

TODAY

1999 - 2000 LEGISLATURE

LRB-0250/3  
MDK:cmh&jlg:lp

O. NOTE

4

DOA:.....Milioto - Educational telecommunications access program

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

RM NOT  
RUN

INSERT A

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the ~~public service commission~~ PSC is required to promulgate rules for an educational telecommunications access program under which certain educational agencies are provided with financial assistance from the ~~universal service fund~~ fund to obtain access to either one data line or video link, except that school districts that operate more than one high school may be provided with access to more than one data line or video link under the program. The PSC requires telecommunications providers to make contributions to the fund, which is also used for other programs that promote universal access to telecommunications services.

Under this bill, all of the PSC's duties regarding the educational telecommunications access program, except the PSC's duties regarding requiring telecommunications providers to contribute to the fund, are transferred to the ~~technology for educational achievement in Wisconsin board~~ TEACH board. In addition, the bill allows any educational agency to obtain access to more than one data line under the program if it can show to the satisfaction of the TEACH board that the additional lines are more cost-effective than a single line.

INSERT 2-6 ✓

For further information see the *state* 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:*

strike comma  
strike  
Coordinate ✓

1 SECTION 1. 16.974 (7) of the statutes is amended to read:

2 16.974 (7) (a) ~~Subject to s. 196.218 (4r) (f)~~ ~~coordinate~~ with the  
3 technology for educational achievement in Wisconsin board to provide school  
4 districts ~~and~~ cooperative educational service agencies ~~and~~ technical college districts  
5 with telecommunications access under s. 196.218 (4r) 44.73 and contract with  
6 telecommunications providers to provide such access.

7 ~~(b) Coordinate with the technology for educational achievement in Wisconsin~~  
8 ~~board to provide private colleges and public library boards with telecommunications~~  
9 ~~access under s. 196.218 (4r) 44.73 and contract with telecommunications providers~~  
10 ~~to provide such access.~~ INSERT 2-10 ✓

11 (c) Coordinate with the technology for educational achievement in Wisconsin  
12 board to provide private schools with telecommunications access under s. 196.218  
13 (4r) 44.73 and contract with telecommunications providers to provide such access.

14 SECTION 2. 20.275 (1) (s) of the statutes is amended to read:  
15 20.275 (1) (s) ~~Educational telecommunications access support, school districts,~~  
16 ~~cooperative educational service agencies.~~ Biennially, from the universal service fund,  
17 the amounts in the schedule to make payments to telecommunications providers  
18 under contracts with the department of administration under s. 16.974 (7) (a) to the  
19 extent that the amounts due are not paid from the appropriation under s. 20.505 (1)  
20 (is) and, prior to July 1, 2002, to make grants to school districts under s. 196.218 (4r)  
21 (g) 44.73 (6).

INSERT 2-21 ✓

1 SECTION 3. 20.275 (1) (tm) of the statutes is amended to read:

2 20.275 (1) (tm) *Educational telecommunications access support; private*  
3 *schools*. Biennially, from the universal service fund, the amounts in the schedule to  
4 make payments to telecommunications providers under contracts with the  
5 department of administration under s. 16.974 (7) (c) to the extent that the amounts  
6 due are not paid from the appropriation under s. 20.505 (1) (is) and, prior to  
7 July 1, 2002, to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

8 SECTION 4. 20.505 (1) (is) of the statutes is amended to read: I

9 20.505 (1) (is) *Information technology processing services to nonstate entities.*

10 All moneys received from local governmental units and entities in the private sector  
11 for provision of computer services, telecommunications services and supercomputer  
12 services under s. 16.973 (2) (b) and (c) or under s. ~~196.218 (4r) (e) 4.~~ 44.73 (2) (d), to  
13 be used for the purpose of providing those services.

14 SECTION 5. 44.70 (2g) of the statutes is created to read:

15 44.70 (2g) "Educational agency" means a school district, private school,  
16 cooperative educational service agency, technical college district, private college  
17 public library board.

18 SECTION 6. 44.70 (5) of the statutes is created to read:

19 44.70 (5) "Universal service fund" means the trust fund established under s.  
20 25.95.

21 SECTION 7. 44.71 (2) (e) of the statutes is amended to read:

22 44.71 (2) (e) Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the  
23 department and the public service commission, provide telecommunications access  
24 to school districts, private schools, cooperative educational service agencies,

the Wisconsin School for the Visually Handicapped  
or the Wisconsin School for the Deaf

INSERT 3-13

INSERT 3-17

and state schools

public library systems

Comm

score

INSERT 4-8 ✓

1 ~~technical college districts, private colleges and public library boards~~ educational  
2 agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

3 SECTION 8. 121.15 (3m) (a) 2. of the statutes is amended to read:

4 121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.  
5 20.255 (2), other than ~~20.255 (2) (fm), (fu), (k) and (m)~~, and under ss. 20.275 (1) (d),  
6 (es), (et), (f), ~~(fs)~~ and ~~(u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
7 under s. 20.275 (1) (s) that are used to provide grants or educational  
8 telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

9 SECTION 9. 196.218 (1) (a) and (b) of the statutes are repealed.

10 SECTION 10. 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

11 SECTION 11. 196.218 (4r) (a) (intro.) of the statutes is repealed.

12 SECTION 12. 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

13 SECTION 13. 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70  
14 (3g) and (3j).

15 SECTION 14. 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

16 SECTION 15. 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and  
17 amended to read:

18 44.73 (1) The ~~commission board~~, in consultation with the department and the  
19 board, shall promulgate rules establishing an educational telecommunications  
20 access program to provide ~~school districts, private schools, cooperative educational~~  
21 ~~service agencies, technical college districts, private colleges and public library~~  
22 boards educational agencies with access to data lines and video links.

