

**SENATE AMENDMENT 9,
TO 2005 ASSEMBLY BILL 100**

June 29, 2005 – Offered by Senators MILLER and RISSER.

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

2 **1.** Page 254, line 8: after that line insert:

3 “**SECTION 157m.** 20.155 (3) (q) of the statutes is amended to read:

4 20.155 (3) (q) *General program operations and grants.* From the wireless 911
5 fund, all moneys received under s. 146.70 (3m) (f) 1. to administer and make grants
6 under s. 146.70 (3m) (d) and (dm) and supplemental grants under s. 146.70 (3m) (e).”.

7 **2.** Page 799, line 18: after that line insert:

8 “**SECTION 2031q.** 146.70 (3m) (a) 5. of the statutes is renumbered 146.70 (3m)
9 (a) 3m. and amended to read:

10 146.70 (3m) (a) 3m. “~~Reimbursement~~ Initial reimbursement period” means
11 the period beginning on September 3, 2003, and ending on the last day of the 3–year
12 period beginning on the first day of the 2nd month beginning after the effective date
13 of the rules promulgated under par. (f) 1.

1 **SECTION 2031s.** 146.70 (3m) (b) 1. of the statutes is amended to read:

2 146.70 **(3m)** (b) 1. Except as provided in subd. 2. and par. (d) 1e., a wireless
3 provider may not receive a grant under par. (d) unless, no later than the first day of
4 the 3rd month beginning after the effective date of the rules promulgated under par.
5 (d) 4., the wireless provider applies to the commission with an estimate, and
6 supporting documentation, of the costs that it has incurred, or will incur, during the
7 initial reimbursement period to upgrade, purchase, lease, program, install, test,
8 operate, or maintain all data, hardware, and software necessary to comply with the
9 federal wireless orders in this state. The estimate may not include, and a wireless
10 provider may not seek reimbursement for, any such costs that the wireless provider
11 recovers or has recovered from customers in this state during or before the initial
12 reimbursement period for the implementation of wireless 911 emergency service in
13 this state.

14 **SECTION 2031u.** 146.70 (3m) (c) 1. (intro.) of the statutes is amended to read:

15 146.70 **(3m)** (c) 1. (intro.) Except as provided in par. (d) 1e., a local government
16 that operates a wireless public safety answering point, or local governments that
17 jointly operate a wireless public safety answering point, may not receive a grant
18 under par. (d) unless the requirements under subds. 3. to 5. are satisfied and, no later
19 than the first day of the 3rd month beginning after the effective date of the rules
20 promulgated under par. (d) 4., every county that itself is one of the local governments
21 or in which any of the local governments is located applies to the commission with
22 an estimate, and supporting documentation, of the costs specified in subd. 1r. and the
23 costs that the local government or local governments have directly and primarily
24 incurred, or will directly and primarily incur, during the initial reimbursement

1 period for leasing, purchasing, operating, or maintaining the wireless public safety
2 answering point, including costs for all of the following:”.

3 **3.** Page 799, line 22: delete “reimbursement period” and substitute “initial
4 reimbursement period”.

5 **4.** Page 800, line 7: after that line insert:

6 “**SECTION 2032c.** 146.70 (3m) (d) 3. (intro.) and d. of the statutes are
7 consolidated, renumbered 146.70 (3m) (d) 3. and amended to read:

8 146.70 (**3m**) (d) 3. No grant to a local government under subd. 2. may be used
9 to reimburse costs for ~~any of the following: 3. d. Real~~ real estate and improvements
10 to real estate, other than improvements necessary to maintain the security of a
11 wireless public safety answering point.

12 **SECTION 2032e.** 146.70 (3m) (d) 3. a., b., c. and e. of the statutes are repealed.

13 **SECTION 2032g.** 146.70 (3m) (dm) of the statutes is created to read:

14 146.70 (**3m**) (dm) *Grants beyond initial reimbursement period.* The
15 commission shall promulgate rules for making grants from the appropriation under
16 s. 20.155 (3) (q) to wireless providers and local governments that receive grants
17 under par. (d) for costs incurred after the initial reimbursement period that, for
18 wireless providers, are otherwise described in par. (b) 1. and that, for local
19 governments, are otherwise described in par. (c) 1. The rules shall specify
20 requirements and procedures for wireless providers and local governments to apply
21 for the grants and for the commission to consider whether to approve the applications
22 and make the grants. Except for application deadlines, the requirements and
23 procedures shall, to the extent practicable, be identical to the requirements and

1 procedures for grants made for costs incurred during the initial reimbursement
2 period.

3 **SECTION 2032i.** 146.70 (3m) (f) 1. of the statutes is amended to read:

4 146.70 **(3m)** (f) 1. The commission shall promulgate rules requiring each
5 wireless provider to impose the same monthly surcharge for each telephone number
6 of a customer that has a billable address in this state, except that the rules shall
7 adjust the amount of the surcharge that is imposed on customers who prepay for
8 service to ensure that such customers pay an amount that is comparable to the
9 monthly amount paid by other customers. The rules shall require the surcharge to
10 be imposed ~~during the 3-year period~~ beginning on the first day of the 2nd month
11 beginning after the effective date of the rules. The amount of the surcharge shall be
12 sufficient for the commission to administer and make the grants under ~~par. pars.~~ (d)
13 and (dm) and the supplemental grants under par. (e). The rules shall require
14 wireless providers to pay the surcharge to the commission for deposit in the wireless
15 911 fund.

16 **SECTION 2032k.** 146.70 (3m) (j) of the statutes is repealed.”.

17 (END)