

**2001 Jr2 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-AB1)**

Received: **03/28/2002**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus 6-2257**

By/Representing: **Engel**

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

Drafter: **kuesejt**

May Contact:

Addl. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

SCC:.....Engel - CN5523,

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**Topic:**

Department of Electronic Government abolished

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**Instructions:**

Per attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 04/01/2002			_____			
/1		csicilia 04/03/2002	pgreensl 04/03/2002	_____	lrb_docadmin 04/03/2002		
/2	kuesejt 04/03/2002	csicilia 04/04/2002	jfrantze 04/04/2002	_____	lrb_docadmin 04/04/2002		

FE Sent For:

<END>

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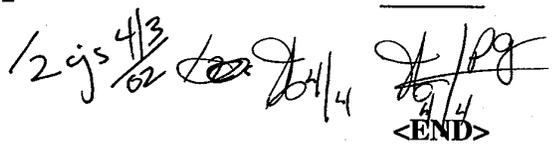
**Instructions:**

Per attached.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 04/01/2002			_____			
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/2	kuesejt 04/03/2002	lrb_editor		_____			

FE Sent For:

12 gjs 4/3/02  
  
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**Pre Topic:**

SCC:.....Engel - CN5523,

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**Topic:**

Department of Electronic Government abolished; use of consultants restricted

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**Instructions:**

Per attached.

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**Drafting History:**

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/?	kuesejt 04/01/2002			_____			
/1		csicilia 04/03/2002	pgreensl 04/03/2002	_____	lrb_docadmin 04/03/2002		

FE Sent For:

<END>

**NOTE**

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By/Representing: **Engel**

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May Contact:

Addl. Drafters:

Subject: **State Government - miscellaneous**

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**Instructions:**

Per attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	kuesejt	1 cjs 4/2 02	4/2 pg	4/2 pg/LE			

FE Sent For:

<END>

Electronic Government

Eliminate the Department of Electronic Government and recreate it as the Division of Electronic Government in DOA. Eliminate the positions of Secretary, Deputy Secretary, and executive assistant.

CN 5523

JTK

ELECTRONIC GOVERNMENT

JTK

Program Revenue Lapse Relating to Use of Independent Consultants

Motion:

Prohibit Department of Electronic Government from contracting with independent consultants for routine work already being performed or could be performed by state employees. Require DEG to lapse to the general fund \$11.4 million annually relating to contracting costs from its printing, mail processing, and info tech processing services appropriation in 2001-2002 and 2002-2003.

---

Note:

A March 26, 2002, Wisconsin State Journal article reported, despite a Legislative Audit Bureau report critical of the state's use of costly IT consultants, the Department of Electronic Government continues to spend over 40% of its personnel budget on the same high-priced contract work. The Legislative Audit Bureau reported in March 2001 that:

- "Consultants are regularly retained for routine, ongoing responsibilities that are also being performed by state employees."
- "We noted several instances in which consultants had been retained in an agency for more than four consecutive years. In one case, an hourly contractor worked full-time in an agency for nine years. Contractors have been paid hourly rates that range from \$18 to \$195."
- "We reviewed a sample of 32 hourly contractors who were performing functions similar to those of state IT employees and found that 29 cost more than state employees. In four cases, the contractors were paid more than twice the hourly rate for comparable state employees."
- "State IT employees also occasionally resign from their state positions only to return immediately as contractors at higher pay. We identified seven examples of former IT employees returning to state agencies as hourly contractors. In each case the contracted hourly salary was more than twice the employee's former state salary, and in three cases it was more than three times greater."

[Fiscal Effect: \$22,800,000 PR lapse and \$22,800,000 GPR-REV]

CN 6117

**Kuesel, Jeffery**

---

**From:** Engel, Andy  
**Sent:** Thursday, March 28, 2002 10:51 AM  
**To:** Kuesel, Jeffery  
**Subject:** RE: CN 6117 - DEG Independent consultants

That sounds fine,

Thanks

-----Original Message-----

**From:** Kuesel, Jeffery  
**Sent:** Wednesday, March 27, 2002 8:02 PM  
**To:** Engel, Andy  
**Subject:** CN 6117 - DEG Independent consultants

Andy,

The above amendment limits DEG's use of consultants and lapses funding for DEG's consulting services while CN 5523 would abolish DEG entirely. Unless you want something different, I will try instead, when drafting CN 6117, to limit the use of consultants by the proposed division of electronic government in DEG and take the lapse from the proposed DOA division of electronic government's appropriation. I will then not do CN 6117 as a separate draft.

*Jeffery Kuesel  
Managing Attorney  
Wisconsin Legislative Reference Bureau  
P.O.Box 2037  
Madison WI 53701-2037  
(608) 266-6778  
jeffery.kuesel@legis.state.wi.us*

2001

Date (time) needed

DATE  
5/8/01

LRB b 2900, 1

**CAUCUS BUDGET AMENDMENT**  
**[CAUCUS AMDTS. ONLY]**

JTK: CS:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

*SA ✓  
x-reb?  
new centers?*

**CAUCUS AMENDMENT**  
**TO SENATE SUBSTITUTE AMENDMENT 1**  
**TO 2001 SPECIAL SESSION ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

#. Page . . . . , line . . . . :

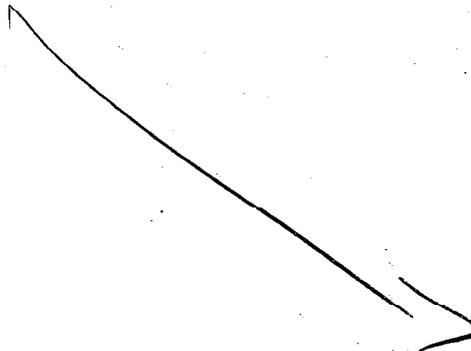
#. Page . . . . , line . . . . :

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#. Page . . . . , line . . . . :



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb2900/lins  
JTK.....

# Page 5, line 4: after that line insert:

SECTION 13.101 (14) of the statutes, as affected by 2001 Wisconsin Act 16,  
is amended to read:

13.101 (14) With the concurrence of the joint committee on information policy and technology, direct the department of ~~electronic government~~ administration to report to the committee concerning any specific information technology system project in accordance with s. 13.58 (5) (b) 4.

History: 1975 c. 39, 199, 224; 1977 c. 29 ss. 1649, 1656 (15); 1979 c. 1; 1979 c. 34 ss. 1b to 1g, 631j to 631s, 2102 (43) (a), (52) (a); 1979 c. 221; 1981 c. 20 ss. 3d to 3v; 1983 a. 27 ss. 5p to 7, 2202 (20) and (42); 1983 a. 538; 1985 a. 29 ss. 22, 3202 (51); 1987 a. 4; 1989 a. 31, 336, 366; 1991 a. 39, 309; 1993 a. 16, 184, 414; 1995 a. 27, 132, 225, 227, 445; 1997 a. 27, 35, 113, 252; 1999 a. 9, 29; 2001 a. 16, 38.

# Page 8, line 2: after that line insert:  
SECTION 13.58 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic government~~ administration, the joint committee on legislative organization and the director of state courts, review and transmit comments concerning the plans to the entities submitting the plans.

History: 1991 a. 317; 1995 a. 27; 1997 a. 27; 1999 a. 29, 185; 2001 a. 16.

SECTION 13.58 (5) (b) 4. (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance, direct the department of ~~electronic government~~ administration to report semiannually to the committee and the joint committee on finance concerning any specific information technology system project which is being designed, developed, tested or implemented and which the committees anticipate will have a total cost to the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The report shall include all of the following:

History: 1991 a. 317; 1995 a. 27; 1997 a. 27; 1999 a. 29, 185; 2001 a. 16.

#/age 8, line 8. after that line insert.

11 SECTION 13.90

SECTION 13.90 (6) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

13.90 (6) The joint committee on legislative organization shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the ~~chief information officer~~ administrator of the division of electronic government in the department of administration, no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall address the business needs of the legislature and legislative service agencies and shall identify all resources relating to information technology which the legislature and legislative service agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the legislature and legislative service agencies under the plan.

