

# WISCONSIN UNIVERSAL SERVICE FUND COUNCIL BYLAWS

<b>I.</b>	<b>PURPOSE</b>	2
<b>II.</b>	<b>PURPOSE OF THE COUNCIL</b>	2
	A. Statutory	2
	B. Mission Statement	2
<b>III.</b>	<b>COUNCIL ORGANIZATION</b>	3
	A. Structure	3
	B. Membership	4
	C. Officers	4
	D. Bylaws	5
	E. Staff Assistance	5
	F. Committees	5
<b>IV.</b>	<b>POLICY DEVELOPMENT</b>	6
<b>V.</b>	<b>MEETINGS</b>	6
	A. Council Meetings	7
	B. Other Types of Meetings	7
	C. Record Keeping	7
	D. Decision Making	7
	E. Setting the Meeting Agenda	7
<b>VI.</b>	<b>OFFICIAL REPRESENTATION ON BEHALF OF THE COUNCIL</b>	7
<b>VII.</b>	<b>AMENDMENTS TO THE BYLAWS</b>	8

# WISCONSIN UNIVERSAL SERVICE FUND COUNCIL BYLAWS

## I. PURPOSE

These bylaws govern the conduct and organizational structure of the Wisconsin Universal Service Fund Council.

Some of these sections are mandated by the Commission's rules (Wis. Adm. Code ch. PSC 160) relative to universal service and the Council. (When a bylaw repeats a requirement from the rules, it is shown in *italics*.)

The remaining sections were developed by the Council based on the Council's goals, objectives, and decision-making needs.

In addition to helping Council members to effectively perform their duties, these bylaws serve as a resource for staff and may be used to inform the general public of the Council's structure and systems.

## II. PURPOSE OF THE COUNCIL

### A. Statutory

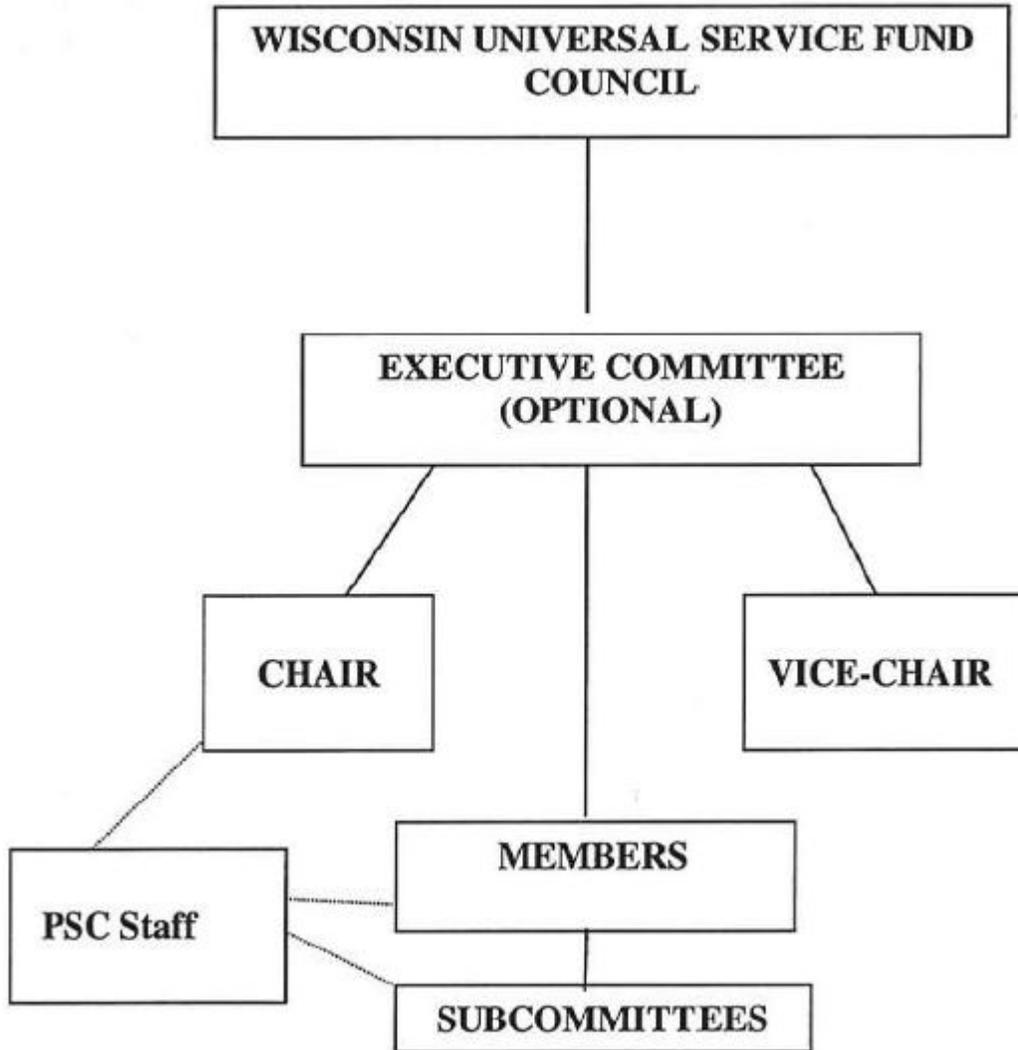
1. The Universal Service Fund Council was created by the Legislature as part of the Universal Service section of 1993 Wisconsin Act 496 (Wis. Stat. § 196.218(6)).
2. "The Universal Service Fund Council shall advise the Commission concerning the administration of this section and the content of rules promulgated under this section." Wis. Stat § 196.218(6)(b)