23 SECTION 16. 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are  
24 renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

1           44.73 (2) (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of  
2 the following:

3           (a) ~~Allow a school district, private school, cooperative educational service~~  
4 ~~agency, technical college district, private college and public library board an~~  
5 educational agency to make a request to the board for access to either one data line  
6 or one video link, except that if any educational agency may request access to  
7 additional data lines if the agency shows to the satisfaction of the board that the  
8 additional data lines are more cost-effective than a single data line and except that  
9 a school district that operates more than one high school ~~the rules shall allow the~~  
10 ~~school district to~~ may request access to both a data line and a video link and ~~to request~~  
11 access to more than one data line or video link. ~~The board shall forward requests~~  
12 ~~received under this subdivision to the commission and the department.~~

13           (b) Establish eligibility requirements for ~~a school district, private school,~~  
14 ~~cooperative educational service agency, technical college district, private college and~~  
15 ~~public library board an educational agency~~ to participate in the program established  
16 under ~~par. (b)~~ sub. (1). ~~The requirements shall prohibit a participant in the program~~  
17 ~~from receiving assistance from the universal service fund for the purpose specified~~  
18 ~~in sub. (5) (a) 3. s. 196.21(5) (a) 2. for educational telecommunications access that~~  
19 ~~is substantially similar to the access provided to the participant under the program~~

INSEPT  
5-19

\*\* NOTE: If LRB-1950/1 is also "in", then s. 44.73 (2) (b) must be revised

20           (c) Establish specifications for ~~a data line or lines and video link that links for~~  
21 which access is provided to a school district, private school, cooperative educational  
22 ~~service agency, technical college district, private college and public library board an~~  
23 educational agency under the program established under ~~par. (b)~~ sub. (1).

moves scored text  
strike  
plain period following relocated scored text

1           (d) Require ~~a school district, private school, cooperative educational service~~  
2 ~~agency, technical college district, private college and public library board~~ an  
3 educational agency to pay the department not more than \$250 per month for each  
4 data line or video link that is provided to the ~~school district, private school,~~  
5 ~~cooperative educational service agency, technical college district, private college and~~  
6 ~~public library board~~ educational agency under the program established under par.  
7 (b) sub. (1), except that the charge may not exceed \$100 per month for each data line  
8 or video link that relies on a transport medium that operates at a speed of 1.544  
9 megabits per second.

10           **SECTION 17.** 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

11           **SECTION 18.** 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and  
12 amended to read:

13           44.73 (3) The ~~commission~~ board shall submit an annual report to the ~~board~~  
14 department on the status of providing data lines and video links that are requested  
15 under ~~par. (e) 1.~~ sub. (2) (a) and the impact on the universal service fund of any  
16 payment under ~~sub. (5) (a) 5.~~ contracts under s. 16.974 (7).

17           **SECTION 19.** 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and  
18 amended to read:

19           44.73 (4) If the federal communications commission promulgates or modifies  
20 rules that provide rate discounts for telecommunications services to ~~school districts,~~  
21 ~~private schools, cooperative educational service agencies, technical college districts,~~  
22 ~~private colleges or public library boards~~ educational agencies under 47 USC 254, the  
23 governor shall submit a report to the joint committee on finance that includes any  
24 recommended changes to statutes or rules with respect to funding the program  
25 established under ~~par. (b) sub. (1)~~.

IN SEAT 7-10

1 SECTION 20. 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and  
2 amended to read:

3 44.73 (5) Notwithstanding ~~pars. (b) and (c)~~ subs. (1) and (2), technical college  
4 districts are not eligible to participate in the program established under ~~par. (b)~~ sub.  
5 (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall  
6 determine by April 1, 1998, whether there are sufficient moneys in the appropriation  
7 under s. 20.275 (1) ~~(s)~~ <sup>(t)</sup> to include technical college districts in the program established  
8 under ~~par. (b)~~ sub. (1). If the board determines that there are sufficient moneys,  
9 technical college districts are eligible to participate in the program established under  
10 ~~par. (b)~~ sub. (1) beginning on April 1, 1998.

11 SECTION 21. 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and  
12 amended to read:

13 44.73 (6) From the appropriation under s. 20.275 (1) (s) or (tm), the board may  
14 award an annual grant to a school district or private school that had in effect on  
15 October 14, 1997, a contract for access to a data line or video link, as documented by  
16 the ~~commission~~ board. The board shall determine the amount of the grant, which  
17 shall be equal to the cost incurred by the state to provide telecommunications access  
18 to a school district or private school under a contract entered into under s. 16.974 (7)  
19 (a) or (c) less the amount that the school district or private school would be paying  
20 under ~~par. (c) 4.~~ sub. (2) (d) if the school district or private school were participating  
21 in the program established under ~~par. (b)~~ sub. (1), except that the amount may not  
22 be greater than the cost that a school district or private school incurs under the  
23 contract in effect on October 14, 1997. A school district or private school receiving  
24 a grant under this paragraph subsection is not eligible to participate in the program

1 under ~~par. (b)~~ sub. (1). No grant may be awarded under this ~~paragraph~~ subsection  
2 after June 30, 2002.

3 ~~SECTION 22. 196.218 (5) (a) 3. of the statutes is amended to read:~~

4 196.218 (5) (a) 3. To promote affordable access throughout this state to  
5 high-quality education, library and health care information services, except that no  
6 educational agency that participates in the program established in the rules  
7 promulgated under s. 44.73 (1) may receive assistance under this subdivision that  
8 is substantially similar to the assistance that it receives under that program.

9 ~~\*\*\*NOTE: If LRB-1950 is also "in", this SECTION must be eliminated.~~

10 ~~SECTION 23. 196.218 (5) (a) 5. of the statutes is amended to read:~~

11 ~~196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to  
the extent that these costs are not paid under ~~sub. (4r) (e) 4, s. 44.73 (2) (d).~~~~

12 SECTION 24. 196.218 (5) (a) 7. of the statutes is amended to read:

13 196.218 (5) (a) 7. To make grants awarded by the technology for educational  
14 achievement in Wisconsin board to school districts and private schools under sub-  
15 ~~(4r) (g)~~ s. 44.73 (6). This subdivision does not apply after June 30, 2002.

