

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **05/5/99**

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Mason**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies: **JTK**

**Pre Topic:**

LFB:.....Mason -

**Topic:**

Delete provision of computer services to state agencies

**Instructions:**

See Attached Delete provision of computer services by LTSB to state agencies (inserted by LRB-1850/1)

**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	dykmapj 05/5/99	gilfokm 05/5/99	martykr 05/6/99	_____	lrb_docadmin 05/6/99		

FE Sent For:

<END>

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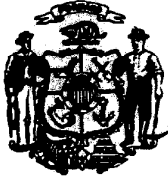
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1/?	dykmapj	1-5-5-99 amy	JmL	JmL			

FE Sent For:

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1850/1  
JTK:jl:lp

*Yank*

DOA:.....Caucutt - Provision of computer networking equipment services to  
state agencies by LTSB

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

*Tony*

1 AN ACT ...; relating to: installation and servicing of certain computer networking  
2 equipment by the legislative technology services bureau and making an  
3 appropriation.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

This bill permits the director of the legislative technology services bureau, by lease agreement, to purchase and install computer networking equipment to serve facilities of state agencies that are located in the same building in which a legislative branch office is located or in an adjacent building, and to provide related maintenance and support services to such agencies. Currently, the bureau is authorized and directed to provide and coordinate information technology support and services to the legislative branch of state government only.

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

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

1           **SECTION 1.** 13.96 (3) of the statutes is created to read:

2           **13.96 (3) POWERS OF THE DIRECTOR.** The director of the legislative technology  
3 services bureau may, by lease agreement, purchase and install computer networking  
4 equipment to serve facilities of state agencies, as defined in s. 20.001 (1), that are  
5 located in the same building in which a legislative branch office is located or in an  
6 adjacent building, and may provide related maintenance and support services to  
7 such agencies.

8           **SECTION 2.** 20.765 (3) (km) of the statutes is created to read:

9           **20.765 (3) (km) Computer networking.** All moneys received by the legislative  
10 technology services bureau from state agencies under s. 13.96 (3) for the installation  
11 and servicing of computer networking equipment, to be used for the purchase and  
12 installation of such equipment and to provide related maintenance and support  
13 services.

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

14

(END)



## **Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 4, 1999

Joint Committee on Finance

Paper #628

### **Computer Networking Equipment for Non-Legislative Agencies (Legislature)**

[LFB 1999-01 Budget Summary: Page 391, #9]

#### **CURRENT LAW**

The Legislative Technology Services Bureau (LTSB) is authorized under s. 13.96(1) of the statutes to provide and coordinate information technology (IT) support and services only to the legislative branch.

#### **GOVERNOR**

Create statutory authority for the Director of the LTSB to purchase and install computer networking equipment to serve other state agencies in addition to those in the legislative branch of government and to provide the associated maintenance and support services for the networking equipment. Specify that these arrangements would be authorized only where such agencies are located in or adjacent to a building housing an office of legislative branch agency and the other state agency executes a lease agreement for the networking equipment with the LTSB. Create a program revenue continuing appropriation into which all monies received from such other state agencies for the purchase, installation, maintenance and support of computer networking equipment would be credited.

#### **DISCUSSION POINTS**

1. During late 1998, the LTSB completed the redesign and replacement of the Legislature's IT network infrastructure and switching equipment. The new network is state-of-the-art in design and is intended to meet the Legislature's IT needs for the next 10 years.

2. This new network is fiber-optic based and has significantly increased overall network speed. Bandwidth has also increased on the new network, thereby allowing expanded

audio and video applications. Additionally, the new network currently has excess capacity available, and in the view of LTSB staff, this excess capacity will continue to remain available for the next several years.

3. The installation of the new legislative infrastructure and switching equipment has also come at a time when DOA InfoTech's existing network is reaching capacity. In light of this situation, the LTSB has asked for the statutory authority to enable it to offer the use of the excess capacity on the legislative network to executive or judicial branch agencies that occupy or are adjacent to buildings containing legislative branch agencies. The LTSB would be authorized to purchase the necessary switching components to make the required interconnections and would bill the agencies for such costs, which would then be paid from the new program revenue appropriation.

4. The LTSB argues that these arrangements would result in a cost-effective use of current excess capacity on the Legislature's IT network.

5. In reviewing this proposed addition to LTSB's current mission, the following questions may be posed:

- Currently, the sole statutory purpose of the LTSB is to provide IT services to the legislative branch. Could this priority be affected if the LTSB began providing services to agencies outside the legislative branch?
- Would additional operating costs and staff needs occur as a result of this new authority?
- Could the LTSB be left with certain costs ("stranded" costs) arising from providing the equipment and services to non-legislative branch agencies that the Legislature would then ultimately have to support?
- Is it appropriate for other than a central support agency (such as DOA) to become involved in providing services to other state agencies, even if on an ancillary basis?

6. The LTSB staff have indicated that the IT needs of the Legislature would continue to have priority even if the Bureau provided equipment and support services to non-legislative branch agencies. However, there is nothing in the proposed language that would ensure that this priority actually be maintained. If the Committee believes that such a priority should be assured if the LTSB is authorized to provide IT services to non-legislative branch agencies, it could include statutory language specifically requiring that the LTSB must give priority to the needs of the Legislature in the provision of IT support and services.