History: 1971 c. 215; 1973 c. 90; 1975 c. 224, 421; 1977 c. 449; 1979 c. 34 ss. 7d to 7s, 2102 (32) (b); 1981 c. 372 s. 18; 1983 a. 27, 308; 1985 a. 29, 332; 1987 a. 27; 1989 a. 31, 359, 366; 1993 a. 52; 1995 a. 27, 162, 417; 1997 a. 27, 237; 1999 a. 4, 29, 81; 2001 a. 16.

SECTION 13.93 (2) (h) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

13.93 (2) (h) Approve specifications and scheduling for computer databases containing the Wisconsin statutes and for the printing of the Wisconsin statutes as prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

History: 1973 c. 38, 90; 1975 c. 94; 1979 c. 34, 110, 204, 221, 323; 1979 c. 355 ss. 40, 41; 1981 c. 372 s. 18; 1983 a. 192; 1983 a. 544 ss. 1, 47 (2); 1985 a. 29; 1985 a. 182 s. 57; 1987 a. 403 s. 256; 1991 a. 32, 39, 214, 285; 1993 a. 52; 1995 a. 106; 1997 a. 27; 1999 a. 185; 2001 a. 16.

SECTION 14.20 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97

(7). *"*  
*# page 8, line 21: after that line insert:*

History: 1997 a. 27; 1999 a. 9; 2001 a. 16.

*13m*  
SECTION *13m* 15.07 (2) (L) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

15.07 (2) (L) The governor shall serve as chairperson of the information technology management board and the ~~chief information officer administrator of the~~ division of electronic government in the department of administration shall serve as secretary of that board.

History: 1971 c. 100 s. 23; 1971 c. 125, 261, 270, 323; 1973 c. 90, 156, 299, 334; 1975 c. 39, 41, 422; 1977 c. 29 ss. 24, 26, 1650m (3); 1977 c. 203, 277, 418, 427; 1979 c. 34, 110, 221, 346; 1981 c. 20, 62, 94, 96, 156, 314, 346, 374, 391; 1983 a. 27, 282, 403; 1985 a. 20, 29, 316; 1987 a. 27, 119, 142, 354, 399, 403; 1989 a. 31, 102, 114, 219, 299, 340; 1991 a. 23, 39, 116, 221, 269, 316; 1993 a. 16, 75, 102, 184, 349, 399, 490; 1995 a. 21, 216, 247; 1997 a. 27; 1999 a. 9, 44, 181, 197; 2001 a. 16.

*13p*  
SECTION *13p* 15.103 (6) of the statutes is created to read:

15.103 (6) There is created in the department of administration a division of electronic government. *"*

*# page 10, line 6: after that line insert:*

*14b*  
SECTION *14b* 15.107 (7) (f) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

15.107 (7) (f) A representative of the ~~department~~ division of electronic government in the department of administration. *"*

*# page 10, line 8:*

History: 1971 c. 215; 1973 c. 90; 1977 c. 29, 419; 1979 c. 34; 1979 c. 361 s. 112; 1981 c. 20, 62, 237; 1983 a. 27, 393, 410; 1985 a. 29, 84; 1987 a. 27, 142; 1989 a. 31; 1991 a. 32 s. 17; 1991 a. 39, 170, 269; 1995 a. 27, ss. 119, 120 and 9116 (5); 1995 a. 227, 433, 442; 1997 a. 27, 35, 231; 1999 a. 9; 2001 a. 16, 38.

*14g*  
SECTION *14g* 15.21 of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

*after that line insert.*

*14h*  
SECTION *14h* 15.215 (intro.) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

*14i*  
SECTION *14i* 15.215 (1) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 15.105 (27) and amended to read:

15.105 (27) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an information technology management board which is attached to the department of

electronic government administration under s. 15.03. The board shall consist of the governor, the cochairpersons of the joint committee on information policy and technology or a member of the legislature from the same house as a cochairperson designated by that cochairperson, one member of the minority party in each house of the legislature, appointed in the same manner as members of standing committees are appointed, the secretary of administration, 2 heads of departments or independent agencies appointed to serve at the pleasure of the governor, 2 other members appointed to serve for 4-year terms, and the ~~chief information officer~~ administrator of the division of electronic government in the department of administration. ))

# Page 11, line 2: after that line insert:  
 (( SECTION 16.43 of the statutes is amended to read:  
 17M

as affected by 2001 Wisconsin Act 16, ✓

**16.43 Budget compiled.** The secretary shall compile and submit to the governor or the governor-elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof. The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project for an executive branch agency that is not consistent with the strategic plan of the agency, as approved under s. ~~22.13~~ 16.976. ))

# Page 11, line 9: after that line insert:  
 History: 1977 c. 29; 1981 c. 20; 2001 a. 16.  
 → SECTION 16.61 (2) (af) of the statutes, as affected by 2001 Wisconsin Act 16,  
 20M

is amended to read:

**16.61 (2) (af) "Form"** has the meaning specified in s. ~~22.01~~ 16.97 (5p).

History: 1975 c. 41 ss. 15, 52; 1975 c. 198 s. 65; 1975 c. 199; Stats. 1975 s. 16.61; 1977 c. 418; 1979 c. 32, 79, 93; 1979 c. 361 s. 113; 1981 c. 335; 1981 c. 350 ss. 9 to 12, 13; 1981 c. 391; 1983 a. 27, 524; 1985 a. 180 ss. 5 to 17, 30m; 1985 a. 332 s. 251 (1); 1987 a. 147 ss. 1 to 16, 25; 1987 a. 186; 1989 a. 31, 107, 248, 359; 1991 a. 39, 185, 269, 285, 315; 1993 a. 172, 213; 1995 a. 27 ss. 309 to 347, 9126 (19); 1995 a. 216, 225; 2001 a. 16.

20p

SECTION ~~16.61~~ 16.61 (3n) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints about the forms specified in s. ~~22.03~~ 16.971 (2m).

History: 1975 c. 41 ss. 15, 52; 1975 c. 198 s. 65; 1975 c. 199; Stats. 1975 s. 16.61; 1977 c. 418; 1979 c. 32, 79, 93; 1979 c. 361 s. 113; 1981 c. 335; 1981 c. 350 ss. 9 to 12, 13; 1981 c. 391; 1983 a. 27, 524; 1985 a. 180 ss. 5 to 17, 30m; 1985 a. 332 a. 251 (1); 1987 a. 147 ss. 1 to 16, 25; 1987 a. 186; 1989 a. 31, 107, 248, 359; 1991 a. 39, 185, 269, 285, 315; 1993 a. 172, 213; 1995 a. 27 ss. 309 to 347, 9126 (19); 1995 a. 216, 225; 2001 a. 16.

SECTION ~~16.70~~ 16.70 (4m) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

16.70 (4m) "Information technology" has the meaning given in s. ~~22.01~~ 16.97 (6).

History: 1971 c. 164; 1975 c. 41 s. 52; 1977 c. 29; 1979 c. 34, 221; 1983 a. 27, 106; 1985 a. 29 ss. 122a to 122f, 3200 (1); 1987 a. 292, 399; 1989 a. 335; 1991 a. 39, 189; 1993 a. 263, 399; 1995 a. 27, 56; 1997 a. 27; 1999 a. 65, 167; 2001 a. 16, 38.

SECTION ~~16.70~~ 16.70 (15) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

16.70 (15) "Telecommunications" has the meaning given in s. ~~22.01~~ 16.97 (10).

History: 1971 c. 164; 1975 c. 41 s. 52; 1977 c. 29; 1979 c. 34, 221; 1983 a. 27, 106; 1985 a. 29 ss. 122a to 122f, 3200 (1); 1987 a. 292, 399; 1989 a. 335; 1991 a. 39, 189; 1993 a. 263, 399; 1995 a. 27, 56; 1997 a. 27; 1999 a. 65, 167; 2001 a. 16, 38.

