



2003 SENATE BILL 20

February 5, 2003 - Introduced by Senators JAUCH, ROESSLER and RISSER, cosponsored by Representatives HUBER, OTT, HAHN, TURNER, COGGS, MORRIS and TRAVIS. Referred to Committee on Transportation and Information Infrastructure.

1 **AN ACT** *to amend* 20.505 (4) (h); *to repeal and recreate* 146.70 (3m) (b) 1.
2 (intro.) and 146.70 (3m) (c); and *to create* 15.105 (28), 20.505 (4) (qb), 20.505
3 (4) (qe), 20.505 (4) (qm), 20.505 (4) (qp), 20.505 (4) (qs), 25.17 (1) (yo), 25.98 and
4 146.70 (3m) of the statutes; **relating to:** creating a Wireless 911 Board and
5 wireless 911 fund, imposing a surcharge on wireless telephone customers,
6 making grants for emergency 911 wireless service, providing an exemption
7 from emergency rule procedures, granting rule-making authority, and making
8 appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a Wireless 911 Board (board), consisting of the following 12 members: 1) one representative appointed by the speaker of the assembly; 2) one representative appointed by the assembly minority leader; 3) one senator appointed by the president of the senate; 4) one senator appointed by the senate minority leader; 5) four members who represent wireless telecommunications providers and who are appointed by the governor; and 6) four members who represent local governments that operate emergency 911 telephone systems and who are appointed by the governor.

The bill requires wireless telecommunications providers to impose a 75-cent monthly surcharge on telephone numbers that have billable addresses in the state,

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except for telephone numbers for local governments and state agencies that operate emergency 911 telephone systems. The surcharge must be identified on a separate line on customer bills as “Wireless 911 Surcharge.” A wireless telecommunications provider must pay the surcharge to the board, except for an initial one-year period during which 2% of the surcharge may be retained as reimbursement for collecting the surcharge. The board may promulgate rules to increase or decrease the surcharge, but the board may increase the surcharge only once per year. In addition, any increase must be uniform statewide and may not exceed 10 cents, and the surcharge may never exceed \$1.

The board must deposit the surcharges in a wireless 911 fund that is created in the bill. From the fund, the board must make semiannual grants to: 1) wireless telecommunications providers and 2) cities, villages, towns, and counties (local governments) that operate wireless emergency 911 telephone systems. No more than 35% of the surcharges may be awarded in grants to wireless telecommunications providers and no more than 64% of the surcharges may be awarded in grants to local governments. No more than 1% of the surcharges may be used for the board’s operating expenses.

A wireless telecommunications provider is eligible for a grant if it is subject to orders of the Federal Communications Commission (FCC) regarding emergency 911 wireless telephone service. The grants must be used for specified expenses incurred by wireless telecommunications providers to comply with the FCC’s orders. The grants must be awarded in amounts that are directly proportional to the percentage of in-service wireless telephone numbers in this state that are billed to a wireless telecommunications provider. The bill also imposes record-keeping requirements on wireless telecommunications providers that receive grants.

A local government is eligible for a grant only if its governing body adopts a resolution stating its intent to provide emergency 911 wireless service within two years after the resolution’s effective date. The resolution must include a schedule for planning and designing the facilities and equipment necessary for the service. In addition, after January 1, 2008, a local government is not eligible for a grant unless all of the local governments in the same county that provide emergency 911 wireless service submit a plan for combining the services in the most cost-effective manner. Also, after that same date, counties that jointly provide emergency 911 wireless service are not eligible for grants unless they submit plans for combining the service in the most cost-effective manner.

Grants to local governments may be used only for purposes related to emergency 911 wireless service that are specified in the bill. For local governments in a county with a population of 500,000 or less, the amount of a grant must be directly proportional to the percentage of in-service wireless telephone numbers in the state with billable addresses that are located in the territory of the local government. For local governments in a county with a population greater than 500,000, the amount of a grant for each city, village, or town must be equal to 93% of the amount that the city, village, or town would receive if it were located in a county with a population of 500,000 or less, and the amount of a grant to the county must be equal to 7% of the total amount that all cities, villages, and towns in that county

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would receive if they were located in a county with a population of 500,000 or less. In addition, the board may award supplemental grants to local governments that have already received grants, if the board determines that the local government has excessive costs in providing emergency 911 wireless service or is in an area that is underserved by wireless telecommunications providers. Before October 1, 2006, there is no limit on the amount of the 64% local government portion of the surcharges that may be used for supplemental grants. After that date, only 2% of the 64% may be used for supplemental grants.

