

**1999 DRAFTING REQUEST**

**Bill**

Received: 12/29/98

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-1103**

By/Representing: **Milioto**

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

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Education - miscellaneous  
Munis - miscellaneous**

Extra Copies: **PG**

**Topic:**

DOA:.....Milioto - Sharing data lines under TEACH program with local units of government

**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>
/?	kunkemd 01/18/99	jgeller 01/19/99		_____			State
/1	kunkemd 02/2/99	jgeller 02/2/99	hhagen 01/19/99	_____	lrb_docadmin 01/19/99		State
/2			lpaasch 02/3/99	_____	lrb_docadmin 02/3/99		

FE Sent For:

<END>

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/?	kunkemd 01/18/99	ygeller 01/19/99		_____			State
/1		<i>12 3/2 jlg</i>	hhagen 01/19/99	_____	lrb_docadmin 01/19/99		

FE Sent For:

*23LP* ~~*23LP*~~  
*WJ*

<END>

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1?	kunkemd	1 1/18 JLG	1/1/19	1/1/19			

FE Sent For:

<END>

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN  
Department of Administration

99-1508

Date: December 4, 1998  
To: Stephen R. Miller  
Legislative Reference Bureau  
From: Steven Milioto  
Executive Policy and Budget Analyst  
Subject: 1991-2001 Biennial Budget Drafting Request

TEACH Wisconsin has requested a budget-neutral statutory language change which would allow recipients of subsidized T-1 data lines (school districts, CESAs, technical colleges, private colleges and universities, public library boards, and private colleges) to share their data line service with local units of government. T-1 data line recipients would enter into a shared service arrangement with a local government whereby the local government would use excess bandwidth on the T-1. TEACH and the Department of Administration will not assume any additional cost or provide any additional support for installing or maintaining a shared service arrangement.

The following conditions would apply:

- ✓ Recipients of a TEACH-subsidized T-1 data line cannot request additional bandwidth. *an additional T-1 line*
- ✓ The local unit of government must disconnect from the shared service arrangement at the request of the T-1 recipient.
- Libraries that share Internet Service Provider services through a library system must receive a "Letter of Consent" from the director of the library system to enter into a shared service arrangement.
- ✓ The sale or resale of dial-up access service using the T-1 data line will not be allowed. *local gov -*
- ✓ The T-1 data line cannot be shared with private businesses. *(16) (14) (17) ?*
- The T-1 data line cannot be installed at the local government's location. *no cost to state*
- Recipients of T-1 data lines must notify TEACH in writing of shared services arrangements.

*O. note 196. 2. (11) (12) okay?*

*(5) (a) 5. ? okay*

*CO. 12/15/98*

---

If you have any questions regarding this item, please contact me at 6-1103 or  
Steve.Milioto@doa.state.wi.us.

**Kunkel, Mark**

---

**From:** Kunkel, Mark  
**Sent:** Thursday, December 31, 1998 1:20 PM  
**To:** 'steve.milioto@doa.state.wi.us'  
**Subject:** Budget question

I'm not quite sure about your intent regarding the first bulleted item of your memo dated Dec. 4, 1998, which requires that recipients of TEACH-subsidized T-1 data lines may not request additional bandwidth.

Note that under s. 196.218 (4r) (b), a recipient may request access to a data line. This provision does not mention bandwidth.

I'm guessing that you want to prohibit a recipient that has entered into a shared service agreement from requesting an additional data line, but I'm not sure. Please give me a call so we can discuss this item of your request.

