

2013 DRAFTING REQUEST

Bill

Received: 2/7/2013 Received By: mkunkel
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Boggs
May Contact: Drafter: mkunkel
Subject: Higher Education - UW System Addl. Drafters:
Extra Copies: PG

Submit via email: YES
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Boggs, BB0447 -

Topic:

University of Wisconsin access to nonprofit Internet networks

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 2/7/2013			_____			
/P1	mkunkel 2/9/2013	jdyer 2/7/2013	rschluet 2/7/2013	_____	srose 2/7/2013		
/P2		csicilia 2/10/2013	rschluet 2/10/2013	_____	mbarman 2/11/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **2/7/2013** Received By: **mkunkel**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Boggs**
May Contact: Drafter: **mkunkel**
Subject: **Higher Education - UW System** Addl. Drafters:
Extra Copies: **PG**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Boggs -

Topic:

University of Wisconsin access to nonprofit Internet networks

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 2/7/2013			_____			
/P1		jdye 2/7/2013	rschluet 2/7/2013	_____	srose 2/7/2013		

FE Sent For:

Handwritten notes: "p2 jys", "2/10", "13", and a circled "END" with a checkmark.

2013 DRAFTING REQUEST

Bill

Received: 2/7/2013 Received By: mkunkel
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Boggs
May Contact: Drafter: mkunkel
Subject: Higher Education - UW System Addl. Drafters:
Extra Copies: PG

Submit via email: YES

Requester's email:

Carbon copy (CC) to:

Pre Topic:

DOA:.....Boggs -

Topic:

University of Wisconsin access to nonprofit internet networks

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	mkunkel	PI	2/7/13				
----	---------	----	--------	--	--	--	--

FE Sent For:

<END>

Kunkel, Mark

From: Hanaman, Cathlene
Sent: Thursday, February 07, 2013 8:54 AM
To: Kunkel, Mark; Grant, Peter
Subject: FW: Statutory Language Drafting Request - BB0447

From: Breann.Boggs@wisconsin.gov [<mailto:Breann.Boggs@wisconsin.gov>]
Sent: Wednesday, February 06, 2013 5:55 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Boggs, Breann C - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0447

Biennial Budget: 2013-15

DOA Tracking Code: BB0447

Topic: Telecommunication Services Exemption

SBO Team: EWD

SBO Analyst: Boggs, Breann - DOA
Phone: (608) 266-2843
E-mail: Breann.Boggs@wisconsin.gov

Agency Acronym: UW

Agency Number: 285

Priority: High

Intent:

Allow the board of regents, uw institutions and college campuses to use wiscnet to access internet research consortia (such as Internet 2, Northern Tier Network Consortium, and Broadband Optical Research, Education and Science Network.

These entities are not-for-profit, internet networks that enable universities, industry, government to share data and research.

The current exemptions from 36.585 (3)(a) are potentially not broad enough to allow for UW to use Wiscnet to access these public/private research networks.

Attachments: False



[Home](#) | [Mission](#) | [Members](#) | [Membership/Organization](#) | [Meetings](#) | [Executive Committee](#) | [Technical Committee](#)

Charter

June 2010

Previous versions: [2007](#) | [2004](#)

The Northern Tier Networking and Cyberinfrastructure Consortium (NTNC) is a partnership formed by its members to address mutual interests in advanced networking facilities and shared cyberinfrastructure that can be layered on top of such facilities.

MISSION

The Northern Tier Networking and Cyberinfrastructure Consortium seeks to develop and sustain advanced networking capabilities and shared cyberinfrastructure facilities, in order to support the educational, research, and economic vitality of the Northern Tier region.

