



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 123	Assembly Amendment 1
<i>Memo published: April 25, 2017</i>	<i>Contact: Zach Ramirez, Staff Attorney</i>

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes changes to 2017 Assembly Bill 123 (“the bill”) regarding: (1) the criteria governing a school district’s eligibility for Information Technology (I.T.) block grants, under the Technology for Educational Achievement (TEACH) program; (2) the period during which the Department of Administration (DOA) may award an extra round of I.T. block grants; (3) the transfer of certain unencumbered balances; and (4) the definition of “unserved area,” as the term is used with regard to the Broadband Expansion Grant Program.

Assembly Amendment 1 also makes changes to current law provisions that govern the granting of easements in state-owned real estate and the construction of certain facilities within the limits of a highway.

School District Eligibility for TEACH I.T. Block Grants

Under current law, TEACH I.T. block grants may only be awarded to school districts whose membership density is equal to or less than 13 students per square mile.

Under the bill, a school district is eligible for a grant if its membership density is equal to or less than 16 students per square mile and its total membership is equal to or less than 2,500 students.

Assembly Amendment 1 removes from the bill the requirement that a school district’s total membership be equal to or less than 2,500 students.

Extra Round of TEACH I.T. Block Grants

Current law limits the maximum amount of funding that a school district may receive in TEACH I.T. block grants during a fiscal biennium.

The bill authorizes DOA to award an extra round of grants that do not count towards the maximum amount a school district may receive during a biennium. The bill authorizes DOA to award the grants before July 1, 2017.

Assembly Amendment 1 extends the period of time in which DOA may award the extra round of grants until October 15, 2017.

Transfer of Certain Unencumbered Balances

Under the bill, the unencumbered balance in the appropriation for the TEACH program on June 30 of **each year** must be transferred to the appropriation for the Broadband Expansion Grant Program.

Assembly Amendment 1 instead provides that the unencumbered balance in the appropriation for the TEACH program on June 30 of **each odd-numbered year** must be transferred to the appropriation for the Broadband Expansion Grant Program.

The Definition of "Unserved Area"

Assembly Amendment 1 makes a technical change to the terms used in the definition of "unserved area," for the Broadband Expansion Grant Program.

The bill defines "unserved area" to mean an area of the state that is not served by an Internet service provider offering Internet service that is all of the following: (1) fixed wireless or wired service; and (2) provided at actual speeds of at least 20% of the upload and download speeds for **high-speed, switched broadband telecommunications** capability as designated by the Federal Communications Commission in its inquiries regarding advanced telecommunications capability under 47 U.S.C. s. 1302 (b).

Assembly Amendment 1 replaces the term "**high-speed, switched broadband telecommunications**" with the term "**advanced telecommunications**."

Easements in State-Owned Real Estate

Under current law, every board, commission, department, and agency of the state having real estate under its control may grant easements in the property for **public utility service**. Assembly Amendment 1 expands this authority to include granting easements for **telecommunications service**, which is defined as "the offering for sale of the conveyance of voice, data, or other information, including the sale of service for collection, storage, forwarding, switching, and delivery incidental to such communication regardless of the technology or mode used to make such offering."

Construction of Certain Facilities Within the Limits of a Highway

Under current law, any person may, subject to certain conditions and approval from the appropriate authority, construct and operate telephone, electric lines, or pipes along, across, or within the limits of a highway. Assembly Amendment 1 expands this list to include the

construction and operation of **lines, wires, or fiber for telecommunications service** for transmitting voice, video, or data, along, across, within, **or under** the limits of a highway.

BILL HISTORY

Representative Quinn offered Assembly Amendment 1 on April 17, 2017. On April 18, 2017, the Assembly Committee on Energy and Utilities recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 123, as amended on votes of Ayes, 15; Noes, 0.

On April 24, 2017, the Joint Committee on Finance recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 123, as amended, on votes of Ayes, 14; Noes, 0.

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