



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2121/1  
MDK/ZDW/FFK:amn

## 2017 ASSEMBLY BILL 123

March 2, 2017 - Introduced by Representatives QUINN, PETRYK, E. BROOKS, TRANEL, BALLWEG, BERNIER, EDMING, FELZKOWSKI, KITCHENS, KRUG, KULP, MURSAU, NERISON, NOVAK, PRONSCHINSKE, RIPP, SNYDER, SPIROS, SUMMERFIELD, TAUCHEN, TUSLER, VANDERMEER, ZIMMERMAN, TITTL, SKOWRONSKI, NYGREN, HORLACHER, SCHRAA, WACHS, CONSIDINE, MEYERS, SPREITZER and ALLEN, cosponsored by Senators MARKLEIN, TESTIN, FEYEN, LASEE, PETROWSKI, OLSEN, DARLING, RINGHAND and TIFFANY. Referred to Committee on Energy and Utilities.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to repeal** 20.505 (4) (t), 20.505 (4) (tm), 20.505 (4) (tu) and 20.505 (4) (tw);  
2           **to renumber** 196.504 (1) (a); **to renumber and amend** 16.994 (2); **to amend**  
3           16.994 (1) (intro.) and (a), 16.994 (3) (intro.), 20.155 (1) (q), 20.155 (3) (r), 20.255  
4           (1) (q), 20.255 (3) (q), 20.255 (3) (qm), 20.255 (3) (r), 20.285 (1) (q), 20.505 (4) (s),  
5           86.07 (2) (a), 118.40 (2r) (e) 2p. a., 196.218 (3) (a) 3. b., 196.218 (5) (a) 10., 196.504  
6           (2) (a) and 196.504 (2) (c); **to repeal and recreate** 20.505 (4) (s) and 118.40 (2r)  
7           (e) 2p. a.; **to create** 16.994 (2) (b), 24.40 (3), 86.16 (6), 196.504 (1) (ab), 196.504  
8           (1) (ad), 196.504 (1) (c) and 196.504 (2) (e) of the statutes; and **to affect** 2015  
9           Wisconsin Act 55, section 800d and 2015 Wisconsin Act 55, section 9401 (1f);  
10          **relating to:** the information technology block grant program, the broadband  
11          expansion grant program, waiving certain fees and appraisals, and making  
12          appropriations.

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***Analysis by the Legislative Reference Bureau***

This bill makes changes to the following: 1) a broadband grant program administered by the Public Service Commission; 2) the authority of the Department

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of Natural Resources and the Department of Transportation regarding certain fees relating to the construction of broadband infrastructure; and 3) the Technology for Educational Achievement program, known as TEACH, which is administered by the Department of Administration.

***Broadband grants***

The bill makes changes to funding for grants made by the PSC for projects to construct broadband infrastructure in underserved areas. Under current law, \$6,000,000 was transferred from the universal service fund (USF) for making the grants, but current law also limits the total grants made in a fiscal year to \$1,500,000. The bill eliminates that limit. The bill also provides additional funding for the grants by doing the following: 1) transferring an additional \$6,000,000 from the USF; 2) transferring \$5,000,000 from moneys received under a federal program for assisting schools and libraries in obtaining telecommunications services and Internet access, which is commonly known as the federal e-rate program; and 3) at the end of each fiscal year, transferring the unencumbered balances from other USF-funded appropriations. Also, beginning in fiscal year 2017-18, the bill allows the PSC to fund its administration of the broadband grant program from contributions made by telecommunications providers to the USF.

The bill also makes changes to the priorities for the PSC to make the grants. One of the priorities under current law is for projects that affect areas with no broadband service providers. The bill repeals that priority and requires that the PSC give priority to projects in an "unserved area" designated by the PSC, which the bill defines as an area of this state that is not served by an Internet service provider offering Internet service that 1) is wired service or fixed wireless service; and 2) is provided at actual speeds of at least 20 percent of the upload and download speed for high-speed, switched, broadband telecommunications capability as designated by the Federal Communications Commission in its annual inquiries regarding advanced telecommunications capability. Another priority under current law is for projects that promote "economic development," which is not defined. This bill defines "economic development" as development designed to promote job growth or retention, expand the property tax base, or improve the overall economic vitality of a town, village, city, county, or region. Also, the bill creates a new priority for projects that will not result in delaying the provision of broadband service to neighboring areas. In addition, the bill requires the PSC to consider the following in evaluating grant applications for proposed projects: 1) the degree to which the projects would duplicate existing broadband infrastructure; 2) impacts on the ability of individuals to access health care services from home and the cost of those services; and 3) impacts on the ability of students to access educational opportunities from home.