16 SECTION 25. 196.218 (5m) of the statutes is amended to read:

17 196.218 (5m) RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b),~~  
18 at At least biennially, the commission shall review and revise as appropriate rules  
19 promulgated under this section.

20 SECTION 26. 196.218 (6) (b) of the statutes is amended to read:

21 196.218 (6) (b) The universal service fund council shall advise the commission  
22 concerning the administration of this section and the content of rules promulgated  
23 under this section. ~~This paragraph does not apply to the administration of sub. (4r)~~  
24 ~~and rules promulgated under sub. (4r) (b).~~



1           **SECTION 9141. Nonstatutory provisions; public service commission.**

2           (1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

3           (a) In this subsection:

4           1. “Board” means the technology for educational achievement in Wisconsin  
5 board.

6           2. “Commission” means the public service commission.

7           3. “Secretary” means the secretary of administration.

8           (b) During the period beginning on the effective date of this paragraph and  
9 ending on the first day of the 3rd month beginning after the effective date of this  
10 paragraph, the commission shall cooperate with the board in providing orderly and  
11 efficient transfers under this subsection. On the first day of the 3rd month beginning  
12 after the effective date of this paragraph, all of the following apply:

13           1. All rules that have been promulgated by the commission under section  
14 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and  
15 shall remain in effect until their specified expiration dates or until amended or  
16 repealed by the board. All determinations that have been made by the commission  
17 under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts  
18 shall become determinations of the board and shall remain in effect until modified  
19 or rescinded by the board.

20           2. Any matter relating to the administration of the educational  
21 telecommunications access program under section 196.218 (4r), 1997 stats., that is  
22 pending with the commission is transferred to the board, and all materials submitted  
23 to or actions taken by the commission with respect to the pending matter are  
24 considered to have been submitted to or taken by the board.

1           3. All tangible personal property, including records, of the commission  
2           pertaining to the administration of the educational telecommunications access  
3           program under section 196.218 (4r), 1997 stats., as determined by the secretary, is  
4           transferred to the board.

5           4. All contracts entered into by the commission in effect on the effective date  
6           of this subdivision pertaining to the administration of the educational  
7           telecommunications access program under section 196.218 (4r), 1997 stats., as  
8           determined by the secretary, remain in effect and are transferred to the board. The  
9           board shall carry out any obligations under such a contract until the contract is  
10          modified or rescinded by the board to the extent allowed under the contract.

11          5. The assets and liabilities of the commission pertaining to the administration  
12          of the educational telecommunications access program under section 196.218 (4r),  
13          1997 stats., as determined by the secretary, shall become the assets and liabilities  
14          of the board.

15

**(END)**

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0250/4ins  
MDK:.....

**INSERT A:**

9 Under current law, moneys from the universal service fund (fund) that are appropriated to provide educational telecommunications support to school districts, cooperative educational service agencies (CESAs) and technical college districts are maintained in a single appropriation account and moneys from the fund that are appropriated to provide such support to private colleges and public library boards are maintained in another appropriation account. Under this bill, the moneys appropriated for technical college districts are maintained in the same account as the moneys appropriated for private colleges and public library boards.

Under current law, the technology for educational achievement in Wisconsin board (TEACH board), in cooperation with the public service commission (PSC) and the department of administration (DOA), administers an educational telecommunications access program for providing data lines and video links to certain educational institutions, including public library boards. Under this bill, federated and consolidated public library systems are also eligible to participate in the program.

**INSERT 2-6:**

\*\*\*NOTE: This is reconciled s. 16.974 (7) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3

**INSERT 2-10:**

(b) ~~Coordinate~~ Subject to s. 44.73 (5), coordinate with the technology for educational achievement in Wisconsin board to provide private colleges and technical college districts, public library boards and public library systems with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with telecommunications providers to provide such access.

\*\*\*NOTE: This is reconciled s. 16.974 (7) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-1506/2, and LRB-0250/3

**INSERT 2-21:**

SECTION 1. 20.275 (1) (s) of the statutes is amended to read:

20.275 (1) (s) ~~Educational telecommunications~~ Telecommunications access support; school districts, ~~cooperative educational service agencies and technical college districts~~. Biennially, from the universal service fund, the amounts in the

schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (a) to the extent that the amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior to July 1, 2002, to make grants to school districts under s. ~~196.218 (4r) (g)~~ <sup>✓</sup> 44.73 (6).

History: 1997 a. 27, 237.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (s) <sup>✓</sup>. This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3, and LRB-0250/3 <sup>✓</sup>

**SECTION 2.** 20.275 (1) (t) (title) of the statutes is amended to read:

20.275 (1) (t) (title) ~~Educational telecommunications~~ <sup>✓</sup> Telecommunications access ~~support~~; private and technical colleges and public library boards ~~libraries~~.

History: 1997 a. 27, 237.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (t) (title) <sup>✓</sup>. This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3, and LRB-0250/3 <sup>✓</sup>

**SECTION 3.** 20.275 (1) (tm) of the statutes is amended to read:

20.275 (1) (tm) ~~Educational telecommunications~~ <sup>✓</sup> Telecommunications access ~~support~~; private schools. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (c) to the extent that the amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior to July 1, 2002, to make grants to private schools under s. ~~196.218 (4r) (g)~~ <sup>✓</sup> 44.73 (6).

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\*\*\*\*NOTE: This is reconciled s. 20.505 (1) (is) <sup>✓</sup>. This SECTION has been affected by drafts with the following LRB numbers: LRB-1507/2, and LRB-0250/3 <sup>✓</sup>



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0250/4dn

MDK:.....

umy

Steve Milioto:

This draft reconciles LRB-0250/3, LRB-0248/1, LRB-0251/1, LRB-1505/3, LRB-1506/2, LRB-1507/2, LRB-1508/1 and LRB-1950/3.

