

1999 ASSEMBLY BILL 646

January 11, 2000 – Introduced by Representative OLSEN, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 44.72 (4) (a); *to amend* 20.275 (1) (er), 20.275
2 (1) (es), 20.275 (1) (h), 20.275 (1) (hb), 20.866 (2) (zc), 20.866 (2) (zcm), 44.72 (4)
3 (b), 44.72 (4) (d), 44.73 (2) (a) and 196.218 (5) (a) 5.; and *to create* 20.866 (2)
4 (zcp), 44.70 (3d), 44.72 (4) (a) 2., 44.73 (2g) and 44.73 (2r) of the statutes;
5 **relating to:** financial assistance to public library boards for certain
6 communications hardware shared service agreements between educational
7 agencies and political subdivisions regarding certain telecommunications
8 access, prohibition on educational agencies that receive certain
9 telecommunications access from providing access to business entities and
10 making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the technology for educational achievement in Wisconsin board (TEACH board) provides financial assistance to public library boards from the capital improvement fund for the purpose of making certain upgrades in electrical wiring and installing and upgrading computer network wiring. The state may contract public debt in an amount up to \$10,000,000 for providing this assistance. This bill decreases this limit on public debt to \$6,000,000.

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The bill also allows the TEACH board to provide financial assistance from the capital improvement fund to public library boards for the purpose of purchasing communications servers, routers, hubs or switches for connecting to the Internet. The financial assistance may not be used for purchasing personal computers. The bill allows the state to contract public debt in an amount up to \$4,000,000 for providing this assistance.

Also under current law, the TEACH board administers a program for providing certain educational agencies with access to either a data line or video link. The educational agencies eligible for this assistance include school districts, private schools, cooperative educational service agencies, technical college districts, private colleges and public library boards. If a school district operates more than one high school, then it may receive access to more than one data line or video link.

This bill allows a public library board that operates more than library facility to also receive access to more than one data line or video link. The bill also allows an educational agency that receives access to a data line to enter into a shared service agreement with a city, village, town or county for access to any excess bandwidth on the data line that is not used by the educational agency. In addition, the bill prohibits an educational agency that receives access to a data line from providing access to the data line to any business entity.

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.** 20.275 (1) (er) of the statutes, as affected by 1999 Wisconsin Act 9,
2 is amended to read:

3 20.275 (1) (er) *Principal, interest and rebates; general purpose revenue — public*
4 *library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
5 principal and interest costs incurred in financing educational technology
6 infrastructure financial assistance to public library boards under s. 44.72 (4) 1.
7 or 2. and to make full payment of the amounts determined by the building
8 commission under s. 13.488 (1) (m), to the extent that these costs and payments are
9 not paid under par. (hb).

10 **SECTION 2.** 20.275 (1) (es) of the statutes, as affected by 1999 Wisconsin Act 9,
11 is amended to read:

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1 20.275 (1) (es) *Principal, interest and rebates; general purpose revenue — school*
2 *districts.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
3 and interest costs incurred in financing educational technology infrastructure
4 financial assistance to school districts under s. 44.72 (4) (a) 1. and to make full
5 payment of the amounts determined by the building commission under s. 13.488 (1)
6 (m), to the extent that these costs and payments are not paid under par. (h).

7 **SECTION 3.** 20.275 (1) (h) of the statutes, as affected by 1999 Wisconsin Act 9,
8 is amended to read:

9 20.275 (1) (h) *Principal, interest and rebates; program revenue — school*
10 *districts.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for
11 the payment of principal and interest costs incurred in financing educational
12 technology infrastructure financial assistance to school districts under s. 44.72 (4)
13 (a) 1. and to make full payment of the amounts determined by the building
14 commission under s. 13.488 (1) (m).

15 **SECTION 4.** 20.275 (1) (hb) of the statutes, as affected by 1999 Wisconsin Act
16 9, is amended to read:

17 20.275 (1) (hb) *Principal, interest and rebates; program revenue — public*
18 *library boards.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1)
19 (u) for the payment of principal and interest costs incurred in financing educational
20 technology infrastructure financial assistance to public library boards under s. 44.72
21 (4) (a) 1. or 2. and to make full payment of the amounts determined by the building
22 commission under s. 13.488 (1) (m).

23 **SECTION 5.** 20.866 (2) (zc) of the statutes, as affected by 1999 Wisconsin Act 9,
24 is amended to read:

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1 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
2 *school district educational technology infrastructure financial assistance; wiring.*
3 From the capital improvement fund, a sum sufficient for the technology for
4 educational achievement in Wisconsin board to provide educational technology
5 infrastructure financial assistance to public library boards under s. 44.72 (4) (a) 1.
6 The state may contract public debt in an amount not to exceed \$10,000,000 for this
7 purpose.

8 **SECTION 6.** 20.866 (2) (zcm) of the statutes, as affected by 1999 Wisconsin Act
9 9, is amended to read:

10 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
11 *public library educational technology infrastructure financial assistance; wiring.*
12 From the capital improvement fund, a sum sufficient for the technology for
13 educational achievement in Wisconsin board to provide educational technology
14 infrastructure financial assistance to public library boards under s. 44.72 (4) (a) 1.
15 The state may contract public debt in an amount not to exceed \$10,000,000
16 \$6,000,000 for this purpose.

17 **SECTION 7.** 20.866 (2) (zcp) of the statutes is created to read:

18 20.866 (2) (zcp) *Technology for educational achievement in Wisconsin board;*
19 *public library educational technology infrastructure financial assistance;*
20 *communications hardware.* From the capital improvement fund, a sum sufficient for
21 the technology for educational achievement in Wisconsin board to provide
22 educational technology infrastructure financial assistance to public library boards
23 under s. 44.72 (4) (a) 2. The state may contract public debt in an amount not to exceed
24 \$4,000,000 for this purpose.