***DNR and DOT fees***

The bill prohibits DNR from requiring any appraisal or charging any fee prior to granting an easement for the construction of broadband infrastructure in underserved areas. In addition, the bill prohibits DOT from charging any fee for the initial issuance of any permit necessary to construct broadband infrastructure in underserved areas.

**ASSEMBLY BILL 123*****TEACH program***

Under current law, the TEACH program offers telecommunications access to school districts, private schools, cooperative educational service agencies, technical college districts, independent charter school authorizers, juvenile correctional facilities, private and tribal colleges, and public library boards at discounted rates and by subsidizing the cost of installing data lines and video links. As part of the TEACH program, DOA awards information technology block grants to school districts to improve information technology infrastructure. Under current law, the information technology block grant program ends on July 1, 2017.

This bill delays the sunset of the information technology block grant program until July 1, 2019. The bill also changes the eligibility criteria for these grants from a school district that has 13 pupils per square mile to a school district that has 16 pupils per square mile and a membership of 2,500 or less. In addition, the bill authorizes DOA to award an additional round of information technology block grants before July 1, 2017. These grants are in addition to any grants a school district may have already received under the program during the 2015-17 biennium and therefore do not count towards the maximum amount a school district may receive in a biennium. The bill also consolidates the appropriations for TEACH contracts into a single appropriation. Finally, in fiscal year 2016-17, the bill transfers \$7,500,000 of moneys received under the federal e-rate program to the consolidated appropriation for TEACH contracts.

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

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

1           **SECTION 1.** 16.994 (1) (intro.) and (a) of the statutes are amended to read:  
2           16.994 (1) COMPETITIVE GRANTS. (intro.) In fiscal years 2015-16 ~~and~~, 2016-17,  
3           2017-18, and 2018-19, the department may annually award grants on a competitive  
4           basis to eligible school districts for the purpose of improving information technology  
5           infrastructure. In awarding grants under this section, the department shall give  
6           priority to applications for school districts in which the percentage of pupils who  
7           satisfy the income eligibility criteria under 42 USC 1758 (b) (1) for a free or  
8           reduced-price lunch is greater than in other applicant school districts. The

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1 department shall require an applicant for a grant under this section to provide all  
2 of the following:

3 (a) A description of the specific information technology infrastructure,  
4 including any equipment, that the applicant intends to purchase with grant  
5 proceeds.

6 **SECTION 2.** 16.994 (2) of the statutes is renumbered 16.994 (2) (intro.) and  
7 amended to read:

8 16.994 (2) ELIGIBLE SCHOOL DISTRICTS. (intro.) A school district is eligible for  
9 a grant under this section if the all of the following apply:

10 (a) The school district's membership in the previous school year divided by the  
11 school district's area in square miles is ~~13~~ 16 or less.

12 **SECTION 3.** 16.994 (2) (b) of the statutes is created to read:

13 16.994 (2) (b) The school district's membership in the previous school year was  
14 2,500 or less.

15 **SECTION 4.** 16.994 (3) (intro.) of the statutes is amended to read:

16 16.994 (3) MAXIMUM AWARDS. (intro.) The total amount the department may  
17 award to an eligible school district under sub. (1) during ~~the 2015-17~~ a fiscal  
18 biennium may not exceed the following:

19 **SECTION 5.** 20.155 (1) (q) of the statutes is amended to read:

20 20.155 (1) (q) *Universal telecommunications service; broadband service*. From  
21 the universal service fund, the amounts in the schedule for the promotion of  
22 broadband service and universal telecommunications service for the purposes  
23 specified in s. 196.218 (5) (a) 1., 4., 8. ~~and, 9., and 10.~~ Notwithstanding s. 20.001 (3)  
24 (a), the unencumbered balance on June 30 of each year shall be transferred to the  
25 appropriation account under sub. (3) (r).