### B. Mission Statement

The Universal Service Fund Council's mission is to advise the Commission on rules, programs, policies and procedures to ensure that all residents of Wisconsin receive essential telecommunication services and have access to advanced telecommunication service capabilities.

### III. COUNCIL ORGANIZATION

#### A. Structure



The Wisconsin Universal Service Fund Council is attached to the Public Service Commission for administrative purposes.

B. Membership

1. *The Commission shall appoint a Universal Service Fund Council to advise the Commission concerning the administration of s. 196.218 Stats., the content of the administrative rules adopted pursuant to s. 196.218 Stats., and any other matters assigned to the Universal Service Fund Council by the Commission.*
2. *The Universal Service Fund Council shall consist of telecommunications providers, consumers of telecommunications services, and agencies representing consumer interest groups. The Commission shall appoint a diverse membership to the Universal Service Council. Representation on the Council is as specified in Wis. Admin. Code § PSC 160.19.*
3. *A majority of the members of the Universal Service Fund Council shall be representatives of consumers of telecommunications services.*
4. *Members of the Universal Service Fund Council shall serve without compensation. Members, other than those members representing the telecommunications industry and any members representing state agencies, may be reimbursed for their actual and necessary expenses incurred in the performance of their duties as part of the Universal Service Fund Council, subject to budget guidelines adopted by the Commission.*
5. Appointments to the Universal Service Fund Council are for individuals, not organizations.
6. Alternates may attend meetings on occasion, when a member is unavailable; however, they do not have voting privileges. Proxy voting for members is not allowed.
7. *Universal Service Fund Council members shall be appointed to staggered three-year terms.*
8. When a member is unable to complete a term on the Council, the Commission may appoint a replacement member to serve the remainder of the term.

C. Officers

*The Universal Service Fund Council shall elect a chairperson and a vice-chairperson from its membership, not including the Commission staff liaison. The term of office for these positions shall be one year. Elections may be held at the*

*first meeting of each calendar year, or may be conducted by mail prior to the first meeting of each calendar year.*

1. Nominations for the Chairperson and Vice Chairperson will be made to the Commission liaison between January 1st and January 15th of each year.
2. The Commission staff liaison will prepare a slate of candidates.
3. Votes shall be as follows with the incumbent Chairperson presiding:
  - (a) Additional nominations will be solicited for the position of Chairperson
  - (b) Following a vote to close nominations, a secret ballot vote shall be taken for Chairperson.
  - (c) The Chairperson-elect shall immediately preside over the nominations for Vice Chairperson. Following any additional nominations, and a vote to close nominations, the Vice Chairperson shall be elected by secret ballot.
4. In the alternative, the nomination and voting process may be conducted by the Commission staff liaison via mail or fax.

D. Bylaws

*The Universal Service Fund Council may adopt bylaws appropriate for its operation.*

E. Staff Assistance

*The Commission shall assign staff members as needed to facilitate the work of the Universal Service Fund Council. The Commission shall appoint a member of the Commission staff to serve as staff liaison for the Universal Service Fund Council. The Liaison shall be a non-voting member and shall do all of the following:*

1. *Assist the Universal Service Fund Council in obtaining subject matter expertise in the area of the universal telecommunications service.*
2. *Maintain the official record of the Universal Service Fund Council, including membership, minutes of meetings, and agendas and reports.*
3. *Assist the chairperson of the Universal Service Fund Council in planning the agendas, times and places of meetings.*