The following drafts should continue to appear in the compiled bill: LRB-0248, LRB-0251, LRB-1507, LRB-1508 and LRB-1950.

This draft *replaces* the following drafts in the compiled bill: LRB-1505 and LRB-1506.

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Legislative Attorney  
Phone: (608) 266-0131  
E-mail: Mark.Kunkel@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0250/4dn  
MDK:cmh:jf

February 3, 1999

Steve Milioto:

This draft reconciles LRB-0250/3, LRB-0248/2, LRB-0251/1, LRB-1505/3, LRB-1506/2, LRB-1507/2, LRB-1508/1 and LRB-1950/3.

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This draft *replaces* the following drafts in the compiled bill: LRB-1505 and LRB-1506.

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*D-NOTE*

*5*

DOA:.....Milioto – Educational telecommunications access program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

*RM NOT RUN*

*don't get cut*

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***Analysis by the Legislative Reference Bureau***  
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**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

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Under current law, the technology for educational achievement in Wisconsin board (TEACH board), in cooperation with the public service commission (PSC) and the department of administration (DOA), administers an educational telecommunications access program for providing data lines and video links to certain educational institutions, including public library boards. Under this bill, federated and consolidated public library systems are also eligible to participate in the program.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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10 amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior  
11 to July 1, 2002, to make grants to school districts under s. ~~196.218 (4r)~~ ~~(g)~~ 44.73 (6).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats and LRB-0250/3.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (s) . This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3.

12 SECTION 3. 20.275 (1) (t) (title) of the statutes is amended to read:

13 20.275 (1) (t) (title) ~~*Educational telecommunications*~~ *Telecommunications*  
14 ~~*access support; private and technical colleges and public library boards*~~ *libraries.*

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (t) (title). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3.

15 SECTION 4. 20.275 (1) (tm) of the statutes is amended to read:

16 20.275 (1) (tm) ~~*Educational telecommunications*~~ *Telecommunications* access  
17 ~~*support; private schools.*~~ Biennially, from the universal service fund, the amounts  
18 in the schedule to make payments to telecommunications providers under contracts  
19 with the department of administration under s. 16.974 (7) (c) to the extent that the

INSERT 4-10 ✓

1 amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior  
2 to July 1, 2002, to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*NOTE: This is reconciled s. 20.275 (1) (tm). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3.

3 SECTION 5. 20.505 (1) (is) of the statutes is amended to read:

4 20.505 (1) (is) *Information technology processing services to nonstate entities*

5 ~~and state schools~~ All moneys received from local governmental units ~~and schools~~

6 and entities in the private sector for provision of computer services,  
7 telecommunications services and supercomputer services under s. 16.973 (2) (b) and  
8 (c) or under s. ~~196.218 (4r) (e)~~ 4.44.73 (2) (d), to be used for the purpose of providing  
9 those services.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*NOTE: This is reconciled s. 20.505 (1) (is). This SECTION has been affected by drafts with the following LRB numbers: LRB-1507/2 and LRB-0250/3.

10 SECTION 6. 44.70 (2g) of the statutes is created to read:

11 44.70 (2g) "Educational agency" means a school district, private school,  
12 cooperative educational service agency, technical college district, private college,  
13 public library system, public library board, the Wisconsin School for the Visually  
14 Handicapped or the Wisconsin School for the Deaf.

\*\*\*NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts with the following LRB numbers: LRB-1506/2, LRB-1507/2 and LRB-0250/3.

15 SECTION 7. 44.70 (3e) of the statutes is created to read:

16 44.70 (3e) "Political subdivision" means any city, village, town or county.

\*\*\*NOTE: This is reconciled s. 44.70 (3e). This SECTION has been affected by drafts with the following LRB numbers: LRB-1508/1 (which creates s. 196.218 (4r) (a) 1r. with the same definition).

17 SECTION 8. 44.70 (3m) of the statutes is created to read:

1           44.70 (3m) “Public library system” has the meaning given in s. 43.01 (5).

      \*\*\*NOTE: This is reconciled s. 44.70 (3m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1506/2 (which creates s. 196.218 (4r) (a) 2r. with the same definition).

2           SECTION 9. 44.70 (5) of the statutes is created to read:

3           44.70 (5) “Universal service fund” means the trust fund established under s.  
4           25.95.

5           SECTION 10. 121.15 (3m) (a) 2. of the statutes is amended to read:

6           121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.  
7           20.255 (2), other than s. 20.255 (2) (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d),  
8           (es), (et), (f), (fs) and (u) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
9           under s. 20.275 (1) (s) that are used to provide grants or educational  
10          telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

      \*\*\*NOTE: This is reconciled s. 121.15 (3m) (a) 2. This SECTION has been affected by drafts with the following LRB numbers: LRB-0248/2 and LRB-0250/3.

11          SECTION 11. 196.218 (1) (a) and (b) of the statutes are repealed.

12          SECTION 12. 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

13          SECTION 13. 196.218 (4r) (a) (intro.) of the statutes is repealed.

14          SECTION 14. 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

15          SECTION 15. 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70  
16          (3g) and (3j).

17          SECTION 16. 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

18          SECTION 17. 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and  
19          amended to read:

20          44.73 (1) The ~~commission board~~, in consultation with the department and the  
21          board, shall promulgate rules establishing an educational telecommunications  
22          access program to provide ~~school districts, private schools, cooperative educational~~

1 ~~service agencies, technical college districts, private colleges and public library~~  
2 ~~boards~~ educational agencies with access to data lines and video links.

