### **Assembly**

# **Record of Committee Proceedings**

## **Committee on Energy and Utilities**

#### **Assembly Bill 61**

Relating to: creating a wireless 911 fund; imposing a surcharge on wireless telephone customers; making grants for wireless 911 emergency telephone service; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

By Representatives Montgomery, Jensen, M. Lehman, Pettis, Van Roy, Weber, Turner, J. Fitzgerald, Vrakas and Nischke; cosponsored by Senators Leibham, S. Fitzgerald and Breske.

February 13, 2003 Referred to Committee on Energy and Utilities.

February 18, 2003 **PUBLIC HEARING HELD** 

Present: (11) Representatives Jensen, Powers, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug and Travis.

Absent: (1) Representative Schooff.

#### Appearances For

- County Executive Dan Finley, Waukesha County, Waukesha
- Captain Jay Maritz, WI-APCO, Elkhorn
- Jim Scherff, Racine County Sheriff Department, Racine
- Vice President Robert Baird, Professional Fire Fighters of WI, Waukesha
- Barbara Kuska, American Heart Association, Beloit
- Maureen Cassidy, American Heart Association, Madison
- Bill Esbeck, WI State Telecommunications Association (WISTA), Madison
- Supervisor Adam Peer, Town of Beloit, Beloit
- Wendy Sorum, Barron County, Cameron
- Karen Carlson, Brown County Public Safety Committee, Green Bay
- LeAnn Krieg, WI National Emergency Number Association, Madison
- David Bloom, WI State Fire Chiefs Association, Madison

#### **Appearances Against**

- Mayor Ted Wysocki, City of New Berlin, New Berlin
- Ben Masel, none, Madison

#### Appearances for Information Only

- Chief Bruce Resnick, WI Chiefs of Police Association (WCPA), Bayside
- David Sleeter, WI National Emergency Number Association (WI NENA), Janesville
- Chief Jeffrey Haig, WI Chiefs of Police Association, Elm Grove
- Sarah Diedrick-Kasdorf, WI Counties Association, Madison
- Phil Boutwell, Rock County, Janesville
- Mickey Beil, Dane County, Madison
- Gary Evenson, Public Service Commission, Madison
- Daniel Shine, Village of Menomonee Falls, Menomonee Falls
- Lorenzo Cruz, CenturyTel, Madison

#### **Registrations For**

• Larry Lueck, Cellcom, De Pere

#### **Registrations Against**

• None.

#### March 4, 2003 **EXECUTIVE SESSION HELD**

Present: (11) Representatives Jensen, Montgomery, Friske, J.

Fitzgerald, Gottlieb, Nischke, Ziegelbauer,

Steinbrink, Krug, Schooff and Travis.

Absent: (1) Representative Powers.

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske,

J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer,

Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 1 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Montgomery, seconded by Representative Friske that **Assembly Amendment 1 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 2 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY AMENDMENT 2 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Montgomery, seconded by Representative Friske that **Assembly Amendment 2 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (9) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Steinbrink, Krug and Travis.

Noes: (2) Representatives Ziegelbauer and Schooff.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 2 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 9, Noes 2

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 3 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY AMENDMENT 3 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Montgomery, seconded by Representative Friske that **Assembly Amendment 3 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 3 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 4 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

# INTRODUCTION OF ASSEMBLY AMENDMENT 4 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Ziegelbauer, seconded by Representative Krug that **Assembly Amendment 4 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 4 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 5 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY AMENDMENT 5 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 5 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (8) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer and Steinbrink.

Noes: (3) Representatives Krug, Schooff and Travis.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 5 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 8, Noes 3

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Amendment 6 to Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY AMENDMENT 6 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Steinbrink, seconded by Representative Krug that **Assembly Amendment 6 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (5) Representatives Gottlieb, Steinbrink, Krug, Schooff and Travis.

Noes: (6) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Nischke and Ziegelbauer.

Absent: (1) Representative Powers.

ASSEMBLY AMENDMENT 6 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION NOT RECOMMENDED, Ayes 5, Noes 6

Moved by Representative Jensen, seconded by Representative Montgomery that **Assembly Substitute Amendment 2** be recommended for introduction.

Ayes: (11) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: (0) None.

Absent: (1) Representative Powers.

INTRODUCTION OF ASSEMBLY SUBSTITUTE AMENDMENT 2 RECOMMENDED, Ayes 11, Noes 0

Moved by Representative Krug, seconded by Representative Montgomery that **Assembly Substitute Amendment 2** be recommended for adoption.

Ayes: (10) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Schooff, Travis.

Noes: (1) Representative Krug. Absent: (1) Representative Powers.

# ASSEMBLY SUBSTITUTE AMENDMENT 2 ADOPTION RECOMMENDED, Ayes 10, Noes 1

Moved by Representative Montgomery, seconded by Representative J. Fitzgerald that **Assembly Bill 61** be recommended for passage as amended.

Ayes: (10) Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Ziegelbauer, Steinbrink, Schooff, Travis.

Noes: (1) Representative Krug. Absent: (1) Representative Powers.

PASSAGE AS AMENDED RECOMMENDED, Ayes 10, Noes 1

Brett Healy Committee Clerk