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1           **SECTION 6.** 20.155 (3) (r) of the statutes is amended to read:

2           20.155 (3) (r) *Broadband expansion grants.* From the universal service fund,  
3           ~~as a continuing appropriation, the amounts in the schedule~~ all moneys transferred  
4           from the appropriation accounts under sub. (1) (q) and ss. 20.255 (1) (q) and (3) (q),  
5           (qm), and (r), 20.285 (1) (q), and 20.505 (4) (s), under 2015 Wisconsin Act 55, section  
6           9236 (1v), and under 2017 Wisconsin Act ... (this act), section 36 (1) and (2), for  
7           broadband expansion grants under s. 196.504. ~~All moneys transferred under 2015~~  
8           ~~Wisconsin Act 55, section 9236 (1v) shall be credited to this appropriation account.~~

9           **SECTION 7.** 20.255 (1) (q) of the statutes is amended to read:

10           20.255 (1) (q) *Digital learning collaborative.* From the universal service fund,  
11           the amounts in the schedule for a digital learning collaborative for the statewide web  
12           academy and for the delivery of digital content and collaborative instruction under  
13           s. 115.28 (53) and (54). Notwithstanding s. 20.001 (3) (a), the unencumbered balance  
14           on June 30 of each year shall be transferred to the appropriation account under s.  
15           20.155 (3) (r).

16           **SECTION 8.** 20.255 (3) (q) of the statutes is amended to read:

17           20.255 (3) (q) *Periodical and reference information databases; Newsline for the*  
18           *Blind.* From the universal service fund, the amounts in the schedule for the  
19           Newsline for the Blind, provided by the Regional Library for the Blind and Physically  
20           Handicapped, and to contract for periodical and reference information databases  
21           under s. 115.28 (26). Notwithstanding s. 20.001 (3) (a), the unencumbered balance  
22           on June 30 of each year shall be transferred to the appropriation account under s.  
23           20.155 (3) (r).

24           **SECTION 9.** 20.255 (3) (qm) of the statutes is amended to read:

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1           20.255 (3) (qm) *Aid to public library systems.* From the universal service fund,  
2 the amounts in the schedule for state aid to public library systems under s. 43.24.  
3 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
4 shall be transferred to the appropriation account under s. 20.155 (3) (r).

5           **SECTION 10.** 20.255 (3) (r) of the statutes is amended to read:

6           20.255 (3) (r) *Library service contracts.* From the universal service fund, the  
7 amounts in the schedule for library service contracts under s. 43.03 (6) and (7).  
8 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
9 shall be transferred to the appropriation account under s. 20.155 (3) (r).

10          **SECTION 11.** 20.285 (1) (q) of the statutes is amended to read:

11          20.285 (1) (q) *Telecommunications services.* From the universal service fund,  
12 the amounts in the schedule to provide telecommunications services as specified in  
13 s. 196.218 (5) (a) 6. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on  
14 June 30 of each year shall be transferred to the appropriation account under s. 20.155  
15 (3) (r).

16          **SECTION 12.** 20.505 (4) (s) of the statutes is amended to read:

17          20.505 (4) (s) ~~*School districts; telecommunications*~~ *Telecommunications access*  
18 *for educational agencies, infrastructure grants, and teacher training grants.*  
19 Biennially, from the universal service fund, the amounts in the schedule to make  
20 payments to telecommunications providers under contracts under s. 16.971 (13),  
21 (14), and (15) to the extent that the amounts due are not paid from the appropriation  
22 under sub. (1) (is), to make payments to telecommunications providers under  
23 contracts under s. 16.971 (16) to the extent that the amounts due are not paid from  
24 the appropriation under sub. (1) (kL), to make grants to school district consortia  
25 under s. 16.997 (7), to make information technology infrastructure grants under s.

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1     16.994 and 2017 Wisconsin Act ... (this act), section 35, and to make educational  
2     technology teacher training grants under s. 16.996. Notwithstanding s. 20.001 (3)  
3     (b), the unencumbered balance on June 30 of each year shall be transferred to the  
4     appropriation account under s. 20.155 (3) (r).