3 SECTION 18. 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are  
4 renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

5 44.73 (2) (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of  
6 the following:

7 (a) Allow ~~a school district, private school, cooperative educational service~~  
8 ~~agency, technical college district, private college and public library board~~ an  
9 educational agency to make a request to the board for access to either one data line  
10 or one video link, except that if any educational agency may request access to  
11 additional data lines if the agency shows to the satisfaction of the board that the  
12 additional data lines are more cost-effective than a single data line and except that  
13 a school district that operates more than one high school ~~the rules shall allow the~~  
14 ~~school district to~~ may request access to both a data line and a video link and ~~to request~~  
15 access to more than one data line or video link. ~~The board shall forward requests~~  
16 ~~received under this subdivision to the commission and the department.~~

17 (b) Establish eligibility requirements for ~~a school district, private school,~~  
18 ~~cooperative educational service agency, technical college district, private college and~~  
19 ~~public library board~~ an educational agency to participate in the program established  
20 under ~~par. (b)~~. ~~The requirements shall prohibit a participant in the program from~~  
21 ~~receiving assistance from the universal service fund for the purpose specified in sub.~~  
22 ~~(5) (a) 3. for educational telecommunications access that is substantially similar to~~  
23 ~~the access provided to the participant under the program sub. (1).~~

\*\*\*NOTE: This is reconciled s. 44.73 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1950/3 (which amends s. 196.218 (4r) (c) 2.) and LRB-0250/3.

1 (c) Establish specifications for a data ~~line or~~ lines and video link that links for  
2 which access is provided to a school district, private school, cooperative educational  
3 service agency, technical college district, private college and public library board an  
4 educational agency under the program established under ~~par. (b)~~ sub. (1).

5 (d) Require a school district, ~~private school, cooperative educational service~~  
6 ~~agency, technical college district, private college and public library board an~~  
7 ~~educational agency~~ to pay the department not more than \$250 per month for each  
8 data line or video link that is provided to the ~~school district, private school,~~  
9 ~~cooperative educational service agency, technical college district, private college and~~  
10 ~~public library board~~ educational agency under the program established under ~~par.~~  
11 ~~(b)~~ sub. (1), except that the charge may not exceed \$100 per month for each data line  
12 or video link that relies on a transport medium that operates at a speed of 1.544  
13 megabits per second.

14 SECTION 19. 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

15 SECTION 20. 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and  
16 amended to read:

17 44.73 (3) The ~~commission board~~ shall submit an annual report to the ~~board~~  
18 department on the status of providing data lines and video links that are requested  
19 under ~~par. (c) 1.~~ sub. (2) (a) and the impact on the universal service fund of any  
20 payment under ~~sub. (5) (a) 5.~~ contracts under s. 16.974 (7).

21 SECTION 21. 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and  
22 amended to read:

23 44.73 (4) If the federal communications commission promulgates or modifies  
24 rules that provide rate discounts for telecommunications services to ~~school districts,~~  
25 ~~private schools, cooperative educational service agencies, technical college districts,~~

1 ~~private colleges or public library boards~~ educational agencies under 47 USC 254, the  
2 governor shall submit a report to the joint committee on finance that includes any  
3 recommended changes to statutes or rules with respect to funding the program  
4 established under ~~par. (b)~~ sub. (1).

5 SECTION 22. 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and  
6 amended to read:

7 44.73 (5) Notwithstanding ~~pars. (b) and (c)~~ subs. (1) and (2), technical college  
8 districts are not eligible to participate in the program established under ~~par. (b)~~ sub.  
9 (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall  
10 determine by April 1, 1998, whether there are sufficient moneys in the appropriation  
11 under s. 20.275 (1) ~~(s)~~ (t) to include technical college districts in the program  
12 established under ~~par. (b)~~ sub. (1). If the board determines that there are sufficient  
13 moneys, technical college districts are eligible to participate in the program  
14 established under ~~par. (b)~~ sub. (1) beginning on April 1, 1998.

\*\*\*\*NOTE: This is reconciled s. 44.73 (5). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1505/3 (which amends s. 196.218 (4r) (f) and  
LRB-0250/3.

15 SECTION 23. 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and  
16 amended to read:

17 44.73 (6) From the appropriation under s. 20.275 (1) (s) or (tm), the board may  
18 award an annual grant to a school district or private school that had in effect on  
19 October 14, 1997, a contract for access to a data line or video link, as documented by  
20 the ~~commission~~ board. The board shall determine the amount of the grant, which  
21 shall be equal to the cost incurred by the state to provide telecommunications access  
22 to a school district or private school under a contract entered into under s. 16.974 (7)  
23 (a) or (c) less the amount that the school district or private school would be paying

1 under ~~par. (e) 4. sub. (2) (d)~~ if the school district or private school were participating  
2 in the program established under ~~par. (b) sub. (1)~~, except that the amount may not  
3 be greater than the cost that a school district or private school incurs under the  
4 contract in effect on October 14, 1997. A school district or private school receiving  
5 a grant under this paragraph subsection is not eligible to participate in the program  
6 under ~~par. (b) sub. (1)~~. No grant may be awarded under this ~~paragraph subsection~~  
7 after June 30, 2002.

8 SECTION 24. 196.218 (5) (a) 7. of the statutes is amended to read:

9 196.218 (5) (a) 7. To make grants awarded by the technology for educational  
10 achievement in Wisconsin board to school districts and private schools under ~~sub.~~  
11 ~~(4r) (g) s. 44.73 (6)~~. This subdivision does not apply after June 30, 2002.

12 SECTION 25. 196.218 (5m) of the statutes is amended to read:

13 196.218 (5m) RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b),~~  
14 ~~at~~ At least biennially, the commission shall review and revise as appropriate rules  
15 promulgated under this section.

16 SECTION 26. 196.218 (6) (b) of the statutes is amended to read:

17 196.218 (6) (b) The universal service fund council shall advise the commission  
18 concerning the administration of this section and the content of rules promulgated  
19 under this section. ~~This paragraph does not apply to the administration of sub. (4r)~~  
20 ~~and rules promulgated under sub. (4r) (b).~~

21 SECTION 9141. **Nonstatutory provisions; public service commission.**

22 (1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

23 (a) In this subsection:

24 1. “Board” means the technology for educational achievement in Wisconsin  
25 board.