The bill creates other requirements for the grant program, including the following:

1. The bill requires the board to contract for independent audits of grant applications.

2. The bill allows the board to withhold from public inspection any information the board receives that would aid the competitor of a wireless telecommunications provider. In addition, the board must establish procedures for internal management that limit the access that board members have to confidential business information of wireless telecommunications providers.

3. The bill prohibits local governments and other state agencies from requiring wireless telecommunications providers to collect or pay a surcharge or fee related to emergency 911 wireless service.

4. The bill creates immunity from civil liability for wireless telecommunications providers for damages resulting from any person's use of an emergency 911 wireless service for which a grant is made.

5. The bill requires the board to submit an annual report to the legislature regarding the grant program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.105 (28) of the statutes is created to read:

2 15.105 (28) WIRELESS 911 BOARD. (a) There is created a wireless 911 board
3 attached to the department of administration under s. 15.03 consisting of the
4 following members:

5 1. One representative to the assembly, appointed by the speaker of the
6 assembly.

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1 2. One representative to the assembly, appointed by the assembly minority
2 leader.

3 3. One senator, appointed by the president of the senate.

4 4. One senator, appointed by the senate minority leader.

5 5. Four persons who represent the interests of wireless providers, as defined
6 in s. 146.70 (3m) (a) 4., appointed by the governor.

7 6. Four persons who represent the interests of cities, villages, towns, or
8 counties that operate public safety answering points, as defined in s. 146.70 (1) (gm),
9 appointed by the governor.

10 (b) The members appointed under par. (a) 5. and 6. shall serve 3-year terms
11 and may not serve more than 2 consecutive terms.

12 **SECTION 2.** 20.505 (4) (h) of the statutes is amended to read:

13 20.505 (4) (h) *Program services.* The amounts in the schedule to carry out the
14 responsibilities of divisions, commissions, and boards attached to the department of
15 administration, other than the board on aging and long-term care, the adolescent
16 pregnancy prevention and pregnancy services board, ~~and the public records board,~~
17 and the wireless 911 board, and to carry out the responsibilities of special and
18 executive committees. All moneys received from fees which are authorized by law
19 or administrative rule to be collected by any division, board or commission attached
20 to the department, other than the board on aging and long-term care, the adolescent
21 pregnancy prevention and pregnancy services board, ~~and the public records board,~~
22 and the wireless 911 board, and all moneys received from fees that are authorized
23 by law or executive order to be collected by any special or executive committee shall
24 be credited to this appropriation account and used to carry out the purposes for which
25 collected.

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1 **SECTION 3.** 20.505 (4) (qb) of the statutes is created to read:

2 20.505 (4) (qb) *Wireless 911 board; general program operations.* From the
3 wireless 911 fund, a sum sufficient not to exceed 1% of all moneys received under s.
4 146.70 (3m) (f) 3. for general program operations of the wireless 911 board, including
5 contracting for audits under s. 146.70 (3m) (e).

6 **SECTION 4.** 20.505 (4) (qe) of the statutes is created to read:

7 20.505 (4) (qe) *Wireless 911 board; wireless provider grants.* From the wireless
8 911 fund, a sum sufficient not to exceed 35% of all moneys received under s. 146.70
9 (3m) (f) 3. for the wireless 911 board to make grants to wireless providers under s.
10 146.70 (3m) (d).

11 **SECTION 5.** 20.505 (4) (qm) of the statutes is created to read:

12 20.505 (4) (qm) *Wireless 911 board; local government grants.* From the wireless
13 911 fund, a sum sufficient not to exceed 64% of all moneys received under s. 146.70
14 (3m) (f) 3. for the wireless 911 board to make grants to cities, villages, towns, and
15 counties under s. 146.70 (3m) (b) and (c). This paragraph does not apply after
16 October 1, 2006.

17 **SECTION 6.** 20.505 (4) (qp) of the statutes is created to read:

18 20.505 (4) (qp) *Wireless 911 board; local government semiannual grants.* From
19 the wireless 911 fund, a sum sufficient not to exceed 62% of all moneys received under
20 s. 146.70 (3m) (f) 3. for the wireless 911 board to make grants to cities, villages, towns,
21 and counties under s. 146.70 (3m) (b).