Thanx,

-----  
Mark Kunkel  
Legislative Attorney  
State of Wisconsin  
Legislative Reference Bureau

mark.kunkel@legis.state.wi.us  
(608) 266-0131

NOTE

1999 - 2000 LEGISLATURE

LRB-0606/1

MDK:jlg:km

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Budget

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1508/1

1999 BILL

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~~AN ACT to amend 16.974 (7) (b), 20.275 (1) (er), 20.275 (1) (et), 20.275 (1) (hb),  
20.275 (1) (t) (title), 20.505 (1) (is), 20.866 (2) (zcm), 44.71 (2) (e), 44.72 (1)  
(intro.), 44.72 (1) (b), 44.72 (4) (a), 44.72 (4) (c), 196.218 (4r) (b), 196.218 (4r) (c)  
1., 196.218 (4r) (c) 2., 196.218 (4r) (c) 3., 196.218 (4r) (c) 4. and 196.218 (4r) (e);  
and to create 16.974 (7) (d), 20.275 (1) (tu), 44.70 (3m), 196.218 (4r) (a) 1m. and  
196.218 (4r) (a) 2r. of the statutes; relating to educational technology  
assistance to public library boards, federated and consolidated public library  
systems and the Wisconsin Schools for the Visually Handicapped and the Deaf.~~

the budget

**Analysis by the Legislative Reference Bureau**

~~Under current law, certain educational agencies, including public library boards, may request financial assistance that is administered by the technology for educational achievement in Wisconsin board (TEACH board) for access to either one data line or video link. This bill specifies that federated and consolidated public library systems, the Wisconsin Schools for the Visually Handicapped and the Deaf are also eligible for such financial assistance. In addition, under the bill, if a public library board or a federated or consolidated public library system operates more than~~

BILL

**INSERT A** ✓

one library facility, the public library board or system may request assistance for access to more than one data line or video link or both.

Also under current law, the TEACH board makes educational technology training and technical assistance grants to cooperative educational service agencies (CESAs) and to certain consortia that include a public library board. Under this bill, public library boards, federated and consolidated public library systems and consortia that include federated or consolidated public library systems are also eligible for the grants.

Finally, under current law, the TEACH board makes subsidized loans to school districts and public library boards that may be used only for the purpose of upgrading and installing computer network wiring. Under this bill, federated and consolidated public library systems may also receive such loans. In addition, public library boards and federated and consolidated public library systems may also use the loans for purchasing hardware that is necessary for direct connection to the internet.

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:*

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

2       16.974 (7) (b) Coordinate with the technology for educational achievement in  
3       Wisconsin board to provide private colleges and, public library boards and public  
4       library systems with telecommunications access under s. 196.218 (4r) and contract  
5       with telecommunications providers to provide such access.

6       **SECTION 2.** 16.974 (7) (d) of the statutes is created to read:

7       16.974 (7) (d) Coordinate with the technology for educational achievement in  
8       Wisconsin board to provide the Wisconsin School for the Visually Handicapped and  
9       the Wisconsin School for the Deaf with telecommunications access under s. 196.218  
10       (4r) and contract with telecommunications providers to provide such access.

11       **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
12       the following amounts for the purposes indicated:



**BILL**

1		1999-00	2000-01
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2     **20.275 Technology for educational achievement**  
 3             **in Wisconsin board**

4     (1)   EDUCATIONAL TECHNOLOGY

5         (tu)   Educational telecommunications

6             access support; state schools	SEG	B	-0-	-0-
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7             **SECTION 4.** 20.275 (1) (er) of the statutes is amended to read:

8             20.275 (1) (er) *Principal, interest and rebates; general purpose revenue — public*  
 9     *library boards libraries.* A sum sufficient to reimburse s. 20.866 (1) (u) for the  
 10    payment of principal and interest costs incurred in financing subsidized educational  
 11    technology infrastructure loans to public library boards and public library systems  
 12    under s. 44.72 (4) and to make full payment of the amounts determined by the  
 13    building commission under s. 13.488 (1) (m), to the extent that these costs and  
 14    payments are not paid under par. (hb).

15            **SECTION 5.** 20.275 (1) (et) of the statutes is amended to read:

16            20.275 (1) (et) *Educational technology training and technical assistance*  
 17    *grants.* Biennially, the amounts in the schedule for grants to cooperative educational  
 18    service agencies, public library boards, public library systems and consortia under  
 19    s. 44.72 (1).

20            **SECTION 6.** 20.275 (1) (hb) of the statutes is amended to read:

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

**BILL**

1 public library systems under s. 44.72 (4) and to make full payment of the amounts  
2 determined by the building commission under s. 13.488 (1) (m).