1           2. “Commission” means the public service commission.

2           3. “Secretary” means the secretary of administration.

3           (b) During the period beginning on the effective date of this paragraph and  
4 ending on the first day of the 3rd month beginning after the effective date of this  
5 paragraph, the commission shall cooperate with the board in providing orderly and  
6 efficient transfers under this subsection. On the first day of the 3rd month beginning  
7 after the effective date of this paragraph, all of the following apply:

8           1. All rules that have been promulgated by the commission under section  
9 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and  
10 shall remain in effect until their specified expiration dates or until amended or  
11 repealed by the board. All determinations that have been made by the commission  
12 under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts  
13 shall become determinations of the board and shall remain in effect until modified  
14 or rescinded by the board.

15           2. Any matter relating to the administration of the educational  
16 telecommunications access program under section 196.218 (4r), 1997 stats., that is  
17 pending with the commission is transferred to the board, and all materials submitted  
18 to or actions taken by the commission with respect to the pending matter are  
19 considered to have been submitted to or taken by the board.

20           3. All tangible personal property, including records, of the commission  
21 pertaining to the administration of the educational telecommunications access  
22 program under section 196.218 (4r), 1997 stats., as determined by the secretary, is  
23 transferred to the board.

24           4. All contracts entered into by the commission in effect on the effective date  
25 of this subdivision pertaining to the administration of the educational

1 telecommunications access program under section 196.218 (4r), 1997 stats., as  
2 determined by the secretary, remain in effect and are transferred to the board. The  
3 board shall carry out any obligations under such a contract until the contract is  
4 modified or rescinded by the board to the extent allowed under the contract.

5 5. The assets and liabilities of the commission pertaining to the administration  
6 of the educational telecommunications access program under section 196.218 (4r),  
7 1997 stats., as determined by the secretary, shall become the assets and liabilities  
8 of the board.

9 (END)

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0250/5ins  
MDK:.....

✓  
INSERT 4-10:

1  
2 SECTION 1. 20.505 (1) (kL) of the statutes is amended to read:

3 20.505 (1) (kL) *Information technology processing services to agencies*. All  
4 moneys received from state agencies for the provision of information technology  
5 processing or telecommunications services under ss. 16.973 and 16.974 or under s.  
6 44.73 (2) (d), to be used for the purpose of providing those services.

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0250/5dn

MDK:.....

*cm*  
*&*  
*js*

Steve Milioto:

This version is identical to LRB-0250/4, except that the payments from state schools are included under s. 20.505 (1) (kL), stats., rather than under s. 20.505 (1) (is), stats.

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0250/5dn  
MDK:cmh&jlg:hmh

Monday, February 8, 1999

Steve Milioto:

This version is identical to LRB-0250/4, except that the payments from state schools are included under s. 20.505 (1) (kL), stats., rather than under s. 20.505 (1) (is), stats.

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0250/5  
MDK:cmh&jlg:hmh

DOA:.....Milioto - Educational telecommunications access program  
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, moneys from the universal service fund (fund) that are appropriated to provide educational telecommunications support to school districts, cooperative educational service agencies (CESAs) and technical college districts are maintained in a single appropriation account and moneys from the fund that are appropriated to provide such support to private colleges and public library boards are maintained in another appropriation account. Under this bill, the moneys appropriated for technical college districts are maintained in the same account as the moneys appropriated for private colleges and public library boards.

Under current law, the technology for educational achievement in Wisconsin board (TEACH board), in cooperation with the public service commission (PSC) and the department of administration (DOA), administers an educational telecommunications access program for providing data lines and video links to certain educational institutions, including public library boards. Under this bill, federated and consolidated public library systems are also eligible to participate in the program.

Under current law, the PSC is required to promulgate rules for an educational telecommunications access program under which certain educational agencies are provided with financial assistance from the fund to obtain access to either one data

line or video link, except that school districts that operate more than one high school may be provided with access to more than one data line or video link under the program. The PSC requires telecommunications providers to make contributions to the fund, which is also used for other programs that promote universal access to telecommunications services.

Under this bill, all of the PSC's duties regarding the educational telecommunications access program, except the PSC's duties regarding requiring telecommunications providers to contribute to the fund, are transferred to the TEACH board. In addition, the bill allows any educational agency to obtain access to more than one data line under the program if it can show to the satisfaction of the TEACH board that the additional lines are more cost-effective than a single line.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 16.974 (7) of the statutes is amended to read:

2           16.974 (7) (a) ~~Subject to s. 196.218 (4r) (f), coordinate~~ Coordinate with the  
3           technology for educational achievement in Wisconsin board to provide school  
4           districts, and cooperative educational service agencies and technical college districts  
5           with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with  
6           telecommunications providers to provide such access.

      \*\*\*\*NOTE: This is reconciled s. 16.974 (7) (a). This SECTION has been affected by  
      drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3.

7           (b) ~~Coordinate~~ Subject to s. 44.73 (5), coordinate with the technology for  
8           educational achievement in Wisconsin board to provide private colleges ~~and,~~  
9           technical college districts, public library boards and public library systems with  
10          telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with  
11          telecommunications providers to provide such access.

      \*\*\*\*NOTE: This is reconciled s. 16.974 (7) (b). This SECTION has been affected by  
      drafts with the following LRB numbers: LRB-1505/3, LRB-1506/2 and LRB-0250/3.

1 (c) Coordinate with the technology for educational achievement in Wisconsin  
2 board to provide private schools with telecommunications access under s. ~~196.218~~  
3 ~~(4r)~~ 44.73 and contract with telecommunications providers to provide such access.

