

1999 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB60)

Received: 02/25/2000

Received By: kunkemd

Wanted: Soon

Identical to LRB:

For: Public Instruction

By/Representing: Mike TeRonde

This file may be shown to any legislator: NO

Drafter: kunkemd

May Contact:

Alt. Drafters:

Subject: Education - libraries
Public Util. - misc.

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

TEACH financial assistance to libraries

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>
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1/?	kunkemd	1 2/25 jg	2/25	2/25			

FE Sent For:

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Monday
2/28
NOON

1999 - 2000 LEGISLATURE

D-NOTE

1999 BILL

LRB 4633/1

MDK:jlg/km

S0337/1

PM NOT
RUN

Regen

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 term of a loan for providing such financial assistance may not exceed ten years. The state may

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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.~~

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 term of a loan for providing such financial assistance may not exceed four years. 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. However, an educational agency may not receive any money or anything of value for the access. 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

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1 commission under s. 13.488 (1) (m), to the extent that these costs and payments are
2 not paid under par. (hb).

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

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

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

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

19 **SECTION 4.** 20.275 (1) (hb) of the statutes, as affected by 1999 Wisconsin Act
20 9, is amended to read:

21 20.275 (1) (hb) *Principal, interest and rebates; program revenue — public*
22 *library boards.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1)
23 (u) for the payment of principal and interest costs incurred in financing educational
24 technology infrastructure financial assistance to public library boards under s. 44.72

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1 (4) (a) 1. or 2. and to make full payment of the amounts determined by the building
2 commission under s. 13.488 (1) (m).

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

5 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
6 *school district educational technology infrastructure financial assistance; wiring.*
7 From the capital improvement fund, a sum sufficient for the technology for
8 educational achievement in Wisconsin board to provide educational technology
9 infrastructure financial assistance to school districts under s. 44.72 (4) (a) 1. The
10 state may contract public debt in an amount not to exceed \$100,000,000 for this
11 purpose.

12 **SECTION 6.** 20.866 (2) (zcm) of the statutes, as affected by 1999 Wisconsin Act
13 9, is amended to read:

14 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
15 *public library educational technology infrastructure financial assistance; wiring.*
16 From the capital improvement fund, a sum sufficient for the technology for
17 educational achievement in Wisconsin board to provide educational technology
18 infrastructure financial assistance to public library boards under s. 44.72 (4) (a) 1.
19 The state may contract public debt in an amount not to exceed ~~\$10,000,000~~
20 \$6,000,000 for this purpose.

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

22 20.866 (2) (zcp) *Technology for educational achievement in Wisconsin board;*
23 *public library educational technology infrastructure financial assistance;*
24 *communications hardware.* From the capital improvement fund, a sum sufficient for
25 the technology for educational achievement in Wisconsin board to provide

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1 educational technology infrastructure financial assistance to public library boards
2 under s. 44.72 (4) (a) 2. The state may contract public debt in an amount not to exceed
3 \$4,000,000 for this purpose.

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

5 44.70 (3d) "Political subdivision" means any city, village, town or county.

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

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

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

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

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

3 44.72 (4) (b) *Financial assistance applications, terms and conditions.* The
4 board shall establish application procedures for, and the terms and conditions of,
5 financial assistance under ~~this subsection par. (a).~~ The procedures shall allow a
6 public library board to apply for financial assistance under par. (a) 1. or 2. or under
7 both par. (a) 1. and 2. The board shall make a loan to a school district or public library
8 board in an amount equal to 50% of the total amount of financial assistance for which
9 the board determines the school district or public library board is eligible and provide
10 a grant to the school district or public library board for the remainder of the total.
11 The terms and conditions of any financial assistance under ~~this subsection par. (a)~~
12 1. or 2. may include provision of professional building construction services under s.
13 16.85 (15). The terms and conditions of any financial assistance under par. (a) 2.
14 shall require the recipient to apply for a rate discount under 47 USC 254 for any
15 servers, routers, hubs or switches that are purchased with the financial assistance.
16 The board shall determine the interest rate on loans under ~~this subsection par. (a).~~
17 The interest rate shall be as low as possible but shall be sufficient to fully pay all
18 interest expenses incurred by the state in making the loans and to provide reserves
19 that are reasonably expected to be required in the judgment of the board to ensure
20 against losses arising from delinquency and default in the repayment of the loans.
21 The term of a loan under ~~this subsection par. (a) 1.~~ may not exceed 10 years and the
22 term of a loan under par. (a) 2. may not exceed 4 years.

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

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1 44.72 (4) (d) *Funding for financial assistance.* The board, with the approval
2 of the governor and subject to the limits of s. 20.866 (2) (zc) ~~and, (zcm) and (zcp)~~, may
3 request that the building commission contract public debt in accordance with ch. 18
4 to fund financial assistance under this subsection.

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

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

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

15 44.73 (2g) An educational agency that is provided access to a data line under
16 the program established under sub. (1) may not do any of the following:

17 (a) Provide access to the data line to any business entity, as defined in s. 13.62
18 (5).

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

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

23 44.73 (2r) (a) An educational agency that is provided access to a data line under
24 the program established under sub. (1) may enter into a shared service agreement
25 with a political subdivision that provides the political subdivision with access to any

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1 excess bandwidth on the data line that is not used by the educational agency, except
2 that an educational agency may not sell, resell or transfer in consideration for money
3 or anything of value to a political subdivision access to any excess bandwidth. A
4 shared service agreement under this paragraph is not valid unless the agreement
5 allows the educational agency to cancel the agreement at any time after providing
6 notice to the political subdivision.

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

10 (c) An educational agency shall provide the board with written notice within
11 30 days after entering into or modifying a shared service agreement under par. (a).

12 **SECTION 16.** 196.218 (5) (a) 5. of the statutes, as affected by 1999 Wisconsin Act
13 9, is amended to read:

14 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
15 the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys
16 in the universal service fund may be used to pay installation costs that are necessary
17 for a political subdivision to obtain access to bandwidth under a shared service
18 agreement under s. 44.73 (2r) (a).

19 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0337/1dn

MDK: [^].....

JLg

Mike TeRonde:

This substitute amendment is identical to Assembly Bill 646,[✓] as corrected by the LRB correction and as amended by Assembly Amendment 1.

Mark D. Kunkel
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DRAFTER'S NOTE
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LEGISLATIVE REFERENCE BUREAU

LRBs0337/1dn
MDK:jlg:jf

February 25, 2000

Mike TeRonde:

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