3 **SECTION 7.** 20.275 (1) (t) (title) of the statutes is amended to read:

4 20.275 (1) (t) (title) *Educational telecommunications access/support; private*  
5 *colleges and public library boards libraries.*

6 **SECTION 8.** 20.275 (1) (tu) of the statutes is created to read:

7 20.275 (1) (tu) *Educational telecommunications access support; state schools.*

8 Biennially, from the universal service fund, the amounts in the schedule to make  
9 payments to telecommunications providers under contracts with the department of  
10 administration under s. 16.974 (7) (d) to the extent that the amounts due are not paid  
11 from the appropriation under s. 20.505 (1) (is).

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

13 20.505 (1) (is) *Information technology processing services to nonstate entities*  
14 *and state schools.* All moneys received from local governmental units, state schools  
15 and entities in the private sector for provision of computer services,  
16 telecommunications services and supercomputer services under s. 16.973 (2) (b) and  
17 (c) or under s. 196.218 (4r) (e) 4., to be used for the purpose of providing those services.

18 **SECTION 10.** 20.866 (2) (zcm) of the statutes is amended to read:

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

25 **SECTION 11.** 44.70 (3m) of the statutes is created to read:

**BILL**

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

2 **SECTION 12.** 44.71 (2) (e) of the statutes is amended to read:

3 44.71 (2) (e) Subject to s. 196.218 (4r) (f), in cooperation with the department  
4 and the public service commission, provide telecommunications access to school  
5 districts, private schools, cooperative educational service agencies, technical college  
6 districts, private colleges and public library boards educational agencies under the  
7 program established under s. 196.218 (4r).

8 **SECTION 13.** 44.72 (1) (intro.) of the statutes is amended to read:

9 44.72 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS.  
10 (intro.) From the appropriation under s. 20.275 (1) (et), the board shall award grants  
11 to cooperative educational service agencies, public library boards and public library  
12 systems and to consortia consisting of 2 or more school districts or cooperative  
13 educational service agencies, or one or more school districts or cooperative  
14 educational service agencies and one or more public library boards or public library  
15 systems, to provide technical assistance and training in the use of educational  
16 technology. An applicant for a grant shall submit to the board a plan that specifies  
17 the school districts ~~and~~, public library boards or public library systems that will  
18 participate in the program and describes how the funds will be allocated. The board  
19 shall do all of the following:

20 **SECTION 14.** 44.72 (1) (b) of the statutes is amended to read:

21 44.72 (1) (b) Give preference in awarding grants to consortia that include one  
22 or more public library boards or public library systems.

23 **SECTION 15.** 44.72 (4) (a) of the statutes is amended to read:

24 44.72 (4) (a) *Subsidized loans authorized.* The board may make subsidized  
25 loans under this subsection to school districts from the proceeds of public debt

**BILL**

1 contracted under s. 20.866 (2) (zc) and to public library boards and public library  
 2 systems from the proceeds of public debt contracted under s. 20.866 (2) (zcm).  
 3 Subsidized loans under this subsection may be used only for the purpose of  
 4 upgrading the electrical wiring of school and library buildings in existence on  
 5 October 14, 1997, and installing and upgrading computer network wiring, except  
 6 that a public library board or public library system may also use a subsidized loan  
 7 for purchasing hardware necessary for direct access to the internet.

8 SECTION 16. 44.72 (4) (c) of the statutes is amended to read:

9 44.72 (4) (c) *Repayment of subsidized loans.* A school district's ~~or~~, public library  
 10 board's or public library system's total payments on a loan made under this  
 11 subsection shall be equal to 50% of the total debt service on the loan, as determined  
 12 by the board. A school district ~~or~~, public library board ~~or~~ public library system is not  
 13 obligated to pay the remaining 50% of the debt service on the loan. The board shall  
 14 credit all moneys received from school districts under this paragraph to the  
 15 appropriation account under s. 20.275 (1) (h). The board shall credit all moneys  
 16 received from public library boards and public library systems under this paragraph  
 17 to the appropriation account under s. 20.275 (1) (h).