GOALS AND OBJECTIVES

The primary NTNC goals are

- to provide a premier research network that connects the Northern Tier states, from current endpoints in Chicago, IL and Seattle, WA, to ensure that every Internet2 member in the Northern Tier has the ability to establish an appropriate high speed connection to a national or international aggregation point;

- to maximize network peering and interconnection opportunities between Northern Tier networks and other research networks and networking consortia;

- to provide a network which can serve as a foundation for regional economic development, as well as academic and educational development;

- to leverage intellectual, political and financial resources across the region to expand relationships with state and national leaders, attract greater federal interest, maximize opportunities for grant and contract support, and create greater leverage with vendors; and

- to enhance national security and network redundancy by establishing one or more interconnection points between NTNC and Canadian national networks.

The initial NTNC objectives are

- to create NTNC networks and shared cyberinfrastructure in a manner governed by flexible acceptable use policies (e.g., be AUP free);

- wherever possible, to secure network backbones as "fiber assets" connecting NTNC member sites;

- in network construction, to build a regional locus of optical networking in the Northern Tier with core east/west links supplemented by redundant, "mesh connectivity" through redundant east/west links and specific north/south connections;

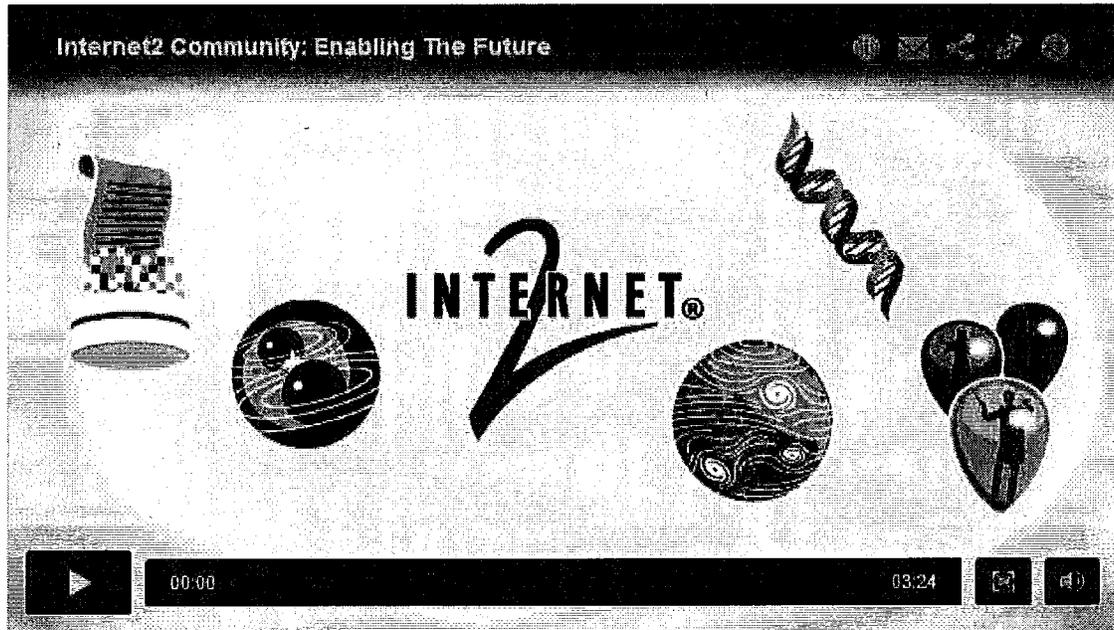
- to catalyze individual state activity in support of the NTNC mission and goals, by developing coordinated communication and marketing plans and seeking to integrate Northern Tier goals and objectives into state and local network goals; and

- to develop relationships with regional, national and international network organizations, particularly the Internet2, National Lambda Rail, the Pacific Northwest Gigapop, and the CIC and Northern Lights Gigapop.

MEMBERSHIP



About Internet2



Internet2 Community: Enabling the Future

Internet2 is an exceptional community of U.S. and international leaders in research, academia, industry and government who collaborate via innovative technologies. Together, we accelerate research discovery, advance national and global education, and improve the delivery of public services. Our community touches nearly every major innovation that defines our modern digital lives, and we continue to define "what's next."