7. Among other things, the Joint Committee on Legislative Organization (JCLO) serves as the policy-making board for each of the legislative service agencies, including the LTSB. The JCLO is also responsible for supervising the development and use of information technology in the legislative process. It could be argued, therefore, that JCLO should act to formally approve a plan submitted by the LTSB for the scope of the Bureau's activities under this new statutory

authority proposed by the Governor before the Bureau embarks on providing these new services. The Finance Committee could include a session law requirement that the LTSB submit a plan to JCLO, for its approval, that would specify the scope of activities to undertaken by the LTSB under the new authority and how the LTSB will ensure that the Legislature is given priority in the provision of services from the LTSB.

8. The LTSB staff have also advised that any additional costs associated with providing equipment and services to non-legislative branch agencies would be recovered under the terms of the lease agreements entered into between the LTSB and the non-legislative branch agency and that LTSB does not see any need for additional support staff in connection with providing these new services.

9. It may be noted that the new PR appropriation that would be created under the Governor's recommendation for the costs of these computer networking activities for other state agencies would be established as a continuing appropriation. However, no estimated level of expenditures from this open-ended appropriation is contained in the bill. Under a continuing appropriation, the amounts shown in the appropriation schedule for the appropriation, including zeroes, are not controlling. Rather, an agency may expend any level of funds needed for the authorized activities, subject to the level of revenues credited to or expected to be available to the appropriation. Therefore, the Committee could change the proposed continuing appropriation to a sum certain annual appropriation. Then, when and if LTSB determines that spending authority for this purpose is necessary, the Bureau could request approval of expenditure authority from the Finance Committee under a 14-day passive review process. This would allow the Finance Committee to assess both the adequacy of available or projected revenues for the appropriation as well as the proposed expenditure plan.

10. The LTSB believes that it would not be left with any "stranded" costs as a result of providing IT services to non-legislative branch agencies. Stranded costs would be costs for such things as equipment and permanent property purchased for a non-legislative branch agency, where the non-legislative branch agency sought to end its agreement with the LTSB before the equipment costs had been fully paid. The Bureau has indicated that it would enter into lease agreements which would contain provisions to fully amortize the additional equipment costs required to provide the services. The leases would be structured to require the full payment of all such costs in the event the non-legislative branch agency chose to terminate the agreement before it had run to term.

11. Finally, an argument could also be made that if non-legislative branch agencies need networking services, it should be the province of the Department of Administration to provide such services and capacity as the state's central service agency for the statewide IT enterprise. It could be questioned whether the Legislature, or any other agency, should begin to be involved in providing IT services to other state agencies.

12. If, on balance, the Committee believes that the LTSB should be authorized to purchase and install computer networking equipment for non-legislative branch agencies and to provide the associated maintenance and support services for the networking equipment, it could

approve the Governor's recommendation, or it could approve the Governor's recommendation with the modifications suggested.

13. Alternatively, if the Committee believes that modifying the LTSB's current statutory mission of providing and coordinating IT support and services only to the legislative branch could detract from its ability to fully service the Legislature, it could delete the Governor's recommendation.

### **ALTERNATIVES TO BASE**

1. Approve the Governor's recommendation by including statutory language: (a) authorizing the Director of the Legislative Technology Services Bureau to purchase and install computer networking equipment to serve state agencies other than those in the legislative branch and to provide the associated maintenance and support services for such networking equipment; (b) specifying that these arrangements would be authorized where an agency is located in or adjacent to a building housing a legislative branch office and the other agency executes a lease agreement for the networking equipment with the Bureau; and (c) creating a new program revenue continuing appropriation into which all monies received from such other state agencies for the purchase, installation, maintenance and support of computer networking equipment would be credited.

2. Modify the Governor's recommendation by:

a. Including a session law provision to require that the Director of the Legislative Technology Services Bureau (LTSB) submit to the Joint Committee on Legislative Organization (JCLO), for its approval, a plan of how the LTSB proposes to implement these new computer networking services for other state agencies, including the scope of activities to be undertaken by the LTSB and how the LTSB will ensure that the Legislature is given priority in the provision of services from the LTSB;

b. Including statutory language requiring the LTSB to give priority to the Legislature in the provision of all IT support and services; and

c. Establishing the new PR appropriation for computer networking costs as a sum certain, annual appropriation rather than a continuing appropriation.

3.

Maintain current law.

Prepared by: Tony Mason





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1850/1  
JTK:jlg:lp

DOA:.....Caucutt - Provision of computer networking equipment services to  
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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:*





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0244/1

PJD... *Kimcy*

LFB:.....Mason – Delete provision of computer services to state agencies

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

- ✓ 1. Page 123, line 25: delete that line.
- ✓ 2. Page 124, line 1: delete lines 1 to 6.
- ✓ 3. Page 470, line 7: delete lines 7 to 12.

*13.96(9)*  
*20.765(2)*  
*(Kim)*  
2  
3  
4  
\*\*\*Note: This item involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

(END)

5



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0244/1  
PJD:kmg:km

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- 4 **3.** Page 470, line 7: delete lines 7 to 12.

5 (END)