18 SECTION 17. 196.218 (4r) ~~(a) 2r~~ <sup>18</sup> of the statutes is created to read:

19 196.218 (4r) (a) ~~19~~ "Educational agency" means a school district, private  
 20 school, cooperative educational service agency, technical college district, private  
 21 college, ~~public library system~~ <sup>9</sup> or public library board ~~of the Wisconsin School for the~~  
 22 ~~Visually Handicapped or the Wisconsin School for the Deaf.~~

23 SECTION 18. 196.218 (4r) (a) 2r. of the statutes is created to read:

24 196.218 (4r) (a) 2r. "Public library system" has the meaning given in s. 43.01

25 (5)  
INSERT 6-25 ✓

**BILL**

1           **SECTION 19.** 196.218 (4r) (b) of the statutes is amended to read:

2           196.218 (4r) (b) The commission, in consultation with the department and the  
3 board, shall promulgate rules establishing an educational telecommunications  
4 access program to provide ~~school districts, private schools, cooperative educational~~  
5 ~~service agencies, technical college districts, private colleges and public library~~  
6 ~~boards~~ educational agencies with access to data lines and video links.

7           **SECTION 20.** 196.218 (4r) (c) 1. of the statutes is amended to read:

8           196.218 (4r) (c) 1. Allow ~~a school district, private school, cooperative~~  
9 ~~educational service agency, technical college district, private college and public~~  
10 ~~library board~~ an educational agency to make a request to the board for access to  
11 either one data line or one video link, except that if a school district operates more  
12 than one high school ~~or if a public library board or public library system operates~~  
13 ~~more than one library facility,~~ the rules shall allow the school district, ~~public library~~  
14 ~~board or public library system~~ to request access to both a data line and a video link  
15 and to request access to more than one data line or video link. The board shall  
16 forward requests received under this subdivision to the commission and the  
17 department.

18           **SECTION 21.** 196.218 (4r) (c) 2. of the statutes is amended to read:

19           196.218 (4r) (c) 2. Establish eligibility requirements for ~~a school district,~~  
20 ~~private school, cooperative educational service agency, technical college district,~~  
21 ~~private college and public library board~~ an educational agency to participate in the  
22 program established under par. (b). The requirements shall prohibit a participant in  
23 the program from receiving assistance from the universal service fund for the  
24 purpose specified in sub. (5) (a) 3. for educational telecommunications access that is  
25 substantially similar to the access provided to the participant under the program.

**BILL**

INSERT 8-15 ✓

1 SECTION 22. 196.218 (4r) (c) 3. of the statutes is amended to read:

2 196.218 (4r) (c) 3. Establish specifications for a data line or video link that is  
3 provided to a school district, private school, cooperative educational service agency,  
4 technical college district, private college and public library board an educational  
5 agency under the program established under par. (b).

6 SECTION 23. 196.218 (4r) (c) 4. of the statutes is amended to read:

7 196.218 (4r) (c) 4. Require a school district, private school, cooperative  
8 educational service agency, technical college district, private college and public  
9 library board an educational agency to pay the department not more than \$250 per  
10 month for each data line or video link that is provided to the school district, private  
11 school, cooperative educational service agency, technical college district, private  
12 college and public library board educational agency under the program established  
13 under par. (b), except that the charge may not exceed \$100 per month for each data  
14 line or video link that relies on a transport medium that operates at a speed of 1.544  
15 megabits per second.

16 SECTION 24. 196.218 (4r) (e) of the statutes is amended to read:

17 196.218 (4r) (e) If the federal communications commission promulgates or  
18 modifies rules that provide rate discounts for telecommunications services to school  
19 districts, private schools, cooperative educational service agencies, technical college  
20 districts, private colleges or public library boards an educational agency under 47  
21 USC 254, the governor shall submit a report to the joint committee on finance that  
22 includes any recommended changes to statutes or rules with respect to funding the  
23 program established under par. (b).

