



State of Wisconsin
2007 - 2008 LEGISLATURE

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**SENATE AMENDMENT 2,
TO 2007 ASSEMBLY BILL 207**

November 8, 2007 – Offered by Senators MILLER, VINEHOUT, RISSER, ERPENBACH,
JAUCH and ROBSON.

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

2 **1.** Page 2, line 5: delete “and granting rule-making authority” and substitute
3 “, granting rule-making authority, and making an appropriation”.

4 **2.** Page 2, line 11: after that line insert:

5 “**SECTION 1e.** 20.115 (1) (jb) of the statutes is amended to read:

6 20.115 (1) (jb) *Consumer protection, information, and education.* The amounts
7 in the schedule for consumer protection and consumer information and education.

8 All moneys received under s. ss. 66.0420 (3) (k) and 100.261 (3) (b) shall be credited
9 to this appropriation account, subject to the limit under s. 100.261 (3) (c).

10 **SECTION 1m.** 20.155 (1) (title) of the statutes is amended to read:

11 20.155 (1) (title) REGULATION OF PUBLIC UTILITIES AND VIDEO SERVICE PROVIDERS.

12 **SECTION 1s.** 20.155 (1) (g) of the statutes is amended to read:

1 20.155 (1) (g) ~~Utility~~ Public utility and video service regulation. The amounts
2 in the schedule for the regulation of utilities and video service providers. Ninety
3 percent of all moneys received by the commission under s. 196.85, 196.855, or 201.10
4 (3) shall be credited to this appropriation. Ninety percent of all receipts from the sale
5 of miscellaneous printed reports and other copied material, the cost of which was
6 originally paid under this paragraph, shall be credited to this appropriation.”.

7 **3.** Page 5, line 12: after that line insert:

8 “(fm) “Commission” means the public service commission.”.

9 **4.** Page 5, line 13: delete lines 13 and 14.

10 **5.** Page 8, line 9: delete “department” and substitute “commission”.

11 **6.** Page 10, line 16: delete “department” and substitute “commission”.

12 **7.** Page 11, line 20: on lines 20 and 25, delete “department” and substitute
13 “commission”.

14 **8.** Page 12, line 3: on lines 3 and 21, delete “department” and substitute
15 “commission”.

16 **9.** Page 12, line 17: delete lines 17 and 18.

17 **10.** Page 13, line 14: delete “*Department*” and substitute “*Commission*”.

18 **11.** Page 13, line 15: on lines 15, 16, 17, 21, 22, 23, and 24, delete “department”
19 and substitute “commission”.

20 **12.** Page 13, line 19: delete “department has” and substitute “commission
21 has”.

22 **13.** Page 13, line 19: delete “the department” and substitute “the commission”.

1 **14.** Page 14, line 1: delete “department fails” and substitute “commission
2 fails”.

3 **15.** Page 14, line 1: delete “the department” and substitute “the commission”.

4 **16.** Page 14, line 3: on lines 3, 5, 8, 13, and 18, delete “department” and
5 substitute “commission”.

6 **17.** Page 14, line 19: delete lines 19 to 24 and substitute:

7 “(i) *Renewal; revocation.* 1e. A video service provider shall apply to the
8 commission to renew its video service franchise every 10 years. The commission may
9 not renew the video service franchise of an applicant for renewal if the commission
10 determines that the applicant exhibited a pattern of noncompliance with one or more
11 requirement or prohibition under this section, s. 100.20 or 100.209, or 47 CFR
12 76.309, 76.1602, 76.1603, or 76.1619.

13 1m. If the commission does not renew the video service franchise of an
14 applicant for renewal, the commission shall notify the applicant and state the
15 reasons for not renewing the video service franchise. The video service franchise
16 shall terminate on the date specified in the notification.

17 1r. If a video service provider gives 30 days’ advance notice to the commission
18 that the video service provider intends to terminate the video service franchise, the
19 video service franchise shall expire on the termination date specified in the notice.”.

20 **18.** Page 15, line 1: on lines 1, 2, 9, 16, 19, and 22, delete “department” and
21 substitute “commission”.

22 **19.** Page 15, line 3: delete lines 3 to 5 and substitute “exhibited a pattern of
23 noncompliance with one or more requirement or prohibition under this section, s.

1 100.20 or 100.209, or 47 CFR 76.309, 76.1602, 76.1603, or 76.1619. Before
2 commencing a revocation proceeding, the commission shall”.

3 **20.** Page 15, line 6: on lines 6 and 7, delete “department’s” and substitute
4 “commission’s”.

5 **21.** Page 15, line 23: delete the material beginning with “A video service
6 provider” and ending with page 16, line 2.

7 **22.** Page 16, line 2: after that line insert:

8 “(k) *Annual fees.* Upon issuance of a video service franchise to a video service
9 provider, and annually thereafter, the video service provider shall pay a fee of \$2,000
10 to the department of agriculture, trade and consumer protection.

11 (L) *Commission expenses.* The commission shall bill under s. 196.85 (1) an
12 applicant for a video service franchise or a video service provider any expense
13 incurred by the commission with respect to an application or any other matter under
14 the commission’s jurisdiction regarding the applicant or video service provider.”.

15 **23.** Page 27, line 22: delete “department” and substitute “commission”.

16 **24.** Page 27, line 25: delete “(c)” and substitute “, 76.1602, 76.1603, or
17 76.1619”.

18 **25.** Page 28, line 1: delete “department” and substitute “commission”.

19 **26.** Page 29, line 6: on lines 6 and 22, delete “department” and substitute
20 “commission”.

21 **27.** Page 29, line 23: delete the material beginning with that line and ending
22 with “(b)” on page 30, line 3, and substitute:

23 “(13) ENFORCEMENT. (b)”.

1 **28.** Page 30, line 10: delete that line and substitute:

2 “(c) The commission shall enforce this section, except sub. (8). The
3 commission”.

4 **29.** Page 35, line 19: after that line insert:

5 “**SECTION 27x.** 100.261 (3) (c) of the statutes is amended to read:

6 100.261 (3) (c) The amount credited under par. (b) to the appropriation account
7 under s. 20.115 (1) (jb) may not exceed \$185,000 in each fiscal year.”.

8 **30.** Page 45, line 8: after that line insert:

9 “**SECTION 53g.** 196.44 (1) of the statutes is amended to read:

10 196.44 (1) DUTY OF COMMISSION. The commission shall inquire into the neglect
11 or violation of the laws of this state by public utilities and of s. 66.0420, except for s.
12 66.0420 (8), by video service providers, or by their officers, agents, or employees or
13 by persons operating public utilities or video service providers, and shall enforce s.
14 66.4020, except s. 66.0420 (8), and all laws relating to public utilities, and report all
15 violations to the attorney general.

16 **SECTION 53r.** 196.44 (2) of the statutes is amended to read:

17 196.44 (2) DUTIES OF ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon request
18 of the commission, the attorney general or the district attorney of the proper county
19 shall aid in any investigation, hearing or trial had under this chapter, and shall
20 institute and prosecute all necessary actions or proceedings for the enforcement of
21 s. 66.0420, except s. 66.0420 (8), and all laws relating to public utilities or
22 telecommunications providers, and for the punishment of all violations.”.

23 **31.** Page 46, line 4: after that line insert:

24 “**SECTION 57m.** 196.85 (1m) (e) of the statutes is created to read:

