commission does not approve an
 19 application, the commission shall provide the applicant or applicants with
 20 ~~the~~ ^{the} commission's reasons and give the applicant or applicants an opportunity to
 21 resubmit the application.

INSERT 7-5:

23 For applications for the joint operation of a wireless public safety answering point,
 24 the commission shall apportion the grants in the manner specified under par. (c) 2.

25 3. No grant to a local government under subd. 2. may

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INSERT 7-19:

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this paragraph, including criteria for approving estimated costs under subd. 1. ✓
The rules shall include record-keeping requirements to ensure that the grants are used
to reimburse estimated costs approved by the commission. The rules shall allow the
commission to make the grants in installments.

INSERT 7-24:

and ~~the~~ shall allow the commission to make the grants in installments.

INSERT 8-7:

before the first day of the 10th month beginning after the effective date of this
subdivision [revisor inserts date] or

INSERT 9-11:

makes an emergency telephone call initially routed to a wireless public safety
answering point, as defined in sub. (3m) (a) 6.

*STET: leave
as typed*

INSERT 10-12:

The public service commission shall promulgate the rules required under this
paragraph no later than the first day of the 7th month beginning after the effective
date of this paragraph. ✓

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

LRB-1362/2dn

MDK:/:....

gjs

Representative Montgomery:

Please review this version to make sure it achieves your intent. Note that I changed the deadlines imposed by the bill as follows

Counties must pass the required resolutions no later than about 9 months after the bill's effective date (which is the first day of the 10th month beginning after the effective date). Wireless providers and local governments must apply for grants by the same deadline. Also, the PSC must promulgate emergency rules on the grant program (including the criteria for approving estimated costs) no later than about 6 months after the bill's effective date. Therefore, counties and wireless providers will have about 3 months to prepare applications based on the emergency rules. Proposed permanent rules must be submitted no later than about 9 months after the bill's effective date.

Based on the 9 month lag time described above, I changed the reimbursement period so that it is the 3-year period beginning after 9 months after the bill's effective date. Also, the sunset date is changed so that it is 3 years and 9 months after the bill's effective date. The PSC must submit proposed permanent rules on the amount of the surcharge no later than about 1 year after the bill's effective date. The PSC is allowed, but not required, to promulgate emergency rules regarding the wireless surcharge that go into effect before the permanent rules. Also, the surcharge may only be imposed during the 3-year period beginning after the 9 month lag time.

Please contact me if you need any changes to this version.

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

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1362/2dn
MDK:cjs:pg

February 4, 2003

Representative Montgomery:

Please review this version to make sure it achieves your intent. Note that I changed the deadlines imposed by the bill as follows:

Counties must pass the required resolutions no later than about 9 months after the bill's effective date (which is the first day of the 10th month beginning after the effective date). Wireless providers and local governments must apply for grants by the same deadline. Also, the PSC must promulgate emergency rules on the grant program (including the criteria for approving estimated costs) no later than about 6 months after the bill's effective date. Therefore, counties and wireless providers will have about 3 months to prepare applications based on the emergency rules. Proposed permanent rules must be submitted no later than about 9 months after the bill's effective date.

Based on the 9 month lag time described above, I changed the reimbursement period so that it is the 3-year period beginning 9 months after the bill's effective date. Also, the sunset date is changed so that it is 3 years and 9 months after the bill's effective date. The PSC must submit proposed permanent rules on the amount of the surcharge no later than about one year after the bill's effective date. The PSC is allowed, but not required, to promulgate emergency rules regarding the wireless surcharge that go into effect before the permanent rules. Also, the surcharge may only be imposed during the 3-year period beginning after the 9 month lag time.

Please contact me if you need any changes to this version.

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

Barman, Mike

From: Kunkel, Mark
Sent: Wednesday, February 12, 2003 11:37 AM
To: Barman, Mike
Subject: Hearing: LRB-1362

A hearing on LRB-1362 is scheduled for next Wed., 2/19, at noon. (Transportation and Information Infrastructure Comm.)

Mark D. Kunkel
Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-0131



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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REFERENCE SECTION: (608) 266-0341
FAX: (608) 266-5648

STEPHEN R. MILLER
CHIEF

March 6, 2003

MEMORANDUM

To: Representative Montgomery

From: Joseph T. Kreye, Legislative Attorney, (608) 266-2263

Subject: Technical Memorandum to **2003 AB-61** (LRB -1362/2)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

February 26, 2003

TO: Joseph Kreye
Legislative Reference Bureau

FROM: Dennis Collier
Department of Revenue

SUBJECT: Technical Memorandum on Assembly Bill 61 Relating to Funding for 911
Emergency Services for Mobile Telephones

Sections 4 and 5 exempt surcharges for 911 emergency services for mobile telephones from sales tax by amending the definitions of "gross receipts" and "sales price" to exclude the surcharges. Since s. 77.54 (37) exempts charges imposed on basic telephone service users to fund emergency 911 services, it would be clearer to amend s. 77.54 (37) to exempt the new mobile telephone 911 surcharges along with the currently exempt surcharges.

If you have questions regarding this technical memorandum, please contact Blair Kruger at 266-1310 or bkruger@dor.state.wi.us.