22 **SECTION 7.** 20.505 (4) (qs) of the statutes is created to read:

23 20.505 (4) (qs) *Wireless 911 board; local government supplemental grants.*
24 From the wireless 911 fund, a sum sufficient not to exceed 2% of all moneys received

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1 under s. 146.70 (3m) (f) 3. for the wireless 911 board to make grants to cities, villages,
2 towns, and counties under s. 146.70 (3m) (c).

3 **SECTION 8.** 25.17 (1) (yo) of the statutes is created to read:

4 25.17 (1) (yo) Wireless 911 fund (s. 25.98);

5 **SECTION 9.** 25.98 of the statutes is created to read:

6 **25.98 Wireless 911 fund.** There is established a separate nonlapsible trust
7 fund designated as the wireless 911 fund, consisting of deposits by the wireless 911
8 board under s. 146.70 (3m) (f) 3.

9 **SECTION 10.** 146.70 (3m) of the statutes is created to read:

10 146.70 (3m) WIRELESS PROVIDERS. (a) *Definitions.* In this subsection:

11 1. “Board” means the wireless 911 board.

12 2. “Emergency 911 wireless service” means any service regarding the
13 transmission of wireless 911 calls that the federal communications commission
14 requires wireless providers to provide.

15 3. “Federal wireless orders” means the orders of the federal communications
16 commission regarding emergency 911 wireless services in FCC docket no. 94–102.

17 4. “Wireless provider” means a commercial mobile radio service provider, as
18 defined in s. 196.01 (2g), that is subject to the federal wireless orders.

19 5. “Wireless public safety answering point” means a facility to which a call on
20 a wireless provider’s system is initially routed for response, and on which a public
21 agency directly dispatches the appropriate emergency service provider, relays a
22 message to the appropriate emergency service provider, or transfers the call to the
23 appropriate emergency services provider.

24 (b) *Local government semiannual grants.* 1. ‘Eligibility for grants.’ From the
25 appropriation under s. 20.505 (4) (qm), the board shall make semiannual grants to

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1 cities, villages, towns, and counties that operate wireless public safety answering
2 points for the uses allowed under subd. 3. The board shall award no more than 64%
3 of all moneys received under par. (f) 3. in grants under this paragraph and par. (c).
4 A city, village, town, or county may receive a grant under this paragraph only if all
5 of the following are satisfied:

6 a. The governing body, as defined in s. 66.0309 (1) (a), of the city, village, town,
7 or county has adopted a resolution stating the intent of the city, village, town, or
8 county to provide emergency 911 wireless service within 2 years after the effective
9 date of the resolution and including a schedule for planning, designing, and issuing
10 requests for proposals for facilities and equipment that are necessary for providing
11 emergency 911 wireless service.

12 b. Each public agency that operates a wireless public safety answering point
13 in the county, if the county is the recipient of the grant, or in the county in which the
14 city, village, or town is located, if the city, village, or town is the recipient of the grant,
15 has jointly submitted a plan to the board for combining all emergency 911 wireless
16 services in the county in the most cost-effective manner. The board shall promulgate
17 rules specifying the minimum requirements for plans required under this subd. 1.

18 b. This subd. 1. b. first applies to grants made on January 1, 2008.

19 c. If the recipient of the grant is a county that jointly operates a wireless public
20 safety answering point with another county, all of the counties that jointly operate
21 the wireless public safety answering point have submitted a plan to the board for
22 combining the emergency 911 wireless services provided by all of the counties in the
23 most cost-effective manner. The board shall promulgate rules specifying the
24 minimum requirements for plans required under this subd. 1. c. This subd. 1. c. first
25 applies to grants made on January 1, 2008.

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1 2. ‘Grant amounts.’ a. Except as provided in subd. 2. b., grants to cities,
2 villages, towns, and counties under this paragraph shall be awarded in amounts
3 directly proportional to the percentage of in-service wireless telephone numbers in
4 this state that are located in the city, village, town, or county that receives the grant.
5 The board shall annually determine the number of in-service wireless telephone
6 numbers in each city, village, town, or county in this state. For purposes of this subd.
7 2. a., an in-service wireless telephone number is considered to be located in a city,
8 village, town, or county if the primary billing address for the telephone number is
9 located in the city, village, town, or county.