25 **SECTION 8.** 44.70 (3d) of the statutes is created to read:

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1 44.70 (3d) “Political subdivision” means any city, village, town or county.

2 **SECTION 9.** 44.72 (4) (a) of the statutes, as affected by 1999 Wisconsin Act 9, is
3 renumbered 44.72 (4) (a) 1. and amended to read:

4 44.72 (4) (a) 1. The board may provide financial assistance under this
5 ~~subsection~~ subdivision to school districts from the proceeds of public debt contracted
6 under s. 20.866 (2) (zc) and to public library boards from the proceeds of public debt
7 contracted under s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~
8 subdivision may be used only for the purpose of upgrading the electrical wiring of
9 school and library buildings in existence on October 14, 1997, and installing and
10 upgrading computer network wiring.

11 **SECTION 10.** 44.72 (4) (a) 2. of the statutes is created to read:

12 44.72 (4) (a) 2. The board may provide financial assistance under this
13 subdivision to public library boards from the proceeds of public debt contracted
14 under s. 20.866 (2) (zcp). Financial assistance under this subdivision may be used
15 only for the purpose of purchasing communications servers, routers, hubs or
16 switches that enable a computer network in a library building to be directly
17 connected to the Internet. Financial assistance under this subdivision may not be
18 used for the purchase of personal computers. The board shall establish, on a per
19 building basis, the maximum amount of a financial assistance under this
20 subdivision.

21 **SECTION 11.** 44.72 (4) (b) of the statutes, as affected by 1999 Wisconsin Act 9,
22 is amended to read:

23 44.72 (4) (b) *Financial assistance applications, terms and conditions.* The
24 board shall establish application procedures for, and the terms and conditions of,
25 financial assistance under ~~this subsection~~ par. (a). The procedures shall allow a

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1 public library board to apply for financial assistance under par. (a) 1. or 2. or under
2 both par. (a) 1. and 2. The board shall make a loan to a school district or public library
3 board in an amount equal to 50% of the total amount of financial assistance for which
4 the board determines the school district or public library board is eligible and provide
5 a grant to the school district or public library board for the remainder of the total.
6 The terms and conditions of any financial assistance under ~~this subsection~~ par. (a)
7 1. or 2. may include provision of professional building construction services under s.
8 16.85 (15). The terms and conditions of any financial assistance under par. (a) 2.
9 shall require the recipient to apply for a rate discount under 47 USC 254 for any
10 servers, routers, hubs or switches that are purchased with the financial assistance.
11 The board shall determine the interest rate on loans under ~~this subsection~~ par. (a).
12 The interest rate shall be as low as possible but shall be sufficient to fully pay all
13 interest expenses incurred by the state in making the loans and to provide reserves
14 that are reasonably expected to be required in the judgment of the board to ensure
15 against losses arising from delinquency and default in the repayment of the loans.
16 The term of a loan under ~~this subsection~~ par. (a) may not exceed 10 years.

17 **SECTION 12.** 44.72 (4) (d) of the statutes, as affected by 1999 Wisconsin Act 9,
18 is amended to read:

19 44.72 (4) (d) *Funding for financial assistance.* The board, with the approval
20 of the governor and subject to the limits of s. 20.866 (2) (zc) ~~and~~, (zcm) and (zcp), may
21 request that the building commission contract public debt in accordance with ch. 18
22 to fund financial assistance under this subsection.

23 **SECTION 13.** 44.73 (2) (a) of the statutes, as affected by 1999 Wisconsin Act 9,
24 is amended to read:

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1 44.73 (2) (a) Allow an educational agency to make a request to the board for
2 access to either one data line or one video link, except that any educational agency
3 may request access to additional data lines if the agency shows to the satisfaction of
4 the board that the additional data lines are more cost-effective than a single data
5 line and except that a school district that operates more than one high school or a
6 public library board that operates more than one library facility may request access
7 to both a data line and a video link and access to more than one data line or video link.

8 **SECTION 14.** 44.73 (2g) of the statutes is created to read:

9 44.73 (2g) An educational agency that is provided access to a data line under
10 the program established under sub. (1) may not do any of the following:

11 (a) Provide access to the data line to any business entity, as defined in s. 13.62
12 (5).

13 (b) Request access to an additional data line for purposes of providing access
14 to bandwidth to a political subdivision under a shared service agreement under sub.
15 (2r) (a).

16 **SECTION 15.** 44.73 (2r) of the statutes is created to read:

17 44.73 (2r) (a) An educational agency that is provided access to a data line under
18 the program established under sub. (1) may enter into a shared service agreement
19 with a political subdivision that provides the political subdivision with access to any
20 excess bandwidth on the data line that is not used by the educational agency. A
21 shared service agreement under this paragraph is not valid unless the agreement
22 allows the educational agency to cancel the agreement at any time after providing
23 notice to the political subdivision.

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1 (b) A political subdivision that obtains access to bandwidth under a shared
2 service agreement under par. (a) may not receive compensation for providing any
3 other person with access to the bandwidth.

4 (c) An educational agency shall provide the board with written notice within
5 30 days after entering into or modifying a shared service agreement under par. (a).

6 **SECTION 16.** 196.218 (5) (a) 5. of the statutes, as affected by 1999 Wisconsin Act
7 9, is amended to read:

8 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
9 the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys
10 in the universal service fund may be used to pay installation costs that are necessary
11 for a political subdivision to obtain access to bandwidth under a shared service
12 agreement under s. 44.73 (2r) (a).

13 (END)