Who We Are

Internet2 comprises approximately:

- 220 U.S. universities
- 60 leading corporations
- 70 government agencies
- 38 regional and state education networks
- More than 65 national research and education networking partners representing over 100 countries

Internet2 is a ~~not-for-profit~~ organization governed by an ~~executive~~ Board of Trustees representing our diverse membership. Program advisory

What We Do

The commercial Internet we know today was shaped by the vision and work of the people and organizations in the Internet2 community—collaborating within research and education environments that removed the barriers to discovery. Our members continue to develop and leverage advanced technologies that accelerate discoveries and improve the way the world works. From the origins of the universe, to cancer cures, to climate change, and beyond, their efforts influence commerce,

Why We Do It

Innovation takes place when ideas are liberated to create practical, far-reaching solutions to the problems of society. Our community is laying the foundation for entirely new ideas: equipping the brightest people in the world with the most advanced technology in the world. If their previous track record is any indication, the future they create will be bold and brilliant.

groups, also made up of science, sports, education,
community leaders, offer critical news and medicine.
feedback and help guide our
direction.

[Privacy](#) | [Site Map](#) | [Terms of Use](#) | [Contact Us](#) Copyright 2012 Internet2



Contents

Background

Our Vision

Locations

Founding Members

FAQ

Links

Broadband Optical Research Education and Science Network

[Home](#) | [Site map](#) | [Log-in](#) |

Background

BOREAS is the **Broadband Optical Research, Education and Sciences Network**, a collaboration of four major research institutions in the upper Midwest: Iowa State University, the University of Iowa, the University of Minnesota, and the University of Wisconsin-Madison. BOREAS intends to build and operate a Regional Optical Network (RON) to service the advanced production and experimental network requirements of the research and education institutions in our region. High-speed optical network capability is essential for our researchers to move vast amounts of research data between researchers worldwide and to engage in collaborative research activities with peer institutions and national laboratories. This capability is also necessary for our institutions to compete effectively for research funding. Our universities also believe that BOREAS capability is needed for us to be able to recruit and retain top research faculty.

BOREAS members are part of the Northern Tier Network Consortium (NTNC), an alliance of Universities, research labs, network organizations, and in some instances state network organizations from Lake Michigan to the Pacific Ocean across the northern part of our country. NTNC is working to be able to have good network capability and good connections to the national research network for all of its member institutions - a 2100 mile swath of connectivity. More information about the NTNC is available at www.ntnc.org. We anticipate that BOREAS will be the eastern segment of the Northern Tier Network.

The initial task of the founding partners of BOREAS is to provide a ring between the founding institutions and the CIC Omni-PoP (Point of Presence) in Chicago. The Omni-PoP will provide connectivity to Internet-2, to research networks that have PoPs at Starlite, and to National Lambda Rail. The Omni-PoP also provides access to commodity networks that we all use. BOREAS is also connecting Kansas City, so that we have a redundant connection to the world in case of problems in the Chicago area. The solid lines on the BOREAS map indicate the connections that the BOREAS partners are currently developing. The dotted lines are possible connections with our partners in the NTNC as that network develops.

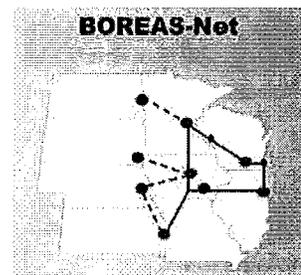
Our Vision:

BOREAS strives to be the blueprint model for Regional Optical Network Cyberinfrastructure. BOREAS facilitates collaboration between its founding members and Regional Optical Networks and their constituents. It enables outreach, research and education in a stable framework and returns value on our network investments many times over. Our organizational transparency and our ability to influence the market within and outside BOREAS geographical boundaries creates a new definition in high speed networking evolution and management. BOREAS offers its members competitive advantage in consideration of grant awards and furnishes researchers with the flexibility to provide connections for the varied requirements of any top tier research institution.