24 (END)

O-NOTE

↑  
INSERT 8-03 ✓

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1508/lins  
MDK:.....

1

INSERT A:

TEACH

EDUCATION ✓

OTHER EDUCATIONAL AND CULTURAL AGENCIES ✓

Under current law, the technology for educational achievement in Wisconsin board (~~board~~) administers an educational telecommunications access program that allows certain educational institutions to obtain access to data lines and video links that are provided by suppliers under contract with the department of administration (DOA). Under the program, an educational institution may pay no more than a specified monthly maximum charge for access and any access costs in excess of this charge are paid from the universal service fund.

Under this bill, an educational institution that obtains access to a data line under the program may enter into a shared service agreement with a city, village, town or county (political subdivision) that provides the political subdivision with access to any excess bandwidth on the data line that the educational institution does not use. A shared service agreement under the bill is not valid unless it provides that the educational institution may cancel the agreement after providing notice to the political subdivision. In addition, a political subdivision that obtains access to bandwidth may not receive compensation for providing access to the bandwidth to any other person. Also, no moneys from the universal service fund may be used to pay installation costs that are necessary to provide a political subdivision with access to the bandwidth.

The bill also prohibits an educational institution from requesting access to an additional data line under the program for the purpose of providing a political subdivision with access to excess bandwidth and from providing access to a data line under the program to a private business entity.

2

INSERT 6-25:

3

SECTION 1. 196.218 (4r) (a) 1r. <sup>x</sup> of the statutes is created to read:

4

196.218 (4r) (a) 1r. "Political subdivision" means any city, village, town or

5

county.

6

INSERT 8-15:

7

SECTION 2. 196.218 (4r) (cg) of the statutes is created to read:

8

196.218 (4r) (cg) An educational agency that is provided access to a data line

9

under the program established under par. (b) <sup>✓</sup> may not do any of the following:



1 1. Provide access to the data line to any business entity, as defined in s. 13.62

2 (5).<sup>✓</sup>

3 2. Request access to an additional data line for purposes of providing access to  
4 bandwidth to a political subdivision under a shared service agreement under par. (cr)

5 1.<sup>✓</sup>

6 **SECTION 3.** 196.218 (4r) (cr)<sup>✓</sup> of the statutes is created to read:

7 196.218 (4r) (cr) 1. An educational agency that is provided access to a data line  
8 under the program established under par. (b)<sup>✓</sup> may enter into a shared service  
9 agreement with a political subdivision that provides the political subdivision with  
10 access to any excess bandwidth on the data line that is not used by the educational  
11 agency. A shared service agreement under this subdivision<sup>✓</sup> is not valid unless the  
12 agreement allows an educational agency to cancel the agreement at any time after  
13 providing notice to the political subdivision.

14 2. A political subdivision that obtains access to bandwidth under a shared  
15 service agreement under subd. 1.<sup>✓</sup> may not receive compensation for providing any  
16 other person with access to the bandwidth.

17 3. An educational agency shall provide the board<sup>✓</sup> with written notice within 30  
18 days after entering into or modifying a shared service agreement under subd. 1.

19 **INSERT 8-23:**

20 **SECTION 4.** 196.218 (5) (a) 5.<sup>✓</sup> of the statutes is amended to read:

21 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to  
22 the extent that these costs are not paid under sub. (4r) (c) 4., except that no moneys  
23 in the universal service fund may be used to pay installation costs that are necessary



- 1 for a political subdivision to obtain access to bandwidth under a shared service
- 2 agreement under sub. (4r) (cr) 1. ✓

History: 1993 a. 496; 1997 a. 27, 41, 237.

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

LRB-1508/1dn

MDK:A:...

