



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1537/P2
MDK:cjs:rs

DOA:.....Boggs, BB0447 - University of Wisconsin access to nonprofit
Internet networks

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

With certain exceptions, current law prohibits the Board of Regents (board) of the UW System from being a member, shareholder, or partner in organizations that provide telecommunications services, including Internet-related services. The prohibition applies beginning July 1, 2013. Unless an exception applies, current law also requires the board to ensure that, beginning on that date, all UW schools, including the UW-Extension (UW schools), are not members, shareholders, or partners in such organizations. Current law includes an exception for organizations that are comprised entirely of universities and university-affiliated research facilities.

This bill creates a new exception for an organization that advances research or higher education. However, the bill specifies that an association called WiscNet does not qualify for the new exception. The bill's new exception applies if the board or a UW school served as a member, shareholder, or partner in the organization on February 1, 2013. The exception also applies to an organization if the DOA secretary determines that the organization advances research or higher education, and the DOA secretary makes that determination prior to the board's or UW school's service

as a member, shareholder, or partner. If the bill's new exception applies, the board or UW-school may use the organization's services. The board or UW school may also participate in the organization's operations or provide certain services to the organization, but only if the participation, or provision of services, is in connection with the board's or UW school's use of the organization's services.

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

SECTION 1. 36.585 (2) of the statutes is amended to read:

36.585 (2) The board may use telecommunications services procured by the board only for the purpose of carrying out its mission. ~~The Except as provided in sub. (3m), the board shall not offer, resell, or provide telecommunications services, that are available from a private telecommunications carrier to the general public or to any other public or private entity.~~

SECTION 2. 36.585 (3) (a) of the statutes is renumbered 36.585 (3), and 36.585 (3) (intro.), as renumbered, is amended to read:

36.585 (3) (intro.) ~~Beginning Except as provided in sub. (3m), beginning July 1, 2013, the board may not be, and shall ensure that no institution or college campus is and that the extension is not, a member, shareholder, or partner in or with any third-party entity or other person that offers, resells, or provides telecommunications services to the general public or to any public or private entity unless at least one of the following applies:~~

SECTION 3. 36.585 (3m) of the statutes is created to read:

36.585 (3m) (a) In this subsection, "third-party entity" does not include WiscNet.

(b) The board, an institution or college campus, or the extension may serve as a member, shareholder, or partner in or with a third-party entity that satisfies any of the following:

1. The third-party entity advances research or higher education and the board, institution, college campus, or extension served as a member, shareholder, or partner in or with the third-party entity on February 1, 2013.

2. Prior to service as a member, shareholder, or partner, the secretary of administration issues a determination to the board, institution, college campus, or extension that the third-party entity advances research or higher education

(c) The board, an institution or college campus, or the extension may use the services of a third-party entity that satisfies par. (b) 1. or 2.

(d) The board, an institution or college campus, or the extension may participate in the operations of, or provide telecommunications services or technical support services to, a third-party entity that satisfies par. (b) 1. or 2., but only in connection with the use of services under par. (c).

(END)