4 **SECTION 2.** 20.275 (1) (s) of the statutes is amended to read:

5 20.275 (1) (s) ~~*Educational telecommunications*~~ *Telecommunications access*  
6 ~~*support; school districts, cooperative educational service agencies and technical*~~  
7 ~~*college districts.*~~ Biennially, from the universal service fund, the amounts in the  
8 schedule to make payments to telecommunications providers under contracts with  
9 the department of administration under s. 16.974 (7) (a) to the extent that the  
10 amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior  
11 to July 1, 2002, to make grants to school districts under s. ~~196.218 (4r)~~ (g) 44.73 (6).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats and LRB-0250/3.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (s) . This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3.

12 **SECTION 3.** 20.275 (1) (t) (title) of the statutes is amended to read:

13 20.275 (1) (t) (title) ~~*Educational telecommunications*~~ *Telecommunications*  
14 ~~*access support; private and technical colleges and public library boards libraries.*~~

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (t) (title). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3.

15 **SECTION 4.** 20.275 (1) (tm) of the statutes is amended to read:

16 20.275 (1) (tm) ~~*Educational telecommunications*~~ *Telecommunications access*  
17 ~~*support; private schools.*~~ Biennially, from the universal service fund, the amounts  
18 in the schedule to make payments to telecommunications providers under contracts  
19 with the department of administration under s. 16.974 (7) (c) to the extent that the



1 amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior  
2 to July 1, 2002, to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.275 (1) (tm). This SECTION has been affected by drafts with the following LRB numbers: LRB-1505/3 and LRB-0250/3.

3 **SECTION 5.** 20.505 (1) (is) of the statutes is amended to read:

4 20.505 (1) (is) *Information technology processing services to nonstate entities.*

5 All moneys received from local governmental units and entities in the private sector  
6 for provision of computer services, telecommunications services and supercomputer  
7 services under s. 16.973 (2) (b) and (c) or under s. ~~196.218 (4r) (e)~~ 4. 44.73 (2) (d), to  
8 be used for the purpose of providing those services.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.505 (1) (is). This SECTION has been affected by drafts with the following LRB numbers: LRB-1507/2 and LRB-0250/3.

9 **SECTION 6.** 20.505 (1) (kL) of the statutes is amended to read:

10 20.505 (1) (kL) *Information technology processing services to agencies.* All  
11 moncys received from state agencies for the provision of information technology  
12 processing or telecommunications services under ss. 16.973 and 16.974 or under s.  
13 44.73 (2) (d), to be used for the purpose of providing those services.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 7.** 44.70 (2g) of the statutes is created to read:

15 44.70 (2g) “Educational agency” means a school district, private school,  
16 cooperative educational service agency, technical college district, private college,  
17 public library system, public library board, the Wisconsin School for the Visually  
18 Handicapped or the Wisconsin School for the Deaf.

\*\*\*\*NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts with the following LRB numbers: LRB-1506/2, LRB-1507/2 and LRB-0250/3.

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

2           44.70 (3e) “Political subdivision” means any city, village, town or county.

      \*\*\*NOTE: This is reconciled s. 44.70 (3e). This SECTION has been affected by drafts with the following LRB numbers: LRB-1508/1 (which creates s. 196.218 (4r) (a) 1r. with the same definition).

3           **SECTION 9.** 44.70 (3m) of the statutes is created to read:

4           44.70 (3m) “Public library system” has the meaning given in s. 43.01 (5).

      \*\*\*NOTE: This is reconciled s. 44.70 (3m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1506/2 (which creates s. 196.218 (4r) (a) 2r. with the same definition).

5           **SECTION 10.** 44.70 (5) of the statutes is created to read:

6           44.70 (5) “Universal service fund” means the trust fund established under s.  
7           25.95.

8           **SECTION 11.** 121.15 (3m) (a) 2. of the statutes is amended to read:

9           121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.  
10          20.255 (2), other than s. 20.255 (2) (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d),  
11          (es), (et), (f), ~~(fs)~~ and (u) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
12          under s. 20.275 (1) (s) that are used to provide grants or educational  
13          telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

      \*\*\*NOTE: This is reconciled s. 121.15 (3m) (a) 2. This SECTION has been affected by drafts with the following LRB numbers: LRB-0248/2 and LRB-0250/3.

14          **SECTION 12.** 196.218 (1) (a) and (b) of the statutes are repealed.

15          **SECTION 13.** 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

16          **SECTION 14.** 196.218 (4r) (a) (intro.) of the statutes is repealed.

17          **SECTION 15.** 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

18          **SECTION 16.** 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70  
19          (3g) and (3j).

20          **SECTION 17.** 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

1           **SECTION 18.** 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and  
2 amended to read:

3           44.73 (1) The ~~commission board~~, in consultation with the department ~~and the~~  
4 ~~board~~, shall promulgate rules establishing an educational telecommunications  
5 access program to provide ~~school districts, private schools, cooperative educational~~  
6 ~~service agencies, technical college districts, private colleges and public library~~  
7 ~~boards~~ educational agencies with access to data lines and video links.

8           **SECTION 19.** 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are  
9 renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

10          44.73 (2) (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of  
11 the following:

12          (a) Allow ~~a school district, private school, cooperative educational service~~  
13 ~~agency, technical college district, private college and public library board~~ an  
14 educational agency to make a request to the board for access to either one data line  
15 or one video link, except that if any educational agency may request access to  
16 additional data lines if the agency shows to the satisfaction of the board that the  
17 additional data lines are more cost-effective than a single data line and except that  
18 a school district that operates more than one high school ~~the rules shall allow the~~  
19 ~~school district to~~ may request access to both a data line and a video link and ~~to request~~  
20 access to more than one data line or video link. ~~The board shall forward requests~~  
21 ~~received under this subdivision to the commission and the department.~~

22          (b) Establish eligibility requirements for ~~a school district, private school,~~  
23 ~~cooperative educational service agency, technical college district, private college and~~  
24 ~~public library board~~ an educational agency to participate in the program established  
25 under ~~par. (b)~~. ~~The requirements shall prohibit a participant in the program from~~

1 ~~receiving assistance from the universal service fund for the purpose specified in sub.~~  
2 ~~(5) (a) 3. for educational telecommunications access that is substantially similar to~~  
3 ~~the access provided to the participant under the program sub. (1).~~

\*\*\*\*NOTE: This is reconciled s. 44.73 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1950/3 (which amends s. 196.218 (4r) (c) 2.) and LRB-0250/3.