SECTION ~~16.71~~ 16.71 (1m) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

16.71 (1m) The department shall not enter into any contract for contractual services to be provided to the division of electronic government if the services to be provided under the contract have been provided or could be provided by state employees. The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the chief information officer administrator of the division of electronic government. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract

without review and approval of the contract by the ~~chief information officer~~  
administrator of the division of electronic government. The administrator shall not  
approve any contract for contractual services to be provided to an agency if the  
department would be precluded from entering into that contract under this  
subsection.

History: 1977 c. 418; 1983 a. 333; 1985 a. 29, 300; 1987 a. 119; 1989 a. 31; 1991 a. 39, 269; 1995 a. 27; 1997 a. 27; 1999 a. 105; 2001 a. 16.

~~SECTION 16.71 (2m)~~ <sup>2015d</sup> of the statutes, as created by 2001 Wisconsin Act 16, ✓

is repealed.

~~SECTION 16.71 (4)~~ <sup>20SP</sup> of the statutes, as affected by 2001 Wisconsin Act 16, ✓

amended to read:

16.71 (4) ~~With the approval of the department of electronic government, the~~  
The department of administration shall delegate authority to the technology for  
educational achievement in Wisconsin board to make purchases of educational  
technology equipment for use by school districts, cooperative educational service  
agencies and public educational institutions in this state, upon request of the board.

History: 1977 c. 418; 1983 a. 333; 1985 a. 29, 300; 1987 a. 119; 1989 a. 31; 1991 a. 39, 269; 1995 a. 27; 1997 a. 27; 1999 a. 105; 2001 a. 16.

~~SECTION 16.72 (2) (a)~~ <sup>20t</sup> of the statutes is amended to read:

as affected  
by 2001  
Wisconsin Act  
16 ✓

16.72 (2) (a) The department of ~~administration~~ shall prepare standard  
specifications, as far as possible, for all state purchases. By "standard specifications"  
is meant a specification, either chemical or physical or both, prepared to describe in  
detail the article which the state desires to purchase, and trade names shall not be  
used. On the formulation, adoption and modification of any standard specifications,  
the department of administration shall also seek and be accorded without cost, the  
assistance, advice and cooperation of other agencies and officers. Each specification  
adopted for any commodity shall, insofar as possible, satisfy the requirements of any  
and all agencies which use it in common. Any specifications for the purchase of

materials, supplies, equipment, or contractual services for information technology or telecommunications purposes are subject to the approval of the ~~chief information officer~~ administrator of the division of electronic government.

SECTION ~~3~~ 16.72 (2) (b) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: ✓

16.72 (2) (b) Except as provided in ~~par. (a) and~~ ss. 16.25 (4) (b), 16.751 and 565.25 (2) (a) 4., the department shall prepare or review specifications for all materials, supplies, equipment, other permanent personal property and contractual services not purchased under standard specifications. Such "nonstandard specifications" may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; 1999 a. 9, 32, 105; 2001 a. 16.  
History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; 1999 a. 9, 32, 105; 2001 a. 16.

SECTION ~~3~~ 16.72 (4) (a) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: ✓

16.72 (4) (a) Except as provided in ~~ss. 16.71 and s.~~ 16.74 or as otherwise provided in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such

requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by ~~the department of electronic government~~, the legislature, the courts or legislative service or judicial branch agencies do not require approval under this paragraph.

as affected by 2001 Wisconsin Act 16,

History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; 1999 a. 9, 32, 105; 2001 a. 16.

SECTION ~~16.75~~ <sup>20+5</sup> 16.75 (3t) (a) of the statutes is amended to read:

16.75 (3t) (a) In this subsection, "form" has the meaning given under s. ~~22.01~~ 22.01 16.97 (5p).

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38.

SECTION ~~16.75~~ <sup>204</sup> 16.75 (6) (am) of the statutes, as affected by 2001 Wisconsin Act

16, is amended to read:

16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the ~~department~~ division of electronic government. Annually not later than October 1, the ~~department~~ division of electronic government shall report to the ~~department of administration~~ secretary, in the form specified by the secretary, concerning all procurements by the ~~department of electronic government~~ division during the preceding fiscal year that were not made in accordance with the requirements of subs. (1) and (3t).

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38.

SECTION ~~16.752~~ <sup>204c</sup> 16.752 (12) (i) of the statutes, as affected by 2001 Wisconsin Act

16, is amended to read:

16.752 (12) (i) Paragraph (a) does not apply to procurements by the ~~department~~ division of electronic government.

History: 1989 a. 345; 1991 a. 32, 39; 1993 a. 16, 17; 1995 a. 27 ss. 383b, 384, 9116 (5); 2001 a. 16.

~~SECTION 16.78~~ 204L

SECTION 16.78 of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

**16.78 Purchases from ~~department~~ division of electronic government.**

(1) Every agency other than the board of regents of the University of Wisconsin System ~~and or~~ or an agency making purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the ~~department~~ division of electronic government, unless the ~~department~~ division of electronic government requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 22.05 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The board of regents of the University of Wisconsin System may make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the ~~department~~ division of electronic government.

Note: Note: 2001 Wis. Act 16 inserted the single bracketed language without showing it as underscored and deleted the double bracketed language without showing it as stricken. No change was intended. Corrective legislation is pending. Note:

(2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of materials, supplies, equipment, or contractual services by any agency from the ~~department~~ division of electronic government under sub. (1).

History: 1991 a. 39; 2001 a. 16.  
History: 2001 a. 16.

**SECTION 16.97 Subchapter VII (title) of chapter 16 [precedes] of the statutes,**

as affected by 2001 Wisconsin Act 16, is amended to read:

**CHAPTER 16**

23C  
T.M.A.M.T.H.  
16.97

SUBCHAPTER VII

hard return

EDUCATIONAL TECHNOLOGY/ELECTRONIC GOVERNMENT

FIX COMPONENT



SECTION 16.97 of the statutes, as affected by 2001 Wisconsin Act 16, is repealed and recreated to read:

SECTION 16.97 (1) and (5) of the statutes are created to read:

(B) Definitions. In this subchapter:  
(A)

16.97 (1) "Administrator" means the administrator of the division.

(5) "Division" means the division of electronic government.

SECTION 16.974 (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is repealed.

SECTION 16.974 (1) to (4) of the statutes are renumbered 16.971 (13) to (16).

SECTION 19.36 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s. 22.03 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided in s. 19.35 or this section.

Page 12, line 15: after that line insert:

History: 1981 c. 335; 1985 a. 236; 1991 a. 39, 269, 317; 1993 a. 93; 1995 a. 27; 2001 a. 16.

(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD.

(is) Information technology and telecommunications

services; nonstate entities PR A -0- -0-

(it) Electronic communications services; nonstate

entities PR A -0- -0-

(kg) Electronic communications services; state

WPS:  
use correct X:ch20 components especially check here and here



LPS:  
Check  
for  
correct  
ch 20  
components  
especially  
here  
here  
and  
here

agencies	PR-S A	-0-	-0-
(kL) Printing, mail processing, and information			
technology processing services to agencies	PR-S A	-0-	-0-
(kr) Information technology development and			
management services	PR-S A	-0-	-0-

# Page 13, line 13: after that line insert:  
 SECTION 20.225 (1) (kb) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.225 (1) (kb) *Emergency weather warning system operation.* From the moneys received by the department of electronic government administration for the provision of state telecommunications to state agencies, the amounts in the schedule for the operation of the emergency weather warning system under s. 39.11 (21).

History: 1971 c. 125; 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1981 c. 20; 1985 a. 29 ss. 210m, 212, 3202 (15) (a); 1987 a. 399; 1989 a. 31; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16.

# Page 14, line 6: after that line insert:  
 SECTION 20.275 (1) (s) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are not paid from the appropriation under s. ~~20.530~~ 20.530 (1) (is); prior to January 1, 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999-2000 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin Act 9, section 9148 (4w).

Note: NOTE: There is no s. 20.530 (1) (is). Corrective legislation is pending. Note:

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16.  
 SECTION 20.275 (1) (t) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.275 (1) (t) *Telecommunications access; private and technical colleges and libraries.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. ~~16.974 (2)~~ 16.971 (14) to the extent that the amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is).

