

**2013 DRAFTING REQUEST**

**Bill**

Received: **12/14/2012** Received By: **tkuczens**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget** By/Representing: **Bong**  
May Contact: Drafter: **tkuczens**  
Subject: **State Govt - electronic govt** Addl. Drafters:  
Extra Copies:  
Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**

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**Pre Topic:**

DOA:.....Bong, BB0306 -

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**Topic:**

Information Technology Service Fees

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**Instructions:**

see 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>
/?	tkuczens 12/28/2012	csicilia 1/8/2013		_____			
/P1	tkuczens 2/13/2013	kfollett 2/13/2013	rschluet 2/13/2013	_____	srose 1/8/2013		State
/P2				_____	srose 2/13/2013		State

FE Sent For:

**<END>**

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

LRB-0893/P2dn  
TKK:kjf:rs

February 13, 2013

Sasha Bong:

This draft reconciles LRB-0893/P1 and LRB-1196/P1. The treatment to s. 20.505 (1) (is) is deleted from this draft. The treatment of this section under this draft has been incorporated into the treatment of that section in LRB-1196/P2. Both LRB-0893 and LRB-1196 should continue to appear in the compiled bill.

Tracy K. Kuczenski  
Legislative Attorney  
Phone: (608) 266-9867  
E-mail: [tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)

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/P1		1/25/13 2/13 frantze 1/8/2013		_____	srose 1/8/2013		State

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<END>

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Information Technology Service Fees

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see attached

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/? tkuczens

pl gjs 1/8  
12 1/8

js + dm  
1/8/13

FE Sent For:

<END>

**Kuczenski, Tracy**

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**From:** Hanaman, Cathlene  
**Sent:** Friday, December 14, 2012 9:46 AM  
**To:** Kuczenski, Tracy  
**Subject:** FW: Statutory Language Drafting Request - BB0306

**From:** [SashaE.Bong@wisconsin.gov](mailto:SashaE.Bong@wisconsin.gov) [mailto:[SashaE.Bong@wisconsin.gov](mailto:SashaE.Bong@wisconsin.gov)]  
**Sent:** Friday, December 14, 2012 9:40 AM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Bong, Sasha E - DOA; Thornton, Scott - DOA  
**Subject:** Statutory Language Drafting Request - BB0306

**Biennial Budget:** 2013-15

**DOA Tracking Code:** BB0306

**Topic:** Information Technology Service Fees

**SBO Team:** GGCF

**SBO Analyst:** Bong, Sasha - DOA  
**Phone:** (608) 266-5468  
**E-mail:** [SashaE.Bong@wisconsin.gov](mailto:SashaE.Bong@wisconsin.gov)

**Agency Acronym:** DOA

**Agency Number:** 505

**Priority:** Medium

**Intent:**

Modify s. 16.974(3) to allow DOA to charge individuals for costs as a component of information technology services provided.

**Attachments:** False

*Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)*



State of Wisconsin  
2013 - 2014 LEGISLATURE



PB

LRB-0893/2 PI

TKK:|.....

Handwritten signature and initials

DOA:.....Bong, BB0306 - Information Technology Service Fees

**FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION**

in 12/28/12

SAV

Do NOT Gen

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

*Analysis by the Legislative Reference Bureau*

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

This bill authorizes DOA to charge an individual for the costs of providing access to certain information technology or telecommunications services developed, operated or maintained by DOA to that individual.

Insert Analysis A

Insert Analysis B

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

X  
Insert 1-2

2 SECTION 1. 16.974 (3) of the statutes is amended to read:

3 16.974 (3) Develop or operate and maintain any system or device facilitating

4 Internet or telephone access to information about programs of agencies, authorities,

5 local governmental units, entities in the private sector, <sup>individuals</sup> or any tribal schools, as

6 defined in s. 115.001 (15m), or otherwise permitting the transaction of business by

individuals ↗

1 agencies, authorities, local governmental units, entities in the private sector, <sup>for</sup>  
2 tribal schools by means of electronic communication. The department may assess  
3 executive branch agencies, other than the board of regents of the University of  
4 Wisconsin System, for the costs of systems or devices relating to information  
5 technology or telecommunications that are developed, operated, or maintained  
6 under this subsection in accordance with a methodology determined by the  
7 department. The department may also charge any agency, authority, local  
8 governmental unit, entity in the private sector, individual, or tribal school for such  
9 costs as a component of any services provided by the department to that agency,  
10 authority, local governmental unit, entity, individual, or tribal school.

History: 2001 a. 16; 2003 a. 33 ss. 782 to 785c; Stats. 2003 s. 16.974; 2009 a. 302; 2011 a. 32.

(END)

11

Insert 2-1)

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0893/P1ins  
TKK:.....

SA  
to DOA

INSERT ANALYSIS A

The bill withholds from the right of public inspection under the Open Records Law information provided by individuals for the purposes of processing.

INSERT ANALYSIS B

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

INSERT 1-2

1           **SECTION 1.** 16.974 (2) of the statutes is amended to read: ✓  
2           16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with  
3           any agency, any authority, any unit of the federal government, any local  
4           governmental unit, any entity in the private sector, any individual, or any tribal  
5           school, as defined in s. 115.001 (15m), to provide services authorized to be provided  
6           by the department to that agency, authority, unit, entity, individual, or tribal school  
7           at a cost specified in the agreement.