10 b. If a county has a population of more than 500,000, a grant to the city, village,
11 or town in that county under this paragraph shall be equal to 93% of the amount
12 determined under subd. 2. a. for that city, village, or town, and the grant awarded
13 to the county shall be an amount equal to 7% of the total amount determined under
14 subd. 2. a. for all cities, villages, and towns in that county.

15 3. ‘Allowed grant uses.’ A city, village, town, or county that receives a grant
16 under this paragraph may use the grant only for actual expenses that are directly
17 and primarily incurred for leasing, purchasing, operating, or maintaining a wireless
18 public safety answering point, including expenses for all of the following:

19 a. Necessary network equipment, computer hardware and software, database
20 equipment, and radio and telephone equipment, that are located within the wireless
21 public safety answering point.

22 b. Training operators of a wireless public safety answering point.

23 c. Network costs for delivery of calls from a wireless provider to a wireless
24 public safety answering point.

25 d. Salaries and benefits of operators of a wireless public safety answering point.

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1 4. 'Prohibited grant uses'. A city, village, town, or county that receives a grant
2 under this paragraph may not use the grant for any of the following:

3 a. Emergency service dispatch, including personnel, training, equipment,
4 software, records management, radio communications, and mobile data network
5 systems.

6 b. Vehicles and equipment in vehicles.

7 c. Communications equipment and software used to communicate with
8 vehicles.

9 d. Real estate and improvements to real estate, other than improvements
10 necessary to maintain the security of a wireless public safety answering point.

11 (c) *Local government supplemental grants.* From the appropriation under s.
12 20.505 (4) (qm), the board may award supplemental grants to cities, villages, towns,
13 and counties that are awarded grants under par. (b) if the board determines that a
14 city, village, town, or county has or will experience excessive costs in providing
15 emergency 911 wireless service or that a city, village, town, or county is in an area
16 that is underserved by wireless providers. A city, village, town, or county that
17 receives a grant under this paragraph may use the grant only for the purposes
18 described in par. (b) 3. and may not use the grant for the purposes described in par.
19 (b) 4. The board shall promulgate rules for making grants under this paragraph.

20 (d) *Wireless provider grants.* 1. 'Eligibility for grants.' From the appropriation
21 under s. 20.505 (4) (qe), the board shall make semiannual grants to wireless
22 providers that may be used only for actual expenses incurred to design, upgrade,
23 purchase, lease, program, install, test, operate, or maintain all data, hardware, and
24 software necessary to comply with the federal wireless orders. The board shall
25 award no more than 35% of all moneys received under par. (f) 3. in grants under this

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1 paragraph. A wireless provider may not receive a grant under this paragraph unless
2 the wireless provider maintains records regarding the collection of wireless
3 surcharges from customers and the payment of the wireless surcharges to the board
4 under the rules promulgated under par. (f) 3., maintains the records for not less than
5 3 years after the collection of wireless surcharges, and makes the records available
6 to the board for inspection and copying during regular business hours. The board
7 shall promulgate rules specifying the records that must be maintained under this
8 subdivision.

9 2. ‘Grant amounts.’ Grants to wireless providers under this paragraph shall
10 be awarded in amounts directly proportional to the percentage of in-service wireless
11 telephone numbers in this state that are billed to the wireless provider. The board
12 shall annually determine the number of in-service wireless telephone numbers in
13 this state that are billed to each wireless provider. For purposes of this subdivision,
14 an in-service wireless telephone number is considered to be located in this state if
15 the primary billing address for the telephone number is located in this state.

16 (e) *Grant audits.* The board shall contract for independent audits of
17 applications for grants under pars. (b), (c), and (d). An applicant for a grant shall
18 provide an auditor with any relevant confidential business information.

19 (f) *Wireless surcharge.* 1. Each wireless provider shall impose a surcharge of
20 75 cents per month for each telephone number that the wireless provider assigns to
21 a customer with a billable address in this state, except that no surcharge may be
22 imposed for a telephone number billed to a public agency that operates a public safety
23 answering point. A wireless provider shall identify the surcharge on a customer’s
24 bill on a separate line that is identified as “Wireless 911 Surcharge.” The board may
25 promulgate rules that increase or decrease the surcharge, except that the board may

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1 not increase the surcharge more than once per year, any increase must be uniform
2 statewide and may not exceed 10 cents, and the surcharge may not exceed \$1.

3 2. A wireless provider may not prorate the surcharge and shall collect the entire
4 amount of the surcharge for a month of partial service.

