

**SENATE SUBSTITUTE AMENDMENT 2,
TO 1999 SENATE BILL 60**

March 7, 2000 – Offered by JOINT COMMITTEE ON FINANCE.

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.

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

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

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

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

10 20.275 (1) (es) *Principal, interest and rebates; general purpose revenue — school*
11 *districts.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
12 and interest costs incurred in financing educational technology infrastructure
13 financial assistance to school districts under s. 44.72 (4) (a) 1. and to make full
14 payment of the amounts determined by the building commission under s. 13.488 (1)
15 (m), to the extent that these costs and payments are not paid under par. (h).

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

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

24 **SECTION 4.** 20.275 (1) (hb) of the statutes, as affected by 1999 Wisconsin Act
25 9, is amended to read:

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

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

9 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
10 *school district educational technology infrastructure financial assistance; wiring.*
11 From the capital improvement fund, a sum sufficient for the technology for
12 educational achievement in Wisconsin board to provide educational technology
13 infrastructure financial assistance to school districts under s. 44.72 (4) (a) 1. The
14 state may contract public debt in an amount not to exceed \$100,000,000 for this
15 purpose.

16 **SECTION 6.** 20.866 (2) (zcm) of the statutes, as affected by 1999 Wisconsin Act
17 9, is amended to read:

18 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
19 *public library educational technology infrastructure financial assistance; wiring.*
20 From the capital improvement fund, a sum sufficient for the technology for
21 educational achievement in Wisconsin board to provide educational technology
22 infrastructure financial assistance to public library boards under s. 44.72 (4) (a) 1.
23 The state may contract public debt in an amount not to exceed \$10,000,000
24 \$6,000,000 for this purpose.

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

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

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

9 44.70 (3d) “Political subdivision” means any city, village, town or county.

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

12 44.72 (4) (a) 1. The board may provide financial assistance under this
13 ~~subsection~~ subdivision to school districts from the proceeds of public debt contracted
14 under s. 20.866 (2) (zc) and to public library boards from the proceeds of public debt
15 contracted under s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~
16 subdivision may be used only for the purpose of upgrading the electrical wiring of
17 school and library buildings in existence on October 14, 1997, and installing and
18 upgrading computer network wiring.

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

20 44.72 (4) (a) 2. The board may provide financial assistance under this
21 subdivision to public library boards from the proceeds of public debt contracted
22 under s. 20.866 (2) (zcp). Financial assistance under this subdivision may be used
23 only for the purpose of purchasing communications servers, routers, hubs or
24 switches that enable a computer network in a library building to be directly
25 connected to the Internet. Financial assistance under this subdivision may not be

1 used for the purchase of personal computers. The board shall establish, on a per
2 building basis, the maximum amount of a financial assistance under this
3 subdivision.

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

6 44.72 (4) (b) *Financial assistance applications, terms and conditions.* The
7 board shall establish application procedures for, and the terms and conditions of,
8 financial assistance under ~~this subsection~~ par. (a). The procedures shall allow a
9 public library board to apply for financial assistance under par. (a) 1. or 2. or under
10 both par. (a) 1. and 2. The board shall make a loan to a school district or public library
11 board in an amount equal to 50% of the total amount of financial assistance for which
12 the board determines the school district or public library board is eligible and provide
13 a grant to the school district or public library board for the remainder of the total.
14 The terms and conditions of any financial assistance under ~~this subsection~~ par. (a)
15 1. or 2. may include provision of professional building construction services under s.
16 16.85 (15). The terms and conditions of any financial assistance under par. (a) 2.
17 shall require the recipient to apply for a rate discount under 47 USC 254 for any
18 servers, routers, hubs or switches that are purchased with the financial assistance.
19 The board shall determine the interest rate on loans under ~~this subsection~~ par. (a).
20 The interest rate shall be as low as possible but shall be sufficient to fully pay all
21 interest expenses incurred by the state in making the loans and to provide reserves
22 that are reasonably expected to be required in the judgment of the board to ensure
23 against losses arising from delinquency and default in the repayment of the loans.
24 The term of a loan under ~~this subsection~~ par. (a) 1. may not exceed 10 years and the
25 term of a loan under par. (a) 2. may not exceed 4 years.

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

3 44.72 **(4)** (d) *Funding for financial assistance.* The board, with the approval
4 of the governor and subject to the limits of s. 20.866 (2) (zc) ~~and~~, (zcm) and (zcp), may
5 request that the building commission contract public debt in accordance with ch. 18
6 to fund financial assistance under this subsection.

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

9 44.73 **(2)** (a) Allow an educational agency to make a request to the board for
10 access to either one data line or one video link, except that any educational agency
11 may request access to additional data lines if the agency shows to the satisfaction of
12 the board that the additional data lines are more cost-effective than a single data
13 line and except that a school district that operates more than one high school or a
14 public library board that operates more than one library facility may request access
15 to both a data line and a video link and access to more than one data line or video link.

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

17 44.73 **(2g)** An educational agency that is provided access to a data line under
18 the program established under sub. (1) may not do any of the following:

19 (a) Provide access to the data line to any business entity, as defined in s. 13.62
20 (5).

21 (b) Request access to an additional data line for purposes of providing access
22 to bandwidth to a political subdivision under a shared service agreement under sub.
23 (2r) (a).

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

1 44.73 (2r) (a) An educational agency that is provided access to a data line under
2 the program established under sub. (1) may enter into a shared service agreement
3 with a political subdivision that provides the political subdivision with access to any
4 excess bandwidth on the data line that is not used by the educational agency, except
5 that an educational agency may not sell, resell or transfer in consideration for money
6 or anything of value to a political subdivision access to any excess bandwidth. A
7 shared service agreement under this paragraph is not valid unless the agreement
8 allows the educational agency to cancel the agreement at any time after providing
9 notice to the political subdivision.

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

13 (c) An educational agency shall provide the board with written notice within
14 30 days after entering into or modifying a shared service agreement under par. (a).

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

17 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
18 the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys
19 in the universal service fund may be used to pay installation costs that are necessary
20 for a political subdivision to obtain access to bandwidth under a shared service
21 agreement under s. 44.73 (2r) (a).

22 (END)