5             **SECTION 13.** 20.505 (4) (s) of the statutes, as affected by 2017 Wisconsin Act ...  
6     (this act), section 12, is amended to read:

7             20.505 (4) (s) *Telecommunications access for educational agencies,*  
8     *infrastructure grants, and teacher training grants.* Biennially, from the universal  
9     service fund, the amounts in the schedule to make payments to telecommunications  
10    providers under contracts under s. 16.971 (13), (14), and (15) to the extent that the  
11    amounts due are not paid from the appropriation under sub. (1) (is), to make  
12    payments to telecommunications providers under contracts under s. 16.971 (16) to  
13    the extent that the amounts due are not paid from the appropriation under sub. (1)  
14    (kL), to make grants to school district consortia under s. 16.997 (7), to make  
15    information technology infrastructure grants under s. 16.994 ~~and 2017 Wisconsin~~  
16    ~~Act ... (this act), section 35, and to make educational technology teacher training~~  
17    grants under s. 16.996. Notwithstanding s. 20.001 (3) (b), the unencumbered balance  
18    on June 30 of each year shall be transferred to the appropriation account under s.  
19    20.155 (3) (r).

20            **SECTION 14.** 20.505 (4) (s) of the statutes, as affected by 2017 Wisconsin Act ...  
21    (this act), section 13, is repealed and recreated to read:

22            20.505 (4) (s) *Telecommunications access for educational agencies and teacher*  
23    *training grants.* Biennially, from the universal service fund, the amounts in the  
24    schedule to make payments to telecommunications providers under contracts under  
25    s. 16.971 (13), (14), and (15) to the extent that the amounts due are not paid from the

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1 appropriation under sub. (1) (is), to make payments to telecommunications providers  
2 under contracts under s. 16.971 (16) to the extent that the amounts due are not paid  
3 from the appropriation under sub. (1) (kL), to make grants to school district consortia  
4 under s. 16.997 (7), and to make educational technology teacher training grants  
5 under s. 16.996. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on  
6 June 30 of each year shall be transferred to the appropriation account under s. 20.155  
7 (3) (r).

8 **SECTION 15.** 20.505 (4) (t) of the statutes is repealed.

9 **SECTION 16.** 20.505 (4) (tm) of the statutes is repealed.

10 **SECTION 17.** 20.505 (4) (tu) of the statutes is repealed.

11 **SECTION 18.** 20.505 (4) (tw) of the statutes is repealed.

12 **SECTION 19.** 24.40 (3) of the statutes is created to read:

13 24.40 (3) Notwithstanding s. 28.02 (5) or any contrary rule promulgated by the  
14 department, if the department grants an easement under sub. (1) for the  
15 construction of broadband infrastructure in underserved areas, as designated under  
16 s. 196.504 (2) (d), the department may not require any appraisal or the payment of  
17 any fee to secure the easement.

18 **SECTION 20.** 86.07 (2) (a) of the statutes is amended to read:

19 86.07 (2) (a) Subject to par. (b) and s. 86.16 (1m) (a) 2. and (c) and (6), no person  
20 shall make any excavation or fill or install any culvert or make any other alteration  
21 in any highway or in any manner disturb any highway or bridge without a permit  
22 therefor from the highway authority maintaining the highway. Such permit shall  
23 contain the statement and be subject to the condition that the work shall be  
24 constructed subject to such rules and regulations as may be prescribed by said  
25 authority and be performed and completed to its satisfaction, and in the case of



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1 temporary alterations that the highway or bridge shall be restored to its former  
2 condition, and that the permittee shall be liable to the town or county or state, as the  
3 case may be, for all damages which occur during the progress of said work or as a  
4 result thereof. Nothing herein shall abridge the right of the department, the county  
5 board or its highway committee, or any other local authority to make such additional  
6 rules, regulations and conditions not inconsistent herewith as may be deemed  
7 necessary and proper for the preservation of highways, or for the safety of the public,  
8 and to make the granting of any such permit conditional thereon. If any culvert is  
9 installed or any excavation or fill or any other alteration is made in violation of the  
10 provisions of this paragraph, the highway or bridge may be restored to its former  
11 condition by the highway authority in charge of the maintenance thereof at the  
12 expense of the violator; and any person who violates this paragraph shall be  
13 punished by a fine of not less than \$50 nor more than \$500, or by imprisonment not  
14 exceeding 6 months, or both.

15 **SECTION 21.** 86.16 (6) of the statutes is created to read:

16 86.16 (6) If the department consents under sub. (1) to the construction of  
17 broadband infrastructure in underserved areas, as designated under s. 196.504 (2)  
18 (d), the department may not charge any fee for the initial issuance of any permit  
19 necessary to construct broadband infrastructure along, across, or within the limits  
20 of a highway.

21 **SECTION 22.** 118.40 (2r) (e) 2p. a. of the statutes is amended to read:

22 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year  
23 under s. 20.255 (2), except s. 20.255 (2) (ac), (bb), (fm), (fr), (fu), (k), and (m); s. 20.285  
24 (1) (r) and (rc); and s. 20.505 (4) (es); and the amount, as determined by the secretary  
25 of administration, of the appropriation under s. 20.505 (4) (s) allocated for payments

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1 to telecommunications providers under contracts with school districts and  
2 cooperative educational service agencies under s. 16.971 (13), for grants to school  
3 district consortia under s. 16.997 (7), and to make educational technology teacher  
4 training grants under s. 16.996.

5 **SECTION 23.** 118.40 (2r) (e) 2p. a. of the statutes, as affected by 2015 Wisconsin  
6 Act 55 and 2017 Wisconsin Act ... (this act), is repealed and recreated 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), (bb), (fm), (fr), (fu), (k), and (m); and s.  
9 20.505 (4) (es); and the amount, as determined by the secretary of administration,  
10 of the appropriation under s. 20.505 (4) (s) allocated for payments to  
11 telecommunications providers under contracts with school districts and cooperative  
12 educational service agencies under s. 16.971 (13), for grants to school district  
13 consortia under s. 16.997 (7), and to make educational technology teacher training  
14 grants under s. 16.996.

15 **SECTION 24.** 196.218 (3) (a) 3. b. of the statutes is amended to read:

16 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (1) (q) and (3)  
17 (q), (qm), and (r), 20.285 (1) (q), and 20.505 (4) (s), ~~(t)~~, ~~(tm)~~, ~~(tu)~~, and ~~(tw)~~.

18 **SECTION 25.** 196.218 (5) (a) 10. of the statutes is amended to read:

19 196.218 (5) (a) 10. To make broadband expansion grants and administer the  
20 program under s. 196.504.

21 **SECTION 26.** 196.504 (1) (a) of the statutes is renumbered 196.504 (1) (ac).

22 **SECTION 27.** 196.504 (1) (ab) of the statutes is created to read:

23 196.504 (1) (ab) "Economic development" has the meaning given in s. 196.796  
24 (1) (c).

25 **SECTION 28.** 196.504 (1) (ad) of the statutes is created to read:

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1           196.504 (1) (ad) “Fixed wireless service” has the meaning given in s. 77.51  
2 (3rn), except that it does not include mobile wireless service, as defined in s. 77.51  
3 (7k), or telecommunications services, as defined in s. 77.51 (21n), transmitted  
4 through the use of satellite.

5           **SECTION 29.** 196.504 (1) (c) of the statutes is created to read:

6           196.504 (1) (c) “Unserved area” means an area of this state that is not served  
7 by an Internet service provider offering Internet service that is all of the following:

- 8           1. Fixed wireless service or wired service.
- 9           2. Provided at actual speeds of at least 20 percent of the upload and download  
10 speeds for high-speed, switched, broadband telecommunications capability as  
11 designated by the federal communications commission in its inquiries regarding  
12 advanced telecommunications capability under 47 USC 1302 (b).

13           **SECTION 30.** 196.504 (2) (a) of the statutes is amended to read:

14           196.504 (2) (a) To make broadband expansion grants to eligible applicants for  
15 the purpose of constructing broadband infrastructure in underserved areas  
16 designated under par. (d). Grants awarded under this section shall be paid from the  
17 ~~appropriation~~ appropriations under s. 20.155 (1) (q) and (3) (r). ~~In each fiscal year,~~  
18 ~~the total amount of the grants may not exceed \$1,500,000.~~

19           **SECTION 31.** 196.504 (2) (c) of the statutes is amended to read:

20           196.504 (2) (c) To establish criteria for evaluating applications and awarding  
21 grants under this section. The criteria shall prohibit grants that have the effect of  
22 subsidizing the expenses of a provider of telecommunications service, as defined in  
23 s. 182.017 (1g) (cq), or the monthly bills of customers of those providers. The criteria  
24 shall give priority to projects that include matching funds, that involve  
25 public-private partnerships, that affect areas with no broadband service providers

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1 unserved areas, that are scalable, that promote economic development, that will not  
2 result in delaying the provision of broadband service to areas neighboring areas to  
3 be served by the proposed project, or that affect a large geographic area or a large  
4 number of underserved individuals or communities. When evaluating grant  
5 applications under this section, the commission shall consider the degree to which  
6 the proposed projects would duplicate existing broadband infrastructure,  
7 information about the presence of which is provided to the commission by the  
8 applicant or another person within a time period designated by the commission; the  
9 impacts of the proposed projects on the ability of individuals to access health care  
10 services from home and the cost of those services; and the impacts of the proposed  
11 projects on the ability of students to access educational opportunities from home.