Locations/map

BOREAS will be a dark-fiber (unused optical fiber) network among the following cities:

- Ames, Iowa - Des Moines, Iowa
- Chicago, Illinois * Iowa City, Iowa
- Kansas City, Missouri
- Madison, Wisconsin
- Milwaukee, Wisconsin
- Minneapolis, Minnesota



Members

Founding members of BOREAS include the University of Minnesota, the University of Wisconsin, Iowa State University and the University of Iowa.

Boreas - in Greek mythology - god of the north wind.

Copyright 2006



LPS-Fix request sheet

jld

DOA:.....Boggs - University of Wisconsin access to nonprofit internet networks

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

✓
1 do not gen
AN ACT ...; relating to: the budget. ✓

(Board of Regents)

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

*

With certain exceptions, current law prohibits the Board of Regents of the UW System from participating in certain organizations that provide telecommunications services, including Internet-related services. The prohibition applies beginning on July 1, 2013. Unless an exception applies, current law also requires, beginning on that date, that the Board of Regents ensure that all UW schools, as well as the UW-Extension, do not participate in such organizations. The exceptions include an exception for organizations that are comprised entirely of universities and university-affiliated research facilities. This bill creates an additional exception for nonprofit organizations that provide Internet networks which enable higher education, government, or industry to share data and research. e that *

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

2 SECTION 1. 36.585 (3) (a) of the statutes is renumbered 36.585 (3). ✓

Kunkel, Mark

From: Kunkel, Mark
Sent: Friday, February 08, 2013 2:12 PM
To: Boggs, Breann C - DOA
Subject: RE: revision to 1537

I restructured the text you supplied as follows. I have inserted questions in brackets. Let me know what you think.

36.585 (2) The board may use telecommunications services procured by the board only for the purpose of carrying out its mission. ~~The Except as provided in sub. (3) (b),~~ the board shall not offer, resell, or provide telecommunications services, that are available from a private telecommunications carrier to the general public or to any other public or private entity.

36.585(3)(a) (intro.) ~~Beginning Except as provided in par. (b),~~ beginning July 1, 2013, the board may not be, and shall ensure that no institution or college campus is and that the extension is not, a member, shareholder, or partner in or with any third-party entity or other person that offers, resells, or provides telecommunications services to the general public or to any public or private entity unless at least one of the following applies:

....

36.585 (3) (b) 1. The board, an institution or college campus, or the extension may serve as a member, shareholder, or partner in or with a third party entity that satisfies all of the following:

- other than WiscNet, (per Breann)*
- a. The third party entity ~~advances~~ *deletes per Breann* research or higher education. **[What does it mean to say that the third party entity "serves" research?]**
- b. The board, institution, college campus, or extension served as a member, shareholder, or partner in or with the third party entity on February 1, 2013.

2. The board, an institution or college campus, or the extension may use the services of a third party entity that satisfies subds. 1. a. and 1. b.

telecommunications services (per Breann)

3. The board, an institution or college campus, or the extension may participate in the operations of or provide ~~networks~~ or technical support services to a third party that satisfies subds. 1. a. and 1. b., but only in connection with the use of services under subd. 2. **[I'm a little confused about the reference to "networks." Do you actually intend to refer to providing networks, or do you want to refer to providing network support services, or network services? Also, I'm a little unclear on what the "inconnection with" requirement means.]**

--Mark

(request to sec) § approval

From: Boggs, Breann C - DOA [mailto:Breann.Boggs@wisconsin.gov]
Sent: Friday, February 08, 2013 11:14 AM
To: Kunkel, Mark
Subject: revision to 1537

Hi Mark,

Here's a stab at a revision to 1537/p1.

