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## WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

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Memo No. 3

TO: MEMBERS OF THE SPECIAL COMMITTEE ON 911 COMMUNICATIONS

FROM: Larry Konopacki, Senior Staff Attorney, and Chad Brown, Staff Attorney

RE: Committee Bill Draft Changes

DATE: January 22, 2013

Changes were made to the committee bill drafts based on discussion at the committee's December 13, 2012 meeting. The substantive changes are listed below. In addition to these changes, amendments were made to make the drafts consistent with the state drafting style, to remove repetitive provisions, to modify or remove explanatory notes, and to make other corrections discussed in the committee meeting.

**LRB-0924/1 (FORMERLY WLC: 0042/1)**

The following changes were made to WLC: 0042/1, relating to telecommunication subscriber records:

- The definition of "911 service provider" was modified to allow the public service commission (PSC) to contract with separate entities for selective routing services and management of updates to the automatic location information database and the master street address guide for a particular geographic area. The definition was also modified to include other services related to the state 911 telecommunications system.
- The draft was modified to specify that a public safety answering point (PSAP) may only access a subscriber record when a call is placed to 911 from the subscriber's telephone number, and to specify that the identity of a subscriber's communications provider should not be disclosed.
- A definition of "proprietary information" was inserted.

**LRB-0923/1 (FORMERLY WLC: 0046/P1)**

The following changes were made to WLC: 0046/P1, relating to state 911 telecommunications services:

- The draft was modified to include nonstatutory provisions for transitioning from the current bill-and-keep county landline fee to the state 911 fee, and from services provided under countywide contracts to contracts between the PSC and 911 service providers. These provisions provide authority for the PSC to continue making payments under existing countywide contracts, and to allow service providers to recoup nonrecurring costs incurred under those contracts.
- The effective date of the bill is delayed until the first day of the fourth month beginning after publication.

This draft was also modified as described in the last note in the preliminary draft to include:

- Creation of a staffing position at PSC.
- Authorization for the PSC to pay for the contracts with 911 service providers and telecommunications costs of communications providers, as provided in the draft.
- Authorization for the PSC to pay for the staffing position at the PSC and the administration of the PSC's duties outlined in this draft from the state 911 fee, not to exceed 1% of the revenue used for the purposes in the above point.

**LRB-0922/2 (FORMERLY WLC: 0047/P1)**

The following change was made to WLC: 0047/P1, relating to the state 911 grant program:

- The draft was modified to limit the recoverable administrative costs for administration of the 911 grant program by the Office of Justice Assistance to 1% of the revenue deposited in the 911 grant program.

**LRB-0921/1 (FORMERLY WLC: 0048/P1)**

The following changes were made to WLC: 0048/P1, relating to funding for the state 911 communications system:

- The draft includes costs incurred for the provision of 911 service between selective routers and PSAPs and other costs associated with providing 911 telecommunications service in the definition of costs recoverable by 911 service providers and communications providers under the draft.

- The draft requires that the \$0.40 per month cap on the state 911 fee be modified over time based on the consumer price index.
- The draft allows the Department of Revenue (DOR) to collect state 911 fees from communications providers, in addition to prepaid wireless retailers, and authorizes DOR to audit, bring actions, require registration and filing of returns, handle appeals, and impose interest and penalties related to collection of state 911 fees.
- The effective date of the draft is delayed until the first day of the fourth month beginning after publication.

**LRB-0920/1 (FORMERLY WLC: 0053/P1)**

The following changes were made to WLC: 0053/P1, relating to 911 calls made from multiline telephone systems:

- The draft generally requires existing multiline telephone systems (MLTS) to be designed and maintained to provide location and callback information to a PSAP when a 911 call is made, by the first day of the 61<sup>st</sup> (instead of 121<sup>st</sup>) month beginning after the effective date of this draft.
- The draft allows shared residential multiline systems until the first day of the 13<sup>th</sup> (instead of 7<sup>th</sup>) month beginning after the effective date of this draft to provide location and callback information to a PSAP when a 911 call is made from a telephone on the system.
- The draft applies the area-based exception to the MLTS requirement to any area below 25,000 (instead of 7,000) square feet.
- A temporary MLTS that is in service for 90 days or less is exempt under the draft.

**LRB-0919/1 (FORMERLY WLC: 0058/P1)**

The following changes were made to WLC: 0058/P1, relating to the creation of a 911 advisory council.

- The draft requires that the Governor, when making appointments to the 911 council, consider the geographical diversity of, and the representation of urban and rural interests by, the membership of the council.
- The draft also allows the member of the 911 council that was to be recommended by an association of Wisconsin cities and villages to be recommended by an association of Wisconsin cities, villages, or towns.

- The draft requires that the two members of the 911 council that represent wireless providers be from two different providers, one serving a primarily regional market and one serving a national market.

LAK:CB:ksm