5 3. The board shall promulgate rules establishing requirements for wireless
6 providers to collect the surcharge from their customers. Except as provided in subd.
7 4., a wireless provider shall pay the surcharges to the board no more than 60 days
8 after the end of the calendar month in which the surcharges are collected. The board
9 shall bring an action to collect a surcharge that is not paid by a customer and the
10 customer's wireless provider is not liable for the unpaid surcharge. The board shall
11 deposit the surcharges in the wireless 911 fund.

12 4. Wireless providers may retain 2% of the surcharges collected during the
13 period beginning on the first day of the 4th month beginning after the effective date
14 of this subdivision [revisor inserts date], and ending on the first day of the 16th
15 month beginning after the effective date of this subdivision [revisor inserts date],
16 for reimbursing costs related to collecting the surcharge, including reprogramming
17 billing systems.

18 (g) *Confidentiality of information.* The board may withhold from public
19 inspection any information that would aid a competitor of a wireless provider in
20 competition with the wireless provider. The board shall establish procedures for
21 internal management that limit the access that members of the board have to
22 confidential business information submitted by wireless providers.

23 (h) *Public information.* The board shall promulgate rules establishing
24 requirements and procedures for informing the public about the purpose and uses
25 of the surcharge required under par. (f). The rules shall require the board to

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1 maintain a toll-free telephone number to provide such information to the public and
2 require wireless providers to identify the toll-free number on bills and direct
3 customers to contact the board regarding questions about the surcharge.

4 (i) *Other charges prohibited.* No city, village, town, county, or state agency, as
5 defined in s. 16.375 (1), except the board, may require a wireless provider to collect
6 or pay a surcharge or fee related to emergency 911 wireless service.

7 (j) *Liability exemption.* A wireless provider shall be immune from civil liability
8 for damages resulting from any person's use of an emergency 911 wireless service for
9 which a grant is made under this subsection.

10 (k) *Report to governor and legislature.* Annually, the board shall submit a
11 report to the governor, and to the chief clerk of each house of the legislature for
12 distribution to the legislature under s. 13.172 (2), that describes the costs incurred
13 by wireless providers and public agencies in providing emergency 911 wireless
14 service and the grants made by the board.

15 (L) *Board powers.* The board shall possess all powers necessary or convenient
16 for administering the requirements of this subsection, including the authority to
17 require wireless providers and public agencies to submit information to the board
18 that is necessary for the board to make the determinations under pars. (b) 2. a. and
19 (d) 2. and to submit the report required under par. (k).

20 **SECTION 11.** 146.70 (3m) (b) 1. (intro.) of the statutes, as created by 2003
21 Wisconsin Act (this act), is repealed and recreated to read:

22 146.70 (3m) (b) 1. 'Eligibility for grants.' (intro.) From the appropriation under
23 s. 20.505 (4) (qp), the board shall make semiannual grants to cities, villages, towns,
24 and counties that operate wireless public safety answering points for the uses
25 allowed under subd. 3. The board shall award no more than 62% of all moneys

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1 received under par. (f) 3. in grants under this paragraph. A city, village, town, or
2 county may receive a grant under this paragraph only if all of the following are
3 satisfied:

4 **SECTION 12.** 146.70 (3m) (c) of the statutes, as created by 2003 Wisconsin Act
5 (this act), is repealed and recreated to read:

6 146.70 (3m) (c) *Local government supplemental grants.* From the
7 appropriation under s. 20.505 (4) (qs), the board may award supplemental grants to
8 cities, villages, towns, and counties that are awarded grants under par. (b) if the
9 board determines that a city, village, town, or county has or will experience excessive
10 costs in providing emergency 911 wireless service or that a city, village, town, or
11 county is in an area that is underserved by wireless providers. The board shall award
12 no more than 2% of all moneys received under par. (f) 3. in grants under this
13 paragraph. A city, village, town, or county that receives a grant under this paragraph
14 may use the grant only for the purposes described in par. (b) 3. and may not use the
15 grant for the purposes described in par. (b) 4. The board shall promulgate rules for
16 making grants under this paragraph.

17 **SECTION 13. Nonstatutory provisions.**

18 (1) DEFINITIONS. In this SECTION:

19 (a) "Board" means the wireless 911 board.

20 (b) "Department" means the department of administration.

21 (c) "Wireless provider" has the definition given in section 146.70 (3m) (a) 4. of
22 the statutes, as created by this act.