Note: NOTE: There is no s. 20.530 (1) (is). Corrective legislation is pending. Note:

History: 1997 a. 27, 237; 1999 a. 9, 2001 a. 16.

SECTION ~~20.~~ <sup>32h</sup> 20.275 (1) (tm) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is) and, prior to January 1, 2006, to make grants to private schools under s. 44.73 (6).

Note: NOTE: There is no s. 20.530 (1) (is). Corrective legislation is pending. Note:

History: 1997 a. 27, 237; 1999 a. 9, 2001 a. 16.

SECTION ~~20.~~ <sup>32j</sup> 20.275 (1) (tu) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.275 (1) (tu) *Telecommunications access; state schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. ~~16.974 (4)~~ 16.971 (16) to the extent that the amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (kL).

Note: NOTE: There is no s. 20.530 (1) (kL). Corrective legislation is pending. Note:

History: 1997 a. 27, 237; 1999 a. 9, 2001 a. 16.

SECTION ~~20.~~ <sup>32L</sup> 20.275 (1) (tw) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

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xtra  
space;  
check to  
make sure  
component  
is correct

20.275 (1) (tw) *Telecommunications access; secured correctional facilities.*

Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke). "

# Page 17, line 24. after that line insert:  
SECTION ~~20.505~~ (1) (im) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items that are provided primarily to purchasers other than state agencies and to transfer to the appropriation account under par. (kc) the amounts received from school districts under s. 16.85 (15). All moneys received from the sale of services, other than services provided under par. (is), and inventory items which are provided primarily to purchasers other than state agencies shall be credited to this appropriation account.

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. 296a, 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; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905.

SECTION ~~20.505~~ (1) (is) of the statutes is created to read:

20.505 (1) (is) *Information technology and telecommunications services; nonstate entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2), and 44.73 (2) (d), to provide computer services, telecommunications services, and supercomputer services to state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule.

SECTION ~~20.505~~ (1) (it) of the statutes is created to read:

20.505 (1) (it) *Electronic communications services; nonstate entities.* From the source specified in s. 16.974 (3), to provide electronic communications services to

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state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule.

SECTION ~~6~~ 20.505 (1)(kg) of the statutes is created to read:

20.505 (1) (kg) *Electronic communications services; state agencies*. From the source specified in s. 16.974 (3), to provide electronic communications services to state agencies, the amounts in the schedule.

SECTION ~~11~~ 20.505 (1) (kL) of the statutes is created to read:

20.505 (1) (kL) *Printing, mail processing, and information technology processing services to agencies*. From the sources specified in ss. 16.972 and 16.973, to provide printing, mail processing, and information technology processing services to state agencies, the amounts in the schedule.

SECTION ~~11~~ 20.505 (1) (kr) of the statutes is created to read:

20.505 (1) (kr) *Information technology development and management services*. From the source specified in s. 16.971 (11), to provide information technology development and management services to executive branch agencies under s. 16.971, the amounts in the schedule.

SECTION ~~11~~ 20.505 (6) (j) 12. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.505 (6) (j) 12. The amount transferred to s. ~~20.530~~ 20.505 (1) (kq) shall be the amount in the schedule under s. ~~20.530~~ 20.505 (1) (kq).

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; 1983 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; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16.

SECTION ~~11~~ 20.530 (intro.) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

# Page 19, line 20: after that line insert:

52h

973

<sup>52i</sup>  
SECTION ~~R~~. 20.530 (1) (title) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

<sup>52j</sup>  
SECTION ~~R~~. 20.505 (1) (g) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

<sup>52k</sup>  
SECTION ~~R~~. 20.530 (1) (ir) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 20.505 (1) (ir).

<sup>52L</sup>  
SECTION ~~R~~. 20.530 (1) (ja) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 20.505 (1) (ja).

<sup>52Lb</sup>  
SECTION ~~R~~. 20.530 (1) (ke) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 20.505 (1) (ke) and amended to read:

20.505 (1) (ke) *Telecommunications services; state agencies; veterans services.*  
The amounts in the schedule to provide telecommunications services to state agencies and to provide veterans services under s. ~~22.07~~ 16.973 (9). All moneys received from the provision of telecommunications services to state agencies under ss. ~~22.05 and 22.07~~ 16.972 and 16.973 or under s. 44.73 (2) (d), other than moneys received and disbursed under par. (kL) and s. 20.225 (1) (kb), shall be credited to this appropriation account.

Note: NOTE: There is no par. (kL). Corrective legislation is pending. Note:

<sup>52Lc</sup>  
SECTION ~~R~~. 20.530 (1) (kp) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 20.505 (1) (kp) and amended to read:

20.505 (1) (kp) *Interagency assistance; justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. ~~22.03~~ 16.971 (9). All moneys transferred from the

Sub.

appropriation accounts under s. ~~20.505~~ (6) (kt) and (m) shall be credited to this appropriation account.

History: 2001 a. 16 ss. 812b, 816, 819, 820, 845, 914.

SECTION ~~77~~ <sup>52Ld</sup> 20.530 (1) (kq) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 20.505 (1) (kq) and amended to read:

20.505 (1) (kq) *Justice information systems development, operation and maintenance.* The amounts in the schedule for the purpose of developing, operating and maintaining automated justice information systems under s. ~~22.03~~ <sup>16.971</sup> (9). All moneys transferred from the appropriation account under s. ~~20.505~~ (6) (j) 12. shall be credited to this appropriation account.

Sub.

History: 2001 a. 16 ss. 812b, 816, 819, 820, 845, 914.

SECTION ~~P.~~ <sup>52Ldb</sup> 20.530 (1) (m) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

# page 24, line 4: after that line insert:

SECTION ~~77~~ <sup>69km</sup> 20.923 (4) (h) 2. of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

# page 25, line 15: after that line insert:

SECTION ~~77~~ <sup>72fb</sup> Chapter 22 (title) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

SECTION ~~77~~ <sup>72fc</sup> 22.01 (intro.) and (1), (2), (2m), (3) and (4) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.97 (intro.) and (1m), (2), (2m), (3) and (4).

SECTION ~~77~~ <sup>72fd</sup> 22.01 (5) of the statutes, as created by 2001 Wisconsin Act 16, is repealed.

SECTION ~~77~~ <sup>72fe</sup> 22.01 (5m) to (10) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.97 (5m) to (10).

SECTION ~~77~~ <sup>72ff</sup> 22.03 (title) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.971 (title) and amended to read:

SECTION <sup>(CS)</sup> <sup>(B)</sup> <sup>(B)</sup> 72fbm. RP; 22.01 (intro.)

**16.971 (title) Responsibilities of department division.**

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

**SECTION 22.03 (2) (intro.), (a) and (ae) of the statutes, as affected by 2001**

**Wisconsin Act 16, are renumbered 16.971 (2) (intro.), (a) and (ae) and amended to read:**

**16.971 (2) (a) (intro.) The department division shall:**

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

**(a) (intro.) Ensure that an adequate level of information technology services is made available to all agencies by providing systems analysis and application programming services to augment agency resources, as requested. The department division shall also ensure that executive branch agencies, other than the board of regents of the University of Wisconsin System, make effective and efficient use of the information technology resources of the state. The department division shall, in cooperation with agencies, establish policies, procedures and planning processes, for the administration of information technology services, which executive branch agencies shall follow. The policies, procedures and processes shall address the needs of agencies, other than the board of regents of the University of Wisconsin System, to carry out their functions. The department division shall monitor adherence to these policies, procedures and processes.**

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

**(ae) Except as provided in sub. (2m), review and approve, modify or reject all forms approved by a records and forms officer for jurisdiction, authority, standardization of design and nonduplication of existing forms. Unless the department division rejects for cause or modifies the form within 20 working days after receipt, it is considered approved. The department's division's rejection of any**

form is appealable to the public records board. If the head of an agency certifies to the department division that the form is needed on a temporary basis, approval by the department division is not required.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

SECTION ~~72.03~~ <sup>72fh</sup> 22.03 (2) (am) to (k) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.971 (2) (am) to (k).