JG

Steve Milotto:

Please note the following about this bill:

1. I'm not sure about your intent regarding the letter of consent required for libraries to enter into shared service agreements. Under s. 196.218 (4r), stats., library boards (not individual libraries) may request access to data lines. If the board itself requests access, why should the president of the board, or the system head librarian, also be required to execute a letter of consent? Also, who should receive a copy of such a letter?
2. The proposed amendment of s. 196.218 (5) (a) 5., stats., is intended to accomplish the prohibition on installing data lines at the location of a local government. Is it okay?
3. Proposed s. 196.218 (4r) (cr) 2. is intended to accomplish the prohibition on sale of dial-up access. Is it okay?

Mark D. Kunkel  
Legislative Attorney  
266-0131

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

LRB-1508/1dn  
MDK:jlg:hmh

Tuesday, January 19, 1999

Steve Milotto:

Please note the following about this bill:

1. I'm not sure about your intent regarding the letter of consent required for libraries to enter into shared service agreements. Under s. 196.218 (4r), stats., library boards (not individual libraries) may request access to data lines. If the board itself requests access, why should the president of the board, or the system head librarian, also be required to execute a letter of consent? Also, who should receive a copy of such a letter?
2. The proposed amendment of s. 196.218 (5) (a) 5., stats., is intended to accomplish the prohibition on installing data lines at the location of a local government. Is it okay?
3. Proposed s. 196.218 (4r) (cr) 2. is intended to accomplish the prohibition on sale of dial-up access. Is it okay?

Mark D. Kunkel  
Legislative Attorney  
266-0131

O-NOTES

2

DOA:.....Milioto - Sharing data lines under TEACH program with local units of government

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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Do not gen

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

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the technology for educational achievement in Wisconsin board (TEACH) administers an educational telecommunications access program that allows certain educational institutions to obtain access to data lines and video links that are provided by suppliers under contract with the department of administration (DOA). Under the program, an educational institution may pay no more than a specified monthly maximum charge for access and any access costs in excess of this charge are paid from the universal service fund.

Under this bill, an educational institution that obtains access to a data line under the program may enter into a shared service agreement with a city, village, town or county (political subdivision) that provides the political subdivision with access to any excess bandwidth on the data line that the educational institution does not use. A shared service agreement under the bill is not valid unless it provides that the educational institution may cancel the agreement after providing notice to the political subdivision. In addition, a political subdivision that obtains access to bandwidth may not receive compensation for providing access to the bandwidth to any other person. Also, no moneys from the universal service fund may be used to

pay installation costs that are necessary to provide a political subdivision with access to the bandwidth.

The bill also prohibits an educational institution from requesting access to an additional data line under the program for the purpose of providing a political subdivision with access to excess bandwidth and from providing access to a data line under the program to a private business entity.

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:*

1 SECTION 1. 44.71 (2) (e) of the statutes is amended to read:

2 44.71 (2) (e) Subject to s. 196.218 (4r) (f), in cooperation with the department  
3 and the public service commission, provide telecommunications access to school  
4 districts, private schools, cooperative educational service agencies, technical college  
5 districts, private colleges and public library boards educational agencies under the  
6 program established under s. 196.218 (4r).

7 SECTION 2. 196.218 (4r) (a) 1g. of the statutes is created to read:

8 196.218 (4r) (a) 1g. "Educational agency" means a school district, private  
9 school, cooperative educational service agency, technical college district, private  
10 college, or public library board.

11 SECTION 3. ~~196.218 (4r) (a) 1c.~~ <sup>44.70(3e)</sup> of the statutes is created to read:

12 ~~196.218 (4r) (a) 1c.~~ <sup>44.70(3e)</sup> "Political subdivision" means any city, village, town or  
13 county.

14 SECTION 4. 196.218 (4r) (b) of the statutes is amended to read:

15 196.218 (4r) (b) The commission, in consultation with the department and the  
16 board, shall promulgate rules establishing an educational telecommunications  
17 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 5. 196.218 (4r) (c) 1. of the statutes is amended to read:

4 196.218 (4r) (c) 1. Allow a school district, private school, cooperative  
5 educational service agency, technical college district, private college and public  
6 library board an educational agency to make a request to the board for access to  
7 either one data line or one video link, except that if a school district operates more  
8 than one high school the rules shall allow the school district to request access to both  
9 a data line and a video link and to request access to more than one data line or video  
10 link. The board shall forward requests received under this subdivision to the  
11 commission and the department.

