

**2005 DRAFTING REQUEST**

**Senate Amendment (SA-AB100)**

Received: 06/27/2005

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Judith Robson (608) 266-2253**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Eliminate sunset date for wireless 911 grant program; allow local governments to recover personnel and operational costs

---

**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>
/?							
/1	mkunkel 06/28/2005	wjackson 06/29/2005	jfrantze 06/29/2005	_____	lemery 06/29/2005	lemery 06/29/2005	

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Senate Amendment (SA-AB100)**

Received: **06/27/2005**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Judith Robson (608) 266-2253**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Eliminate sunset date for wireless 911 grant program; allow local governments to recover personnel and operational costs

---

**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	1 WJ 6/29	6/29	J/RB 6/29			

FE Sent For:

<END>



From  
reason

# SENATOR MARK MILLER

---

***Budget Amendment***  
***2005-07 Budget***  
***June 17, 2005***

***Amendment:***           **E911 Wireless Surcharge Changes**  
***(On Behalf of Dane County)***

***State Agency/Department:***     Public Service Commission

***Description of amendment:***

\*Eliminate the sunset date on E911 wireless surcharges implemented in 2003 Wisconsin Act 48, AB 61

\*Include personnel/operational costs as allowable costs under wireless surcharge grant programs

***Summary/Additional Information:***

This law was passed last session and created a grant program funded by surcharges on cell phone users that wireless providers and local governments will apply. For local governments, "leasing, purchasing, operating or maintaining the wireless PSAP, including telecommunications network costs..." However, the grant cannot be used for operation costs, including emergency service dispatch personnel and the salaries and benefits of operators of a wireless public safety answering point (PSAP). This law sunsets in 2008.

***Location or Papers:***       None

***Cost or reduction of amendment:***   There is no cost to this amendment.

***Funding source:***       None

Information attached.



WISCONSIN  
COUNTIES  
ASSOCIATION

WISCONSIN COUNTY EXECUTIVES  
AND ADMINISTRATORS ASSOCIATION

---

April 27, 2005

Senator Dale Schultz  
Senate Majority Leader  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Representative John Gard  
Assembly Speaker  
State Capitol  
P.O. Box 8952  
Madison, WI 53708-8952

Dear Senator Schultz and Representative Gard:

We write to encourage your support for needed changes to the E911 wireless law that will help local governments.

Last session you passed a law creating a grant program funded by surcharges on cell phone users that wireless providers and local governments will apply for beginning this month. We appreciate that. However, changes are needed to improve the new wireless grant program. This does not create any new taxes and would significantly help local governments.

For local government, "leasing, purchasing, operating or maintaining the wireless PSAP, including telecommunications network costs...." would be reimbursed through the grant. But for local governments the wireless surcharge grant can't be used for operational costs, including emergency service dispatch personnel and the salaries and benefits of operators of a wireless public safety answering point (PSAP). In addition, the law sunsets in 2008.

Your support is needed to improve 2003 WI Act 48 by:

Eliminating the sunset date; and

Including personnel/operational costs as allowable costs.

When a car accident generates cell phone calls to a 911 center whether it is 5 or 20 calls, each and every call must be answered and resolved by the 911 center staff. Cell phones have created, and will continue to create, a lot of extra work for the operations of a 911 center. It is entirely fair and appropriate to have funds generated by cell phone surcharges support the need for additional 911 operators generated by cell phone usage.

In 2005 there are 180 million cell phone users nationwide and the CTIA (International cell industry trade association) has estimated that by 2010 there will be up to 250 million.

New funding mechanisms like cell phone surcharges are a critical/creative solution in generating funds to serve and protect the public in a time of budget deficits and constraints.

Please improve the new wireless law by supporting the elimination of the sunset date and include operations and personnel costs under the grant program.

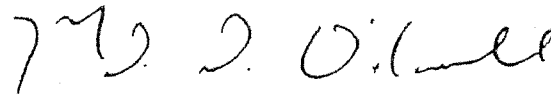
Thank you for your consideration.

Sincerely yours,



Allen Buechel  
Fond du Lac County Executive  
President, WI County Executives and  
Administrators Association

Sincerely yours,



Mark D. O'Connell  
Executive Director  
Wisconsin Counties Association

Cc: Governor Jim Doyle  
Members of the Wisconsin Legislature

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

LRBb0733/1dn

MDK:.....  
*MDK*

Sen. Robson:

This amendment does the following:

1. Eliminates the sunset date for the wireless 911 program. ✓
2. Requires the PSC to promulgate rules for continuing to make grants to wireless providers and local governments after the sunset date.
3. Repeals s. 146.70 (3m) (d) 3. a., ~~3~~ b., ~~3~~ c., and ~~3~~ e. Except for renumbering, the amendment does not affect s. 146.70 (3m) (d) 3. d. The repeal of those provisions is intended to allow local governments to receive grants for personnel and operational costs. Because I'm not quite sure what constitutes "operational costs", please review these provisions to make sure that I haven't repealed more than you what you want to repeal.

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



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBb0733/1  
MDK:l.....  
WJ

UNNOTED

SENATE AMENDMENT,  
TO 2005 ASSEMBLY BILL 100

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

2 1. Page 245, 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)."

History: 1971 c. 125; 1973 c. 90; 1975 c. 39; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1985 a. 79, 296, 297, 332; 1987 a. 27, 399; 1991 a. 39, 269; 1993 a. 16, 123; 1995 a. 27; 1997 a. 27, 140, 229; 1999 a. 9, 32, 84, 150, 196; 2001 a. 16, 30; 2003 a. 48.

