

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget** Drafter: **mkunkel**
 By: **Sherwin** Secondary Drafters:
 Date: **10/31/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**

Pre Topic:

DOA:.....Sherwin, BB0053 -

Topic:

TEACH Statutory Language Changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 11/27/2018	ccarmich 11/29/2018			
/P1	mkunkel 2/13/2019	ccarmich 2/13/2019	lparisi 11/29/2018		
/P2	mkunkel 2/16/2019	kmochal 2/17/2019	mbarman 2/13/2019		State S&L
/P3	mkunkel 2/20/2019	wjackson 2/20/2019	chanaman 2/17/2019		State S&L
/P4	mkunkel	aernstr	lparisi		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/20/2019	2/20/2019	2/20/2019		S&L
/P5	mkunkel 2/21/2019	aernstr 2/21/2019	lparisi 2/20/2019		State S&L
/P6			lparisi 2/21/2019		State S&L

FE Sent For:

<END>

Kunkel, Mark

From: Hanaman, Cathlene
Sent: Wednesday, November 21, 2018 9:13 AM
To: Kunkel, Mark
Subject: FW: Statutory Language Drafting Request - 2019-21
Attachments: 19-21 TEACH Stat Language Proposal.docx

From: Sherwin, Derek - DOA
Sent: Tuesday, October 30, 2018 3:40 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: TEACH Statutory Language Changes

Tracking Code: BB0053

SBO Team: GGCF

SBO Analyst: Derek Sherwin
Phone: 608-266-3382
E-mail: derek.sherwin@wisconsin.gov

Agency Acronym: 505

Agency Number: 505

Priority: High

Intent:

Several statutory language changes pertaining to the TEACH program within DOA are requested. Please see the attached document for specific details.

Attachments: True

Please send completed drafts to SBOSatlanguage@spsmail.enterprise.wistate.us

16.996 Educational technology training grants.

(1) PURPOSE. The department shall annually award grants to eligible consortia of school districts, to consortia of eligible public libraries, and to eligible public library systems for the costs of training teachers and librarians to use educational technology.

(2) ELIGIBLE CONSORTIA. A consortium of school districts is eligible for a grant under this section if all of the following apply:

(a) The consortium consists of 3 or more school districts.

(b) Each school district's membership based on the most recent available and finalized school year data in the previous school year divided by that school district's area in square miles is 13 or less.

(c) The consortium applies for a grant under this section.

(2m) ELIGIBLE PUBLIC LIBRARIES AND PUBLIC LIBRARY SYSTEMS.

(a) In this subsection:

1. "Library branch" means a fixed location where public library services, including a collection of library materials, are offered by paid library employees as part of a consolidated county public library, as described in s. 43.57 (1).

2. "Rural territory" means any territory, population, and housing units located outside of urban areas and urban clusters.

3. "Service area" means the population of the municipality in which the library is located. If a library operates as a joint library under s. 43.53, Stats, the service area is the total of the populations of all municipalities participating in the joint library.

4. "Urban cluster" means an urban area, as defined by the U.S. bureau of the census, with a population of at least 2,500 but less than 50,000.

5. "Urbanized area" means an urban area, as defined by the U.S. bureau of the census, with a population of 50,000 or more.

(b) A public library or branch of a public library [library branch] is an eligible library under this section if the population of the municipality within which the library or branch of the library is located is 20,000 or less and is located in a rural territory. and if the public library or branch [library branch] is located in one of the following areas of the state:

1. A rural territory, as defined by the U.S. bureau of the census, that is one of the following:

a. Less than or equal to 5 miles from an urbanized area.

b. Less than or equal to 2.5 miles from an urban cluster.

2. A rural territory, as defined by the U.S. bureau of the census, that is one of the following:

a. More than 5 miles but less than or equal to 25 miles from an urbanized area.

b. More than 2.5 miles but less than or equal to 10 miles from an urban cluster.

3. A rural territory, as defined by the U.S. bureau of the census, that is more than 25 miles from an urbanized area and also more than 10 miles from an urban cluster.

(c) A consortium of public libraries is eligible for a grant under this section and a public library system is eligible for a grant under this section if all of the following apply:

1. Either of the following applies:
 - a. The consortium consists of 3 or more eligible public libraries or library branches.
 - b. The public library system contains 3 or more eligible public libraries or library branches.
2. The consortium or public library system applies for a grant under this section.

(3) GRANTS TO ELIGIBLE CONSORTIA OF SCHOOL DISTRICTS; AMOUNT. In any year the department awards a grant to an eligible consortia of school districts under this section, subject to sub. (4), the department shall pay to the eligible consortium the sum of the following amounts:

- (a) For each school district in the consortium that had a membership of less than 750 pupils according to the most recent available and finalized school year data in the previous year, \$7,500.
- (b) For each school district in the consortium that had a membership of 750 pupils to 1,500 pupils according to the most recent available and finalized school year data in the previous year, \$10 multiplied by the school district's membership in the previous year.
- (c) For each school district in the consortium that had a membership of more than 1,500 pupils according to the most recent available and finalized school year data in the previous year, \$15,000.

16.9945 (2m) (b) A public library, including the branch of a public library [a library branch], is eligible for a grant under this section in fiscal year 2017-18 or in fiscal year 2018-19 or in both fiscal years if the population of the municipality within which the library or branch of the library [library branch] is located, as determined during the first year of the biennium, is 20,000 or less...

16.9945 (3) MAXIMUM AWARDS TO ELIGIBLE SCHOOL DISTRICTS. The total amount the department may award to an eligible school district under sub. (1) during a fiscal biennium may not exceed the following:

- (a) If the membership of the eligible school district, as determined in the first year of the biennium, is fewer than 750 pupils, \$30,000.
- (b) If the membership of the eligible school district, as determined in the first year of the biennium, is 750 pupils to 1,500 pupils, \$40 multiplied by the school district's membership.
- (c) If the membership of the eligible school district, as determined in the first year of the biennium, is more than 1,500 pupils, \$60,000.

The following change is to modify the curriculum grant language to remove the reference to video-based curriculum development and implementation, increase the funding total from \$25,000 to up to \$100,000, and decrease the number of schools necessary to for a consortium from 8 to 5.

16.997 (1) and (2) Removal of various references to "video data links".

16.997 (2) (d) Require an education agency to pay the department not more than \$250 per month for each data line ~~or video link~~ that is provided to the educational agency under the program established under (1), except that the charge may not exceed \$100 per month for each data line ~~or video link~~ that relies on a transport medium that operates at a speed of less than 1 gigabyte ~~1.544 megabits~~ per second.

16.997 (7) From the appropriation under s. 20.505 (4) (s), the department shall award up to \$100,000 ~~\$25,000~~ annually in grants to consortia of school districts that meet all of the following criteria for the purpose of developing and implementing a technology-enhanced high school curriculum:

- (a) The curriculum is developed for and implemented through ~~streaming video conferencing and technology-based methods such as~~ online course work.
- (b) The consortium includes high schools from at least ~~8-5~~ school districts.
- (c) The participating school districts collectively contribute an amount equal to at least the amount of the grant received in the same fiscal year.
- (d) The curriculum is made available to ~~each high school participating in the consortium~~ any high school statewide.

Kunkel, Mark

From: Kunkel, Mark
Sent: Monday, November 26, 2018 10:54 AM
To: Sherwin, Derek - DOA
Subject: RE: Statutory Language Drafting Request - 2019-21

Derek:

You asked the following:

Also, a question re: the data being based on the first year of the biennium – we’ve asked that 16.9945 (2m) (b) be updated to state that a library is eligible if the population of the municipality in which the library is located, as determined during the first year of the biennium, is 20,000 or less. Is this update also needed for 16.9945 (3m) ((a)-(c))? E.g., (3m) (a) “If the population of the municipality within which the eligible public library or branch is located, as determined during the first year of the biennium, is ...”.

I agree that the update is needed for 16.9945 (3m) (a) to (c). The intro. to those paragraphs (i.e., 16.9945 (3m) (intro.)) refers the maximum amount that can be awarded during a fiscal biennium. Therefore, you can clarify in pars. (a) to (c) that population is determined based on the first year of that biennium. I will go ahead and add those changes to the draft.

--Mark

From: Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Sent: Monday, November 26, 2018 9:02 AM
To: Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Subject: RE: Statutory Language Drafting Request - 2019-21

Hi Mark,

Please see the responses to your questions below in red.

Thank you,
Derek

From: Kunkel, Mark - LEGIS <mark.kunkel@legis.wisconsin.gov>
Sent: Wednesday, November 21, 2018 10:34 AM
To: Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

Hi Derek:

I have 2 questions about this request.

First, you defining a term, “service area,” but, unless I’m missing it, it doesn’t look like you are using the term in your new language. Also, the term is not used in current law in subch. IX of ch. 16. Should I delete the definition or do you want to clarify where the term should be used?

Originally, DPI told us that they could not compile library information according to the population of the municipality as the statutory language states, but rather by "service area" and this statutory language request originally reflected defining "service area" and the use of "service area" to determine library eligibility.

When DPI provided information used for FY19 grant eligibility for libraries, it was according to the population of the municipality, so the request was updated to remove items related to updating the language to define and incorporate "service area". However, I neglected to remove the language that the LRB is now asking about. It should be removed.

Second, you are clarifying how to determine school district membership in ss. 16.9945 (3) (a), (b), and (c) (based on first year of biennium) and 16.996 (2) (b) and (3) (a), (b), and (c) (based on most recent available and finalized data). However, school district membership is also mentioned in s. 16.9945 (2) (a) and (b), where it is based on the previous school year. Is it okay to leave s. 16.9945 (2) (a) and (b) as is?

16.9945 (2) (a) and (b) should also be updated to reflect that school district membership should be based on the most recent available and finalized data.

Also, a question re: the data being based on the first year of the biennium – we've asked that 16.9945 (2m) (b) be updated to state that a library is eligible if the population of the municipality in which the library is located, as determined during the first year of the biennium, is 20,000 or less. Is this update also needed for 16.9945 (3m) ((a)-(c))? E.g., (3m) (a) "If the population of the municipality within which the eligible public library or branch is located, as determined during the first year of the biennium, is ...".

--Mark

From: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Sent: Wednesday, November 21, 2018 9:13 AM
To: Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

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Sent: Tuesday, October 30, 2018 3:40 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: TEACH Statutory Language Changes

Tracking Code: BB0053

SBO Team: GGCF

SBO Analyst: Derek Sherwin
Phone: 608-266-3382
E-mail: derek.sherwin@wisconsin.gov

Agency Acronym: 505

Agency Number: 505

Priority: High

Intent:

Several statutory language changes pertaining to the TEACH program within DOA are requested. Please see the attached document for specific details.

Attachments: True

Please send completed drafts to SBOSatlanguage@spsmail.enterprise.wistate.us

(https://www.census.gov/en.html)

You are here: [Census.gov \(/\)](#), [Geography \(/geo/index.html\)](#), [Reference \(/geo/reference/index.html\)](#), [Urban and Rural Classification \(/geo/reference/urban-rural.html\)](#), 2010 Census Urban Area FAQs

Geography

2010 Census Urban Area FAQs

Urban-Rural Classification Program

- When did the Census Bureau begin defining urban and rural areas?
- Why does the Census Bureau delineate urban areas?
- Who uses the Census Bureau's urban and rural definitions?
- How often does the Census Bureau update the boundaries of urbanized areas and urban clusters?
- Does the Census Bureau allow local governments and other groups to participate in the delineation of urban area boundaries?
- Is there an appeal process if I disagree with the location of an urban area boundary?
- How will my area's classification affect my funding?

Urban and Rural Definition

How does the Census Bureau define "urban" and "rural"?

The Census Bureau's urban-rural classification is fundamentally a delineation of geographical areas, identifying both individual urban areas and the rural areas of the nation. The Census Bureau's urban areas represent densely developed territory, and encompass residential, commercial, and other non-residential urban land uses. For the 2010 Census, an urban area will comprise a densely settled core of census tracts and/or census blocks that meet minimum population density requirements, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. To qualify as an urban area, the territory identified according to criteria must encompass at least 2,500 people, at least 1,500 of which reside outside institutional group quarters.

The Census Bureau identifies two types of urban areas:

- Urbanized Areas (UAs) of 50,000 or more people;
- Urban Clusters (UCs) of at least 2,500 and less than 50,000 people.



"Rural" encompasses all population, housing, and territory not included within an urban area.

The specific criteria used to define urban areas for the 2010 Census were published in the [Federal Register \(/geo/reference/frn.html\)](#) of August 24, 2011.

- How has the Census Bureau's urban-rural definition changed over time?
- How do urbanized areas (UAs) and urban clusters (UCs) compare to the Office of Management and Budget's metropolitan and micropolitan statistical areas?
- Were there changes to the urban area delineation criteria for the 2010 Census?
- What are hops and jumps?

Urban Area Delineation Results

- How many urbanized areas and urban clusters are defined for the 2010 Census? How has this changed from Census 2000?
- How many new urbanized areas are there for the 2010 Census?
- Did any Census 2000 urbanized areas fail to qualify as urbanized areas for the 2010 Census?
- How many people reside in urban or rural areas for the 2010 Census? What percentage of the U.S. population is urban or rural?
- Did the percentage of the U.S. population residing in urban areas increase from 2000 to 2010?
- Where can I find data for urban and rural areas?
- How do I find out if my city is within an urban or rural area defined by the U.S. Census Bureau?
- How do I find out if my address is within an urban or rural area according to the U.S. Census Bureau?

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Regional Offices (/www.census.gov/about/regions.html)	Economic Census (/www.census.gov/programs-surveys/economic-census.html)	E-Stats (/www.census.gov/programs-surveys/e-stats.html)	Income (/www.census.gov/topics/income-poverty/income.html)	Emergency Preparedness (/www.census.gov/topics/preparedness/)	Stats for Stories (/www.census.gov/newsroom/stories.html)
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Census Careers (/www.census.gov/about/census-careers.html)					
Diversity @ Census (/www.census.gov/about/diversity-					



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0704/2
MDK: *epi*
cdc

DOA:.....Sherwin, BB0053 - TEACH Statutory Language Changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

*by Thuis
11-29*

1 **AN ACT** [⊙] **relating to:** the budget.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT
OTHER STATE GOVERNMENT

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

2 **SECTION 1.** 16.99 (6) [✓] of the statutes is repealed.

****NOTE: The definition of "video link" is no longer necessary.

3 **SECTION 2.** 16.9945 (2) (a) [✓] of the statutes is amended to read:

4 16.9945 (2) (a) A school district is eligible for a grant under this section in fiscal
5 year 2017-18 if the school district's membership in the previous most recent school
6 year for which finalized school year data is available divided by the school district's
7 area in square miles is 16 or less.

****NOTE: In this draft, I did not revise references to fiscal years 2017-18 and 2018-19. See also s. 16.9945 (2) (b), (2m) (b) (intro.), and (4) (a) and (b). I also did not revise the sunset date in s. 16.9945 (5). Let me know if you want to update those fiscal years and sunset date.

1 **SECTION 3.** 16.9945 (2) (b) of the statutes is amended to read:

2 16.9945 (2) (b) A school district is eligible for a grant under this section in fiscal
3 year 2018-19 if the school district's membership in the previous most recent school
4 year for which finalized school year data is available divided by the school district's
5 area in square miles is 16 or less.

History: 2017 a. 59, 142.

6 **SECTION 4.** 16.9945 (2m) (a) (intro.) of the statutes is repealed.

7 **SECTION 5.** 16.9945 (2m) (a) 1. of the statutes is renumbered 16.99 (3c).

8 **SECTION 6.** 16.9945 (2m) (a) 2. of the statutes is renumbered 16.99 (5g).

9 **SECTION 7.** 16.9945 (2m) (a) 3. of the statutes is renumbered 16.99 (5r).

10 ****NOTE: I moved the definitions of "library branch," "urban cluster," and
11 "urbanized area" so that they apply throughout subch. IX of ch. 16. As a result, the
12 identical definitions in s. 16.996 (2m) (a) 1. to 3. are no longer necessary and are repealed
13 below. I also corrected the references to "library branch" in ss. 16.9945 (3m) (a), (b), and
14 (c) and 16.996 (3m) (a), (b), and (c).

15 **SECTION 8.** 16.9945 (2m) (b) (intro.) of the statutes is amended to read:

16 16.9945 (2m) (b) (intro.) A public library, including the ~~branch of a public~~
17 library a library branch, is eligible for a grant under this section in fiscal year
18 2017-18 or in fiscal year 2018-19 or in both fiscal years if the population of the
19 municipality within which the library or ~~branch of the library~~ library branch is
20 located, as determined in the first year of the fiscal biennium, is 20,000 or less and
21 if the public library or ~~branch~~ library branch is located in one of the following areas
22 of the state:

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2017 a. 59, 142.

23 **SECTION 9.** 16.9945 (3) (a) of the statutes is amended to read:

1 16.9945 (3) (a) If the membership of the eligible school district, as determined
2 in the first year of the fiscal biennium, is fewer than 750 pupils, \$30,000.

History: 2017 a. 59, 142.

3 **SECTION 10.** 16.9945 (3) (b) of the statutes is amended to read:

4 16.9945 (3) (b) If the membership of the eligible school district, as determined
5 in the first year of the fiscal biennium, is 750 pupils to 1,500 pupils, \$40 multiplied
6 by the school district's membership.

History: 2017 a. 59, 142.

7 **SECTION 11.** 16.9945 (3) (c) of the statutes is amended to read:

8 16.9945 (3) (c) If the membership of the eligible school district, as determined
9 in the first year of the fiscal biennium, is more than 1,500 pupils, \$60,000.

History: 2017 a. 59, 142.

10 **SECTION 12.** 16.9945 (3m) (a) of the statutes is amended to read:

11 16.9945 (3m) (a) If the population of the municipality within which the eligible
12 public library or ~~branch~~ library branch is located, as determined in the first year of
13 the fiscal biennium, is 2,000 or less, \$5,000.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2017 a. 59, 142.

14 **SECTION 13.** 16.9945 (3m) (b) of the statutes is amended to read:

15 16.9945 (3m) (b) If the population of the municipality within which the eligible
16 public library or ~~branch~~ library branch is located, as determined in the first year of
17 the fiscal biennium, is at least 2,001 but less than 5,000, \$7,500.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2017 a. 59, 142.

18 **SECTION 14.** 16.9945 (3m) (c) of the statutes is amended to read:

19 16.9945 (3m) (c) If the population of the municipality within which the eligible
20 public library or ~~branch~~ library branch is located, as determined in the first year of
21 the fiscal biennium, is at least 5,000 but less than 20,001, \$10,000.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.
History: 2017 a. 59, 142.

1 **SECTION 15.** 16.996 (2) (b) of the statutes is amended to read:
2 16.996 (2) (b) Each school district's membership in the previous most recent
3 school year for which finalized school year data is available divided by that school
4 district's area in square miles is 13 or less.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

5 **SECTION 16.** 16.996 (2m) (a) (intro.) of the statutes is renumbered 16.996 (2m)
6 (a) and amended to read:

7 16.996 (2m) (a) In this subsection, "rural territory" means any territory,
8 population, or housing units located outside of urban clusters or urbanized areas.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

9 **SECTION 17.** 16.996 (2m) (a) 1. to 3. of the statutes are repealed.

10 **SECTION 18.** 16.996 (2m) (b) (intro.) of the statutes is renumbered 16.996 (2m)
11 (b) and amended to read:

12 16.996 (2m) (b) A public library or ~~branch of a public library~~ library branch is
13 an eligible library under this section if the population of the municipality within
14 which the library or ~~branch~~ library branch is located is 20,000 or less and if the public
15 library or ~~branch~~ library branch is located in one of the following areas of the state:
16 a rural territory.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.
History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

17 **SECTION 19.** 16.996 (3) (a) of the statutes is amended to read:

18 16.996 (3) (a) For each school district in the consortium that had a membership
19 of less than 750 pupils in the previous most recent year for which finalized school
20 year data is available, \$7,500.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

21 **SECTION 20.** 16.996 (3) (b) of the statutes is amended to read:

(INSERT 4-17)

1 16.996 (3) (b) For each school district in the consortium that had a membership
2 of 750 pupils to 1,500 pupils in the previous most recent year for which finalized
3 school year data is available, \$10 multiplied by the school district's membership in
4 the previous that most recent year.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

5 **SECTION 21.** 16.996 (3) (c) of the statutes is amended to read:

6 16.996 (3) (c) For each school district in the consortium that had a membership
7 of more than 1,500 pupils in the previous most recent year for which finalized school
8 year data is available, \$15,000.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

9 **SECTION 22.** 16.996 (3m) (a) of the statutes is amended to read:

10 16.996 (3m) (a) For each eligible public library or branch library branch in the
11 consortium or system located in a municipality the population of which is 2,000 or
12 less, \$500.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

13 **SECTION 23.** 16.996 (3m) (b) of the statutes is amended to read:

14 16.996 (3m) (b) For each eligible public library or branch library branch in the
15 consortium or system located in a municipality the population of which is at least
16 2,001 but less than 5,000, \$750.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

17 **SECTION 24.** 16.996 (3m) (c) of the statutes is amended to read:

18 16.996 (3m) (c) For each eligible public library or branch library branch in the
19 consortium or system located in a municipality the population of which is at least
20 5,000 but less than 20,001, \$1,000.

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2015 a. 55; 2017 a. 142; s. 35.17 correction in (2m) (c) 1. (intro.).

21 **SECTION 25.** 16.997 (1) of the statutes is amended to read:

1 16.997 (1) Except as provided in s. 196.218 (4t), the department shall
2 promulgate rules establishing an educational telecommunications access program
3 to provide educational agencies with access to data lines and video links.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

****NOTE: I removed all references to "video links" throughout subch. IX of ch. 16.
Is that okay?

4 **SECTION 26.** 16.997 (2) (a) of the statutes is amended to read:

5 16.997 (2) (a) Allow an educational agency to make a request to the department
6 for access to data lines and video links.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

7 **SECTION 27.** 16.997 (2) (b) of the statutes is amended to read:

8 16.997 (2) (b) Establish eligibility requirements for an educational agency to
9 participate in the program established under sub. (1) and to receive additional
10 telecommunications access under s. 16.998, including a requirement that a charter
11 school sponsor use data lines and video links to benefit pupils attending the charter
12 school and a requirement that Internet access to material that is harmful to children,
13 as defined in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional
14 facilities that are served by data links and video links subsidized under this section.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

15 **SECTION 28.** 16.997 (2) (c) of the statutes is amended to read:

16 16.997 (2) (c) Establish specifications for data lines and video links for which
17 access is provided to an educational agency under the program established under
18 sub. (1) or for which additional access is provided to an educational agency under s.
19 16.998.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

20 **SECTION 29.** 16.997 (2) (d) of the statutes is amended to read:

1 16.997 (2) (d) Require an educational agency to pay the department not more
2 than \$250 per month for each data line ~~or video link~~ that is provided to the
3 educational agency under the program established under sub. (1), except that the
4 charge may not exceed \$100 per month for each data line ~~or video link~~ that relies on
5 a transport medium that operates at a speed of ~~1.544 megabits~~ 1 gigabyte per second.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

6 **SECTION 30.** 16.997 (2) (f) of the statutes is amended to read:

7 16.997 (2) (f) Ensure that juvenile correctional facilities that receive access
8 under this section to data lines ~~and video links~~ or that receive additional access under
9 s. 16.998 to data lines, ~~video links~~, and bandwidth use those data lines ~~and video~~
10 ~~links~~ and that bandwidth only for educational purposes.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

11 **SECTION 31.** 16.997 (2c) of the statutes is amended to read:

12 16.997 (2c) The department shall develop criteria to use to evaluate whether
13 to provide more than one data line ~~and video link~~ to an educational agency. The
14 department shall include in the criteria an educational agency's current bandwidth,
15 equipment, and readiness, and the available providers and any other economic
16 development in the geographic area that the educational agency serves.

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17 **SECTION 32.** 16.997 (3) of the statutes is amended to read:

18 16.997 (3) The department shall prepare an annual report on the status of
19 providing data lines ~~and video links~~ that are requested under sub. (2) (a) and the
20 impact on the universal service fund of any payment under contracts under s. 16.974.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

21 **SECTION 33.** 16.997 (7) (intro.) of the statutes is amended to read:

1 16.997 (7) (intro.) From the appropriation under s. 20.505 (4) (s), the
2 department shall award \$25,000 up to \$100,000 annually in grants to consortia of
3 school districts that meet all of the following criteria for the purpose of developing
4 and implementing a technology-enhanced high school curriculum:

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

5 **SECTION 34.** 16.997 (7) (a) of the statutes is amended to read:

6 16.997 (7) (a) The curriculum is developed for and implemented through
7 ~~streaming video conferencing and~~ technology-based methods such as online course
8 work.

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9 **SECTION 35.** 16.997 (7) (b) of the statutes is amended to read:

10 16.997 (7) (b) The consortium includes high schools from at least ~~8~~ 5 school
11 districts.

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

12 **SECTION 36.** 16.997 (7) (d) of the statutes is amended to read:

13 16.997 (7) (d) The curriculum is made available statewide to each any high
14 school ~~participating in the consortium.~~

History: 1999 a. 9 ss. 2318, 2323 to 2329; 2001 a. 16; 2003 a. 33 ss. 238r, 1073d to 1088d; Stats. 2003 s. 16.997; 2005 a. 25, 344; 2007 a. 20, 97; 2009 a. 28; 2015 a. 55.

15 **SECTION 37.** 16.998 of the statutes is amended to read:

16 **16.998 Educational telecommunications; additional access.** An
17 educational agency that is eligible for a rate discount for telecommunications
18 services under 47 USC 254 may request data lines, ~~video links,~~ and bandwidth access
19 that is in addition to what is provided under the program under s. 16.997 (1). The
20 department shall apply for aid under 47 USC 254 to cover the costs of the data lines,
21 ~~video links,~~ and bandwidth access that are provided under this section and shall
22 credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the

1 extent that the aid does not fully cover those costs, the department shall require an
2 educational agency to pay the department a monthly fee that is sufficient to cover
3 those costs and shall credit any monthly fee received to the appropriation account
4 under s. 20.505 (4) (Lm).

History 2005 a. 25.

5

(END)

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0704/P1ins
MDK:...

1

INSERT 4-17:

2

SECTION 1. 16.996 (2m) (b) 1., 2. and 3. of the statutes are repealed.

Kunkel, Mark

From: Sherwin, Derek - DOA
Sent: Monday, February 11, 2019 11:53 AM
To: Kunkel, Mark
Subject: RE: Statutory Language Drafting Request - 2019-21

Hi Mark,

We recently received some updates on the intended direction of the TEACH program – you had sent over 19-0704/P1 back in late November, so could you update the draft based on the following new information:

- a) The intent is now to eliminate the curriculum grant under s. 16.997(7) and the training grant under s. 16.996, effective at the beginning of FY20. Separately, Fern Knepp is working on a draft that would extend the sunset of the IT infrastructure block grant under s. 16.9945 to 6/30/21 and allow up to \$3 million in annual grant awards in FY20 and FY21.
- b) All of the changes pertaining to (or that impact) the IT infrastructure block grants that were made in the previous draft should remain.

FY19-20 July 1, 2019

Please let me know if you have any questions – thanks for your help.

Derek Sherwin
Wisconsin Department of Administration
Division of Executive Finance & Budget
State Budget Office
Executive Policy & Budget Analyst
(608) 266-3382

From: Kunkel, Mark - LEGIS <mark.kunkel@legis.wisconsin.gov>
Sent: Monday, November 26, 2018 10:54 AM
To: Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: RE: Statutory Language Drafting Request - 2019-21

Derek:

You asked the following:

Also, a question re: the data being based on the first year of the biennium – we've asked that 16.9945 (2m) (b) be updated to state that a library is eligible if the population of the municipality in which the library is located, as determined during the first year of the biennium, is 20,000 or less. Is this update also needed for 16.9945 (3m) ((a)-(c))? E.g., (3m) (a) "If the population of the municipality within which the eligible public library or branch is located, as determined during the first year of the biennium, is ...".

I agree that the update is needed for 16.9945 (3m) (a) to (c). The intro. to those paragraphs (i.e., 16.9945 (3m) (intro.)) refers the maximum amount that can be awarded during a fiscal biennium. Therefore, you can clarify in pars. (a) to (c) that population is determined based on the first year of that biennium. I will go ahead and add those changes to the draft.

--Mark

From: Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Sent: Monday, November 26, 2018 9:02 AM
To: Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Subject: RE: Statutory Language Drafting Request - 2019-21

Hi Mark,

Please see the responses to your questions below in red.

Thank you,
Derek

From: Kunkel, Mark - LEGIS <mark.kunkel@legis.wisconsin.gov>
Sent: Wednesday, November 21, 2018 10:34 AM
To: Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

Hi Derek:

I have 2 questions about this request.

First, you defining a term, "service area," but, unless I'm missing it, it doesn't look like you are using the term in your new language. Also, the term is not used in current law in subch. IX of ch. 16. Should I delete the definition or do you want to clarify where the term should be used?

Originally, DPI told us that they could not compile library information according to the population of the municipality as the statutory language states, but rather by "service area" and this statutory language request originally reflected defining "service area" and the use of "service area" to determine library eligibility.

When DPI provided information used for FY19 grant eligibility for libraries, it was according to the population of the municipality, so the request was updated to remove items related to updating the language to define and incorporate "service area". However, I neglected to remove the language that the LRB is now asking about. It should be removed.

Second, you are clarifying how to determine school district membership in ss. 16.9945 (3) (a), (b), and (c) (based on first year of biennium) and 16.996 (2) (b) and (3) (a), (b), and (c) (based on most recent available and finalized data). However, school district membership is also mentioned in s. 16.9945 (2) (a) and (b), where it is based on the previous school year. Is it okay to leave s. 16.9945 (2) (a) and (b) as is?

16.9945 (2) (a) and (b) should also be updated to reflect that school district membership should be based on the most recent available and finalized data.

Also, a question re: the data being based on the first year of the biennium – we've asked that 16.9945 (2m) (b) be updated to state that a library is eligible if the population of the municipality in which the library is located, as determined during the first year of the biennium, is 20,000 or less. Is this update also needed for 16.9945 (3m) ((a)-(c))? E.g., (3m) (a) "If the population of the municipality within which the eligible public library or branch is located, as determined during the first year of the biennium, is ...".

--Mark

From: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Sent: Wednesday, November 21, 2018 9:13 AM
To: Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Sherwin, Derek - DOA
Sent: Tuesday, October 30, 2018 3:40 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Sherwin, Derek - DOA <Derek.Sherwin@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: TEACH Statutory Language Changes

Tracking Code: BB0053

SBO Team: GGCF

SBO Analyst: Derek Sherwin
Phone: 608-266-3382
E-mail: derek.sherwin@wisconsin.gov

Agency Acronym: 505

Agency Number: 505

Priority: High

Intent:

Several statutory language changes pertaining to the TEACH program within DOA are requested. Please see the attached document for specific details.

Attachments: True

Please send completed drafts to SBOSatlanguage@spsmail.enterprise.wistate.us



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0704/P1 pp2
MDK:cdc

DOA:.....Sherwin, BB0053 - TEACH Statutory Language Changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

INSERT 1A

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

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT
OTHER STATE GOVERNMENT

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

2 **SECTION 1.** 16.99 (6) of the statutes is repealed.

~~***NOTE: The definition of "video link" is no longer necessary.~~

3 **SECTION 2.** 16.9945 (2) (a) of the statutes is amended to read:

4 16.9945 (2) (a) A school district is eligible for a grant under this section in fiscal
5 year 2017-18 if the school district's membership in the previous most recent school
6 year for which finalized school year data is available divided by the school district's
7 area in square miles is 16 or less.

SECTION 2

****NOTE: In this draft, I did not revise references to fiscal years 2017-18 and 2018-19. See also s. 16.9945 (2) (b), (2m) (b) (intro.), and (4) (a) and (b). I also did not revise the sunset date in s. 16.9945 (5). Let me know if you want to update those fiscal years and sunset date.

1 **SECTION 3.** 16.9945 (2) (b) of the statutes is amended to read:

2 16.9945 (2) (b) A school district is eligible for a grant under this section in fiscal
3 year 2018-19 if the school district's membership in the previous most recent school
4 year for which finalized school year data is available divided by the school district's
5 area in square miles is 16 or less.

6 **SECTION 4.** 16.9945 (2m) (a) (intro.) of the statutes is repealed.

7 **SECTION 5.** 16.9945 (2m) (a) 1. of the statutes is renumbered 16.99 (3c).

8 **SECTION 6.** 16.9945 (2m) (a) 2. of the statutes is renumbered 16.99 (5g).

9 **SECTION 7.** 16.9945 (2m) (a) 3. of the statutes is renumbered 16.99 (5r).

****NOTE: I moved the definitions of "library branch," "urban cluster," and "urbanized area" so that they apply throughout subch. IX of ch. 16. As a result, the identical definitions in s. 16.996 (2m) (a) 1. to 3. are no longer necessary and are repealed below. I also corrected the references to "library branch" in ss. 16.9945 (3m) (a), (b), and (c) and 16.996 (2m) (b), (3m) (a), (b), and (c).

10 **SECTION 8.** 16.9945 (2m) (b) (intro.) of the statutes is amended to read:

11 16.9945 (2m) (b) (intro.) A public library, including ~~the branch of a public~~
12 ~~library~~ a library branch, is eligible for a grant under this section in fiscal year
13 2017-18 or in fiscal year 2018-19 or in both fiscal years if the population of the
14 municipality within which the library or ~~branch of the library~~ library branch is
15 located, as determined in the first year of the fiscal biennium, is 20,000 or less and
16 if the public library or ~~branch~~ library branch is located in one of the following areas
17 of the state:

18 **SECTION 9.** 16.9945 (3) (a) of the statutes is amended to read:

19 16.9945 (3) (a) If the membership of the eligible school district, as determined
20 in the first year of the fiscal biennium, is fewer than 750 pupils, \$30,000.

1 **SECTION 10.** 16.9945 (3) (b) of the statutes is amended to read:

2 16.9945 (3) (b) If the membership of the eligible school district, as determined
3 in the first year of the fiscal biennium, is 750 pupils to 1,500 pupils, \$40 multiplied
4 by the school district's membership.

5 **SECTION 11.** 16.9945 (3) (c) of the statutes is amended to read:

6 16.9945 (3) (c) If the membership of the eligible school district, as determined
7 in the first year of the fiscal biennium, is more than 1,500 pupils, \$60,000.

8 **SECTION 12.** 16.9945 (3m) (a) of the statutes is amended to read:

9 16.9945 (3m) (a) If the population of the municipality within which the eligible
10 public library or ~~branch~~ library branch is located, as determined in the first year of
11 the fiscal biennium, is 2,000 or less, \$5,000.

12 **SECTION 13.** 16.9945 (3m) (b) of the statutes is amended to read:

13 16.9945 (3m) (b) If the population of the municipality within which the eligible
14 public library or ~~branch~~ library branch is located, as determined in the first year of
15 the fiscal biennium, is at least 2,001 but less than 5,000, \$7,500.

16 **SECTION 14.** 16.9945 (3m) (c) of the statutes is amended to read:

17 16.9945 (3m) (c) If the population of the municipality within which the eligible
18 public library or ~~branch~~ library branch is located, as determined in the first year of
19 the fiscal biennium, is at least 5,000 but less than 20,001, \$10,000.

20 **SECTION 15.** 16.996 (2) (b) of the statutes is amended to read:

21 16.996 (2) (b) Each school district's membership in the previous most recent
22 school year for which finalized school year data is available divided by that school
23 district's area in square miles is 13 or less.

24 **SECTION 16.** 16.996 (2m) (a) (intro.) of the statutes is renumbered 16.996 (2m)
25 (a) and amended to read:

1 16.996 (2m) (a) In this subsection, “rural territory” means any territory,
2 population, or housing units located outside of urban clusters or urbanized areas.

3 SECTION 17. 16.996 (2m) (a) 1. to 3. of the statutes are repealed.

4 SECTION 18. 16.996 (2m) (b) (intro.) of the statutes is renumbered 16.996 (2m)
5 (b) and amended to read:

6 16.996 (2m) (b) A public library or ~~branch of a public library~~ library branch is
7 an eligible library under this section if the population of the municipality within
8 which the library or ~~branch~~ library branch is located is 20,000 or less and if the public
9 library or ~~branch~~ library branch is located in one of the following areas of the state:
10 a rural territory.

11 SECTION 19. 16.996 (2m) (b) 1., 2. and 3. of the statutes are repealed.

12 SECTION 20. 16.996 (3) (a) of the statutes is amended to read:

13 16.996 (3) (a) For each school district in the consortium that had a membership
14 of less than 750 pupils in the ~~previous~~ most recent year for which finalized school
15 year data is available, \$7,500.

16 SECTION 21. 16.996 (3) (b) of the statutes is amended to read:

17 16.996 (3) (b) For each school district in the consortium that had a membership
18 of 750 pupils to 1,500 pupils in the ~~previous~~ most recent year for which finalized
19 school year data is available, \$10 multiplied by the school district's membership in
20 the ~~previous~~ that most recent year.

21 SECTION 22. 16.996 (3) (c) of the statutes is amended to read:

22 16.996 (3) (c) For each school district in the consortium that had a membership
23 of more than 1,500 pupils in the ~~previous~~ most recent year for which finalized school
24 year data is available, \$15,000.

25 SECTION 23. 16.996 (3m) (a) of the statutes is amended to read:

1 16.996 (3m) (a) For each eligible public library or ~~branch~~ library branch in the
2 consortium or system located in a municipality the population of which is 2,000 or
3 less, \$500.

4 **SECTION 24.** 16.996 (3m) (b) of the statutes is amended to read:

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7 2,001 but less than 5,000, \$750.

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10 consortium or system located in a municipality the population of which is at least
11 5,000 but less than 20,001, \$1,000.

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13 16.997 (1) Except as provided in s. 196.218 (4t), the department shall
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15 to provide educational agencies with access to data lines and ~~video links~~.

 ****NOTE: I removed all references to "video links" throughout subch. IX of ch. 16.
Is that okay?

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21 participate in the program established under sub. (1) and to receive additional
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23 school sponsor use data lines and ~~video links~~ to benefit pupils attending the charter

INSERT 5-11

1 school and a requirement that Internet access to material that is harmful to children,
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11 than \$250 per month for each data line ~~or video link~~ that is provided to the
12 educational agency under the program established under sub. (1), except that the
13 charge may not exceed \$100 per month for each data line ~~or video link~~ that relies on
14 a transport medium that operates at a speed of ~~1.544 megabits~~ 1 gigabyte per second.

15 **SECTION 31.** 16.997 (2) (f) of the statutes is amended to read:

16 16.997 (2) (f) Ensure that juvenile correctional facilities that receive access
17 under this section to data lines ~~and video links~~ or that receive additional access under
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19 ~~links~~ and that bandwidth only for educational purposes.

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24 equipment, and readiness, and the available providers and any other economic
25 development in the geographic area that the educational agency serves.

INSEAT 2-4

1 SECTION 33. 16.997 (3) of the statutes is amended to read:

2 16.997 (3) The department shall prepare an annual report on the status of
3 providing data lines and video links that are requested under sub. (2) (a) and the
4 impact on the universal service fund of any payment under contracts under s. 16.974.

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16 districts.

17 SECTION 37. 16.997 (7) (d) of the statutes is amended to read:

18 16.997 (7) (d) The curriculum is made available statewide to each any high
19 school participating in the consortium.

20 SECTION 38. 16.998 of the statutes is amended to read:

21 **16.998 Educational telecommunications; additional access.** An
22 educational agency that is eligible for a rate discount for telecommunications
23 services under 47 USC 254 may request data lines, video links, and bandwidth access
24 that is in addition to what is provided under the program under s. 16.997 (1). The
25 department shall apply for aid under 47 USC 254 to cover the costs of the data lines,

1 ~~video links~~, and bandwidth access that are provided under this section and shall
2 credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the
3 extent that the aid does not fully cover those costs, the department shall require an
4 educational agency to pay the department a monthly fee that is sufficient to cover
5 those costs and shall credit any monthly fee received to the appropriation account
6 under s. 20.505 (4) (Lm).

7 (END)

↑
INSEAT 8-6

1

INSERT 1A:

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill makes various changes to the Technology for Educational Achievement program, known as TEACH, which is administered by DOA. The bill eliminates grants to the following under the program: 1) school districts, public libraries, and public library systems for training teacher and librarians to use educational technology; and 2) school districts for developing and implementing a technology-enhanced high school curriculum. For information technology block grants under the program, the bill specifies that a school district's eligibility is based on its membership in the most recent school year for which finalized data is available, instead of membership in the previous year. Also for those grants, for other requirements that refer to municipal population, the bill clarifies that population is determined in the first year of a fiscal biennium. For the educational telecommunications access program under ~~the TEACH program~~, the bill increases the data line speed that applies to a limit on what DOA may charge educational agencies for data lines. The bill also eliminates references to video links under ~~the TEACH program~~.

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

2

INSERT 5-11:

3

SECTION 1. 16.996 of the statutes is repealed.

4

INSERT 7-4:

5

SECTION 2. 16.997 (7) of the statutes is repealed.

6

INSERT 8-6:

7

SECTION 3. 20.505 (4) (s) of the statutes, as affected by 2017 Wisconsin Act 136

8

and 2017 Wisconsin Act 142, is amended to read:

9

20.505 (4) (s) *Telecommunications access for educational agencies,*

10

infrastructure grants, and training grants for teachers and librarians. Biennially,

11

from the universal service fund, the amounts in the schedule to make payments to

12

telecommunications providers under contracts under s. 16.971 (13), (14), and (15) to

13

the extent that the amounts due are not paid from the appropriation under sub. (1)

1 (is), and to make payments to telecommunications providers under contracts under
 2 s. 16.971 (16) to the extent that the amounts due are not paid from the appropriation
 3 under sub. (1) (kL), ~~to make grants to school district consortia under s. 16.997 (7), and~~
 4 ~~to make educational technology teacher training grants and librarian training~~
 5 ~~grants under s. 16.996.~~

NOTE: Par. (s) is shown as repealed and recreated eff. 7-1-19 by 2017 Wis. Act 136, section 2y, and 2017 Wis. Act 142, section 14, and as merged by the legislative reference bureau under s. 13.92 (2) (i). Prior to 7-1-19, as affected by 2017 Wis. Act 136, section 2u, 2017 Wis. Act 142, section 13, and 2017 Wis. Act 366, and as merged by the legislative reference bureau under s. 13.92 (2) (i), it reads:

(s) *Telecommunications access for educational agencies, infrastructure grants, and training grants for teachers and librarians.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts under s. 16.971 (13), (14), and (15) to the extent that the amounts due are not paid from the appropriation under sub. (1) (is), to make payments to telecommunications providers under contracts under s. 16.971 (16) to the extent that the amounts due are not paid from the appropriation under sub. (1) (kL), to make grants to school district consortia under s. 16.997 (7), to make information technology infrastructure grants under s. 16.9945, and to make educational technology teacher training grants and librarian training grants under s. 16.996.

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, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433; 2007 a. 20 ss. 323, 326, 516e to 542g, 9121 (6) (a); 2007 a. 226; 2009 a. 11, 28, 302, 318; 2011 a. 29, 32 ss. 406, 421m, 435m to 446m, 716m to 747c, 755, 759 to 766; 2011 a. 166, 260; 2013 a. 20 ss. 215, 216, 379m, 413s to 461; 2013 a. 41, 115, 165, 166, 173; 2015 a. 55 ss. 775 to 810, 815, 817 to 820; 2015 a. 118, 176; 2017 a. 58, 59, 74, 136, 142, 267, 366; s. 13.92 (1) (bm) 2., (2) (i).

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

6 **SECTION 4.** 118.40 (2r) (e) 2p. a. of the statutes is amended to read:
 7 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year
 8 under s. 20.255 (2), except s. 20.255 (2) (ac), (aw), (az), (bb), (dg), (dj), (fm), (fp), (fq),
 9 (fr), (fu), (k), and (m); and s. 20.505 (4) (es); and the amount, as determined by the
 10 secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated for
 11 payments to telecommunications providers under contracts with school districts and
 12 cooperative educational service agencies under s. 16.971 (13), ~~for grants to school~~
 13 ~~district consortia under s. 16.997 (7), and to make educational technology teacher~~
 14 ~~training grants under s. 16.996.~~

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 a. 173 s. 33; 2013 a. 257; 2015 a. 55; 2017 a. 30, 59, 364; 2017 a. 365 s. 111; 2017 a. 366; s. 35.17 correction in (2r) (fm) 2. (intro.).

15 **SECTION 5.** 196.218 (5) (a) 12. of the statutes is repealed.

Kunkel, Mark

From: Sherwin, Derek - DOA
Sent: Saturday, February 16, 2019 3:20 PM
To: Kunkel, Mark
Subject: LRB-0704/P2

Hi Mark –

In the TEACH changes draft – in sections 2, 3 and 8, do we need to retain references to FY18 and FY19, or can they be replaced with FY20 and FY21 since the sunset date of the IT infrastructure block grants is being extended to 6/30/21?

Thanks!

Derek Sherwin
Wisconsin Department of Administration
Division of Executive Finance & Budget
State Budget Office
Executive Policy & Budget Analyst
(608) 266-3382



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0704/P2 PP3
MDK:cde

DOA:.....Sherwin, BB0053 - TEACH Statutory Language Changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

Technology for Educational Achievement program

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill makes various changes to the Technology for Educational Achievement program, known as TEACH, which is administered by DOA. The bill eliminates grants to the following under the program: 1) school districts, public libraries, and public library systems for training teacher and librarians to use educational technology; and 2) school districts for developing and implementing a technology-enhanced high school curriculum. For information technology block grants under the program, the bill specifies that a school district's eligibility is based on its membership in the most recent school year for which finalized data is available, instead of membership in the previous year. Also for those grants, for other requirements that refer to municipal population, the bill clarifies that population is determined in the first year of a fiscal biennium. For the educational telecommunications access program under TEACH, the bill increases the data line speed that applies to a limit on what DOA may charge educational agencies for data lines. The bill also eliminates references to video links under TEACH.

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

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

1 SECTION 1. 16.99 (6) of the statutes is repealed. 2019-20

2 SECTION 2. 16.9945 (2) (a) of the statutes is amended to read:

3 16.9945 (2) (a) A school district is eligible for a grant under this section in fiscal
4 year ~~2017-18~~ if the school district's membership in the previous most recent school
5 year for which finalized school year data is available divided by the school district's
6 area in square miles is 16 or less. 2020-21

7 SECTION 3. 16.9945 (2) (b) of the statutes is amended to read:

8 16.9945 (2) (b) A school district is eligible for a grant under this section in fiscal
9 year ~~2018-19~~ if the school district's membership in the previous most recent school
10 year for which finalized school year data is available divided by the school district's
11 area in square miles is 16 or less.

12 SECTION 4. 16.9945 (2m) (a) (intro.) of the statutes is repealed.

13 SECTION 5. 16.9945 (2m) (a) 1. of the statutes is renumbered 16.99 (3c).

14 SECTION 6. 16.9945 (2m) (a) 2. of the statutes is renumbered 16.99 (5g).

15 SECTION 7. 16.9945 (2m) (a) 3. of the statutes is renumbered 16.99 (5r).

16 SECTION 8. 16.9945 (2m) (b) (intro.) of the statutes is amended to read:

17 16.9945 (2m) (b) (intro.) A public library, including the ~~branch of a public~~
18 library a library branch, is eligible for a grant under this section in fiscal year
19 ~~2017-18~~ or in fiscal year ~~2018-19~~ or in both fiscal years if the population of the
20 municipality within which the library or ~~branch of the library~~ library branch is
21 located, as determined in the first year of the fiscal biennium, is 20,000 or less and

2019-20

2020-21

1 if the public library or ~~branch~~ library branch is located in one of the following areas
2 of the state:

3 **SECTION 9.** 16.9945 (3) (a) of the statutes is amended to read:

4 16.9945 (3) (a) If the membership of the eligible school district, as determined
5 in the first year of the fiscal biennium, is fewer than 750 pupils, \$30,000.

6 **SECTION 10.** 16.9945 (3) (b) of the statutes is amended to read:

7 16.9945 (3) (b) If the membership of the eligible school district, as determined
8 in the first year of the fiscal biennium, is 750 pupils to 1,500 pupils, \$40 multiplied
9 by the school district's membership.

10 **SECTION 11.** 16.9945 (3) (c) of the statutes is amended to read:

11 16.9945 (3) (c) If the membership of the eligible school district, as determined
12 in the first year of the fiscal biennium, is more than 1,500 pupils, \$60,000.

13 **SECTION 12.** 16.9945 (3m) (a) of the statutes is amended to read:

14 16.9945 (3m) (a) If the population of the municipality within which the eligible
15 public library or ~~branch~~ library branch is located, as determined in the first year of
16 the fiscal biennium, is 2,000 or less, \$5,000.

17 **SECTION 13.** 16.9945 (3m) (b) of the statutes is amended to read:

18 16.9945 (3m) (b) If the population of the municipality within which the eligible
19 public library or ~~branch~~ library branch is located, as determined in the first year of
20 the fiscal biennium, is at least 2,001 but less than 5,000, \$7,500.

21 **SECTION 14.** 16.9945 (3m) (c) of the statutes is amended to read:

22 16.9945 (3m) (c) If the population of the municipality within which the eligible
23 public library or ~~branch~~ library branch is located, as determined in the first year of
24 the fiscal biennium, is at least 5,000 but less than 20,001, \$10,000.

25 **SECTION 15.** 16.996 of the statutes is repealed.

1 **SECTION 16.** 16.997 (1) of the statutes is amended to read:

2 16.997 (1) Except as provided in s. 196.218 (4t), the department shall
3 promulgate rules establishing an educational telecommunications access program
4 to provide educational agencies with access to data lines ~~and video links~~.

5 **SECTION 17.** 16.997 (2) (a) of the statutes is amended to read:

6 16.997 (2) (a) Allow an educational agency to make a request to the department
7 for access to data lines ~~and video links~~.

8 **SECTION 18.** 16.997 (2) (b) of the statutes is amended to read:

9 16.997 (2) (b) Establish eligibility requirements for an educational agency to
10 participate in the program established under sub. (1) and to receive additional
11 telecommunications access under s. 16.998, including a requirement that a charter
12 school sponsor use data lines ~~and video links~~ to benefit pupils attending the charter
13 school and a requirement that Internet access to material that is harmful to children,
14 as defined in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional
15 facilities that are served by data links ~~and video links~~ subsidized under this section.

16 **SECTION 19.** 16.997 (2) (c) of the statutes is amended to read:

17 16.997 (2) (c) Establish specifications for data lines ~~and video links~~ for which
18 access is provided to an educational agency under the program established under
19 sub. (1) or for which additional access is provided to an educational agency under s.
20 16.998.

21 **SECTION 20.** 16.997 (2) (d) of the statutes is amended to read:

22 16.997 (2) (d) Require an educational agency to pay the department not more
23 than \$250 per month for each data line ~~or video link~~ that is provided to the
24 educational agency under the program established under sub. (1), except that the

1 charge may not exceed \$100 per month for each data line ~~or video link~~ that relies on
2 a transport medium that operates at a speed of ~~1.544 megabits~~ 1 gigabyte per second.

3 **SECTION 21.** 16.997 (2) (f) of the statutes is amended to read:

4 16.997 (2) (f) Ensure that juvenile correctional facilities that receive access
5 under this section to data lines ~~and video links~~ or that receive additional access under
6 s. 16.998 to data lines, ~~video links~~, and bandwidth use those data lines ~~and video~~
7 ~~links~~ and that bandwidth only for educational purposes.

8 **SECTION 22.** 16.997 (2c) of the statutes is amended to read:

9 16.997 (2c) The department shall develop criteria to use to evaluate whether
10 to provide more than one data line ~~and video link~~ to an educational agency. The
11 department shall include in the criteria an educational agency's current bandwidth,
12 equipment, and readiness, and the available providers and any other economic
13 development in the geographic area that the educational agency serves.

14 **SECTION 23.** 16.997 (3) of the statutes is amended to read:

15 16.997 (3) The department shall prepare an annual report on the status of
16 providing data lines ~~and video links~~ that are requested under sub. (2) (a) and the
17 impact on the universal service fund of any payment under contracts under s. 16.974.

18 **SECTION 24.** 16.997 (7) of the statutes is repealed.

19 **SECTION 25.** 16.998 of the statutes is amended to read:

20 **16.998 Educational telecommunications; additional access.** An
21 educational agency that is eligible for a rate discount for telecommunications
22 services under 47 USC 254 may request data lines, ~~video links~~, and bandwidth access
23 that is in addition to what is provided under the program under s. 16.997 (1). The
24 department shall apply for aid under 47 USC 254 to cover the costs of the data lines,
25 ~~video links~~, and bandwidth access that are provided under this section and shall

SECTION 25

1 credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the
2 extent that the aid does not fully cover those costs, the department shall require an
3 educational agency to pay the department a monthly fee that is sufficient to cover
4 those costs and shall credit any monthly fee received to the appropriation account
5 under s. 20.505 (4) (Lm).

6 **SECTION 26.** 20.505 (4) (s) of the statutes, as affected by 2017 Wisconsin Act 136
7 and 2017 Wisconsin Act 142, is amended to read:

8 20.505 (4) (s) *Telecommunications access for educational agencies,*
9 *infrastructure grants, and training grants for teachers and librarians.* Biennially,
10 from the universal service fund, the amounts in the schedule to make payments to
11 telecommunications providers under contracts under s. 16.971 (13), (14), and (15) to
12 the extent that the amounts due are not paid from the appropriation under sub. (1)
13 (is), and to make payments to telecommunications providers under contracts under
14 s. 16.971 (16) to the extent that the amounts due are not paid from the appropriation
15 under sub. (1) (kL), ~~to make grants to school district consortia under s. 16.997 (7), and~~
16 ~~to make educational technology teacher training grants and librarian training~~
17 ~~grants under s. 16.996.~~

18 **SECTION 27.** 118.40 (2r) (e) 2p. a. of the statutes is amended to read:

19 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year
20 under s. 20.255 (2), except s. 20.255 (2) (ac), (aw), (az), (bb), (dg), (dj), (fm), (fp), (fq),
21 (fr), (fu), (k), and (m); and s. 20.505 (4) (es); and the amount, as determined by the
22 secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated for
23 payments to telecommunications providers under contracts with school districts and
24 cooperative educational service agencies under s. 16.971 (13), ~~for grants to school~~

1 ~~district consortia under s. 16.997 (7), and to make educational technology teacher~~
2 ~~training grants under s. 16.996.~~

3 **SECTION 28.** 196.218 (5) (a) 12. of the statutes is repealed.

4 (END)

Kunkel, Mark

From: Sherwin, Derek - DOA
Sent: Wednesday, February 20, 2019 2:41 PM
To: Kunkel, Mark
Subject: LRB-0704 (TEACH)

Hi Mark,

I have a couple of edits to this draft:

-Section 26: Can you change the appropriation title and body to reflect the elimination of the training grants for teachers and librarians? *already struck in body*

-Section 5: Can you eliminate s. 16.9945(4)(a) and (b)? ✓

-Could you also make the following changes to s. 16.9945(2m):

*Per Derek:
- change to
urbanized
area*

2m) ELIGIBLE PUBLIC LIBRARIES AND PUBLIC LIBRARY SYSTEMS.

(a) In this subsection:

*delete:
NOT
USED*

- 1. "Library branch" means a fixed location where public library services, including a collection of library materials, are offered by paid library employees as part of a consolidated county public library, as described in s. 43.57 (1).
- 2. "Rural territory" means any territory, population, and housing units located outside of urban areas and urban clusters.
- 3. "Service area" means the population of the municipality in which the library is located. If a library operates as a joint library under s. 43.53, Stats, the service area is the total of the populations of all municipalities participating in the joint library.
- 4. "Urban cluster" means an urban area, as defined by the U.S. bureau of the census, with a population of at least 2,500 but less than 50,000.
- 5. "Urbanized area" means an urban area, as defined by the U.S. bureau of the census, with a population of 50,000 or more.



(b) A public library or branch of a public library [library branch] is an eligible library under this section if the population of the municipality within which the library or branch of the library is located is 20,000 or less and is located in a rural territory, and if the public library or branch [library branch] is located in one of the following areas of the state:

- 1. A rural territory, as defined by the U.S. bureau of the census, that is one of the following:
 - a. Less than or equal to 5 miles from an urbanized area.
 - b. Less than or equal to 2.5 miles from an urban cluster.
- 2. A rural territory, as defined by the U.S. bureau of the census, that is one of the following:
 - a. More than 5 miles but less than or equal to 25 miles from an urbanized area.
 - b. More than 2.5 miles but less than or equal to 10 miles from an urban cluster.
- 3. A rural territory, as defined by the U.S. bureau of the census, that is more than 25 miles from an urbanized area and also more than 10 miles from an urban cluster.

(c) A consortium of public libraries is eligible for a grant under this section and a public library system is eligible for a grant under this section if all of the following apply:

- 1. Either of the following applies:
 - a. The consortium consists of 3 or more eligible public libraries or library branches.

- b. The public library system contains 3 or more eligible public libraries or library branches.
2. The consortium or public library system applies for a grant under this section.

Derek Sherwin
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