12 SECTION 6. 196.218 (4r) (c) 2. of the statutes is amended to read:

13 196.218 (4r) (c) 2. Establish eligibility requirements for a school district,  
14 private school, cooperative educational service agency, technical college district,  
15 private college and public library board an educational agency to participate in the  
16 program established under par. (b). The requirements shall prohibit a participant in  
17 the program from receiving assistance from the universal service fund for the  
18 purpose specified in sub. (5) (a) 3. for educational telecommunications access that is  
19 substantially similar to the access provided to the participant under the program.

20 SECTION 7. 196.218 (4r) (c) 3. of the statutes is amended to read:

21 196.218 (4r) (c) 3. Establish specifications for a data line or video link that is  
22 provided to a school district, private school, cooperative educational service agency,  
23 technical college district, private college and public library board an educational  
24 agency under the program established under par. (b).

25 SECTION 8. 196.218 (4r) (c) 4. of the statutes is amended to read:

SECTION 8

1 196.218 (4r) (c) 4. Require a school district, private school, cooperative  
 2 educational service agency, technical college district, private college and public  
 3 library board an educational agency to pay the department not more than \$250 per  
 4 month for each data line or video link that is provided to the school district, private  
 5 school, cooperative educational service agency, technical college district, private  
 6 college and public library board educational agency under the program established  
 7 under par. (b), except that the charge may not exceed \$100 per month for each data  
 8 line or video link that relies on a transport medium that operates at a speed of 1.544  
 9 megabits per second.

10 SECTION 9. ~~196.218 (4r) (c)~~ <sup>44.73(2g) ✓</sup> of the statutes is created to read:

11 ~~196.218 (4r) (c)~~ <sup>44.73(2g) ✓</sup> An educational agency that is provided access to a data line  
 12 under the program established under ~~par. (b)~~ <sup>sub. (1)</sup> may not do any of the following:

13 1. Provide access to the data line to any business entity, as defined in s. 13.62

14 (5).

15 2. Request access to an additional data line for purposes of providing access to  
 16 bandwidth to a political subdivision under a shared service agreement under ~~par. (c)~~

17 ~~par. (c)~~ <sup>sub. (2r)(a) ✓</sup>

18 SECTION 10. ~~196.218 (4r) (c)~~ <sup>44.73(2r) ✓</sup> of the statutes is created to read:

19 ~~196.218 (4r) (c)~~ <sup>44.73(2r)(a) ✓</sup> An educational agency that is provided access to a data line  
 20 under the program established under ~~par. (b)~~ <sup>(sub. (1))</sup> may enter into a shared service  
 21 agreement with a political subdivision that provides the political subdivision with  
 22 access to any excess bandwidth on the data line that is not used by the educational  
 23 agency. A shared service agreement under this subdivision is not valid unless the  
 24 agreement allows an educational agency to cancel the agreement at any time after  
 25 providing notice to the political subdivision.

INSERT 4-18 ✓

INSERT 5-5 ✓

- 1
- 2
- 3
- 4
- 5

(b)  
 A political subdivision that obtains access to bandwidth under a shared service agreement under ~~sub. (a)~~ <sup>par. (a) ✓</sup> may not receive compensation for providing any other person with access to the bandwidth.

(c)  
 An educational agency shall provide the board with written notice within 30 days after entering into or modifying a shared service agreement under ~~sub. (a)~~ <sup>par. (a) ✓</sup>

SECTION 11. 196.218 (4r) (e) of the statutes is amended to read:

196.218 (4r) (e) If the federal communications commission promulgates or modifies rules that provide rate discounts for telecommunications services to school districts, private schools, cooperative educational service agencies, technical college districts, private colleges or public library boards an educational agency under 47 USC 254, the governor shall submit a report to the joint committee on finance that includes any recommended changes to statutes or rules with respect to funding the program established under par. (b).