4. *Provide other administrative assistance as required*
- F. Subcommittees
  1. From time to time, specific issues may arise that need immediate action. *The Universal Service Fund Council may form subcommittees of its membership as necessary to review issues and make recommendations for consideration of the full Council.* The Chairperson may appoint a subcommittee Chairperson from the Council, who, in concert with the Chairperson, shall recruit members from the Council in proportion to consumer and provider Council membership, when possible. Persons from the community at-large may also be appointed to serve on a subcommittee
  2. All subcommittees will receive a job description and sunset date from the Council.
  3. The subcommittees shall be evaluated for their necessity periodically.
  4. Subcommittees shall develop and implement work plans to attain subcommittee and Council goals.
  5. Subcommittees shall report activities to the full Council, via the subcommittee Chairperson, at each Council meeting. There may be minority opinions expressed in the report.
  6. Subcommittees shall submit recommendations needing full Council action to the Council chairperson at least 10 days prior to the next Council meeting. The Council may agree to hear recommendations with less notice under unusual circumstances.
  7. Non-Council members may not vote in subcommittee meetings.
  8. A subcommittee cannot speak for the Council nor represent the full Council through correspondence from the subcommittee.

#### **IV. POLICY DEVELOPMENT**

- A. It shall be the responsibility of the Chairperson to regularly review these bylaws and make written recommendations for revisions to the Council.
- B. The Council shall periodically evaluate and update its projects, goals, and objectives. Projects should be evaluated based on Council priority,

efficiency and effect, and progress towards meeting Council goals and objectives and Commission assignments.

- C. Ongoing projects shall be continued and new goals set by vote of Council members, or by direction of the Commission.

## V. MEETINGS

### A. Council Meetings

1. *The Universal Service Fund Council shall meet at least twice annually. Other meetings may be called, upon adequate notice to all members, to address matters of the fund as they arise.*
2. Meetings of the Universal Service Fund Council are subject to the state open meeting laws. Meetings shall be appropriately noticed and shall be open and accessible to the public.
3. A simple majority of the members must be present to conduct business. If a simple majority is not present, the members may discuss issues, but may not make any decisions for the council.
4. Only appointed members may vote. Alternates may attend meetings on occasion, when a member is unavailable; however, they do not have voting privileges. Proxy voting for members is not allowed.
5. A roll call vote may be requested by any member.
6. Unless otherwise designated, the meetings of the Universal Service Fund Council are not public hearings; rather, they serve as a forum for member discussion, debate, and decision making.
7. The Council Chairperson shall preside at the meeting. In the absence of the Chairperson, the Vice Chairperson shall preside. If both Council officers are unable to attend, the Chairperson may designate another Council member or the staff liaison to preside at a meeting.

### B. Other Types of Meetings

1. Subcommittee meetings -  
Notice of all Subcommittee meetings shall be given by the Subcommittee Chairperson to Subcommittee members at least 5 working days prior to the meeting. In extraordinary circumstances, this 5-day notice requirement may be waived by the Council Chairperson; in such a case, the staff liaison will

notify all members of the meeting by fax, e-mail, or telephone call.

2. Special meetings -  
Special meetings or conference calls of the Council may be called by the Chairperson. The state open meeting laws apply to such meetings.

C. Record Keeping

The minutes of all Council and committee meetings shall be kept by staff liaison appointed by the Commission. The minutes of all Council regular and special meetings and the Council meeting agenda shall be provided to Council members by the staff liaison.

D. Decision Making

Participation is the key to an effective policymaking body. The Council will attempt to make decision by consensus. Any member may request a vote on an issue.

E. Setting the Meeting Agenda

The Council Chairperson shall set the agenda for each meeting. If the Council chooses to create an Executive Committee, the Executive Committee shall set the agenda.s for Council meetings.

**VI. OFFICIAL PRESENTATIONS ON BEHALF OF COUNCIL**

- A. No Council member may speak for the Council unless he/she presents a position officially adopted by the body.
- B. All Council members that shall represent the Council's position shall be appointed by the Chairperson or the Council, whichever is the most timely.
- C. All Council members not officially representing the Council may mention their affiliation with the Council but must include a disclaimer that they are speaking as individuals and not as representatives of the Council

**VII. AMENDMENTS TO THE POLICIES**

These bylaws of the Wisconsin Universal Service Fund Council may be amended by a two- thirds (2/3) vote of the full Council , providing that all Council members have been duly notified of the proposed amendment at least 5 working days prior to the date of the meeting.

ADOPTED 5/17/2000

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