Replace Section 2 with a new subsection that says something like this:

Sub (2) and par. (3)(a) shall not apply to nor operate to limit or restrict the board, any of its institutions or college campuses, or the extension, from serving as a member, shareholder, partner in or with any third party entity, of which it was a member on February 1, 2013, that serves or advances research or higher education, or from using services of, participating in operations of, or providing networks and technical support services to such third party entity in connection with use of the third-party entity's services by the Board, its institutions or college campuses, or the extension.

Happy to talk about it.

~B

Breann C. Boggs
State Budget Office
Executive Budget and Policy Analyst
608.266.2843
breann.boggs@wisconsin.gov



2 cjs (P.2)

DOA:.....Boggs - University of Wisconsin access to nonprofit Internet networks

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

RM has been run

SA ✓ x ref

INSERT IA

do NOT gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

With certain exceptions, current law prohibits the Board of Regents of the UW System (Board of Regents) from participating in certain organizations that provide telecommunications services, including Internet-related services. The prohibition applies beginning on July 1, 2013. Unless an exception applies, current law also requires, beginning on that date, that the Board of Regents ensure that all UW schools, as well as the UW-Extension, do not participate in such organizations. The exceptions include an exception for organizations that are comprised entirely of universities and university-affiliated research facilities. This bill creates an additional exception for nonprofit organizations that provide Internet networks that enable higher education, government, or industry to share data and research.

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

2 SECTION 1. 36.585 (3) (a) of the statutes is renumbered 36.585 (3).

INSERT 1-2

1

INSERT 1A:

With certain exceptions, current law prohibits the Board of Regents (board) of the UW System from being a member, shareholder, or partner in organizations that provide telecommunications services, including Internet-related services. The prohibition~~s~~ applies beginning July 1, 2013. Unless an exception applies, current law also requires the board to ensure that, beginning on that date, all UW schools, including the UW-Extension (UW schools), are not members, shareholders, or partners in such organizations. Current law includes an exception for organizations that are comprised entirely of universities and university-affiliated research facilities.

This bill creates a new exception for an organization that advances research or higher education. However, the bill specifies that an association called WiscNet does not qualify for the new exception. The bill's new^{to} exception applies if the board or a UW school served as a member, shareholder, or partner in the organization on February 1, 2013. The exception also applies to an organization if the DOA secretary determines that the organization advances research or higher education, and the DOA secretary makes that determination prior^{to} the board's or UW school's service as a member, shareholder, or partner. If the bill's new exception applies, the board or UW-school may use the organization's services. The board or UW school may also participate in the organization's operations or provide certain services to the organization, but only if the participation, or provision of services, is in connection with the board's or UW school's use of the organization's services.

2

INSERT 1-2:

3

SECTION 1. 36.585 (2) of the statutes is amended to read:

4

36.585 (2) The board may use telecommunications services procured by the

5

board only for the purpose of carrying out its mission. ~~The Except as provided in sub.~~

6

(3m), the board shall not offer, resell, or provide telecommunications services, that

7

are available from a private telecommunications carrier to the general public or to

8

any other public or private entity.

9

History: 2011 a. 32 ss. 970d, 1015x.

SECTION 2. 36.585 (3) (a) of the statutes is renumbered 36.585 (3) and 36.585

10

(3) (intro.), as renumbered, is amended to read:

(intro.)

1

36.585 (3) Beginning Except as provided in sub. (3m), beginning July 1, 2013,

2

the board may not be, and shall ensure that no institution or college campus is and

3

that the extension is not, a member, shareholder, or partner in or with any

4

third-party entity or other person that offers, resells, or provides

5

telecommunications services to the general public or to any public or private entity

6

unless at least one of the following applies:

History: 2011 a. 32 ss. 970d, 1015x.

7

SECTION 3. 36.585 (3m) of the statutes is created to read:

8

36.585 (3m) (a) In this subsection, "third-party entity" does not include

9

WiscNet.

10

(b) The board, an institution or college campus, or the extension may serve as

11

a member, shareholder, or partner in or with a third-party entity that satisfies any

12

of the following:

13

1. The third-party entity advances research or higher education and the board,

14

institution, college campus, or extension served as a member, shareholder, or partner

15

in or with the third-party entity on February 1, 2013.