4 (c) Establish specifications for a data ~~line or lines and video link that links for~~  
5 ~~which access is provided to a school district, private school, cooperative educational~~  
6 ~~service agency, technical college district, private college and public library board an~~  
7 ~~educational agency under the program established under par. (b) sub. (1).~~

8 (d) Require a school district, private school, cooperative educational service  
9 agency, technical college district, private college and public library board an  
10 educational agency to pay the department not more than \$250 per month for each  
11 data line or video link that is provided to the school district, private school,  
12 cooperative educational service agency, technical college district, private college and  
13 public library board educational agency under the program established under par.  
14 (b) sub. (1), except that the charge may not exceed \$100 per month for each data line  
15 or video link that relies on a transport medium that operates at a speed of 1.544  
16 megabits per second.

17 **SECTION 20.** 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

18 **SECTION 21.** 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and  
19 amended to read:

20 44.73 (3) The ~~commission board~~ shall submit an annual report to the ~~board~~  
21 ~~department~~ on the status of providing data lines and video links that are requested  
22 under ~~par. (e) 1. sub. (2) (a)~~ and the impact on the universal service fund of any  
23 payment under ~~sub. (5) (a) 5. contracts under s. 16.974 (7).~~

1           **SECTION 22.** 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and  
2 amended to read:

3           44.73 (4) If the federal communications commission promulgates or modifies  
4 rules that provide rate discounts for telecommunications services to ~~school districts,~~  
5 ~~private schools, cooperative educational service agencies, technical college districts,~~  
6 ~~private colleges or public library boards~~ educational agencies under 47 USC 254, the  
7 governor shall submit a report to the joint committee on finance that includes any  
8 recommended changes to statutes or rules with respect to funding the program  
9 established under ~~par. (b) sub. (1).~~

10           **SECTION 23.** 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and  
11 amended to read:

12           44.73 (5) Notwithstanding ~~pars. (b) and (e) subs. (1) and (2),~~ technical college  
13 districts are not eligible to participate in the program established under ~~par. (b) sub.~~  
14 (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall  
15 determine by April 1, 1998, whether there are sufficient moneys in the appropriation  
16 under s. 20.275 (1) ~~(s) (t)~~ to include technical college districts in the program  
17 established under ~~par. (b) sub. (1).~~ If the board determines that there are sufficient  
18 moneys, technical college districts are eligible to participate in the program  
19 established under ~~par. (b) sub. (1)~~ beginning on April 1, 1998.

      \*\*\*\*NOTE: This is reconciled s. 44.73 (5). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1505/3 (which amends s. 196.218 (4r) (f) and  
LRB-0250/3.

20           **SECTION 24.** 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and  
21 amended to read:

22           44.73 (6) From the appropriation under s. 20.275 (1) (s) or (tm), the board may  
23 award an annual grant to a school district or private school that had in effect on

1 October 14, 1997, a contract for access to a data line or video link, as documented by  
2 the ~~commission~~ board. The board shall determine the amount of the grant, which  
3 shall be equal to the cost incurred by the state to provide telecommunications access  
4 to a school district or private school under a contract entered into under s. 16.974 (7)  
5 (a) or (c) less the amount that the school district or private school would be paying  
6 under ~~par. (e) 4. sub. (2) (d)~~ if the school district or private school were participating  
7 in the program established under ~~par. (b) sub. (1)~~, except that the amount may not  
8 be greater than the cost that a school district or private school incurs under the  
9 contract in effect on October 14, 1997. A school district or private school receiving  
10 a grant under this ~~paragraph subsection~~ is not eligible to participate in the program  
11 under ~~par. (b) sub. (1)~~. No grant may be awarded under this ~~paragraph subsection~~  
12 after June 30, 2002.

13 **SECTION 25.** 196.218 (5) (a) 7. of the statutes is amended to read:

14 196.218 (5) (a) 7. To make grants awarded by the technology for educational  
15 achievement in Wisconsin board to school districts and private schools under sub.  
16 ~~(4r) (g)~~ s. 44.73 (6). This subdivision does not apply after June 30, 2002.

17 **SECTION 26.** 196.218 (5m) of the statutes is amended to read:

18 196.218 (5m) RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b),~~  
19 ~~at~~ At least biennially, the commission shall review and revise as appropriate rules  
20 promulgated under this section.

21 **SECTION 27.** 196.218 (6) (b) of the statutes is amended to read:

22 196.218 (6) (b) The universal service fund council shall advise the commission  
23 concerning the administration of this section and the content of rules promulgated  
24 under this section. ~~This paragraph does not apply to the administration of sub. (4r)~~  
25 ~~and rules promulgated under sub. (4r) (b).~~

**SECTION 9141. Nonstatutory provisions; public service commission.****(1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.****(a) In this subsection:**

1. “Board” means the technology for educational achievement in Wisconsin board.

2. “Commission” means the public service commission.

3. “Secretary” means the secretary of administration.

(b) During the period beginning on the effective date of this paragraph and ending on the first day of the 3rd month beginning after the effective date of this paragraph, the commission shall cooperate with the board in providing orderly and efficient transfers under this subsection. On the first day of the 3rd month beginning after the effective date of this paragraph, all of the following apply:

1. All rules that have been promulgated by the commission under section 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and shall remain in effect until their specified expiration dates or until amended or repealed by the board. All determinations that have been made by the commission under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts shall become determinations of the board and shall remain in effect until modified or rescinded by the board.

2. Any matter relating to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., that is pending with the commission is transferred to the board, and all materials submitted to or actions taken by the commission with respect to the pending matter are considered to have been submitted to or taken by the board.

