



State of Wisconsin
2011 - 2012 LEGISLATURE

January 2011 Special Session



LRBa0986/1
MDK&RPN;jld:md

**ASSEMBLY AMENDMENT 2,
TO SENATE BILL 13**

May 11, 2011 – Offered by Representative HEBL.

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

2 **1.** Page 2, line 16: after “service;” insert “availability of broadband service;”.

3 **2.** Page 10, line 5: after that line insert:

4 “**SECTION 1m.** 25.95 of the statutes is amended to read:

5 **25.95 Universal service fund.** There is established a separate nonlapsible
6 trust fund designated as the universal service fund, to consist of all contributions
7 received under s. 196.218 (3) and payments received under s. 196.978 (3).”.

8 **3.** Page 25, line 2: delete “and 196.859” and substitute “and 196.859, and
9 196.978”.

10 **4.** Page 25, line 12: delete “and 196.212” and substitute “196.212, and
11 196.978”.

1 **5.** Page 32, line 9: after “section” insert “, and except that an entity that
2 provides interconnected voice over Internet protocol service is subject to s. 196.978”.

3 **6.** Page 46, line 3: delete “and 196.503” and substitute “196.503, and 196.978”.

4 **7.** Page 52, line 2: after that line insert:

5 “**SECTION 131m.** 196.85 (1m) (e) of the statutes is created to read:

6 196.85 **(1m)** (e) For the purpose of direct assessment under sub. (1) of expenses
7 incurred by the commission in connection with its activities under s. 196.978, the
8 term “public utility” includes a telecommunications provider, as defined in s. 196.978
9 (1) (b).”.

10 **8.** Page 52, line 25: after that line insert:

11 “**SECTION 134m.** 196.978 of the statutes is created to read:

12 **196.978 Broadband availability.** (1) In this section:

13 (a) “Broadband service” means an Internet access service using any medium
14 or technology that conveys voice, data, or other information at downstream or
15 upstream speeds that are faster than the downstream or upstream speeds that are
16 available through dial-up Internet access service.

17 (b) 1. Except as provided in subd. 2., “telecommunications provider” means a
18 telecommunications provider that, before the effective date of this subdivision ...
19 [LRB inserts date], provided broadband service to customers in this state or that, on
20 or after the effective date of this subdivision ... [LRB inserts date], begins to provide
21 broadband service to customers in this state.

22 2. “Telecommunications provider” does not include a telecommunications
23 provider with 25,000 or fewer customers in this state.

1 **(2)** No later than 2 years after the effective date of this subsection [LRB
2 inserts date], a telecommunications provider shall make broadband service
3 available at downstream or upstream speeds of at least 6 megabits per second to all
4 businesses and residences located in this state in each area comprising a 6-mile
5 radius of each exchange area central office that the telecommunications provider
6 uses to provide service to customers in this state.

7 **(3)** The commission shall require a telecommunications provider to pay
8 \$100,000 to the commission for deposit in the universal service fund for each month
9 that the telecommunications provider fails to make broadband service available to
10 all business and residences in each area specified in sub. (2). A telecommunications
11 provider may not adjust its rates to customers for the purpose of recovering any
12 payment required under this subsection.”.

13 **(END)**