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

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.~~ <sup>strike</sup> s. 44.73 (2) (d) ✓ except that no moneys in the universal service fund may be used to pay installation costs that are necessary for a political subdivision to obtain access to bandwidth under a shared service agreement under ~~sub. (4r) (e) 4.~~ s. 44.73 (2r) (a) ✓

(END) ✓

INSERT 5-19



**1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1508/2ins  
MDK:.....

**INSERT 4-18:**

\*\*\*\*NOTE: This is reconciled s. 44.73 (2g).<sup>✓</sup> This SECTION has been affected by drafts with the following LRB numbers: LRB-0250/3 (which renumbers s. 196.218 (4r) (c)).<sup>✓</sup>

**INSERT 5-5:**

\*\*\*\*NOTE: This is reconciled s. 44.73 (2r).<sup>✓</sup> This SECTION has been affected by drafts with the following LRB numbers: LRB-0250/3 (which renumbers s. 196.218 (4r) (c)).

**INSERT 5-19:**

\*\*\*\*NOTE: This is reconciled s. 196.218 (5) (a) 5.<sup>✓</sup> This SECTION has been affected by drafts with the following LRB numbers: LRB-0250/3.

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

LRB-1508/2dn

MDK: ↑:....

*JK*

Steve Milioto:

This draft reconciles LRB-1508/1 and LRB-0250/3. Both drafts should continue to remain in the compiled bill.

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

LRB-1508/2dn  
MDK:jlglp

February 3, 1999

Steve Milioto:

This draft reconciles LRB-1508/1 and LRB-0250/3. Both drafts should continue to remain in the compiled bill.

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1508/2  
MDK:jlg:lp

DOA:.....Milioto – Sharing data lines under TEACH program with local units  
of government

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, the technology for educational achievement in Wisconsin board (TEACH) administers an educational telecommunications access program that allows certain educational institutions to obtain access to data lines and video links that are provided by suppliers under contract with the department of administration (DOA). Under the program, an educational institution may pay no more than a specified monthly maximum charge for access and any access costs in excess of this charge are paid from the universal service fund.

Under this bill, an educational institution that obtains access to a data line under the program may enter into a shared service agreement with a city, village, town or county (political subdivision) that provides the political subdivision with access to any excess bandwidth on the data line that the educational institution does not use. A shared service agreement under the bill is not valid unless it provides that the educational institution may cancel the agreement after providing notice to the political subdivision. In addition, a political subdivision that obtains access to bandwidth may not receive compensation for providing access to the bandwidth to any other person. Also, no moneys from the universal service fund may be used to

pay installation costs that are necessary to provide a political subdivision with access to the bandwidth.

The bill also prohibits an educational institution from requesting access to an additional data line under the program for the purpose of providing a political subdivision with access to excess bandwidth and from providing access to a data line under the program to a private business entity.

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:***

1           **SECTION 1.** 44.73 (2g) of the statutes is created to read:

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

4           1. Provide access to the data line to any business entity, as defined in s. 13.62  
5 (5).

6           2. Request access to an additional data line for purposes of providing access to  
7 bandwidth to a political subdivision under a shared service agreement under sub.  
8 (2r) (a).

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

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

10          **44.73 (2r) (a)** An educational agency that is provided access to a data line under  
11 the program established under sub. (1) may enter into a shared service agreement  
12 with a political subdivision that provides the political subdivision with access to any  
13 excess bandwidth on the data line that is not used by the educational agency. A  
14 shared service agreement under this subdivision is not valid unless the agreement  
15 allows an educational agency to cancel the agreement at any time after providing  
16 notice to the political subdivision.

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

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

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

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

7 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to  
8 the extent that these costs are not paid under ~~sub. (4r) (e) 4. s. 44.73 (2) (d), except~~  
9 that no moneys in the universal service fund may be used to pay installation costs  
10 that are necessary for a political subdivision to obtain access to bandwidth under a  
11 shared service agreement under s. 44.73 (2r) (a).

\*\*\*NOTE: This is reconciled s. 196.218 (5) (a) 5. This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0250/3.

12

(END)