SECTION ~~72.03~~ <sup>72fi</sup> 22.03 (2) (L) to (m) of the statutes, as affected by 2001 Wisconsin Act 16, ~~(s)~~ renumbered 16.971 (2) (L) to (m) and amended to read:

are

16.971 (2) (L) Require each executive branch agency, other than the board of regents of the University of Wisconsin System, to adopt and submit to the department division, in a form specified by the department division, no later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the agency in the succeeding fiscal year for review and approval under s. ~~22.13~~ 16.976.

(Lm) No later than 60 days after enactment of each biennial budget act, require each executive branch agency, other than the board of regents of the University of Wisconsin System, that receives funding under that act for an information technology development project to file with the department division an amendment to its strategic plan for the utilization of information technology under par. (L). The amendment shall identify each information technology development project for which funding is provided under that act and shall specify, in a form prescribed by the ~~chief information officer~~ administrator, the benefits that the agency expects to realize from undertaking the project.

(m) Assist in coordination and integration of the plans of executive branch agencies relating to information technology approved under par. (L) and, using these



plans and the statewide long-range telecommunications plan under s. ~~22.41~~ 16.979 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the use and application of information technology. The ~~department~~ division shall, no later than September 15 of each even-numbered year, submit the statewide strategic plan to the cochairpersons of the joint committee on information policy and technology and the governor.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

**SECTION ~~22.03~~ <sup>72fj</sup> 22.03 (2) (n)** of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.971 (2) (n).

**SECTION ~~22.03~~ <sup>72fk</sup> 22.03 (2m)** (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.971 (2m) (intro.) and amended to read:

16.971 (2m) (intro.) The following forms are not subject to review or approval by the ~~department~~ division:

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

**SECTION ~~22.03~~ <sup>72fl</sup> 22.03 (2m) (a) to (h)** of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.971 <sup>(2m)</sup> (a) to (h).

**SECTION ~~22.03~~ <sup>72fm</sup> 22.03 (3) and (4) (a)** of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.971 (3) and (4) (a) and amended to read:

16.971 (3) (a) The ~~chief information officer~~ administrator shall notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the ~~department~~ division considers major or that is likely to result in a substantive change of service, and that was not considered in the regular budgeting process and is to be financed from general purpose revenues or corresponding revenues in a segregated fund. If the cochairpersons of the committee do not notify the ~~chief information officer~~ administrator that the committee has

scheduled a meeting for the purpose of reviewing the proposed acquisition within 14 working days after the date of the ~~officer's~~ administrator's notification, the ~~department~~ division may approve acquisition of the resource. If, within 14 working days after the date of the ~~officer's~~ administrator's notification, the cochairpersons of the committee notify the ~~officer~~ administrator that the committee has scheduled a meeting for the purpose of reviewing the proposed acquisition, the ~~department~~ division shall not approve acquisition of the resource unless the acquisition is approved by the committee.

(b) The ~~chief information officer~~ administrator shall promptly notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the ~~department~~ division considers major or that is likely to result in a substantive change in service, and that was not considered in the regular budgeting process and is to be financed from program revenues or corresponding revenues from program receipts in a segregated fund.

(4) (a) The ~~department~~ division may license or authorize executive branch agencies to license computer programs developed by executive branch agencies to the federal government, other states and municipalities. Any agency other than an executive branch agency may license a computer program developed by that agency to the federal government, other states and municipalities.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

SECTION ~~7.~~ <sup>72fn</sup> 22.03 (4) (b) and (c) and (6) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.971 (4) (b) and (c) and (6).

SECTION ~~7.~~ <sup>72fo</sup> 22.03 (9) and (11) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.971 (9) and (11) and amended to read:

16.971 (9) In conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys, the ~~department of electronic government~~ division may maintain, promote and coordinate automated justice information systems that are compatible among counties and the officers and agencies specified in this subsection, using the moneys appropriated under s. ~~20.530~~ 20.505 (1) (ja), (kp) and (kq). The ~~department of electronic government~~ division shall annually report to the legislature under s. 13.172 (2) concerning the department's division's efforts to improve and increase the efficiency of integration of justice information systems.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

(11) The ~~department~~ division may charge executive branch agencies for information technology development and management services provided to them by the ~~department~~ division under this section.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36; 1999 a. 9, 29, 32; 1999 a. 150 s. 672; 1999 a. 185, 186; 2001 a. 16 ss. 349 to 360.

SECTION ~~16.971~~ <sup>72fp</sup> 22.05 (title) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.972 (title) and amended to read:

**16.972 (title) Powers of the department division.**

History: 2001 a. 16 ss. 361 to 365, 1029.

SECTION ~~16.972~~ <sup>72fq</sup> 22.05 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.972 (1).

SECTION ~~16.972~~ <sup>72fr</sup> 22.05 (2) (intro.) and (a) to (d) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.972 (2) (intro.) and (a) to (d) and amended to read:

16.972 (2) (intro.) The ~~department~~ division may:

History: 2001 a. 16 ss. 361 to 365, 1029.

(a) Provide such telecommunications services to agencies as the ~~department~~ division considers to be appropriate.

(b) Provide such computer services and telecommunications services to local governmental units and the broadcasting corporation and provide such telecommunications services to qualified private schools, postsecondary institutions, museums and zoos, as the ~~department~~ division considers to be appropriate and as the ~~department~~ division can efficiently and economically provide. The ~~department~~ division may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The ~~department~~ division may charge local governmental units, the broadcasting corporation, and qualified private schools, postsecondary institutions, museums and zoos, for services provided to them under this paragraph in accordance with a methodology determined by the ~~chief information officer~~ administrator. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The department shall prescribe eligibility requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

(c) Provide such supercomputer services to agencies, local governmental units and entities in the private sector as the ~~department~~ division considers to be appropriate and as the ~~department~~ division can efficiently and economically provide. The ~~department~~ division may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise

of this power as a result of exercising this power. The ~~department~~ division may charge agencies, local governmental units and entities in the private sector for services provided to them under this paragraph in accordance with a methodology determined by the ~~chief information officer~~ administrator.

(d) Undertake such studies, contract for the performance of such studies, and appoint such councils and committees for advisory purposes as the ~~department~~ division considers appropriate to ensure that the ~~department's~~ division's plans, capital investments and operating priorities meet the needs of agencies local governmental units and entities in the private sector served by the ~~department~~ division. The ~~department~~ division may compensate members of any council or committee for their services and may reimburse such members for their actual and necessary expenses incurred in the discharge of their duties.

History: 2001 a. 16 ss. 361 to 365, 4029.

SECTION ~~22.05~~ <sup>72frm</sup> 22.05 (2) (e) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.972 (2) (e).

SECTION ~~22.05~~ <sup>72fs</sup> 22.05 (2) (f) and (g) of the statutes, as affected by 2001 Wisconsin Act 16, are ~~amended~~ <sup>renumbered</sup> to read:

renumbered 16.972 (2)(f) and (g) and

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16.972

22.05 (2) (f) Acquire, operate, and maintain any information technology equipment or systems required by the ~~department~~ division to carry out its functions, and provide information technology development and management services related to those information technology systems. The ~~department~~ division may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of equipment or systems acquired, operated, maintained, or provided or services provided under this paragraph in accordance with a methodology determined by the ~~chief information officer~~ administrator. The

~~department~~ division may also charge any agency for such costs as a component of any services provided by the ~~department~~ division to the agency.

History: 2001 a. 16 ss. 361 to 365, 1029.

(g) Assume direct responsibility for the planning and development of any information technology system in the executive branch of state government outside of the University of Wisconsin System that the ~~chief information officer~~ administrator determines to be necessary to effectively develop or manage the system, with or without the consent of any affected executive branch agency. The ~~department~~ division may charge any executive branch agency for the ~~department's~~ division's reasonable costs incurred in carrying out its functions under this paragraph on behalf of that agency.

History: 2001 a. 16 ss. 361 to 365, 1029.