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

1 period beginning on the first day of the 2nd month beginning after the effective date  
2 of the rules promulgated under par. (f) 1.

**History:** 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320.

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

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

**History:** 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320.

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

17 146.70 (3m) (c) 1. (intro.) Except as provided in par. (d) 1e., a local government  
18 that operates a wireless public safety answering point, or local governments that  
19 jointly operate a wireless public safety answering point, may not receive a grant  
20 under par. (d) unless the requirements under subds. 3. to 5. are satisfied and, no later  
21 than the first day of the 3rd month beginning after the effective date of the rules  
22 promulgated under par. (d) 4., every county that itself is one of the local governments  
23 or in which any of the local governments is located applies to the commission with



1 an estimate, and supporting documentation, of the costs specified in subd. 1r. and the  
 2 costs that the local government or local governments have directly and primarily  
 3 incurred, or will directly and primarily incur, during the initial reimbursement  
 4 period for leasing, purchasing, operating, or maintaining the wireless public safety  
 5 answering point, including costs for all of the following:".

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320.

6 ✓ **3.** Page 799, line 22: delete "reimbursement period" and substitute "initial  
 7 reimbursement period".

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

9 "SECTION 2032c. 146.70 (3m) (d) 3. (intro.) and 3. d. of the statutes are  
 10 consolidated, renumbered 146.70 (3m) (d) 3. and amended to read:

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

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320.

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

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

18 146.70 (3m) (dm) *Grants beyond initial reimbursement period.* The  
 19 commission shall promulgate rules for making grants from the appropriation under  
 20 s. 20.155 (3) (q) to wireless providers and local governments that receive grants  
 21 under par. (d) for costs incurred after the initial reimbursement period that, for  
 22 wireless providers, are otherwise described in par. (b) 1. and that, for local  
 23 governments, are otherwise described in par. (c) 1. The rules shall specify

1 requirements and procedures for wireless providers and local governments to apply  
2 for the grants and for the commission to consider whether to approve the applications  
3 and make the grants. Except for application deadlines, the requirements and  
4 procedures shall, to the extent practicable, be identical to the requirements and  
5 procedures for grants made for costs incurred during the initial reimbursement  
6 period.

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

8 146.70 (3m) (f) 1. The commission shall promulgate rules requiring each  
9 wireless provider to impose the same monthly surcharge for each telephone number  
10 of a customer that has a billable address in this state, except that the rules shall  
11 adjust the amount of the surcharge that is imposed on customers who prepay for  
12 service to ensure that such customers pay an amount that is comparable to the  
13 monthly amount paid by other customers. The rules shall require the surcharge to  
14 be imposed ~~during the 3-year period~~ beginning on the first day of the 2nd month  
15 beginning after the effective date of the rules. The amount of the surcharge shall be  
16 sufficient for the commission to administer and make the grants under ~~par.~~ pars. (d)  
17 and (dm) and the supplemental grants under par. (e). The rules shall require  
18 wireless providers to pay the surcharge to the commission for deposit in the wireless  
19 911 fund.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320.

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

21 (END)

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

LRBb0733/1dn  
MDK:wlj:jf

Sen. Robson:

This amendment does the following:

1. Eliminates the sunset date for the wireless 911 program.
2. Requires the PSC to promulgate rules for continuing to make grants to wireless providers and local governments after the sunset date.
3. Repeals s. 146.70 (3m) (d) 3. a., b., c., and e. Except for renumbering, the amendment does not affect s. 146.70 (3m) (d) 3. d. The repeal of those provisions is intended to allow local governments to receive grants for personnel and operational costs. Because I'm not quite sure what constitutes "operational costs," please review these provisions to make sure that I haven't repealed more than what you want to repeal.

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)

## Barman, Mike

---

**From:** Melde, Greg  
**Sent:** Friday, July 01, 2005 10:23 AM  
**To:** Barman, Mike  
**Subject:** Senate Amendments to AB100

Hi Mike,

I found 4 senate amendments (see attachment) to engrossed AB100 that say "amend the bill as follows" instead of "amend the engrossed bill as follows". Is it possible to get a corrected copy for these amendments? Otherwise the folio links will take the user to that location in the original bill.



amends\_to\_engAB1  
00.RTF

LRBb0812/1  
CTS/RAC/MJL/GMM::lmk::jf

**2005 - 2006 LEGISLATURE**

**SENATE AMENDMENT 8,  
TO 2005 ASSEMBLY BILL 100** 

**June 29, 2005 - Offered by Senators Robson, Hansen, Taylor, Carpenter, Lassa, Risser, Breske, Coggs, Wirch, Decker, Miller, Plale and Erpenbach.**

Pg1Ln1 At the locations indicated, amend the bill as follows:

LRBb0733/1  
MDK::wlj::jf

**2005 - 2006 LEGISLATURE**

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

**June 29, 2005 - Offered by Senators Miller and Risser.**

Pg1Ln1 At the locations indicated, amend the bill as follows:

LRBb0644/1  
DAK::lmk::pg

**2005 - 2006 LEGISLATURE**

**SENATE AMENDMENT 15,  
TO 2005 ASSEMBLY BILL 100** 

**June 29, 2005 - Offered by Senators Coggs, Wirch, Robson, Taylor and Hansen.**

Pg1Ln1 At the locations indicated, amend the bill as follows:

LRBb0732/1  
MDK::cjs::pg

**2005 - 2006 LEGISLATURE**

**SENATE AMENDMENT 38,  
TO 2005 ASSEMBLY BILL 100** 

**June 29, 2005 - Offered by Senator Carpenter.**

Pg1Ln1 At the locations indicated, amend the bill as follows: