



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4796/P5
MPG:skw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 16.99 (1m), 16.993 (2), 16.997 (2) (e), 16.997 (2g) and 16.997
2 (2r); *to amend* 16.993 (5), 16.9945 (3m) (a), 16.9945 (3m) (b), 16.9945 (3m) (c),
3 16.997 (1), 16.997 (2) (a), 16.997 (2) (b), 16.997 (2) (c), 16.997 (2) (d), 16.997 (2)
4 (f), 16.997 (2c), 16.997 (3), 16.998, 20.505 (1) (ip), 20.505 (1) (is) and 196.218 (5)
5 (a) 5.; and *to create* 16.99 (3a) and 16.993 (5m) of the statutes; **relating to:**
6 information technology functions of the Department of Administration
7 (suggested as remedial legislation by the Department of Administration).

Analysis by the Legislative Reference Bureau

Under current law, the Department of Administration provides data line access to certain educational agencies specified by law. Current law defines “data line” as “a data circuit that provides direct access to the Internet.” The bill replaces “data line” access with “eligible services.” Under the bill, an “eligible service” is a video conferencing service or a service specified under federal regulations, including a telecommunications service and access to the Internet. The bill also eliminates certain requirements with respect to an educational agency’s use of data line services and provides that an educational agency’s use of eligible services must satisfy requirements under federal regulations with respect to the use of eligible services.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Administration and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 16.99 (1m) of the statutes is repealed.

NOTE: This SECTION eliminates the definition of “data line.”

2 **SECTION 2.** 16.99 (3a) of the statutes is created to read:

3 **16.99 (3a)** “Eligible service” means a service specified under 47 CFR 54.502 (a)
4 or a video conferencing service.

NOTE: This SECTION creates the definition of “eligible service” to align with a definition under federal regulations and substitutes the new definition into other provisions in following SECTIONS, including SECTIONS 4 and 9 to 13.

5 **SECTION 3.** 16.993 (2) of the statutes is repealed.

NOTE: This SECTION removes a requirement for the Department of Administration (DOA) to identify the best methods of providing training for teachers related to education technology.

6 **SECTION 4.** 16.993 (5) of the statutes is amended to read:

7 **16.993 (5)** Provide ~~telecommunications access~~ eligible services to educational
8 agencies ~~under the program established under s. 16.997~~ and contract with
9 telecommunications providers to provide those eligible services.

10 **SECTION 5.** 16.993 (5m) of the statutes is created to read:

11 **16.993 (5m)** Provide educational agencies that are eligible for a rate discount
12 on eligible services under 47 USC 254 with eligible services under s. 16.998 and
13 contract with telecommunications providers to provide those eligible services.

NOTE: This SECTION recreates language that currently exists in a different statute enumerating general DOA duties and moves it into the statute addressing the relevant program.

1 **SECTION 6.** 16.9945 (3m) (a) of the statutes is amended to read:

2 16.9945 **(3m)** (a) If the population of the municipality within which the eligible
3 public library or library branch, as defined in sub. (2m) (a) 1., is located is 2,000 or
4 less, \$5,000.

NOTE: SECTIONS 6 to 8 substitute the more specific statutory term “library branch”
in place of “branch.” This change makes the statutory reference consistent with the LRB
note that currently appears in the statutes beneath the specified statutory sections.

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

6 16.9945 **(3m)** (b) If the population of the municipality within which the eligible
7 public library or library branch, as defined in sub. (2m) (a) 1., is located is at least
8 2,001 but less than 5,000, \$7,500.

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

10 16.9945 **(3m)** (c) If the population of the municipality within which the eligible
11 public library or library branch, as defined in sub. (2m) (a) 1., is located is at least
12 5,000 but less than 20,001, \$10,000.

13 **SECTION 9.** 16.997 (1) of the statutes is amended to read:

14 16.997 **(1)** Except as provided in s. 196.218 (4t), the department shall
15 promulgate rules establishing an educational telecommunications access program
16 to provide educational agencies with access to data lines eligible services.

17 **SECTION 10.** 16.997 (2) (a) of the statutes is amended to read:

18 16.997 **(2)** (a) Allow an educational agency to make a request to the department
19 for access to data lines eligible services.

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

21 16.997 **(2)** (b) Establish eligibility requirements for an educational agency to
22 participate in the program established under sub. (1) and ~~to receive additional~~
23 ~~telecommunications access under s. 16.998, including a requirement that a charter~~

1 school sponsor use ~~data lines~~ eligible services to benefit pupils attending the charter
2 school and a requirement that Internet access to material that is harmful to children,
3 as defined in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional
4 facilities that ~~are served by data links subsidized~~ use eligible services under this
5 section.

6 **SECTION 12.** 16.997 (2) (c) of the statutes is amended to read:

7 16.997 (2) (c) Establish specifications for ~~data lines for which access is provided~~
8 ~~to an educational agency~~ the eligible services provided under the program
9 established under sub. (1) or for which additional access is provided to an educational
10 agency under s. ~~16.998~~ s. 16.993 (5) and (5m).

11 **SECTION 13.** 16.997 (2) (d) of the statutes is amended to read:

12 16.997 (2) (d) Require an educational agency to pay the department not more
13 than \$250 per month for each ~~data line that is~~ eligible services provided to the
14 educational agency under the program established under sub. (1), except that the
15 charge may not exceed \$100 per month for each ~~data line~~ eligible services that relies
16 ~~on a transport medium that operates~~ operate at a speed of ~~1.544 megabits~~ less than
17 one gigabit per second.

18 **SECTION 14.** 16.997 (2) (e) of the statutes is repealed.

NOTE: This SECTION repeals an obsolete reference to a statute that no longer exists.

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

20 16.997 (2) (f) Ensure that ~~juvenile correctional facilities~~ all educational
21 agencies that receive access eligible services under this section ~~to data lines or that~~
22 ~~receive additional access under s. 16.998 to data lines and bandwidth~~ and s. 16.998
23 ~~use those data lines and that bandwidth~~ only eligible services primarily for

1 educational purposes in accordance with the requirements under 47 CFR 54.503 (c)
2 (2) (ii) (A).

NOTE: This SECTION aligns state law with federal regulations.

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

4 16.997 **(2c)** The department shall develop criteria to use to evaluate whether
5 to provide ~~more than one data line~~ additional bandwidth to an educational agency.
6 The department shall include in the criteria an educational agency's current
7 bandwidth, equipment, and readiness, and the available providers and any other
8 economic development in the geographic area that the educational agency serves.

9 **SECTION 17.** 16.997 (2g) of the statutes is repealed.

NOTE: SECTIONS 17 and 18 remove language that likely conflicts with federal regulations.

10 **SECTION 18.** 16.997 (2r) of the statutes is repealed.

11 **SECTION 19.** 16.997 (3) of the statutes is amended to read:

12 16.997 **(3)** The department shall prepare an annual report on the status of
13 providing ~~data lines~~ eligible services that are requested under sub. (2) (a) and the
14 impact on the universal service fund of any payment under contracts under s. 16.974.

15 **SECTION 20.** 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~~ eligible services and bandwidth
19 access that is in addition to what is provided under the program under s. 16.997 (1).
20 The department shall apply for aid under 47 USC 254 to cover the costs of the ~~data~~
21 lines eligible services and bandwidth access that are provided under this section and
22 shall credit any aid received to the appropriation account under s. 20.505 (4) (mp).
23 To the extent that the aid does not fully cover those costs, the department shall

1 require an educational agency to pay the department a monthly fee that is sufficient
2 to cover those costs and shall credit any monthly fee received to the appropriation
3 account under s. 20.505 (4) (Lm).

4 **SECTION 21.** 20.505 (1) (ip) of the statutes is amended to read:

5 20.505 (1) (ip) *Information technology and communication services;*
6 *self-funded portal.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2),
7 (2m), and (3), and 16.997 (2) (d) ~~and (2g) (a) 3.~~, to receive services through a
8 self-funded portal, the amounts in the schedule to be used for the purpose of
9 providing services to state agencies, state authorities, units of the federal
10 government, local governmental units, tribal schools, individuals, and entities in the
11 private sector through the self-funded portal.

NOTE: SECTIONS 21 to 23 remove references to statutory provisions deleted in
previous SECTIONS.

12 **SECTION 22.** 20.505 (1) (is) of the statutes is amended to read:

13 20.505 (1) (is) *Information technology and communications services; nonstate*
14 *entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2) and (3),
15 and 16.997 (2) (d) ~~and (2g) (a) 3.~~, to provide computer, telecommunications, electronic
16 communications, and supercomputer services, but not enterprise resource planning
17 system services under s. 16.971 (2) (cf), to state authorities, units of the federal
18 government, local governmental units, tribal schools, and entities in the private
19 sector, the amounts in the schedule.

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

21 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.971 (13) to
22 (16) to the extent that these costs are not paid under s. 16.997 (2) (d), ~~except that no~~
23 ~~moneys in the universal service fund may be used to pay installation costs that are~~