~~SECTION 22.05~~ <sup>72 FT</sup> (2) (h) and (i) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.972 (2) (h) and (i). created

~~SECTION 22.07~~ <sup>72 Fu</sup> (intro.), (1) and (2) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.973 (intro.), (1) and (2) and amended to read:

B

16.973 (1) Duties of the department division. (intro.) The ~~department~~ division shall:

History: 2001 a. 16 ss. 367 to 369, 1030 to 1030m.

(1) Provide or contract with a public or private entity to provide computer services to agencies. The ~~department~~ division may charge agencies for services provided to them under this subsection in accordance with a methodology determined by the ~~chief information officer~~ administrator.

History: 2001 a. 16 ss. 367 to 369, 1030 to 1030m.

(2) Promulgate methodologies for establishing all fees and charges established or assessed by the ~~department~~ division or the ~~chief information officer~~ administrator under this chapter.

History: 2001 a. 16 ss. 367 to 369, 1030 to 1030m.

**72fv**  
SECTION ~~7~~. 22.07 (3) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.973 (3).

**72fw**  
SECTION ~~7~~. 22.07 (4) to (8) of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.973 (4) to (8) and amended to read:

16.973 (4) Ensure responsiveness to the needs of agencies for delivery of high-quality information technology processing services on an efficient and economical basis, while not unduly affecting the privacy of individuals who are the subjects of the information being processed by the ~~department~~ division.

(5) Utilize all feasible technical means to ensure the security of all information submitted to the ~~department~~ division for processing by agencies, local governmental units and entities in the private sector.

(6) With the advice of the ethics board, adopt and enforce standards of ethical conduct applicable to its paid consultants which are similar to the standards prescribed in subch. III of ch. 19, except that the ~~department~~ division shall not require its paid consultants to file statements of economic interests.

(7) Prescribe and revise as necessary performance measures to ensure financial controls and accountability, optimal personnel utilization, and customer satisfaction for all information technology functions in the executive branch outside of the University of Wisconsin System and annually, no later than March 31, report to the joint committee on information policy and technology and the board concerning the performance measures utilized by the ~~department~~ division and the actual performance of the ~~department~~ division and the executive branch agencies measured against the performance measures then in effect.

(8) Offer the opportunity to local governmental units to voluntarily obtain computer or supercomputer services from the ~~department~~ division when those

services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily participate in any master contract established by the ~~department~~ division under s. ~~22.05~~ 16.972 (2) (h) or in the use of any informational system or device provided by the ~~department~~ division under ~~22.09~~ 16.974 (3).

History: 2001 a. 16 ss. 367 to 369, 1030 to 1030m.

~~SECTION 22.07~~ <sup>(72fx)</sup> (9) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.973 (9).

History: 2001 a. 16.

~~SECTION 22.09~~ <sup>(72fy)</sup> (intro.) and (1) to (3) of the statutes, as created by 2001 Wisconsin Act 16, are renumbered 16.974 (intro.) and (1) to (3) and amended to read:

**16.974 Powers of the chief information officer administrator.** (intro.)

The ~~chief information officer~~ administrator may:

(1) Establish and collect assessments and charges for all authorized services provided by the ~~department~~ division, subject to applicable agreements under sub. (2).

(2) Subject to s. ~~22.05~~ 16.974 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector to provide services authorized to be provided by the ~~department~~ department to that agency, authority, unit, or entity at a cost specified in the agreement.

(3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies, authorities, local governmental units, or entities in the private sector, or otherwise permitting the transaction of business by agencies, authorities, local governmental units, or entities in the private sector by means of electronic communication. The ~~chief information officer~~ administrator may assess executive branch agencies, other than the board of

regents of the University of Wisconsin System, for the costs of systems or devices that are developed, operated, or maintained under this subsection in accordance with a methodology determined by the ~~officer~~ administrator. The ~~chief information officer~~ administrator may also charge any agency, authority, local governmental unit, or entity in the private sector for such costs as a component of any services provided by the ~~department~~ division to that agency, authority, local governmental unit, or entity.

History: 1991 a. 39; 1995 a. 27; 2001 a. 16 s. 372; Stats. 2001 s. 22.11.

~~SECTION 22.09~~ <sup>72f2</sup> (5) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.974 (5).

~~SECTION 22.11~~ <sup>72f2a</sup> of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.975 and amended to read:

**16.975 Access to information.** The ~~department~~ division shall withhold from access under s. 19.35 (1) all information submitted to the ~~department~~ division by agencies, authorities, units of the federal government, local governmental units or entities in the private sector for the purpose of processing. The ~~department~~ division may not process such information without the consent of the agency, authority, unit or other entity which submitted the information and may not withhold such information from the agency, authority, unit or other entity or from any other person authorized by the agency, authority, unit or entity to have access to the information. The agency, authority, unit or other entity submitting the information remains the custodian of the information while it is in the custody of the ~~department~~ division and access to such information by that agency, authority, unit or entity or any other person shall be determined by that agency, authority, unit or other entity and in accordance with law.

History: 1991 a. 39; 1995 a. 27; 2001 a. 16 s. 372; Stats. 2001 s. 22.11.

72fzb

SECTION 22.13 (title) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.976 (title).

72fzc

SECTION 22.13 (1) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.976 (1) and amended to read:

16.976 (1) As a part of each proposed strategic plan submitted under s. 22.03 16.971 (2) (L), the department division shall require each executive branch agency to address the business needs of the agency and to identify all proposed information technology development projects that serve those business needs, the priority for undertaking such projects, and the justification for each project, including the anticipated benefits of the project. Each proposed plan shall identify any changes in the functioning of the agency under the plan. In each even-numbered year, the plan shall include identification of any information technology development project that the agency plans to include in its biennial budget request under s. 16.42 (1).

History: 2001 a. 16.

72fzd

SECTION 22.13 (2) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.976 (2).

72fze

SECTION 22.13 (3) to (6) of the statutes, as created by 2001 Wisconsin Act 16, are renumbered 16.976 (3) to (6) and amended to read:

16.976 (3) Following receipt of a proposed strategic plan from an executive branch agency, the ~~chief information officer~~ administrator shall, before June 1, notify the agency of any concerns that the ~~officer~~ administrator may have regarding the plan and provide the agency with his or her recommendations regarding the proposed plan. The ~~chief information officer~~ administrator may also submit any concerns or recommendations regarding any proposed plan to the board for its consideration. The board shall then consider the proposed plan and provide the ~~chief information~~

~~officer~~ administrator with its recommendations regarding the plan. The executive branch agency may submit modifications to its proposed plan in response to any recommendations.

(4) Before June 15, the ~~chief information officer~~ administrator shall consider any recommendations provided by the board under sub. (3) and shall then approve or disapprove the proposed plan in whole or in part.

(5) No executive branch agency, other than the board of regents of the University of Wisconsin System, may implement a new or revised information technology development project authorized under a strategic plan until the implementation is approved by the ~~chief information officer~~ administrator in accordance with procedures prescribed by the ~~officer~~ administrator

(6) The department division shall consult with the joint committee on information policy and technology in providing guidance for planning by executive branch agencies.

History: 2001 a. 16.

**SECTION 7. 22.15** (intro.) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.977 (intro.) and amended to read:

**16.977 Information technology portfolio management.** (intro.) With the assistance of executive branch agencies and the advice of the board, the ~~department division~~ shall manage the information technology portfolio of state government in accordance with a management structure that includes all of the following:

History: 2001 a. 16.

**SECTION 7. 22.15** (1) to (3) of the statutes, as created by 2001 Wisconsin Act 16, are renumbered 16.977 (1) to (3).

**SECTION 7. 22.17** (title) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 16.978 (title).

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SECTION ~~7~~. 22.17 (1) to (4) of the statutes, as created by 2001 Wisconsin Act 16, ~~is~~ renumbered 16.978 (1) to (4) and amended to read:

16.978 (1) The board shall provide the ~~chief information officer~~ administrator with its recommendations concerning any elements of the strategic plan of an executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

History: 2001 a. 16.

(2) The board may advise the ~~chief information officer~~ administrator with respect to management of the information technology portfolio of state government under s. 22.15 16.977.