23 (2) INITIAL MEMBERS OF WIRELESS 911 BOARD. Notwithstanding section 15.105 (28)

24 (b) of the statutes, as created by this act:

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1 (a) One initial member appointed under section 15.105 (28) (a) 5. of the
2 statutes, as created by this act, and one initial member appointed under section
3 15.105 (28) (a) 6. of the statutes, as created by this act, shall be appointed for terms
4 expiring on May 1, 2006.

5 (b) One initial member appointed under section 15.105 (28) (a) 5. of the
6 statutes, as created by this act, and one initial member appointed under section
7 15.105 (5) (a) 6. of the statutes, as created by this act, shall be appointed for terms
8 expiring on May 1, 2007.

9 (c) One initial member appointed under section 15.105 (28) (a) 5. of the statutes,
10 as created by this act, and one initial member appointed under section 15.105 (28)
11 (a) 6. of the statutes, as created by this act, shall be appointed for terms expiring on
12 May 1, 2008.

13 (d) One initial member appointed under section 15.105 (28) (a) 5. of the
14 statutes, as created by this act, and one initial member appointed under section
15 15.105 (28) (a) 6. of the statutes, as created by this act, shall be appointed for terms
16 expiring on May 1, 2009.

17 (3) WIRELESS SURCHARGE RULES.

18 (a) *Emergency rules; board.* If all of the members of the board are appointed
19 and qualified on July 1, 2004, the board shall, using the procedure under section
20 227.24 of the statutes, promulgate the rules required under section 146.70 (3m) (f)
21 3. of the statutes, as created by this act, for the period before the effective date of the
22 permanent rules promulgated under section 146.70 (3m) (f) 3. of the statutes, as
23 created by this act, but not to exceed the period authorized under section 227.24 (1)
24 (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of
25 the statutes, the board is not required to provide evidence that promulgating a rule

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1 under this paragraph as an emergency rule is necessary for the preservation of the
2 public peace, health, safety, or welfare and is not required to provide a finding of
3 emergency for a rule promulgated under this paragraph.

4 (b) *Emergency rules; department.* Notwithstanding section 146.70 (3m) (f) 3.
5 of the statutes, as created by this act, if all of the members of the board are not
6 appointed and qualified on July 1, 2004, the department shall, using the procedure
7 under section 227.24 of the statutes, promulgate the rules under section 146.70 (3m)
8 (f) 3. of the statutes, as created by this act, for the period before permanent rules
9 become effective, but not to exceed the period authorized under section 227.24 (1) (c)
10 and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the
11 statutes, the department is not required to provide evidence that promulgating a rule
12 under this paragraph as an emergency rule is necessary for the preservation of the
13 public peace, health, safety, or welfare and is not required to provide a finding of
14 emergency for a rule promulgated under this paragraph.

15 (4) LOCAL GOVERNMENT SUPPLEMENTAL GRANTS; EMERGENCY RULES. If all of the
16 members of the board are appointed and qualified on July 1, 2004, the board shall,
17 using the procedure under section 227.24 of the statutes, promulgate the rules
18 required under section 146.70 (3m) (c) of the statutes, as created by this act, for the
19 period before the effective date of the permanent rules promulgated under section
20 146.70 (3m) (c) of the statutes, as created by this act, but not to exceed the period
21 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
22 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the board is not required to
23 provide evidence that promulgating a rule under this subsection as an emergency
24 rule is necessary for the preservation of the public peace, health, safety, or welfare

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1 and is not required to provide a finding of emergency for a rule promulgated under
2 this subsection.

3 (5) DEADLINE FOR DETERMINING NUMBER OF WIRELESS TELEPHONE NUMBERS. No
4 later than December 1, 2004, the board shall make the first annual determinations
5 required under section 146.70 (3m) (b) 2. a. and (d) 2. of the statutes, as created by
6 this act.

7 **SECTION 14. Initial applicability.**

8 (1) The treatment of section 146.70 (3m) (f) 1. of the statutes first applies to
9 customer bills issued after the first day of the 4th month beginning after the effective
10 date of this subsection.

11 **SECTION 15. Effective dates.** This act takes effect on the day after publication,
12 except as follows:

13 (1) The treatment of section 20.505 (4) (qp) and (qs) of the statutes and the
14 repeal and recreation of section 146.70 (3m) (b) 1. (intro.) and (c) of the statutes take
15 effect on October 1, 2006.

16 (END)