

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB646)

Received: **02/01/2000**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Public Instruction 6-5186**

By/Representing: **Mike TeRonde**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Education - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Loan terms; excess bandwidth under shared service agreements

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>Reaired</u>
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FE Sent For:

<END>

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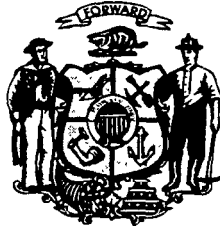
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/?	kunkemd	1 cjs 2/1/00					

FE Sent For:

<END>

TOMMY G. THOMPSON
GOVERNOR
Doris J. Hanson
Executive Director



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January 19, 2000

The Honorable Luther Olsen, Chair
Assembly Committee on Education
Wisconsin State Assembly
State Capitol, 9 West
Madison, WI 53703

Dear Representative Olsen:

Following careful review of Assembly Bill 646, I respectfully request for your consideration several technical changes that are needed prior to the Education Committee's final approval of AB 646. Specifically, it appears that there are three problems with the bill as drafted

Drafting Error

There is a significant drafting error on page 4, lines 1 - 7. Wis. Stats. 20.866(2)(zc) provides the statutory authority for the TEACH Board to issue wiring loans to school districts in an amount not to exceed \$100 million. The language contained in AB 646 under 20.866(2)(zc) would, provide statutory authority for wiring loans for public libraries in an amount not to exceed \$10 million. This language would essentially eliminate the wiring loan program for schools. The language contained in Senate Substitute Amendment 1 to Senate Bill 60 relating to Wis. Stats. 20.866(2)(zc), 20.866(2)(zcm), 20.866(zcp) is correct and should be incorporated into AB 646.

Loan Term

As drafted, AB 646 allows a loan term of up to 10 years for communications servers, routers, hubs, or switches for direct connection to the Internet (see p. 6, line 16). Given the shorter life cycle of these types of equipment, the Capital Finance Office of the Department of Administration will only allow a maximum loan term of four years.

worded so when this provision is AB 646 doesn't change draft tech memo

E-rate Subsidies

In addition, based on recent information provided to TEACH from the federal E-rate program, it is essential that language be added to AB 646 that prohibits library boards from charging political subdivisions for the costs of access to the excess bandwidth under shared services agreements. In other words, the TEACH entities cannot "sell" the excess bandwidth to political subdivisions and remain eligible for E-rate subsidies. As you may know, the federal E-rate program provides significant subsidies for certain telecommunications services related to educational technologies, including TEACH data lines. TEACH cannot afford to risk the loss of the E-rate subsidies for T-1 data lines.

Need language added

Therefore, suggested language for a technical amendment derived from E-rate certification requirements could be stated as follows: "A school district, private school, cooperative educational service agency, technical college district, private college or public library board shall not sell, resell, or transfer in consideration for money or any other thing of value the access to the excess bandwidth."

The TEACH Board appreciates your assistance in ensuring that these changes are addressed by the Education Committee. If you have any questions, please feel free to contact me.

Finally, under separate cover, I will be addressing similar changes with Senator Richard Grobschmidt for Senate Substitute Amendment 1 to Senate Bill 60. Attached is a copy of that letter.

Thank you for your consideration, and on behalf of the TEACH Board, your efforts in serving public libraries throughout the state are appreciated.

Sincerely,



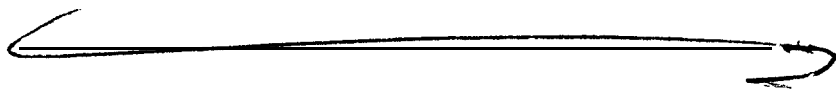
DORIS J. HANSON
Executive Director

DJH:mp

C: Senator Richard Grobschmidt
Cal Potter, Assistant Superintendent, Department of Public Instruction

Mahrie Peterson TEACH

1-7430



Call about

loan term

(10 → 4yr)

for certain loans

Kunkel, Mark

From: Peterson, Mahrie
Sent: Tuesday, February 01, 2000 12:30 PM
To: Kunkel, Mark
Subject: RE: AB 646 amendments

Mark,
The language is just fine. Thank you for the opportunity to review it.
Mahrie

Mahrie Peterson
Grants Administrator
TEACH Wisconsin
(608) 261-7430
(608) 261-7420 FAX

-----Original Message-----

From: Kunkel, Mark
Sent: Tuesday, February 01, 2000 10:42 AM
To: Peterson, Mahrie
Subject: AB 646 amendments

Here is the substance of the amendments to AB 646:

Loan term amendment: Amend page 6, line 16 of the bill so it reads: "The term of a loan under ~~this subsection par. (a)~~ 1. may not exceed 10 years and the term of a loan under par. (a) 2. may not exceed 4 years".

E-rate Subsidies amendment: add the following language after "educational agency" on page 7, line 20: ", except that an educational agency may not sell, resell or transfer in consideration for money or anything of value to a political subdivision access to any excess bandwidth".

As for the drafting error, note that the LRB has prepared a correction to the bill in the file at the end of this message. The correction does not have to be passed by the Assembly. Under the Assembly and Joint Rules, the LRB has authority to correct such drafting errors because they are typographical in nature.

Please give me a call after you review this message.

<< File: 99-39981 .pdf >>

Mark Kunkel
Legislative Attorney
Legislative Reference Bureau
(608) 266-0131 mark.kunkel@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1254/1
MDK:/.....

gs

By Friday
2/4

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 646

1 At the locations indicated, amend the bill as follows:

2 1. Page 6, line 16: delete that line and substitute ~~§~~ ↗

3 No. 9 ↖ "The term of a loan under ~~this subsection~~ par. (a) 1. may not exceed 10 years and
4 the term of a loan under par. (a) 2. may not exceed 4 years."

5 2. Page 7, line 20: after "educational agency" insert " , except that an
6 educational agency may not sell, resell or transfer in consideration for money or
7 anything of value to a political subdivision access to any excess bandwidth". ✓

8 (END)