(3) The board may, upon petition of an executive branch agency, review any decision of the ~~chief information officer~~ administrator under this chapter affecting that agency. Upon review, the board may affirm, modify, or set aside the decision. If the board modifies or sets aside the decision of the ~~chief information officer~~ administrator, the decision of the board stands as the decision of the ~~chief information officer~~ administrator and the decision is not subject to further review or appeal.

History: 2001 a. 16.

(4) The board may monitor progress in attaining goals for information technology and telecommunications development set by the ~~chief information officer~~ administrator or executive branch agencies, other than the board of regents of the University of Wisconsin System, and may make recommendations to the ~~officer~~ administrator or agencies concerning appropriate means of attaining those goals.

History: 2001 a. 16.

72fzj

SECTION ~~7~~. 22.19 of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.9785 and amended to read:

**16.9785 Purchases of computers by teachers.** The department division shall negotiate with private vendors to facilitate the purchase of computers and other

educational technology, as defined in s. 24.60 (1r), by public and private elementary and secondary school teachers for their private use. The ~~department~~ division shall attempt to make available types of computers and other educational technology under this section that will encourage and assist teachers in becoming knowledgeable about the technology and its uses and potential uses in education.

History: 1995 a. 27, 225; 1997 a. 27; 2001 a. 16, s. 308; Stats. 2001 s. 22.40.

~~SECTION 22.41~~ <sup>72fzk</sup> (title) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.979 (title).

~~SECTION 22.41 (2)~~ <sup>72fzL</sup> (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.979 (2) (intro.) and amended to read:

16.979 (2) POWERS AND DUTIES. (intro.) The ~~department~~ division shall ensure maximum utility, cost-benefit and operational efficiency of all telecommunications systems and activities of this state, and those which interface with cities, counties, villages, towns, other states and the federal government. The ~~department~~ division, with the assistance and cooperation of all other agencies, shall:

History: 1977 c. 418; 1993 a. 246; 1997 a. 150; 2001 a. 16 ss. 375 to 380; Stats. 2001 s. 22.41.

~~SECTION 22.41 (2) (a) to (f)~~ <sup>72fzm</sup> of the statutes, as affected by 2001 Wisconsin Act 16, are renumbered 16.979 (2) (a) to (f).

~~SECTION 22.41 (3)~~ <sup>72fzm</sup> of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 16.979 (3) and amended to read:

16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE TELECOMMUNICATIONS NETWORK. The ~~department~~ division may allow regionally accredited 4-year nonprofit colleges and universities that are incorporated in this state or that have their regional headquarters and principal place of business in this

state to participate in any telecommunications network administered by the department division.

History: 1977 c. 414, 1993 a. 246, 1997 a. 150; 2001 a. 16 ss. 375 to 380; Stats. 2001 s. 22.41.

*Page 29, line 17: after that line insert:*  
SECTION 29.038 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

29.038 (1) (a) "Local governmental unit" has the meaning given in s. 22.01 16.97 (7).

History: 1997 a. 170; 1999 a. 32 s. 42; Stats. 1997 s. 29.038; 2001 a. 16.

*Page 31, line 17: after that line insert:*  
SECTION 36.25 (38) (b) 6. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

36.25 (38) (b) 6. To pay the department of electronic government administration for telecommunications services provided under s. 22.05 (1).

History: 1973 c. 333 ss. 68, 201f(2); 1973 c. 335; 1975 c. 39, 339, 408 Supp.; 1975 c. 430 s. 80; 1977 c. 26, 29; 1977 c. 418 ss. 271 to 273, 924 (18) (e), (50); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 90 s. 23; 1979 c. 177; 1981 c. 20, 93, 237, 314, 346; 1983 a. 27, 387, 524; 1983 a. 538 s. 271; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1); 1987 a. 27, 186, 399, 403; 1989 a. 31, 56, 249, 299, 325, 335, 353, 359; 1991 a. 32, 39, 167, 269; 1993 a. 16, 27, 399, 455; 1995 a. 27 ss. 1767 to 1775k, 9116 (5), 9126 (19), 9145 (1); 1995 a. 54, 101, 216, 225, 227, 378, 404, 417; 1997 a. 27, 164, 178; 1997 a. 237 ss. 82v, 722s; 1997 a. 283; 1999 a. 9; 2001 a. 16.

*Page 33, line 2: after that line insert:*  
SECTION 44.70 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

44.70 (4) "Telecommunications" has the meaning given in s. 22.01 16.97 (10).

History: 1997 a. 27; 1999 a. 9 ss. 949 to 952, 2320 to 2322; 2001 a. 16.

SECTION 44.71 (2) (g) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

44.71 (2) (g) Coordinate the purchasing of educational technology materials, supplies, equipment, and contractual services for school districts, cooperative educational service agencies, technical college districts, and the board of regents of the University of Wisconsin System by the department under s. 16.72 (8), and, in cooperation with the department and subject to the approval of the department of electronic government, establish standards and specifications for purchases of educational technology hardware and software by school districts, cooperative

educational service agencies, technical college districts, and the board of regents of the University of Wisconsin System.

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; s. 13.93 (1) (b).

**SECTION 44.71 (2) (h)** of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: *1009L*

44.71 (2) (h) ~~With the approval of the department of electronic government,~~ purchase Purchase educational technology equipment for use by school districts, cooperative educational service agencies, and public educational institutions in this state and permit the districts, agencies, and institutions to purchase or lease the equipment, with an option to purchase the equipment at a later date. This paragraph does not require the purchase or lease of any educational technology equipment from the board. ✓

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; s. 13.93 (1) (b).

**SECTION 44.73 (1)** of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: *1009R*

44.73 (1) Except as provided in s. 196.218 (4t), the board, in consultation with the department and ~~subject to the approval of the department of electronic government,~~ shall promulgate rules establishing an educational telecommunications access program to provide educational agencies with access to data lines and video links. ✓

*plain comma*

History: 1999 a. 9 ss. 2318, 2323; 2001 a. 16.

**SECTION 44.73 (3)** of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: *1009T*

44.73 (3) The board shall submit an annual report to the department on the status of providing data lines and video links that are requested under sub. (2) (a) ✓

and the impact on the universal service fund of any payment under contracts under s. ~~16.974~~ 16.971 (13) to (16).

History: 1999 a. 9 ss. 2318, 2323, 2329; 2001 a. 16.

**SECTION 44.73 (6)** (a) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

44.73 (6) (a) From the appropriation under s. 20.275 (1) (s) or (tm), the board may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the board. The board shall determine the amount of the grant, which shall be equal to the cost incurred by the state to provide telecommunications access to a school district or private school under a contract entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the amount that the school district or private school would be paying under sub. (2) (d) if the school district or private school were participating in the program established under sub. (1), except that the amount may not be greater than the cost that a school district or private school incurs under the contract in effect on October 14, 1997. A school district or private school receiving a grant under this subsection is not eligible to participate in the program under sub. (1). No grant may be awarded under this subsection after December 31, 2005.

History: 1999 a. 9 ss. 2318, 2323, 2329; 2001 a. 16.

**SECTION 85.12 (3)** of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

85.12 (3) The department may contract with any local governmental unit, as defined in s. ~~22.01 16.97~~ (7), to provide that local governmental unit with services under this section.

History: 1993 a. 16; 1999 a. 9, 185; 2001 a. 16.

**SECTION 196.218 (5) (a) 5.** of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971 (13) to (16) to the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys in the universal service fund may be used to pay installation costs that are necessary for a political subdivision to obtain access to bandwidth under a shared service agreement under s. 44.73 (2r) (a).

History: 1993 a. 496; 1997 a. 27, ~~41~~, 237; 1999 a. 9, 29, 185; 2001 a. 16.

SECTION ~~196.218~~ <sup>346h</sup> 196.218 (5) (a) 6, as affected by 2001 Wisconsin Act 16, of the 16.972 statutes is amended to read:

196.218 (5) (a) 6. To pay the department of ~~electronic government~~ administration for telecommunications services provided under s. ~~22.05~~ <sup>16.972</sup> (1) to the campuses of the University of Wisconsin System at River Falls, Stout, Superior and Whitewater.