History: 2001 a. 16; 2003 a. 33 ss. 782 to 785c; Stats. 2003 s. 16.974; 2009 a. 302; 2011 a. 32.

INSERT 2-11 ✓

8           **SECTION 2.** 16.975 of the statutes is amended to read:  
9           **16.975 Access to information.** The department shall withhold from access  
10          under s. 19.35 (1) all information submitted to the department by agencies,  
11          authorities, units of the federal government, local governmental units ~~or~~, entities in  
12          the private sector, or individuals for the purpose of processing. The department may  
13          not process such information without the consent of the agency, authority, unit ~~or~~  
14          ~~other~~, entity, or individual which submitted the information and may not withhold  
15          such information from the agency, authority, unit ~~or other~~, entity, or individual or  
16          from any other person authorized by the agency, authority, unit ~~or~~, entity, or  
17          individual to have access to the information. The agency, authority, unit ~~or other~~,  
18          entity, or individual submitting the information remains the custodian of the

1 information while it is in the custody of the department and access to such  
2 information by that agency, authority, unit ~~or~~, entity, or individual or any other  
3 person shall be determined by that agency, authority, unit ~~or other~~, entity, or  
4 individual and in accordance with law.

✓ 5 History: 1991 a. 39; 1995 a. 27; 2001 a. 16 s. 372; Stats. 2001 s. 22.11; 2003 a. 33 s. 786; Stats. 2003 s. 16.975.

**SECTION 3. 20.505 (1) (is) of the statutes is amended to read:**

6 **20.505 (1) (is)** *Information technology and communications services; nonstate*  
7 *entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2) and (3),  
8 and 16.997 (2) (d) and (2g) (a) 3., to provide computer, telecommunications, electronic  
9 communications, and supercomputer services, but not integrated business  
10 information system services under s. 16.971 (2) (cf), to state authorities, units of the  
11 federal government, local governmental units, tribal schools, individuals, and  
12 entities in the private sector, the amounts in the schedule.

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433; 2007 a. 20 ss. 323, 326, 516e to 542g, 9121 (6) (a); 2007 a. 226; 2009 a. 11, 28, 302, 318; 2011 a. 29, 32 ss. 406, 421m, 435m to 446m, 716m to 747c, 755, 759 to 766; 2011 a. 166, 260.

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



LRB-0893/D1 P2  
TKK:cjs:jf  
L-note  
RMR

DOA:.....Bong, BB0306 – Information Technology Service Fees

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

Don't Gen

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

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

This bill authorizes DOA to charge an individual for the costs of providing access to certain information technology or telecommunications services developed, operated or maintained by DOA to that individual.

The bill withholds from the right of public inspection under the Open Records Law information provided by individuals to DOA for the purposes of processing.

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

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

2 SECTION 1. 16.974 (2) of the statutes is amended to read:

3 16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with

4 any agency, any authority, any unit of the federal government, any local

1 governmental unit, any entity in the private sector, any individual, or any tribal  
2 school, as defined in s. 115.001 (15m), to provide services authorized to be provided  
3 by the department to that agency, authority, unit, entity, individual, or tribal school  
4 at a cost specified in the agreement.

5 **SECTION 2.** 16.974 (3) of the statutes is amended to read: ✓

6 16.974 (3) Develop or operate and maintain any system or device facilitating  
7 Internet or telephone access to information about programs of agencies, authorities,  
8 local governmental units, entities in the private sector, individuals, or any tribal  
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13 of the University of Wisconsin System, for the costs of systems or devices relating to  
14 information technology or telecommunications that are developed, operated, or  
15 maintained under this subsection in accordance with a methodology determined by  
16 the department. The department may also charge any agency, authority, local  
17 governmental unit, entity in the private sector, individual, or tribal school for such  
18 costs as a component of any services provided by the department to that agency,  
19 authority, local governmental unit, entity, individual, or tribal school.

20 **SECTION 3.** 16.975 of the statutes is amended to read: ✓

21 **16.975 Access to information.** The department shall withhold from access  
22 under s. 19.35 (1) all information submitted to the department by agencies,  
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25 not process such information without the consent of the agency, authority, unit ~~or~~

1 ~~other, entity, or individual~~ which submitted the information and may not withhold  
2 such information from the agency, authority, unit ~~or other, entity, or individual~~ or  
3 from any other person authorized by the agency, authority, unit ~~or, entity, or~~  
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18

(END)

D-Note

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LRB-0893/P1dn

TKK:cjs:jf

ljf

Date

This draft reconciles LRB - 0893/P1<sup>✓</sup> and LRB -  
1196/P1<sup>✓</sup>⓪

Sasha Bong:

g S  
The treatment to ss. 20.505 (1) (is)<sup>✓</sup> is deleted from this draft. The treatment of this section is combined with the treatment of that section in LRB-1196<sup>✓</sup>.

Under this draft has been incorporated into

Tracy K. Kuczenski

Legislative Attorney

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State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0893/P2

TKK:cjs:rs

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10

(END)