16

2. Prior to service as a member, shareholder, or partner, the secretary of

17

administration issues a determination to the board, institution, college campus, or

18

extension that the third-party entity advances research or higher education

19

(c) The board, an institution or college campus, or the extension may use the

20

services of a third-party entity that satisfies par. (b) 1. or 2.

21

(d) The board, an institution or college campus, or the extension may

22

participate in the operations of, or provide telecommunications services or technical

23

support services to, a third-party entity that satisfies par. (b) 1. or 2., but only in connection

24

with the use of services under par. (c).



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1537/P2

MDK:cjs:rs

DOA:.....Boggs, BB0447 - University of Wisconsin access to nonprofit
Internet networks

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

With certain exceptions, current law prohibits the Board of Regents (board) of the UW System from being a member, shareholder, or partner in organizations that provide telecommunications services, including Internet-related services. The prohibition applies beginning July 1, 2013. Unless an exception applies, current law also requires the board to ensure that, beginning on that date, all UW schools, including the UW-Extension (UW schools), are not members, shareholders, or partners in such organizations. Current law includes an exception for organizations that are comprised entirely of universities and university-affiliated research facilities.

This bill creates a new exception for an organization that advances research or higher education. However, the bill specifies that an association called WiscNet does not qualify for the new exception. The bill's new exception applies if the board or a UW school served as a member, shareholder, or partner in the organization on February 1, 2013. The exception also applies to an organization if the DOA secretary determines that the organization advances research or higher education, and the DOA secretary makes that determination prior to the board's or UW school's service

as a member, shareholder, or partner. If the bill's new exception applies, the board or UW-school may use the organization's services. The board or UW school may also participate in the organization's operations or provide certain services to the organization, but only if the participation, or provision of services, is in connection with the board's or UW school's use of the organization's services.

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

1 **SECTION 1.** 36.585 (2) of the statutes is amended to read:

2 36.585 (2) The board may use telecommunications services procured by the
3 board only for the purpose of carrying out its mission. ~~The~~ Except as provided in sub.
4 (3m), the board shall not offer, resell, or provide telecommunications services, that
5 are available from a private telecommunications carrier to the general public or to
6 any other public or private entity.

7 **SECTION 2.** 36.585 (3) (a) of the statutes is renumbered 36.585 (3), and 36.585
8 (3) (intro.), as renumbered, is amended to read:

9 36.585 (3) (intro.) ~~Beginning~~ Except as provided in sub. (3m), beginning July
10 1, 2013, the board may not be, and shall ensure that no institution or college campus
11 is and that the extension is not, a member, shareholder, or partner in or with any
12 third-party entity or other person that offers, resells, or provides
13 telecommunications services to the general public or to any public or private entity
14 unless at least one of the following applies:

15 **SECTION 3.** 36.585 (3m) of the statutes is created to read:

16 36.585 (3m) (a) In this subsection, "third-party entity" does not include
17 WiscNet.

1 (b) The board, an institution or college campus, or the extension may serve as
2 a member, shareholder, or partner in or with a third-party entity that satisfies any
3 of the following:

4 1. The third-party entity advances research or higher education and the board,
5 institution, college campus, or extension served as a member, shareholder, or partner
6 in or with the third-party entity on February 1, 2013.

7 2. Prior to service as a member, shareholder, or partner, the secretary of
8 administration issues a determination to the board, institution, college campus, or
9 extension that the third-party entity advances research or higher education

10 (c) The board, an institution or college campus, or the extension may use the
11 services of a third-party entity that satisfies par. (b) 1. or 2.

12 (d) The board, an institution or college campus, or the extension may
13 participate in the operations of, or provide telecommunications services or technical
14 support services to, a third-party entity that satisfies par. (b) 1. or 2., but only in
15 connection with the use of services under par. (c).

16

(END)