History: 1993 a. 496; 1997 a. 27, ~~41~~, 237; 1999 a. 9, 29, 185; 2001 a. 16.

SECTION ~~196.858~~ <sup>346m</sup> 196.858 (1) and (2) of the statutes, as affected by 2001 Wisconsin Act 16, are amended to read:

196.858 (1) The commission shall annually assess against local exchange and interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

History: 1989 a. 336; 1991 a. 39; 2001 a. 16.

(2) The commission shall assess a sum equal to the annual total amount under sub. (1) to local exchange and interexchange telecommunications utilities in proportion to their gross operating revenues during the last calendar year. If total expenditures for telephone relay service exceeded the payment made under this section in the prior year, the commission shall charge the remainder to assessed telecommunications utilities in proportion to their gross operating revenues during the last calendar year. A telecommunications utility shall pay the assessment within 30 days after the bill has been mailed to the assessed telecommunication utility. The

bill constitutes notice of the assessment and demand of payment. Payments shall be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir). "

History: 1989 a. 336; 1991 a. 39; 2001 a. 16. # Page 180, line 3: after that line insert: SECTION 221.0320 (3) (a) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: 353m

221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning given in s. ~~22.01 16.97~~ (7). "

History: 1995 a. 336; 2001 a. 16. # Page 180, line 20: after that line insert: SECTION 230.08 (2) (e) 1. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: 362m

230.08 (2) (e) 1. Administration — 10 11.

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19.

SECTION 230.08 (2) (e) 3r. of the statutes, as created by 2001 Wisconsin Act 16, is repealed. 362p

# Page 182, line 16: after that line insert: SECTION 283.84 (1) (c) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: 369m

283.84 (1) (c) Reaches an agreement with the department or a local governmental unit, as defined in s. ~~22.01 16.97~~ (7), under which the person pays money to the department or local governmental unit and the department or local governmental unit uses the money to reduce water pollution in the project area. "

History: 1997 a. 27; 2001 a. 16. # Page 222, line 23: after that line insert: SECTION 758.19 (7) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read: 512m

758.19 (7) The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the department of electronic government secretary of administration, no later than September 15 of each even-numbered year, a strategic plan for the

utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the courts and judicial branch agencies under the plan.

))  
A page 369, line 2: after that line insert:

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16.

“(5) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of electronic government shall become assets and liabilities of the department of administration.

ANS  
37A

(b) Positions and employees. 1. On the effective date of this subdivision, all full-time equivalent positions in the department of electronic government, except the positions occupied by the secretary, the deputy secretary, and the executive assistant, are transferred to the department of administration.

2. All incumbent employees holding positions specified in subdivision 1. are transferred on the effective date of this subdivision to the department of administration.

3. Employees transferred under subdivision 2. have all of the rights and the same status under subch. V of ch. 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of electronic government immediately before the transfer. Notwithstanding section 230.28 (4) of

the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of electronic government is transferred to the department of administration.

(d) *Contracts.* All contracts entered into by the department of electronic government that are in effect on the effective date of this paragraph are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of electronic government that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of electronic government that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(f) *Pending matters.* Any matter pending with the department of electronic government on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by the department of electronic government with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

Case 434, line 11: after that line insert:  
" (1) APPROPRIATION ACCOUNT BALANCE TRANSFERS; ELECTRONIC GOVERNMENT. (2) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of

JWS  
38A  
JWS  
38B  
JWS  
FROM  
P. 40

JWS  
38C

(91)

XCB

*of electronic government*

the statutes, as affected by this act, that is attributable to gifts, grants and bequests received by the department, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (j) of the statutes.

*Remove extra space*

(b) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources specified in sections 16.972 (2) (b) and (c) and 16.974 (2) of the statutes, as affected by this act, and section 44.73 (2) (d) of the statutes, for the provision of computer services, telecommunications services, and supercomputer services to state authorities, units of the federal government, local governmental units, and entities in the private sector, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (is) of the statutes, as created by this act.

(c) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in s. 16.974 (3) of the statutes, as affected by this act, for the provision of electronic communications services to state authorities, units of the federal government, local governmental units, and entities in the private sector, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (it) of the statutes, as created by this act.

(d) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in section 16.974 (3) of the statutes, as affected by this act, for the provision of electronic communications services to state agencies, as determined by the

secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kg) of the statutes, as created by this act.

(f) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources specified in sections 16.972 and 16.973<sup>e</sup> of the statutes, as affected by this act, for the provision of printing, mail processing<sup>e</sup>, and information technology processing services to state agencies, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kL) of the statutes, as created by this act.

(g) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in section 16.971 (11) of the statutes, as affected by this act, for the provision of information technology development and management services to executive branch agencies, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kr) of the statutes, as created by this act.

(g) The unencumbered balance in the appropriation account under section 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (mb) of the statutes.

11.  
13 a  
PRINTING, MAIL PROCESSING AND INFORMATION TECHNOLOGY PROCESSING REVENUE LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, there is lapsed to the general fund \$11,400,000 on day after the effective date of this subsection and \$11,400,000 on July 1, 2002, from the appropriation account of the department of administration under section 20.505 (1) (kL) of the statutes, as created by this act.

(END)

Move to P. 38



✓

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb2900/1ins2  
JTK.....

9259  
INS 37A: 9r

Except as provided in section 9201 (1), on

CS INS 38A:

1. Page 425, line 21: after that line insert:

"(1) (ke) 875,000 1,250,000".

INS 38 B:

2. Page 427, line 1: delete lines 1 to 4.

INS 38C:

(a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the  
general fund from the appropriation under section 20.530 (1) (g), 1999 stats.  
\$5,286,800 immediately prior to the transfers to be effected under paragraphs (b) to  
account of the department of electronic government

(g). A ←  
A ←  
A ←

LPS:  
Set this line  
up like  
line 22  
on p. 425  
of 50382/P2

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

LRBb2900/1dn

JTB g:Y.....

ys

Andy Engel:

1. Concerning the proposed lapse of \$22,800,000 in revenues from the appropriation under proposed s. 20.505 (1) (kL) [to which existing printing, mail processing and information technology processing revenues are transferred under this amendment], I do not know whether there will be unencumbered revenues in that account in an amount sufficient to effect such a lapse. You may wish to ask the Fiscal Bureau to review this issue. The proposed lapse may also result in levying of fees in excess of the amount permitted by law, which could theoretically mean that agencies that paid excess fees would be entitled to a refund.

2. This draft does not include any appropriation amounts for program revenue appropriations to DOA relating to electronic government. These appropriation amounts were included in Act 16 (the budget act), but the governor partially vetoed the appropriations for the Department of Electronic Government in such a way as to make these appropriations unlimited. The correct amounts should be obtained from the Fiscal Bureau and substituted on redraft.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

*There is already a lapse of \$5,286,800 from the same source that is contained in SSA 1, which this amendment retains.*

*(or person who paid fees to those agencies)*

✓

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

LRBb2900/1dn

JTK:cjs:pg

April 3, 2002

Andy Engel:

1. Concerning the proposed lapse of \$22,800,000 in revenues from the appropriation under proposed s. 20.505 (1) (kL) [to which existing printing, mail processing and information technology processing revenues are transferred under this amendment], I do not know whether there will be unencumbered revenues in that account in an amount sufficient to effect such a lapse. There is already a lapse of \$5,286,800 from the same source that is contained in SSA 1, which this amendment retains. You may wish to ask the Fiscal Bureau to review this issue. The proposed lapse may also result in levying of fees in excess of the amount permitted by law, which could theoretically mean that agencies that paid excess fees or persons who paid fees to those agencies would be entitled to a refund.

2. This draft does not include any appropriation amounts for program revenue appropriations to DOA relating to electronic government. These appropriation amounts were included in Act 16 (the budget act), but the governor partially vetoed the appropriations for the Department of Electronic Government in such a way as to make these appropriations unlimited. The correct amounts should be obtained from the Fiscal Bureau and substituted on redraft.

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