12 **SECTION 32.** 196.504 (2) (e) of the statutes is created to read:

13 196.504 (2) (e) To designate areas of the state as unserved areas.

14 **SECTION 33.** 2015 Wisconsin Act 55, section 800d is repealed.

15 **SECTION 34.** 2015 Wisconsin Act 55, section 9401 (1f) is amended to read:

16 [2015 Wisconsin Act 55] Section 9401 (1f) INFORMATION TECHNOLOGY BLOCK  
17 GRANTS; SUNSET. The treatment of sections ~~20.505 (4) (s) (by SECTION 800d)~~ and section  
18 196.218 (5) (a) 12. (by SECTION 3532d) of the statutes and the repeal of section 16.994  
19 of the statutes take effect on July 1, ~~2017~~ 2019.

20 **SECTION 35. Nonstatutory provisions.**

21 (1) ADDITIONAL ONE-TIME INFORMATION TECHNOLOGY INFRASTRUCTURE BLOCK  
22 GRANTS.

23 (a) Before July 1, 2017, from the appropriation under section 20.505 (4) (s) of  
24 the statutes, the department of administration may award grants on a competitive  
25 basis to eligible school districts for the purpose of improving information technology

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1 infrastructure. In awarding grants under this subsection, the department of  
2 administration shall give priority to applications for school districts in which the  
3 percentage of pupils who satisfy the income eligibility criteria under 42 USC 1758  
4 (b) (1) for a free or reduced-price lunch is greater than in other applicant school  
5 districts. The department of administration shall require an applicant for a grant  
6 under this subsection to provide all of the following:

7 1. A description of the specific information technology infrastructure, including  
8 any equipment, that the applicant intends to purchase with grant proceeds.

9 2. The applicant's plan to purchase, install, and use the information technology  
10 infrastructure described in subdivision 1.

11 3. A description of the applicant's readiness to use information technology  
12 infrastructure purchased with grant proceeds.

13 (b) A school district is eligible for a grant under this subsection if all of the  
14 following apply:

15 1. The school district's membership in the previous school year divided by the  
16 school district's area in square miles is 16 or less.

17 2. The school district's membership in the previous school year was 2,500 or  
18 less.

19 (c) The total amount the department of administration may award to an eligible  
20 school district under this subsection may not exceed the following:

21 1. If the membership of the eligible school district is fewer than 750 pupils,  
22 \$30,000.

23 2. If the membership of the eligible school district is 750 pupils to 1,500 pupils,  
24 \$40 multiplied by the school district's membership.

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1           3. If the membership of the eligible school district is more than 1,500 pupils,  
2           \$60,000.

3           (d) The department of administration may not count a grant awarded under  
4           this subsection towards the maximum amount a school district may receive under  
5           section 16.994 (3) of the statutes.

**SECTION 36. Fiscal changes.**

7           (1) There is transferred from the universal service fund to the appropriation  
8           account under section 20.155 (3) (r) of the statutes \$6,000,000 in the 2016-17 fiscal  
9           year.

10          (2) There is transferred from the appropriation account under section 20.505  
11          (4) (mp) of the statutes to the appropriation account under section 20.155 (3) (r) of  
12          the statutes \$5,000,000 in the 2016-17 fiscal year.

13          (3) There is transferred from the appropriation account under section 20.505  
14          (4) (mp) of the statutes to the universal service fund \$7,500,000 in fiscal year  
15          2016-17.

16          (4) In the schedule under section 20.005 (3) of the statutes for the appropriation  
17          to the department of administration under section 20.505 (4) (s) of the statutes, the  
18          dollar amount for fiscal year 2016-17 is increased by \$7,500,000 for the purpose for  
19          which the appropriation is made.

**SECTION 37. Initial applicability.**

21          (1) FEE WAIVERS. The treatment of sections 24.40 (3) and 86.16 (6) of the statutes  
22          first applies to easements granted or construction permits issued on the effective  
23          date of this subsection.

24          **SECTION 38. Effective dates.** This act takes effect on the day after publication,  
25          except as follows:

